



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*
(OFFICIAL REPORT—*Unrevised*)

Wednesday, 26 January 2005.

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TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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Wednesday, 26 January 2005.

Chuaigh an Ceann Comhairle i gceannas ar 2.30 p.m.

Paidir.
Prayer.

Ceisteanna — Questions.

Minister for Defence (Mr. O’Dea): Before I take the first question, I wish to clarify that on the last day Defence questions were taken in the Dáil, I referred to a certain incident involving damage to property in Limerick and stated that the chief suspect was a member of the Green Party. I have checked that matter and find there is no connection between that person and the Green Party. I apologise for any embarrassment caused.

Priority Questions.

Overseas Missions.

89. **Mr. Timmins** asked the Minister for Defence the situation with respect to Irish troops participating in the EU battle groups; and if he will make a statement on the matter. [1766/05]

91. **Mr. Gormley** asked the Minister for Defence if he plans to abandon the triple lock, amend the Defence Acts or seek amendment of the Constitution to facilitate Ireland’s participation in the EU battle groups or other military

arrangements; and if he will make a statement on the matter. [1763/05]

93. **Mr. Sherlock** asked the Minister for Defence if he wants Irish soldiers to join the European Union’s proposed rapid reaction battle groups; if he is still committed to the policy of not joining any military force not mandated by the United Nations; if he intends taking proposals to the Cabinet on this issue; and if he will make a statement on the matter. [1765/05]

Mr. O’Dea: I propose to take Questions Nos. 89, 91 and 93 together.

I refer Deputies to my reply to the House on this subject on 17 November 2004. The position remains as I outlined at that time. The background to the rapid response elements concept, commonly referred to as battle groups, is that at the European Council in Helsinki in 1999, member states set themselves a headline goal that “by the year 2003, cooperating together and voluntarily, they will be able to deploy rapidly and then sustain forces capable of the full range of Petersberg Tasks as set out in the Amsterdam Treaty”. In short, they are humanitarian, rescue, peacekeeping and crisis management operations, including peacemaking. This included, *inter alia*, a capability to provide “rapid response elements

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available and deployable at very high readiness". The ambition of the EU to be able to respond rapidly to emerging crises has and continues to be a key objective of the development of the European security and defence policy.

The EU has learned from historical experience in the Balkans and Africa and wants to be able to react more quickly when crises develop. This was effectively illustrated last year by the EU's first autonomous military operation, which was conducted in the Democratic Republic of Congo. The operation, undertaken at the request of the United Nations Secretary General and which deployed in rapid circumstances, was successful in contributing to the stabilisation of the security environment and the improvement of humanitarian conditions in the Democratic Republic of Congo. Deputies will recall that during his visit to Dublin in October 2004, the UN Secretary General, Kofi Annan, stressed the importance of battle groups and requested Ireland's support for them.

As I indicated in my reply to the House on 17 November, at the Cabinet meeting of 16 November, the Government agreed that I should advise my EU counterparts of Ireland's preparedness to enter into consultations with partners with a view to potential participation in rapid response elements. A military capabilities commitment conference was held on 22 November 2004 at which member states committed up to 13 battle group formations which will be available to deploy to crisis situations within a five to ten day period from 2005 onwards. The five to ten day period begins from the date of a decision by the European Council to launch an operation. However, it is to be expected that a crisis would normally have a longer gestation period during which the UN Security Council would have sufficient opportunity to decide on a UN mandate.

To fully assess the implications associated with such participation, I have established an inter-departmental group which includes representatives of my Department, the Defence Forces, the Taoiseach's Department, the Department of Foreign Affairs and the Attorney General's office. This group met in December and has established three subgroups to address the policy, legislative and operational issues arising. The work of these subgroups will span some months because the rapid response elements concept is still evolving and a complete picture of all other member states' proposed involvement is not yet available. Following completion of the necessary analysis I intend returning to Government with proposals regarding the level of any proposed participation by Ireland.

The House must bear in mind the Defence Forces are in Liberia in a UN operation, in Kosovo in a NATO-led operation and in Bosnia in a EU-led operation, and that rapid response elements are but one aspect of EU capabilities to assist in crisis management. The rapid response concept raises many issues, not alone for Ireland

but also for other EU member states. I again stress that the question of Ireland's participation in rapid response elements will remain subject to the usual requirements of a Government decision, Dáil approval and UN authorisation and I have no plans to change this.

Mr. Timmins: On behalf of myself and our party leader, Deputy Kenny, I thank the Minister for facilitating us to visit Irish troops in KFOR over the Christmas period. I am a little confused by the Minister's answer. My understanding following the last time Defence questions were answered was that the Cabinet had given permission in principle for an examination of the concept of joining the battle groups. The Minister has now stated that he would recommend to Cabinet the level of any assistance which Ireland might give. Will he confirm to the House that Ireland has not decided in principle to join these battle groups? Fine Gael believes that Ireland should join them.

He referred to the military capabilities commitment conference held on 22 November in Brussels where approximately 13 different formations were drawn up by 20 countries. Cyprus is hardly a wet week as a member of the EU and it is a small nation, yet it has given a commitment to a niche involvement. Is this not a cause of embarrassment for the Minister for Defence at meetings of the Council of Ministers or for the Taoiseach when he attends the Heads of State meetings? Ireland is a member of a club whose benefits it has enjoyed for almost 30 years, yet it is not willing to give something in return.

This relates to the evolution of peacekeeping. The Brahimi report outlined how the UN no longer has the wherewithal to carry out these operations and that they would need to be contracted out to regional organisations. Where better to go than to the EU and who better to participate than the Irish? Is it the Minister's view that Ireland should participate in these battle groups? If so, what legislative change will be necessary? Is the Government committed to bringing forward this required change in the legislation to allow training on foreign soil or to permit other armies to come here? In 2001, the Minister's predecessor stated that if a change in the legislation were required, it would be done. Is this still the Government's view? Fine Gael firmly believes that Ireland should participate.

On a final point, much confusion was caused over Christmas by the Taoiseach's office and the Minister's office as to whether a UN mandate was required. Does the Minister agree that while the triple lock may be an emotive issue, we in this country treat the UN in the same way as a dysfunctional family uses a comfort blanket and the time has come to make decisions for ourselves on a, case by case basis?

Mr. O'Dea: As I informed the House previously and as I repeated today, the Cabinet decided on 16 November that at the meeting in

Brussels, I should advise my EU counterparts of Ireland's preparedness to enter into consultations with our EU partners with a view to potential participation in rapid response elements. That was the decision taken. There was no decision taken to join the rapid response elements but the decision was taken to consult our EU partners to see whether Ireland could participate in such a concept and to determine what obstacles lay in the way.

Deputy Timmins refers to other countries such as Cyprus. With all due respects to Cyprus and any other countries that have signed up as part of the battle group concept, if one looks at the size of their populations and economies, I doubt if they have put as much as Ireland into peace-keeping over the past 50 years. As I stated, Irish forces are deployed in Liberia, Kosovo and Bosnia. The contribution made by Irish forces to United Nations peacekeeping missions over the past 50 years has been second to none and, regardless of whether we participate in the rapid reaction force, that will not change. Participation in rapid reaction units is only one way in which we can contribute to world peacekeeping. That is the position.

The position in the Department is that there are a number of obstacles. Deputy Timmins asked me directly if I was prepared to abandon the triple lock mechanism. I read his party's interesting paper on neutrality. I do not agree with his statement that the triple lock is a political or other type of straitjacket. If we had to abandon the triple lock to enter into the rapid reaction arrangement, I would not be prepared to make that sacrifice.

The Department, in conjunction with other Departments, is seeking to determine if we can participate meaningfully within the parameters of the triple lock mechanism. This will depend on a number of factors, not primarily the Defence Act. It will depend, for example, on how the United Nations reforms its procedures, a process which is under way. The primary issue will be whether a Security Council decision can be obtained more quickly than at present. This is the main obstacle from the point of view of the triple lock. Something will have to happen on those lines before we would even contemplate looking at our legislation.

Mr. Gormley: Does the Minister agree that the United Nations is not so much a comfort blanket as the basis of international law? On what legal basis is the triple lock founded? Does the Minister agree that section 2(1) of the Defence (Amendment) (No. 2) Act 1960 does not state that service outside the State by Defence Forces contingents can only be with a United Nations force but stipulates instead that service with a United Nations force can only be pursuant to a resolution of the Dáil? Will the Minister be clear on this? While I support the triple lock, I want to know its legal basis and the legal advice available to the Minister on it.

With regard to the implications of the new EU constitution, Article 40.2 is clear. It states:

The common security and defence policy shall include the progressive framing of a common Union defence policy. This will lead to a common defence, when the European Council, acting unanimously, so decides.

That is one aspect. The crucial point, however, is the clear statement in Article 40.7 that: "Until such time as the European Council has acted in accordance with paragraph 2 of this Article, closer cooperation shall be established, in the Union framework, as regards mutual defence." Is it not clear that involvement in closer co-operation as regards mutual defence is not compatible with the triple lock the Minister claims he does not want to abandon?

Mr. O'Dea: I agree with the Deputy's sentiments regarding the United Nations. With regard to the legal basis of the triple lock, my advice from the Attorney General is that this is contained in the corpus of defence legislation, namely, the relevant Defence Acts. I do not have the detailed legal advice to hand but I undertake to the Deputy to obtain it and forward it to him.

As the campaign on the draft EU constitution has not yet started, Deputy Gormley has started his early.

Mr. Gormley: I am simply asking a question.

Mr. O'Dea: There is no doubt the advice I have received will be debated in various fora throughout the country. A Cabinet sub-committee on European affairs is examining the terms of the draft EU constitution. The advice we have is that the triple lock is perfectly consistent with signing up to the section of the draft EU constitution containing the concept of common or mutual defence. Deputy Gormley probably does not accept it but that will be a subject for debate during the campaign on the EU constitution.

Mr. Sherlock: If the Minister for Defence wants Irish soldiers to join the EU's proposed rapid reaction battle groups and if he is still committed to the policy of not joining any military force not mandated by the United Nations, he must clarify recent comments that he intends to bring proposals to Cabinet. What proposals will he bring to Cabinet? What are the precise legal and constitutional issues he has identified? How will these changes affect the triple lock procedure?

Mr. O'Dea: I am committed to the triple lock as it stands. On the proposals I will bring to Cabinet, as I said, we have set up a group which is divided into three subgroups to consider all the issues on participation in rapid reaction units. I will take the conclusions of those groups to Cabinet where we will discuss them. That is the position. People have asked if we should make a decision on this immediately. At the conference in Brussels, some countries talked about commit-

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ting by 2010. That did not indicate a great urgency. The only agreements at present are for battle groups set up by framework countries where a battle group would come from one country.

On multi-operational measures, where a number of countries are involved, I am advised that they will not get off the ground until approximately 2007 at the earliest. There is no great compelling urgency about this. We are performing our functions of peacekeeping and peacemaking on behalf of the United Nations in missions established or authorised by it as we have always done. This is another way in which we can help if we can. However, I am not prepared to abandon the triple lock to enable us to do so.

Mr. Timmins: Does the Minister agree that we, as a nation, should be able to devise our own foreign policy? By adhering to the triple lock, we are, in a strange way, making ourselves subservient to American, Chinese, Russian, French and British foreign policy. That is a weakness in this whole system. After the tsunami disaster, people clamoured to get Irish troops to go to south-east Asia. I do not know what the Minister's legal advice was and whether we needed a UN mandate to send troops. I do not believe we needed such a mandate but if we did, is it not ironic that we are subservient to so many other countries in respect of our foreign policy?

When will the subgroups considering the possibility of Irish troops joining EU battle groups report? I am concerned that people will become confused and will use the concept of joining EU battle groups, which is completely separate from the EU constitution and common defence policy. It is important the Minister brings forward proposals, whether positive or negative, long before the campaign on the EU constitution begins because these are two separate and very different issues and I would not like one to be used to blur the other.

In the event of us joining the battle groups, which I hope we will, I realise that our commitments overseas are a drain on resources and numbers. There are 10,500 members in the Defence Forces and this would take its toll. Will the Minister consider the concept of developing military-cum-civilian cells whereby, in many of the contingents operating at present, perhaps 40% of the unit could be made up of reserve Defence Forces members who have expertise in certain areas, whether fitters, drivers or medical personnel? That happens in almost all other European countries and it would make up for the shortfall in Irish personnel.

Mr. O'Dea: We are firmly in control of foreign policy. We devise our own foreign policy and do not look to China, America, Indonesia or elsewhere. My advice was that we did not need a UN mandate to deploy people on a voluntary basis overseas, as has always been done. For example,

it was done in Mozambique and Honduras. I imagine the subgroups will report by the summer. The overall group met in December. I understand that each of the three subgroups will meet within the next week.

I agree with Deputy Timmins's last remark about deploying some reservists overseas. As the Deputy is aware, a programme was put in place last year, which will be implemented over a six-year period, to upgrade the reserve Defence Forces. Part of the recommendations on which the associated committee is working is that members of the reserve Defence Forces, particularly specialists, could be deployed overseas on a voluntary basis. A number of issues must be dealt with in this regard, such as adequate advance training, security of employment and so on. However, nothing like that will happen without full consultation with PDFORRA and RACO, the relevant representative groups within the Army. It is a matter under consideration that Defence Forces reservists may be deployed overseas on a voluntary basis after all these issues have been dealt with and the matter has been discussed fully with the relevant representative organisations.

Mr. Gormley: The Minister must agree that the days when we made our own foreign policy are long gone, given that we have long since been part of a common foreign and security policy. That is fact. The Minister made an interesting distinction between mutual defence and common defence in his reply. If we are part of a mutual defence arrangement under Article 40.7, the Minister must agree that it would be strange for us to say to an EU partner which is the victim of armed aggression that we cannot go to its assistance, although we are part of a mutual defence pact, because we do not have a UN mandate as required by procedure in our country. Although I support the triple-lock mechanism, does the Minister agree that it seems to be incompatible with that provision in the long term?

Mr. O'Dea: I understand that but I do not agree. This is a debate we will have over a long period. Second, I reject Deputy Gormley's assertion that there is something lacking in the independence of Ireland's foreign policy. We are part of the EU and have certain responsibilities and obligations in this regard. However, by and large, Ireland controls its own foreign policy.

Mr. Sherlock: Is the Minister committed to the policy of not joining any military force not mandated by the UN? Depending on his answer, what assurances can he give that the triple-lock procedure will be maintained?

Mr. O'Dea: The answer to the first of Deputy Sherlock's questions is "yes". I am committed to the principle of not involving Irish troops in any military operation unless mandated by the UN. Regarding the triple-lock procedure, the present

position will be maintained. I can only give the Deputy my word. I speak on behalf of the Government in assuring the Deputy that it is Government policy that the triple-lock mechanism in its current form will be maintained.

Mr. Timmins: For now.

Army Intelligence Operations.

90. **Mr. Sherlock** asked the Minister for Defence if Army intelligence continues to keep files on politicians and political activists similar to those revealed in the State papers recently released under the 30-year rule; and if he will make a statement on the matter. [1764/05]

1276. **Aengus Ó Snodaigh** asked the Minister for Defence the number of persons currently monitored by Army intelligence. [1645/05]

Mr. O'Dea: I propose to take Questions Nos. 90 and 1276 together.

Both the Garda Síochána and the Defence Forces perform complimentary roles in the protection of the security of the State. There is ongoing and close liaison between the Garda Síochána and the Defence Forces regarding internal security matters, including in the intelligence field. Both agencies gather and share information and assessments on perceived and emerging security threats. In addition, mutual assistance and cooperation is maintained between the Irish security services and those of other like-minded countries to ensure the effective flow of relevant intelligence.

The Garda Síochána has the primary responsibility for law and order, including the protection of the internal security of the State. In the intelligence field, the Defence Forces act in a complimentary role, primarily in the gathering and analysis of intelligence on paramilitary activities, while also providing intelligence on external threats, in particular, threat assessments in respect of locations where the Defence Forces are deployed on overseas peace support missions. Military intelligence is also responsible for ensuring the security of the Defence Forces against internal threats.

I am advised that military intelligence does not maintain files on politicians or political activists *per se*. It would only be in cases where a person, or a group to which he or she belonged, was considered to pose a potential threat to the security interests of the State that it might be considered appropriate to monitor such activities.

The director of intelligence provides briefings to me, to the Chief of Staff and to the Deputy Chief of Staff for operations on such threats. In addition, the Chief of Staff, who is a member of the national security committee, apprises that committee on the nature of such threats. Obviously, of their nature, the content of those briefings must be kept confidential. As such, I am not at liberty, nor would it be appropriate for me to indicate the nature and extent of any activities, which the Defence Forces might undertake in this

regard, or to disclose any information I received on such issues.

Mr. Sherlock: What possible justification exists for any army intelligence service to maintain files on political activists? While I know the answer the Minister has just given, I want to pursue the matter. Simply because their views might not have been mainstream, is it appropriate that people of political integrity such as Kadar Asmal, Anthony Coughlan and others were monitored in this way? Somebody who saw files gave those names as people being pursued under this system.

Mr. O'Dea: There is no justification for maintaining surveillance on people just because they happen to be political activists whose views do not coincide with the mainstream political opinions of the day. Military intelligence reports to me and I assure the House that nobody is under surveillance from military intelligence anyway simply because they happen to be involved in politics or democratic political activity. Only people whose activities are judged to be a threat to the security of the State are the subject of military intelligence. I cannot comment on the cases to which the Deputy refers and I am sure he understands why. They were certainly before my time and I am not aware of them. I am advised the criteria are as I have outlined.

A control system exists in that military intelligence reports on a regular basis to the Minister for Defence, who is a political figure and happens to be me at the moment. It reports to the Army Chief of Staff and to the Deputy Chief of Staff in charge of operations. I am the only political figure in that troika. I must take responsibility for those whom military intelligence keeps under surveillance. I accept this because it reports to me on a regular basis and I am satisfied that what it is doing, as I understand it on the basis of what I see, is quite in order.

Mr. Sherlock: Is the Minister aware that the newly released State papers reveal that this body monitored political activities by campaigners against joining the EEC and other activities? What assurances can the Minister give the House that this practice is not continuing? Was the Minister aware that those names were included in the State papers that were recently released after 30 years?

Mr. O'Dea: I am aware of the State papers to which the Deputy refers. However, I will not make any comment or second-guess the judgment of the people who decided to put anybody under surveillance at any time. That was done by people in military intelligence and was sanctioned by or at least known to those who were Ministers at the time. I answer for military intelligence now and take full responsibility for what it does now. It reports to me on a regular basis and I am satisfied that what it does now is the minimum necessary and no more than is necessary.

Overseas Missions.

92. **Mr. Timmins** asked the Minister for Defence the number of Irish military personnel who will be involved in the relief effort in Asia following the recent disaster there; and if he will make a statement on the matter. [1767/05]

Mr. O'Dea: The Government is strongly committed to providing whatever support it can within available resources and capabilities, including the provision of Defence Forces personnel, to the humanitarian relief operation in south-east Asia following the recent tsunami disaster. As soon as the scale of the disaster became clear, the Department of Foreign Affairs deployed a high level technical assessment team, which included a member of the Defence Forces, to examine the situation on the ground and identify what assistance Ireland should offer to the affected region. Arising from its initial assessment, the team advised the Department of Foreign Affairs of an immediate requirement for two logistics planning experts and two engineers to be attached to the United Nations Joint Logistics Centre.

Following consultation with my colleagues, the Minister for Foreign Affairs and the Minister for Finance, I agreed to the secondment of four officers of the Permanent Defence Force on a volunteer basis to the UNJLC in Colombo, Sri Lanka. The role of the logistics officers will be to evaluate, on behalf of the UNJLC, the current and future transport requirements in the affected areas for the delivery of humanitarian aid and to recommend solutions to overcome any identified shortfalls. The engineers will examine the road infrastructure in the affected areas, specify the rehabilitation and repair requirements and establish repair priorities to restore a functioning transport network in the area. These officers will have completed their work in six to eight weeks.

It is not possible at this stage to state if further troops will be deployed to the region. The assessment team has advised that a request for a further small number of logistics planners may be pending. However, at this time, I have received no further formal requests for Defence Forces assistance. This is an evolving situation and, as such, I am not in a position to say what requests may arise over the coming weeks and months.

The Government is positively disposed towards supporting the relief effort in the affected areas to the greatest possible extent. In the event that the Defence Forces have the capacity and resources to offer further required assistance in the region in specified roles, they will be examined on a case-by-case basis having regard to the requirements and the situation on the ground.

Mr. Timmins: I thank the Minister for his comprehensive reply that covers most of the supplementary questions I had prepared. Does he agree we have limited capability to deal with a disaster, natural or otherwise? He has issued some statements since entering office about the

emergency planning cell but in this case, while we were willing to help, there was little we could do other than supply a few experts — there was no requirement for manpower, with many of these regions having adequate numbers.

We can, however, learn lessons from this. If we experienced a major national disaster, we would be unable to deal with it but we have never taken the idea seriously. The Minister should now provide additional funding for the emergency planning cell and co-ordinate with the other bodies to plan for and deal with such an event.

Irish people have a tremendous desire to assist in such a situation — that may stem from our past missionary zeal. Many people in State jobs would have liked to down tools and go out to the area for a couple of months. In conjunction with the Ministers for the Environment, Heritage and Local Government and Justice, Equality and Law Reform, will the Minister examine the establishment of a model where people can go out to assist in such circumstances? Forensic assistance was needed, as was medical and logistical expertise. People from outside the Defence Forces could enter such a network and could return to their jobs after two or three months without facing any penalty. We could look at this to plan for disasters closer to home also.

Mr. O'Dea: I sincerely hope we do not see anything even remotely resembling this incident again in the near future. Deputy Timmins's idea is a good one and I will take it up with my colleagues. The Department of Defence will examine this when considering the deployment of members of the Defence Forces Reserve abroad. Many of the same considerations will apply, such as security of employment and adequate training. The monitoring group will look at this and that will assist us in our deliberations.

Deputy Timmins also mentioned a disaster at home. We must make a clear distinction between a disaster at home and a disaster overseas. I respectfully submit to the House that we are extremely well-prepared for any disaster that might occur here. Another question has been submitted about this matter, but I do not know whether we will reach it.

Deputy Timmins is aware that an emergency planning committee was established in this country in the wake of the incidents in the United States on 11 September 2001. I chair the committee, which has met quite often since it was established. It meets on a monthly basis — its first meeting of the new year will take place next Tuesday, as far as I know. The committee comprises representatives of various Departments, such as the Departments of Health and Children and the Environment, Heritage and Local Government, and members of certain organisations, such as the Garda Síochána and the Army, all of whom have a role to play in the event of an emergency. I have asked the various organisations to outline their plans, to state what would happen in the event of certain occurrences and to

give the up-to-date position about certain matters. We are keeping it really up to date. The Deputy will agree, if we get to discuss this matter later, that we are staying on top of it.

The first point made by Deputy Timmins related to Ireland's capacity to respond to overseas disasters. Ireland does not have the front-line emergency response capability needed to transport large volumes of emergency supplies thousands of miles and to deliver them to those who are affected by natural disasters. We do not have that capacity, which was needed in the immediate wake of the recent tsunami. Ireland can perform best by offering support in key niche areas in which it can deliver real and tangible results. Nobody foresaw the scale of the disaster in south-east Asia. Its ultimate size was not apparent in the first couple of days after it happened. We sent a technical assistance assessment team to the affected region as soon as was practicable. The Minister for Foreign Affairs, Deputy Dermot Ahern, demonstrated his typical hands-on approach by travelling to the area with a group of officials, who reported back and outlined the level of need there. The team included a military official. We have sent a number of Army officers to the region, following a request for us to do so. If we receive a further request, we will look on it favourably. We are awaiting the assessment of the technical team, which should be available shortly, before we decide what other contribution we will make. I assure everybody that Ireland will play its part in that regard to the best of its ability.

Other Questions.

Humanitarian Relief.

94. **Mr. English** asked the Minister for Defence if he has received a report from the members of the Defence Forces working with the UN joint logistical coordination centre in Sri Lanka; if he will report on their findings; and if he will make a statement on the matter. [1534/05]

117. **Mr. Sherlock** asked the Minister for Defence the details of the proposed deployment of Irish troops to Sri Lanka to assist in the humanitarian operation there following the St. Stephen's Day 2004 tsunami; the number of troops that will be sent to Sri Lanka; the type of activities they will be involved in; and if he will make a statement on the matter. [1495/05]

123. **Mr. Gogarty** asked the Minister for Defence if he will report on participation by members of the Defence Forces in the humanitarian assistance effort in Sri Lanka; if the Defence Forces may be sent to other areas in Asia affected by the tsunami; and if he will make a statement on the matter. [1522/05]

136. **Aengus Ó Snodaigh** asked the Minister for Defence if he will report on the findings of the

military officials on the Government technical team that visited the tsunami-affected region, and on the present and future role of the IDF in the tsunami humanitarian relief effort. [1515/05]

1268. **Mr. F. McGrath** asked the Minister for Defence if troops and back-up services will be supplied to the victims of the tsunami crisis under the guidance of the UN. [34583/04]

Mr. O'Dea: I propose to take Questions Nos. 94, 117, 123, 136 and 1268 together.

As I stated in response to an earlier question on this issue, the Government is strongly committed to providing whatever support it can within available resources and capabilities, including the provision of Defence Forces personnel, to the humanitarian relief operation in south-east Asia following the recent tsunami disaster. As soon as the scale of the disaster became clear, the Department of Foreign Affairs deployed a high-level technical assessment team, which included a member of the Defence Forces, to examine the situation on the ground and to identify the assistance Ireland could offer to the affected region. Arising from its initial assessment, the team advised the Department of Foreign Affairs of an immediate requirement to attach two logistics planning experts and two engineers to the United Nations joint logistics centre.

After I consulted with my colleagues, the Ministers for Foreign Affairs and Finance, I agreed to the secondment, with effect from 18 January 2005, of four officers of the Permanent Defence Force on a volunteer basis to the United Nations joint logistics centre in Colombo in Sri Lanka. As the officers have just been deployed to the area, no detailed reports have been received to date, other than a situational report of their arrival and operational arrangements. It is important to note that the officers' primary role is not to report on further areas in which Ireland can be of assistance, but to report to the joint logistics centre, following a detailed analysis of key priorities within their fields of expertise.

The role of the logistics officers will be to evaluate, on behalf of the United Nations joint logistics centre, the current and future transport requirements in the affected areas for the delivery of humanitarian aid and to recommend solutions to overcome identified shortfalls. The role of the engineers will be to examine the road infrastructure in the affected areas, to specify the rehabilitation and repair requirements and to establish repair priorities, thereby restoring a functioning transport network in the area. It is expected that the officers will have completed their work in six to eight weeks.

The technical assessment team has only just returned. Preliminary field reports were received from the team and it is now examining in detail the needs in the affected areas in terms of an overall humanitarian assistance and development programme. Once it has completed its analysis and submitted its formal report and recommendations, the latter will be examined by the Govern-

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ment to determine further and ongoing responses to the situation in the region.

It is not possible at this stage to state whether further troops will be deployed to the region. The assessment team has advised that a request for a further small number of logistics planners may be pending. However, I have received no further formal requests for Defence Forces assistance. As Deputies will appreciate, this is an evolving situation and, as such, I am not in a position to advise as to what requests may arise over the coming weeks and months.

I assure Deputies that the Government is very positively disposed towards supporting the relief effort in the affected areas to the greatest possible extent. In the event that the Defence Forces have the capacity and resources to offer further required assistance in the region in specified roles, this will be examined on a case-by-case basis, having regard to the requirements and the situation on the ground.

Mr. Timmins: Does the Minister know if the Government intends to increase the funding it has allocated to the disaster area?

Mr. O'Dea: To the best of my knowledge, the funding has been increased at least twice. The Minister for Finance has advised us that there is still capacity to increase the emergency fund that is used in such circumstances. No decision has been made on this as yet but we will examine the question when the technical assessment group issues its final report to us.

Mr. Sherlock: Referring to Question No. 117, will the Minister provide the House with details on the proposed deployment of Irish troops to Sri Lanka to assist in the humanitarian operation in the wake of the tsunami that occurred on St. Stephen's Day 2004? If troops are deployed, what will be the nature of their involvement?

Mr. O'Dea: The reply was contained in my response to Deputy Timmins. We are dealing with the sovereign governments of three countries in the region, not just a single unit. We have deployed the military personnel that were requested of us. It has been indicated to us by the team of the Minister for Foreign Affairs that a small number of further logistics experts of the same type may be required. If so, the Government will consider any request in this regard very positively. As yet, we have had no request to supply ground troops or specialist troops.

Fisheries Protection.

95. **Mr. Penrose** asked the Minister for Defence the reason for the anomalous situation whereby almost half of all inspections carried out by the Naval Service under the EU's system of monitoring fishing vessels are of Irish vessels; and if he will make a statement on the matter. [1507/05]

Mr. O'Dea: The State's fishery protection capability, as provided by my Department, is delivered by the Naval Service and the Air Corps. The main day-to-day role of the Naval Service, which is equipped with a total of eight vessels comprising one helicopter-carrying vessel, five offshore patrol vessels and two coastal patrol vessels, is to provide a fishery protection service in accordance with the State's obligations as a member of the European Union. The service is tasked with patrolling all Irish waters from the shoreline to the outer limits of the exclusive fishery limit, which covers an area of 132,000 square miles. These patrols are carried out on a regular and frequent basis and are directed to all areas of Irish waters as necessary.

Fishery protection patrols are complemented by assistance provided by the Air Corps in the form of aerial surveillance by the two Casa maritime patrol aircraft. Fishery protection activity accounts for over 90% of all Naval Service patrol time and more or less all of the maritime squadron's output.

The operational targeting of the protection effort is co-ordinated with the Department of Communications, Marine and Natural Resources in accordance with procedures set down in the service level agreement between that Department and the Department of Defence. Such targeting takes account of previous history of fishing, infringements, sightings, fishing zones, closed areas and species and allocated quotas, among other things. A comprehensive process is in place to identify and agree patrol plans and inspection targets. The objective in all cases is the protection of the fishing assets of the State. The Naval Service does not concentrate unduly on fishery control in respect of the Irish fishing effort within Irish territorial waters. In numerical terms, the Naval Service inspects more Irish than non-Irish vessels because more Irish vessels are present in our patrol area.

The statistics show, however, that over the past three years, the percentage of non-Irish vessels in the patrol area that the Naval Service has boarded and inspected is greater than the percentage of Irish vessels so inspected. In the 11 months to November 2004 Irish vessels accounted for 49% of vessels sighted in the patrol area but only 44% of boardings and inspections.

Mr. Sherlock: Why does the Naval Service operate to different regulations than the naval service in other EU member states in terms of inspection of fishing vessels? Do the statistics not show that Irish fishing vessels are being inspected at a much higher rate than those in other countries? According to the Official Report, the Naval Service reported that of the 27 detentions recorded in EU waters in 2003, some 75% related to Irish-registered vessels.

Mr. O'Dea: In response to the Deputy's first question I am not aware of the detail of how navies operate in other countries. We have an obli-

gation to protect Irish assets, namely, the exclusive Irish fishery area. I have outlined the measures we are taking and the resources we are deploying to do that. It is not true to say now, whatever might have been so in the past, that the greater percentage of vessels boarded are Irish. Statistics for the last three years indicate a slightly higher percentage of foreign vessels than Irish ones boarded and inspected.

While it may not be politically popular to say so, the statistics do not indicate that foreign vessels are more likely to be in breach of fisheries legislation. The opposite tends to be the case. Irish vessels have proportionately been subject to more warnings and detention arising from Naval Service inspections than their numbers should warrant.

Mr. Sherlock: Does the Minister plan to raise this issue at European level? If, following consultation with the Naval Service, he finds there are flaws in the system, will he ask at European level how they have arisen?

Mr. O'Dea: I would have no difficulty raising this matter at European level but it is a national issue. In 1998 the Government instigated a report from PricewaterhouseCoopers on Naval Service output and how this could be increased. As a result, the naval output in patrolling activity has increased by approximately 35% in the last four years. Even last year it had increased over the previous year. Given the resources we are putting into it and the resulting increased output, the service is doing a good job. If Deputy Sherlock wishes to send me a note setting out what he would like me to raise, and with whom, in consultations at European level, I will consider it in a positive light.

Mr. Timmins: Will the Minister confirm that he said that, statistically speaking, Irish fishermen are less law abiding than their European counterparts?

Mr. Sherlock: That is the question.

Mr. O'Dea: I suspected that Deputy Timmins might want to emphasise and highlight that point on the basis that the public is entitled to know. Obviously there are more Irish vessels to be found in the Irish patrol area and unfortunately statistics show that they are boarded proportionately more often than should be indicated by their numbers. That is an unfortunate statistical fact.

Mr. Sherlock: That is not the question I asked. It is not the issue.

Search and Rescue Service.

96. **Mr. Timmins** asked the Minister for Defence if he intends to permit the Air Corps to be involved in search and rescue; and if he will make a statement on the matter. [1403/05]

Mr. O'Dea: The Irish Coastguard has overall responsibility for the provision of maritime search and rescue services within the Irish search and rescue region. The Air Corps had been providing search and rescue services off the north-west coast but withdrew in October 2004 following a handover of this role to CHCI, a private operator, which also provides the service at the country's other search and rescue bases in Dublin, Shannon and Waterford.

I understand from my colleague, the Minister for Communications, Marine and Natural Resources, that CHCI will provide continuity of SAR service to the coastal, island and sea-faring communities in the north west. The changeover from the Air Corps to CHCI will not in any way downgrade or diminish the level of service provided to mariners or to our island communities. I understand that the mission list for the coastguard's service includes air ambulance, island relief, medevac etc.

The decision to withdraw the Air Corps from search and rescue services was only made following a considered assessment of the capacity of the Air Corps to return to and maintain a full 24-hour service in the north west. The decision was taken against what has always been the overriding concern of this and previous Governments and the Air Corps, namely, the safety of mariners and anyone who gets into difficulty where search and rescue can respond. The Air Corps was not in a position to provide the level of service that was required. There is no plan to reconsider the decision to withdraw from the maritime search and rescue service. However, the Air Corps will continue to provide non-maritime search and rescue response and the specification for the new helicopters being acquired for the Air Corps have this capability.

Mr. Timmins: Does the Minister agree that losing the search and rescue service in the north west, was a morale blow to the Air Corps? This service it provided was akin to what the overseas service is to the Army. It may be more difficult to get pilots to remain in the Air Corps when they are not involved in operational activities and are only involved in training. Has he had representations from the GOC or the commanding officer of the Air Corps to examine other areas outside its military remit, for example, the air ambulance service, whereby it could assist the public?

Mr. O'Dea: The answer to the last part of the Deputy's question is "No". I have not had any such representations. I emphasise to the Deputy that in regard to emergencies on land, including those that require the air ambulance service, the Air Corps will continue to be available.

In regard to what happened in the north west, there are four search and rescue bases in the country, namely, Dublin, Shannon, Waterford and the north west. The private operator to which we are referring and which can give a guaranteed 24 hour service was operating in three of those

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bases. The Air Corps was handling the service in the north west. We changed that situation because it became clear in October 2004, for various reasons which I need not go into, that the Air Corps could not guarantee that there would be 24-hour service available in the north west. The people who depend on this service in the region should not be disadvantaged *vis-à-vis* people in other parts of the country. It was on that basis alone that the decision was taken.

I emphasise and reiterate that I visited the Air Corps on two occasions in the past fortnight in conjunction with the purchase of new equipment, and morale among the staff is extremely high. I received a great reception. I also emphasise that the Air Corps will continue in its traditional role in search and rescue missions in regard to on-land, inshore rescue.

Aengus Ó Snodaigh: The Minister said that the search and rescue service provided by the Air Corps in the north west was discontinued because the Air Corps did not have the necessary capacity to deliver a 24-hour service. Am I correct in that?

Mr. O'Dea: No, I did not mention its capacity.

Aengus Ó Snodaigh: The Minister said he would not reconsider the withdrawal of that service from the Air Corps, yet we have increased its capacity with the provision of four new utility helicopters. Does he agree that handing over the role of the delivery of this service to a private operator incurs a greater cost on the State? Would it not be better to increase the capacity of the Air Corps to deliver this service?

Mr. O'Dea: Cost is certainly a factor, but the primary factor is guaranteeing safety and a 24-hour service.

For the information of the House my predecessor, the former Minister, Deputy Michael Smith, outlined to the House on a number of occasions that his decision to change the position in regard to the north west was taken following a considered assessment of the capacity of the Air Corps to return to and maintain a full 24-hour service in the north west. The service had been restricted following on from an unusually high incidence of sick leave among the winch crews. The decision to withdraw the Air Corps was taken to allow the coastguard put in place a service, which is resilient and can provide a continuity of service to the coastal island and sea-faring communities of the north west. We can never lose sight of the fact that search and rescue is an emergency life-saving exercise on which seafarers must be able to rely in all circumstances. This must be the priority.

Mr. Gormley: What accounted for the unusually high absenteeism?

Mr. O'Dea: This happened before I came to the Department but I understand it was due to

bad industrial relations. There was disagreement between management and staff, as I understand it, and this is the way that staff choose to express their disagreement.

Mr. Gormley: Did members of our armed services behave in that way?

Mr. O'Dea: It arose from a dispute between management and staff. There was an unusually high incidence of sick leave. Perhaps it was coincidental that those people all happened to be sick at the same time.

Mr. Gormley: These are members of the armed forces. That is not normal.

Mr. O'Dea: It may have been a coincidence.

Overseas Missions.

97. **Mr. McCormack** asked the Minister for Defence if the report into Irish involvement in defence of Jadotville (details supplied) has been completed; and if he will make a statement on the matter. [1407/05]

129. **Mr. Howlin** asked the Minister for Defence the details of the report carried out by his Department into a group of Irish soldiers who were falsely accused of cowardice in a battle in the Congo more than 40 years ago while on service with the United Nations; if the men have been exonerated in this report; if he has plans to commemorate the actions of these men; and if he will make a statement on the matter. [1501/05]

Mr. O'Dea: I propose to take Questions Nos. 97 and 129 together.

As I previously explained to the House, the Chief of Staff received a submission from a retired Army officer, who served at Jadotville, seeking a review of the events of September 1961. The Chief of Staff arranged for the submission to be examined by a board of officers and a report was subsequently prepared and forwarded to me late last year. I have examined the report in some detail.

It is important that all Members of the House recognise the sensitivity of the clear and deeply held views of all those involved in the event, both in B company and among members of the 35th battalion as a whole, even after the passage of so many years. It is fair to say that the events in Jadotville raise very deeply held emotions among all those involved in the events there. There is certainly a sense among the members of B company that, while there was no official action against any of them nor any official criticism of their actions, their stand in Jadotville was not appropriately recognised by the Defence Forces and there is a definite sense of grievance on the part of those involved arising because of that. Moreover, while there was no formal criticism, it has been suggested that those involved in Jadotville may have been subjected to adverse comments in some quarters. It would seem to be the

case that the lack of formal recognition of the events at Jadotville, which were no doubt extremely trying for the personnel involved, served to reinforce this sense of grievance and criticism for what happened there.

Whatever the perception may have been, I can inform the House that the report fully exonerates the actions of B company. At the time they surrendered, nothing would have been served by fighting on, except further and unnecessary bloodshed. It is clear from the report that the company and its commanding officer acted appropriately given all the circumstances. Detailed consideration is being given to the most appropriate form of commemoration for those involved in the events in Jadotville and I hope to make an announcement in this regard soon.

Mr. Timmins: I join the Minister in pointing out that the grievance of personnel of this company of the 35th battalion was well founded because for a number of years question marks — more anecdotal than anything else and founded on no great basis — evolved around them. I welcome that the Minister pointed out that he will take a measure to recognise appropriately the efforts of those people, many of whom, including the commanding officer of the company and the commander at that time, are now deceased. I realise this is a very sensitive issue for their families. I am delighted that after so many years that they will be appropriately recognised for the excellent job they did in extremely difficult circumstances.

Mr. O'Dea: I went through the report in some detail but did not get any sense from it that there was a concerted effort at the time not to commemorate or recognise the events at Jadotville. I could not find any criticism of the behaviour of the men in question. However, there are no formal records to indicate that this was the case or, in other words, that they should have been free of criticism and that they acted appropriately. I am glad we have a report, which confirms this. We are considering some way of commemorating their bravery and heroism and I hope to be in a position to make an announcement on that within the next couple of weeks.

Bullying in the Workplace.

98. **Mr. Cuffe** asked the Minister for Defence the number of complaints received from members of the armed forces since the bullying in the workplace initiative was introduced; and if he will make a statement on the matter. [1520/05]

102. **Mr. Deasy** asked the Minister for Defence if there are current investigations into bullying in the Defence Forces; and if he will make a statement on the matter. [1405/05]

103. **Mr. Sherlock** asked the Minister for Defence if his attention has been drawn to the growing public concern at levels of bullying within the Defence Forces; if his attention has

further been drawn to the accusations that those who complain of bullying within the Defence Forces may be victimised for making such complaints; the efforts he is making to stamp out bullying once and for all in the Defence Forces; and if he will make a statement on the matter. [1494/05]

1294. **Mr. Stanton** asked the Minister for Defence the mechanisms in place in the Naval Service to investigate allegations of bullying of junior officers; and if he will make a statement on the matter. [2013/05]

1296. **Mr. Stanton** asked the Minister for Defence if he will take allegations of bullying in the Naval Service seriously; the number of such allegations that have been made each year for the past three years; the results of such allegations and investigations; and if he will make a statement on the matter. [2016/05]

Mr. O'Dea: I propose to take Questions Nos. 98, 102, 103, 1294 and 1296 together.

In March 2002, Dr. Eileen Doyle and the external advisory committee presented their report, *The Challenge of a Workplace*, commonly referred to as the Doyle report, to my predecessor. The contents and recommendations of the Doyle report were accepted in full. Action to implement the recommendations of the report has been one of the highest priorities for the Defence Forces and my Department since its publication. An unprecedented level of time and commitment has been given by the Chief of Staff personally and by senior civil and military management to address the issues raised in the Doyle report. The Chief of Staff has repeatedly emphasised his acceptance of the problems clearly indicated by the Doyle report.

The follow-up action to the Doyle report was driven by the independent monitoring group established in May 2002 to oversee the implementation of the recommendations arising from the report. This group met regularly to oversee the implementation of the report's recommendations. The group's progress report, *Response to the Challenge of a Workplace*, was launched by, my predecessor as Minister, Deputy Michael Smith, on Friday, 24 September 2004. This report describes the progress achieved since the publication of the original Doyle report in 2002.

The monitoring group has overseen the conduct of a major educational awareness programme throughout the Defence Forces. Considerable progress has been made in the past two years. Firm guiding principles had already been set out in the Defence Forces' dignity in the workplace charter. A new administrative instruction on interpersonal relationships was introduced in March 2003 and a user's guide was distributed to every member of the Defence Forces.

The military authorities advise that since March 2003 a total of six complaints of unacceptable behaviour have been formally investigated and concluded in the Defence Forces as a whole. With specific reference to the infor-

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mation sought on the Naval Service, I am advised that there were no such complaints in 2002 and 2003, but one complaint in 2004. The complainant requested an apology, which was duly given and which concluded the matter. There is currently one military police investigation ongoing in regard to allegations of bullying. I cannot comment on this further at this stage as the investigation has not concluded.

Some 200 trained designated contact persons are being put in place throughout the organisation to facilitate the operation of these procedures. Approximately 177 of these designated contact persons have already been trained and a strategic plan is in place to develop the numbers up to 200. An independent and external confidential freephone helpline and counselling service has been set up by expert consultants from Northern Ireland, Staff Care Services. Each serving member of the Permanent Defence Force was informed of this new 24-hour service, which was widely publicised throughout the Defence Forces when initiated. A pilot project to record the experiences and views of outgoing members of the Defence Forces was conducted by the Dublin Institute of Technology research centre. This project, which involved confidential interviews and questionnaires, proved very valuable.

The particular challenges of the military training environment were identified in the initial Doyle report. This area has been given particular attention in the course of the past two years, especially as regards the key pivotal roles of NCOs in leadership and training within brigade formations.

The monitoring group has made a series of important recommendations concerning the ranking, selection, training and reward systems for officer and NCO instructors in the cadet school. An immediate change in the training regime for cadets will have a vital demonstration effect. Therefore, the process of introducing these changes began with the 2004 cadet intake. Some of the changes will take longer to implement and will be addressed through the conciliation and arbitration process or the overall review of the Defence Forces organisation.

The Ombudsman (Defence Forces) Act 2004 completed its passage through the Oireachtas in November 2004. The provision of a statutory ombudsman for the Defence Forces will provide a further significant impetus in support of the major transformation in culture and practice which has been initiated and which is now well under way.

The Defence Forces are in the process of developing an active and strategic human resource management model of personnel management, development and leadership under the new integrated personnel management system. This is an important step that will facilitate and hasten the achievement and consolidation of our shared objectives.

The monitoring group explicitly recommended that a further independent review and audit of progress within the Defence Forces be carried out no later than 2007 and that the results should be made public. Since the publication of Response to the Challenge of a Workplace, the following action has been taken. First, a steering group has been established to oversee the implementation of the proposals that were contained in the original report. Second, a programme of briefings commenced on 16 November 2004 to ensure that every member of the Permanent Defence Force receives a comprehensive briefing on the report, Response to the Challenge of a Workplace, from awareness teams in each brigade and formation. Both representative associations, PDFORRA and RACO, will have members on the awareness teams. Members of the PDF in all barracks and posts were to be briefed before the end of 2004, with briefings of the Reserve Defence Force to follow.

Mr. Gormley: I thank the Minister for his comprehensive reply. He may be aware that the Doyle report stated that over 50% of bullying incidents were associated with training. Is it not the problem that it is difficult to define bullying in an Army context, where training and exchanges between NCOs and soldiers can sometimes be robust? For example, would shouting be regarded as bullying? These are the issues that must be addressed in the context of Army training.

While the Minister stated that he cannot go into detail, an allegation of bullying was made by a soldier who claimed he was locked in a locker and ordered to eat food off the floor. We know from considering armies throughout the world that this sort of ritual punishment is often meted out if soldiers are deemed not up to scratch. In the context of Army training, does the Minister agree it is difficult to define whether this constitutes bullying? Will the Minister tell the House how he defines bullying in an Army context?

Mr. O'Dea: I agree with Deputy Gormley that we are dealing with a particular environment and context. All relationships within the military environment are predicated on the fundamental principle that all lawful orders must be obeyed. We have tried to ensure that superiors in their treatment of subordinates will adopt such methods as will ensure respect for authority while at the same time engendering feelings of self-respect and personal honour, which are essential to military efficiency.

Deputy Gormley is correct in regard to the incident to which he refers but as that incident is the subject of a complaint and is being investigated, I would not like to comment on it. However, I agree with the Deputy a certain environment and atmosphere exists which must be taken into account.

I do not have to define bullying. It is judged on a case by case basis. However, a new instruction, regulation A7, on interpersonal relationships

within the Army sets out a number of circumstances and states how an officer should treat a subordinate in each case. Designated contact persons have been put in place, the role of whom will be to advise and assist. We have notified all members of the Defence Forces on the terms of regulation A7 and a confidential free telephone line has been introduced. In addition, to assist us in the further reforms necessary following the last report, Response to the Challenge of a Workplace, the experience of retiring members of the Defence Forces is being recorded.

Much has been done since Dr. Doyle's committee reported in 2002. Specific recommendations were made as to further improvements which must take place over the next two years or so, because it is the decision of the Government to accept the recommendation of the Response to the Challenge of a Workplace report that a further report be drawn up in early 2007 to monitor progress. The situation is far from perfect and there is a certain environment which one must take into account.

The Ombudsman (Defence Forces) Act 2004 establishes an ombudsman's office for complaints by members of the military. That is something the representative associations have been seeking for many years. I was delighted to be Minister when the legislation finally went through both Houses of the Oireachtas. It certainly has the capacity to make a great difference.

A steering group has been established to implement the recommendations of the 2004 report. On 16 November 2004, a series of briefings commenced for all members of the Defence Forces to inform them of their rights, what was being done as per the 2004 report's recommendations and views on what more needed to be done to combat bullying and harassment within the Defence Forces.

Mr. Sherlock: There is concern about the levels of bullying in the Defence Forces. Is the Minister aware that those who make accusations and complain about bullying within the Defence Forces may be victimised? Has this fact been drawn to the Minister's attention? There has been a clear statement that this happens and it is creating much concern. As regards the point made by Deputy Gormley, that case was mentioned publicly. It is rather surprising that to this day, the Minister does not have an up-to-date report on what action was taken concerning the recruit who was bullied and said he was forced to eat off the floor. In view of the efforts being made against bullying, it is disappointing that to this day the Minister does not appear to have received a report on that matter.

Mr. Gormley: Is the Minister aware of how many of the armed forces have availed of the counselling service that is available?

Mr. O'Dea: Off the top of my head, I do not know how many but I will obtain that information and will communicate it to Deputy Gormley.

As regards Deputy Sherlock's point about information concerning some complaint that has been made by a member of the military, all I can say is that the matter is being investigated by the military. I do not interfere in internal military investigations of complaints. When the complaints process comes to an end and the military reaches a conclusion, I have no doubt the result will be publicised. It will certainly come into the public domain.

As regards the Deputy's query about victimising people who want to make complaints, I am happy to inform him that the new regulation I mentioned to Deputy Gormley, instruction A7, contains a provision which penalises and makes it an offence for somebody to victimise or retaliate in any way simply because they have made a complaint. That is a matter which will now be subject to disciplinary action. It is firmly spelt out, so there is a whistleblower's charter written in to the new regulations. We have dealt with that matter which is specifically provided for.

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 McGuinness — the urgent need to establish a dedicated missing persons unit; (2) Deputy Ring — the Minister's plans to provide a permanent site for a school in County Mayo (details supplied); (3) Deputy Durkan — the urgent issues relating to rent support for two people (details supplied) seriously disadvantaged due to cuts imposed in the 2005 budget; (4) Deputy Burton — the need for an international expert engineering inquiry into the recent storm damage to the National Aquatic Centre, Abbotstown, Dublin 15; (5) Deputy Costello — the need for the Minister to ensure that the Cabra after care project and its prison links worker is supported by the Department of Justice, Equality and Law Reform; (6) Deputy Wall — the serious implications for employment and farming in relation to the decision to close the Greencore sugar plant in Carlow; (7) Deputy Lynch — the reasons for the ongoing delay in the provision of the new BreastCheck unit in Cork; (8) Deputy Naughten — that the Minister outline the actions she is taking to avert the closure of the Carlow sugar factory; (9) Deputy Crowe — the need for the Minister to reverse the decision to axe the funding of the community workers co-operative; (10) Deputy Neville — when construction of a school (details supplied) will commence; (11) Deputy Ó Caoláin — the need for the Minister for Health and Children to establish a redress board for those women victims of gross malpractice at Our Lady of Lourdes Hospital in Drogheda; (12) Deputy Cowley — if the Minister

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will urgently address the inequity where it is proposed to withhold €613,000 from the budget of Mayo General Hospital under the case mix evaluation; (13) Deputy McGinley — the closure of Donegal Parian China in Ballyshannon with the loss of 44 full-time and ten part-time jobs; (14) Deputy Upton — that the Minister outline the position on an urgent application for new windows at a school in Dublin 12 (details supplied); (15) Deputy O'Sullivan — if the Minister will approve funding for a resource centre in Limerick under the equal opportunities child care programme; and (16) Deputy Broughan — the urgent need to give a full report to Dáil Éireann on the closure and liquidation of Media Lab Europe.

The matters raised by Deputies Broughan, McGinley, Crowe and McGuinness have been selected for discussion.

Leaders' Questions.

Mr. Kenny: Over the past two months we have seen the extent to which the republican movement has corrupted the democratic process in this country. We have seen a sovereign Government held to ransom by an illegal terrorist organisation. In addition, we have seen the Taoiseach and the Minister for Justice, Equality and Law Reform capitulate to its demands for the early release of the murderers of Detective Garda Jerry McCabe in return for the fulfilment of IRA commitments under the Good Friday Agreement.

We have also seen a procession of Fianna Fáil Ministers, including the Minister for Foreign Affairs, highlighting their willingness to share Government with Sinn Féin if the opportunity arises. None of these Ministers has withdrawn these statements following the Northern Ireland bank raid, which was clearly executed by the IRA.

The Taoiseach has rightly demanded clarity from the republican movement and there must be no room for interpretation of the required commitment to end all criminal activity. It has been truly nauseating to witness their twisted definitions of what constitutes a criminal act, which seem to be dependent on whether or not one of their members was involved.

In light of the claims made by the Minister for Foreign Affairs that it is no longer business as usual, will the Taoiseach tell the House what has actually changed in terms of the negotiation strategy with Sinn Féin? How will the Taoiseach and his Government ensure that future negotiations will not be deliberately undermined, as they were when we were within ten hours of having the matter concluded, while a major bank raid was being planned?

In light of the Taoiseach's own, proper statement about absolute clarity, will he give absolute clarity to this House that the matter of the early release of the murderers of Jerry McCabe is not on the agenda and will not be until the persons

responsible have served their full time as handed down by the court?

The Taoiseach: Deputy Kenny has asked me a number of questions to which there are a number of aspects. Obviously, since we debated these matters on the eve of the Christmas recess, events have taken a bad turn. The fall-out from the Northern Bank raid is that trust and confidence in the process are now at a very low level. The sooner we can deal with these issues straight up with the republican movement, the better. In my meetings yesterday, I outlined that in detail. I avoided doing so over the past few weeks as I wanted to do it in person, which I thought was the right and proper way, since I have been involved in the peace process for many years. The key and right question Deputy Kenny asked is how can we be sure. I understood that in working for a comprehensive agreement it was on the basis of trust and confidence and matters being clear.

Two key issues are outstanding and it will be impossible for us to move forward in any agreement until we get certainty on those two issues. One of the issues, the decommissioning of arms in order to take the gun out of politics, has been outstanding for a long time. The basis of discussions on that has been well documented. The second issue is more complicated and more urgent and involves ending criminality. For many months I, the Minister for Foreign Affairs and the Minister for Justice, Equality and Law Reform have been working to find a basis for ending criminality. That is a key issue. There is no possibility of building confidence with the parties unless that issue is resolved. I have talked to all the parties, the party leaders and others in Northern Ireland. That issue must be dealt with before we can even start, and it will probably be difficult to do it anyway with the election only a few months off. We are totally committed to implementing the Good Friday Agreement because it is what the people on this island, North and South, voted for in such huge numbers.

In reply to Deputy Kenny's other question, all aspects of the comprehensive deal are off the table because there is no comprehensive agreement. Each time we tried to move, from April 2003, October 2003, November or December 2004, while the comprehensive agreement was still being built upon, these elements still remained in play. That ended in the aftermath of 8 December and these issues are no longer on the table.

I am conscious that we have a solemn obligation to the Irish people. The Government is determined to see the Good Friday Agreement implemented in full and will do everything it can to make that happen. It is now more difficult. I have asked Sinn Féin to reflect on how it can genuinely bring this process forward and, following such reflection, to come back on the two issues I mentioned. This must include a definitive and demonstrable end to all forms of criminal activity.

We will wait to see what happens. I will meet Prime Mr. Minister Blair next week and prior to that I will meet the International Monitoring Commission. I hope it will also be possible for me to meet Mr. Hugh Orde and our own Garda Commissioner.

Mr. Kenny: I thank the Taoiseach for his clarification that the matter of an early release for the McCabe killers is now off the table. I hope it will not reappear in any circumstances until those persons have served their time. The Taoiseach knows my view on this. Both he and the Minister for Justice, Equality and Law Reform were prepared to do a deal in this matter last year, despite a very clear statement made to the Dáil by the previous Minister for Justice, Equality and Law Reform. The Taoiseach also knows my view and my party's view regarding the ending of criminality by all persons and all parties in all places on this island. The Taoiseach understands my view on bipartisanship. We have always and will always support the Government's efforts to complete the Good Friday Agreement and rid this country of terrorism and criminal activity.

The Government continued on a path of appeasement for seven years. I regarded the actions of the Taoiseach and the Minister for Justice, Equality and Law Reform, who now takes a very strong Fine Gael line, as the actions of people who had become prisoners of the mind set of the negotiation strategy of the IRA and Sinn Féin. In that context I have two further questions. First, does the Taoiseach back up the assertion, made quite clearly and publicly by the Tánaiste, that a Member of this House, Deputy Ferris, is a member of the army council of the Provisional IRA? Second, does the Taoiseach have at his disposal, based on information from intelligence sources in the Garda and in the Army, knowledge of the whereabouts of illegal arms dumps currently held in the Republic? Will the Taoiseach comment on those two points?

The Taoiseach: I do not know the make-up of the present army council. I had some heated exchanges about that yesterday. I will not go over that ground again. I do not know the whereabouts of any arms dumps. The position of the Garda is that we will continue to seek out arms anywhere. No easy line will be taken on that.

Regarding the other issues, I appreciate Deputy Kenny's bipartisan position of support. There have been comments in recent days regarding appeasement and the failure of the system. In dealing with these issues one must have a steady nerve. In Northern Ireland today almost nobody is killed, unlike what happened over the previous 30 years. There are not too many incidents. There is much political engagement and a significant amount of investment. Tourism is quite healthy. Northern Ireland has a different image on this island and abroad in the greater world. There has been much progress and development.

However, there seems to be a sinister view that one can, on the one hand, continue the development of democratic politics of a kind and, on the other, that it is all right to engage in criminality. There was a view that for some time this was tolerated in order to try to move the process forward. However, ten years on, we cannot continue to do that. What offended me, and the reason I have taken a tough line on this, was the idea that a comprehensive agreement could be negotiated on the basis of trust and confidence while this kind of criminality went on. It is not a question of the size of the bank raid, and it was a big bank raid. I did not show anger regarding earlier events, for example, the raid on the Makro store in Dunmurry last Easter during which £1 million worth of goods was taken and staff were tied up by armed men. The International Monitoring Commission blamed the Provisional IRA for that. We in this House took that coolly enough. In October £2 million worth of cigarettes were stolen from the Gallagher warehouse in north Belfast when a gang held up employees. The PSNI stated the Provisional IRA was responsible for that. The Provisional IRA is also believed to be responsible for the abduction and robbery at a Strabane bank branch on 26 September.

What I find really offensive, and again I say it here in the House with members of Sinn Féin present because I did not go around speaking with a megaphone over Christmas, is that there was an ability to turn off all punishment beatings while negotiations were in progress but as soon as the negotiations failed there was a string of them — they are again a nightly occurrence. I will give Sinn Féin full marks for discipline, but not for anything else.

Mr. Rabbitte: Will the Taoiseach comment on where we now are and where we are going from here? Will the Taoiseach outline to the House what steps he intends to take to prevent the political process in Northern Ireland descending into an unhealthy and undemocratic vacuum? I take it from what the Taoiseach has said that it is not his intention to allow Sinn Féin to hold the process to ransom. In that regard has he any specific plans in terms of how the process can be kept on track? I am not arguing for the exclusion of anyone but does the Taoiseach agree it was an error of judgment on the part of both Governments for the best part of 12 months to exclude the SDLP, the Ulster Unionist Party, the Alliance and others? Does he have plans in terms of how the democratic parties might be involved in a central way? For instance, is he minded to agree that the Forum for Peace and Reconciliation be reconvened to allow the democratic parties to express their views on the impasse that has occurred?

Is it the case that a van was stolen in this jurisdiction in November, apparently in preparation for the crime we now know to have been the robbery of the Northern Bank, and that it crossed out of this jurisdiction the day before? Does that

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information form part of the Taoiseach's intelligence on this issue? Without endangering any prosecution that might ensue, is he in a position to put any additional information he has in his possession about this matter into the public domain at this time?

The Taoiseach: In reply to Deputy Rabbitte I reiterate what I said to the parties yesterday. I am not in favour of the politics of exclusion because that would create vacuums that would not help. We have a commitment to implement the Good Friday Agreement and we are determined to continue going down that road. Obviously, if we are to get trust and confidence we then have to get clear answers and commitments on both criminality and decommissioning, otherwise we will not be able to build it up.

On the issue of what way to move now, as the House is aware I have already engaged with the parties. I spoke with the SDLP, UUP as well as Sinn Féin yesterday. Today I had a lengthy telephone conversation with Dr. Paisley. I will meet the Alliance tomorrow, the IMC on Monday and Prime Minister Blair on Tuesday. The difficulty, which I know Deputy Rabbitte understands, is that when the SDLP and the UUP were part of the inner group other parties felt excluded. When the election results changed and the DUP and Sinn Féin were in that position, other parties felt excluded. We try all the time to keep all the parties engaged and we have several meetings. It is always difficult to do that. We never seek to exclude the parties but to keep them involved. We spent a huge amount of time and effort on the decommissioning issue and there was no point in talking to the parties which had nothing to decommission. That happened on other criminal justice issues as well.

Between now and the election we have to engage with all the parties. I do not rule out the forum. If the forum is considered useful I would be happy to have it reconvened as I said yesterday in reply to the SDLP. There is also a slight difficulty with the forum because other parties are out but we can make up for that in other ways and continue to engage in that.

On the question of the security van, I am aware from security intelligence I have been given of the broad movement of the van. It did move through our jurisdiction but it was not taken on this island in the first instance. I am aware of its movements. It was quite sophisticated, well-planned and well executed. It was a van of a very special and rare type and its movements and whereabouts are known to the security forces.

Mr. Rabbitte: I welcome generally what the Taoiseach has said. Whatever about the feelings of parties, the sidelining of central players, even if it is only a matter of perception — in this case it was more than a matter of perception — is not desirable. In respect of what he has said, is he still persuaded of the bona fides of the republican

movement or whether the peace process is being used to grow that organisation, North and South of the Border? Has he concerns that his own Government might be putting out conflicting signals? On the day that the persons in respect of the Northern Bank were held hostage, the Taoiseach told "Sunday Supplement", a radio programme, that "paramilitary activity, training, targeting and those things in the Republic — that is not an issue at the moment. The Minister for Justice, Equality and Law Reform made a number of speeches to the same effect that criminality had been wound down and earlier the Minister for Foreign Affairs said he foresaw Sinn Féin being in Government here sooner than might be generally anticipated. We also had the statement in the House, in answer to Deputy Kenny, about the release of the killers of Jerry McCabe and the apparent willingness, if the choreography had been right, for a deal to be signed off on in Belfast. Suddenly there was this major bout of criminality to which the Taoiseach has referred. Does the Taoiseach acknowledge it is no wonder that in opinion polls the public might be confused about the significance of this fundamental issue when apparently conflicting signals are being given?

The Taoiseach: That is a fair question. During all of last year security intelligence in the Republic and in the North was that significant moves were being made to make progress as per paragraph 13 on paramilitary activity, training, targeting and such like. At the same, some large raids took place. Apart from the transparency of decommissioning, which we did not finalise in the comprehensive talks, the final big issue the Government and the Sinn Féin leadership and the Sinn Féin leadership and the IRA were endeavouring to deal with related to criminal activity. It was not possible to get agreement on the formula of words we had put forwarded. We are left with only one conclusion on that matter now. It was to end the criminality that was going on. We had witnessed almost the total ceasing of punishment beatings and other activities, so much so that Hugh Orde, who has now made statements on this matter which almost everybody in the House supports, went out of his way to make further moves to help the comprehensive agreement in the days immediately before 8 December to help on the demilitarisation front. He felt satisfied and so did the Chief of Staff of the British Army to make those moves. Other activities by the Provisional IRA had increased but these efforts and other issues were still continuing. Our effort was to bring that to an end. We failed to do so in the talks on 8 December and we also had a disagreement on the issue of transparency. This was followed by events such as several punishment shootings both this month and last month. That is the current position. The obligation on us, in spite of where we are, is to try to implement the Good Friday Agreement in all its aspects.

In answer to Deputy Rabbitte's final question, much now depends on what Sinn Féin's reply will be about how it views the two issues of criminality and decommissioning. There is no possibility of being able to go to the other parties — I would not do so anyway — unless we can achieve something major in that area. As I said yesterday, that does not rest with me; it is an issue which rests with the Sinn Féin leadership and the opposite side of the coin, the Provisional IRA.

Caoimhghín Ó Caoláin: I wish to make it very clear that I reject criminality in all its forms. Would the Taoiseach be able to make that statement as clearly before the House? He has a neck trying to label any other political party with the criminality tag when one looks at the daily unfolding reality in respect of his political party.

I roundly reject the Taoiseach's repeated and baseless allegations against my party colleagues, Gerry Adams and Martin McGuinness, that they had foreknowledge of the Northern Bank robbery in Belfast and acted in bad faith in the course of the talks last December. I totally reject that charge and call on the Taoiseach to provide the evidence for it given that he repeated it again today in the House. He should present the evidence to the Dáil. The responsibility is on the Taoiseach to substantiate the charge he has made but which he cannot. The reason I say with such certainty that he cannot is that I firmly and absolutely believe there is no foundation to it whatsoever. I reject it and I call on the Taoiseach to withdraw it immediately.

I have no doubt about it, but does the Taoiseach agree that the peace process has unquestionably, been damaged by the Northern Bank raid in Belfast? Has he any idea of the serious damage done by his baseless allegation against Gerry Adams and Martin McGuinness and the broad Sinn Féin leadership? I do not believe the Taoiseach has any concept of the damage done.

Everybody knows that we represent competing parties not only in respect of general elections but of all other electoral endeavours in this State. It has become ever more apparent that with the realisation that Sinn Féin presents a real and substantial challenge to the Taoiseach's party at the polls in this State, he has moved increasingly to what I see as a situation where he seeks to misrepresent Sinn Féin intent and tries to re-draw the contemporary history of the achievement of a new political dispensation on this island, the end of armed hostilities, the peace process and all that has flowed and has yet to flow from it.

I do not believe for a moment that the Taoiseach's continual outbursts and allegations have anything to do with a bank robbery in Belfast but everything to do with votes in Ballybough and Ballyconnell and everywhere else throughout this jurisdiction.

Mr. O'Dea: Where is the Deputy's party getting the money to buy those votes? It is robbed money.

An Ceann Comhairle: Allow Deputy Ó Caoláin speak without interruption.

Caoimhghín Ó Caoláin: With respect to the little whipper at the Taoiseach's side, we never interrupted you or any of the participants——

Mr. O'Dea: Robbed money.

An Ceann Comhairle: The Minister should allow Deputy Ó Caoláin.

Caoimhghín Ó Caoláin: Deputy O'Dea would serve his position and ministerial responsibilities better if he learned to behave himself in this House.

Mr. C. Lenihan: Is the Deputy threatening him?

Mr. D. Ahern: The veil is dropping.

(Interruptions).

Mr. O'Dea: Robbed money.

An Ceann Comhairle: The Chair has given some latitude with time to the other Members but Deputy Ó Caoláin is going well beyond the bounds of what is reasonable.

Caoimhghín Ó Caoláin: Does the Taoiseach not agree that in December we were closer to a comprehensive agreement than at any time previously? Does he accept and acknowledge that Sinn Féin, with the Irish Government and others, played a substantive part in the achievement of all that was to be delivered after 8 December? Does the Taoiseach recognise that a comprehensive agreement incorporated all the critical elements committed to by all the parties to the conflict and to the Good Friday Agreement negotiations? Does he not recognise this as the most important project for each and every one of us to address to ensure that we return, regroup and re-explore the potential to overcome the difficulties that presented themselves in the run-up to 8 December——

An Ceann Comhairle: The Deputy should conclude as he has gone three minutes over time.

Caoimhghín Ó Caoláin: ——and to ensure that the peace process is back on track and the two Governments and all parties continue with their commitment to see its full realisation?

The Taoiseach: Deputy Ó Caoláin and all other Members can be certain that all of us will continue to do all the positive actions he has mentioned. We will do our very best because the people voted for the Good Friday Agreement. It

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is the policy of everybody in this House to continue to do that.

I understand why Deputy Ó Caoláin is looking around for an angle, which in this case is that the reasons are to do with party politics. If I had wished to fight his political party in a party political way, I certainly would not have done what I have been doing in recent years, such as doing everything possible to bring his party into the centre by ignoring all kinds of things and by trying to convince the DUP recently and the UUP for years of the benefits of working with Sinn Féin. I have tried to convince them of the security of doing so. I have tried to convince Presidents Bush and Clinton and President Prodi and others to put money into Northern Ireland to help peace and reconciliation. If I had only been interested in a political fight, I would not have taken those actions. Before we began taking those actions, the Deputy's party was a party with 2% support, but now it has a strong political mandate because people on all sides of this House, from the Labour Party to Fine Gael to Fianna Fáil to the Progressive Democrats to the Green Party, all worked to try to bring Sinn Féin in.

Caoimhghín Ó Caoláin: Not at all.

The Taoiseach: We have done so because of our history.

The Deputy must understand that things must be equal. I refer to the kind of tactics in which some of his friends engage. In recent days a man was taken to a lay-by, shot in both hands and suffered a broken jaw. The reason for this assault is not known but it was carried out by the Provisional IRA. An 18 year old received gunshot wounds in both hands in an incident in Seaford Street in east Belfast, responsibility for which lies with the Provisional IRA. A punishment attack was carried out on a 19 year old man. He was shot in both hands and it is believed the Provisional IRA was responsible. The other day, a 19 year old man was shot in both ankles in an alley in Serbia Street, Lower Falls, and it is believed the Provisional IRA was responsible, and blah, blah, blah.

Caoimhghín Ó Caoláin: It is blah, blah, blah.

(Interruptions).

An Ceann Comhairle: Allow the Taoiseach speak without interruption, please.

The Taoiseach: I will fight Deputy Kenny's party. We will fight tough and hard politically. I will fight Deputy Rabbitte's party. However, it is very hard to fight that to which I have referred. The Deputy refers to evidence.

Caoimhghín Ó Caoláin: What evidence?

The Taoiseach: Does the Deputy want me to name the individual? What would happen to him?

Caoimhghín Ó Caoláin: The Taoiseach is abusing his position without evidence.

The Taoiseach: I will defend the facts. I will not go on about this every day but neither will I take it. The Deputy asked where is the evidence. Before I said anything — I did not say much by the way——

Caoimhghín Ó Caoláin: The Taoiseach said more and should not have said it.

The Taoiseach: That is not the position. I spoke to Prime Minister Mr. Blair, I got a report on what British intelligence was, I got a report from Hugh Orde——

Caoimhghín Ó Caoláin: Is that what the Taoiseach is relying on?

The Taoiseach: I am answerable to something with which the Deputy's party has a difficulty. This is the difficulty. When I come into this House, I have to listen to what the Garda Síochána of this country says. Sometimes what it says is not suitable but I have to accept it. In this case, it said that its professional assessment is that it shares the view that the Northern Bank robbery was carried out by the Provisional IRA and that an operation of this scale could not have been undertaken without the knowledge of the leadership of the provisional movement. That is the position.

Aengus Ó Snodaigh: The Taoiseach is relying on British intelligence.

The Taoiseach: Yes, because I have to listen to it.

Caoimhghín Ó Caoláin: He does not have to listen to it.

The Taoiseach: Should I ignore the Garda?

Caoimhghín Ó Caoláin: Shame on the Taoiseach.

An Ceann Comhairle: Allow the Taoiseach to continue without interruption.

The Taoiseach: Does the Garda not tell the truth either?

Mr. C. Lenihan: Does Deputy Ó Caoláin still seek to justify the murder of Detective Garda Jerry McCabe?

Caoimhghín Ó Caoláin: Let us get to some specifics. Does the Taoiseach acknowledge that when the effort to get a comprehensive agreement failed, Sinn Féin and the British Govern-

ment proceeded to explore how the Governments could deliver on the contributions they had made and that this continued up to Christmas? Will he acknowledge that the Government was less than enthusiastic about that? Will he acknowledge that those efforts must continue if we are to get out of this impasse and this exchange of bile? Did the British Government present the Irish Government with a paper on the exchanges from 8 December up to Christmas?

The Taoiseach should make no mistake that my colleagues and I stand here on our mandate received from the Irish electorate and we will continue to represent that electorate. They are not second class citizens and nor are we. We will continue to present a republican challenge to a continued failure on the part of the Taoiseach and his party in ceding responsibility for all public utterances on the most important issue to be addressed in this country today to a Minister for Justice, Equality and Law Reform who would label Bobby Sands MP a criminal and, by the same criteria, would label as criminals the man whose portrait hangs in the Taoiseach's office and all those who were executed in 1916. That is what the Taoiseach has done and the grassroots of his organisation are saying repeatedly that it is a shame and scandal that he has handed responsibility for the peace process to a man and party who have made zero contribution to it from its inception.

The Taoiseach: What Deputy Ó Caoláin said at the start of his contribution is correct — we have to move forward. As I said in reply to Deputies Kenny and Rabbitte, what would be enormously helpful in that is the answers to the questions and issues we put yesterday. If we can make progress on those, we can all move forward.

I am always amused at how things change. A few weeks ago I was under some question in this House for being over-generous to Sinn Féin in the comprehensive settlement. Now, a few weeks later matters have moved so differently

Caoimhghín Ó Caoláin: Will the Taoiseach answer the question I put to him? Did the British Government provide the Government with a paper?

The Taoiseach: The Deputy is interrupting because he wants me to answer a question. The question is whether we continued right up until the robbery. The Deputy knows what happened then and what was the British Government's view on the paper then.

Caoimhghín Ó Caoláin: More enthusiastic Dublin Government representation has never been seen.

The Taoiseach: We will continue to try to engage but if the Deputy is trying to say that Prime Minister Mr. Blair was trying to make a deal in Christmas week, which allowed crimi-

nality or decommissioning to go ahead, that is not the case. The Deputy knows that is not the case and he knows the official who deals with that matter and how let down that official is today.

Caoimhghín Ó Caoláin: The Taoiseach should keep sidetracking. He is a master of evasion.

Ceisteanna — Questions (Resumed).

National Economic and Social Development Office.

1. **Mr. Kenny** asked the Taoiseach the costs which have accrued to his Department in respect of the National Centre for Partnership and Performance; and if he will make a statement on the matter. [32019/04]

2. **Mr. Kenny** asked the Taoiseach if he will report on the recent work of the National Economic and Social Development Office; and if he will make a statement on the matter. [32020/04]

3. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on the work of the national centre for partnership. [33213/04]

4. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on the recent work of the National Economic and Social Development Office. [33214/04]

5. **Mr. Sargent** asked the Taoiseach if he will report on the work of the National Centre for Partnership and Performance; and if he will make a statement on the matter. [34604/04]

6. **Mr. Sargent** asked the Taoiseach if he will make a statement on the recent work of the National Economic and Social Development Office. [34605/04]

7. **Caoimhghín Ó Caoláin** asked the Taoiseach the costs to his Department of the National Centre for Partnership and Performance; and if he will make a statement on the matter. [1383/05]

8. **Caoimhghín Ó Caoláin** asked the Taoiseach if he will report on the work of the National Economic and Social Development Office. [1384/05]

9. **Mr. J. Higgins** asked the Taoiseach the studies being carried out by the National Economic and Social Council; and if he will make a statement on the matter. [1471/05]

The Taoiseach: I propose to take Questions Nos. 1 to 9, inclusive, together.

The priorities of NESDO for the coming year are to promote complementary programmes of research, analysis and discussion by its constituent bodies, the NESC, NESF and NCPP, and to continue to provide shared administration and support services for those three bodies in order to obtain best possible value for money. It will

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submit reports, recommendations and conclusions by any or all of the constituent bodies to Government and arrange for their publication.

The NCPP continues to promote and provide support for change and innovation in our workplaces. Much of the recent focus has been on finalising the report of the forum on the workplace of the future, which we established on foot of a commitment in our programme for Government. The forum has been deliberating on how companies and organisations can best anticipate and adapt to change, how we can meet the needs of a changing workforce and how we can reshape our framework of policies and support structures to assist and stimulate workplace modernisation. The forum represents an unprecedented and comprehensive examination of our workplaces to create a vision of how those workplaces should develop to cope with the competitive and social challenges ahead.

It is hoped that this work, involving the collective efforts of Government, the social partners, State agencies, employers and employees, as well as national and international experts, will be brought to a conclusion over the coming weeks. The report will be presented to the Government prior to publication.

In addition to promoting implementation of the forum's recommendations, the centre will implement commitments contained in Sustaining Progress and the mid-term review of part two of Sustaining Progress, Pay and the Workplace. These include finalising of guidelines on employee financial involvement; the completion of a project to improve practices and procedures with regard to information and consultation in the context of the EU directive on information and consultation; and a project aimed at maximising the potential of enterprise partnership as a method of promoting workplace learning.

The costs which have accrued to my Department in respect of the NCPP since its establishment in 2001 up to the end of 2004 are just over €3.37 million. A provision of €1.041 million has been made to cover the centre's costs for this year.

Regarding the NESC, it recently completed its report, *Housing in Ireland: Performance and Policy*, published in December 2004. The council is completing a study entitled, *The Developmental Welfare State*. In the coming months, it will complete a report on the Lisbon strategy, focusing on the open method of co-ordination. The council will also undertake its three yearly strategic overview of economic and social policy, paving the way to negotiations on a successor to Sustaining Progress.

Other studies in the council's work programme include: migration policy; child poverty and child income supports; Ireland's first periodic social report; the taxation system in the medium-term; competition and regulation in networked sectors; and a report on the innovation foresight.

Mr. Kenny: I thank the Taoiseach for his comprehensive reply. One of the central reasons for setting up this kind of operation was to avoid industrial disputes where possible. Given the strong possibility of a serious postal strike, will the appropriate body be called together to stave off such a strike if that is possible, given that is part of its remit? If so, when will that happen?

The Taoiseach: The national implementation body, if it has not done so already, is proceeding to ask An Post to go back to the Labour Court in relation to the reintegration of SDS into the company. I have a note, which states that the implementation body has met and has considered the difficulties in An Post in relation to SDS. It has called on both parties to suspend industrial actions and to lift the suspensions in order to allow progress to be made at the Labour Court on 11 February in respect of SDS reintegration.

Mr. Broughan: Does the Taoiseach support that call?

The Taoiseach: Hopefully, that will be responded to positively so they can go to the court and, in that case, avoid the industrial dispute.

Mr. Kenny: Did I hear the Taoiseach correctly that it is to make the call this evening?

The Taoiseach: I do not have a time. I spoke to the relevant officials at lunchtime and at that stage, they had set about having a meeting with the national implementation body. The statement I have here is either being issued, or will be issued shortly.

Mr. Rabbitte: I welcome that information from the Taoiseach but I am sure he will agree that, to some extent, the damage has been done and we are shutting the door after the horse has bolted in the case of An Post. My question relates to the national centre for partnership and performance. Is there not a problem here in so much as the national centre for partnership and performance seems to concern itself with abstract work organisation issues and abstruse academic questions which are important but that when it comes to providing any hands on support in terms of implementation of these decisions in the workplace, as is so badly needed in An Post, it is not seen to happen? The national implementation body will now find itself seized of a management decision to shut down SDS and being asked to unravel that after 63 people have been laid off and the decision has been made.

I understand how there might be problems nowadays with the number of pieces of mail going through the system given electronic mail and so on. However, I find it very difficult to understand how there is a problem of viability with a company dealing with the distribution of packages. One cannot send a package by e-mail yet in my constituency that plant has been shut down

because it is, in the belief of the unions, a very valuable site to be sold off. The national implementation body is supposed to wave a magic wand and prevent what ultimately looks like being a total close down of the postal service.

The Taoiseach: It would have been better if management and unions had resolved all these issues in advance and had looked at some of the best practice of national centre for partnership and performance. The national implementation body works out of my Department, or at least it is engaged by my Department under social progress. It engages itself in many disputes but does not get into the issues of disputes.

The NCPP is not the Labour Court, the Labour Relations Commission or the conciliation service but it has been trying to research best practice — partially academically, I accept — and to identify practical approaches which further develop workplace partnerships with particular regard to the contribution of employee enterprises and enterprise participation, workplace learning and all of the other matters in which it is engaged. I think Deputy Rabbitte would agree that, in many companies — often more so in the private sector than in the State sector — there are very good partnership models which operate very well. NCPP has been trying to develop, successfully with few resources and few staff, good case studies which can help in those issues. In the few years it has been operating, it has been doing that. It does not, of course, solve all problems but it has a number of very significant work cases.

In regard to An Post, the Minister has spent much time in the past few months engaging with the staff and the unions and trying to engage them in terms of the Labour Court to try to resolve many of the outstanding industrial relations issues. It has been quite difficult for several months. I am not involved in it on a day to day basis but from what I know of it, both sides could do with working together a bit better rather than trying to jump each other. I hope they can respond to the national implementation body and go to the Labour Court to try to resolve these issues because they all have a vested interest in turning their company around, trying to explore what ends of the market are viable for it and getting on with it. Being involved in industrial disputes damages them.

Mr. Sargent: One of the questions I asked was on the National Social and Development Office and its work. Is that office carrying out any research in the area of poverty or social exclusion? One in seven children are consistently poor which is a worrying statistic. Is the Taoiseach aware of work being done to investigate why that level of consistent poverty is so bad with one in ten being the average overall? One can answer that Ireland has half the level of social protection expenditure as Sweden but I would like to know whether there is further work to be

done in that area and whether the Government will heed it.

The national centre for partnership and performance recently produced some interesting statistics. I wish to ask the Taoiseach about the NCPP's supporting gender equality in Ireland report produced last year. There is a gender pay gap of 15% and women are 50% less likely to receive performance related pay. Will that result in the Government making any effort or putting specific measures in place to address that? The report by the same organisation on the workplace of the future highlights that the largest number of case files now before the Equality Authority concern racism in the workplace. On that basis, has any effort been made to address the distinct disadvantage for people coming to this country where their second and third level qualifications are not recognised and where they find themselves in a lower grade of employment than their qualifications would otherwise deserve? Will the Taoiseach address that matter given the need for migrant workers and the potential to take up their skills? When one hears of people being deported, for example trainee nurses in one case of which I am aware, does it not point to the fact we need an immigration policy which goes beyond refugee status and humanitarian considerations? The office seems to be pointing in that direction as well.

The Taoiseach: The national action programme on racism will be launched tomorrow. It is a plan for the future on which work has been done for some considerable time. The fourth periodic report of the National Economic and Social Forum was published in November. It reviews the work published by the forum and covers a number of issues, including lone parents, the reintegration of prisoners, equality issues, early school leavers and equity of access to hospital care. It notes the progress made in these areas and welcomes the establishment of the new institutions. It goes on to state that it will continue to work on some other aspects. I do not have all the details but it is continuing work in the social exclusion area.

On the forum on the workplace of the future, work on that has gone on for the past 18 months or so. The mid-term review of part two of Sustaining Progress commits the NCPP to find practical approaches to further develop workplace partnerships with particular regard to the contribution of enterprise partnership to workplace learning. The centre is working on the finalisation of agreed guidelines and different forms of employee financial involvement. That work is carried out by IBEC and ICTU and is expected to conclude this year. The NCPP continues to research case studies in other sectors and all the studies are available on the centre's website. The NCPP continues work in other areas such as a case study on current practice regarding the EU directive on information and consultation and different step-by-step procedures on that

[The Taoiseach.]
directive. The centre is also developing a second phase involving seminars on employer and trade union issues and initiatives in an entire range of areas. Overall, therefore, the NCPP has a major work programme, with elements either under way or in progress.

I wish to mention two other projects. The learning organisation project, developed in conjunction with FÁS, entails using a partnership approach for training and organisation learning to ensure that employers and employees develop the skills necessary for future success. This project is ongoing in 14 private and public sector workplaces. Finally, the joint partnership training modules project is an ICTU-IBEC initiative which involves the NCPP working with a number of companies to implement the associated training modules. All these programmes are either ongoing or form part of the work programme for the current year.

Mr. Sargent: What will the Government do about these reports?

An Ceann Comhairle: Deputy Sargent has had the opportunity to speak. Deputy Ó Caoláin may address a question to the Taoiseach.

Mr. Sargent: Will measures be taken to respond to them or will they just sit on a shelf?

The Taoiseach: Most of the work undertaken by the NCPP and the Forum on the Workplace of the Future involves active engagement with ICTU, IBEC and FÁS in the implementation of reports. The NCPP is an academic initiative in terms of research but it is also actively involved in implementation with the co-operation of trade unions and employers. Membership of the centre is comprised of trade unionists.

Mr. Sargent: Is the Government involved?

The Taoiseach: The Government provides the funding.

Caoimhghín Ó Caoláin: As the Taoiseach advised in his reply, the NCPP, in conjunction with IBEC and ICTU, has developed a revised partnership training programme that is quite specifically targeted at unionised private sector organisations that wish to develop a partnership approach to change and to improve performances. Has the Taoiseach asked the centre to address the issue of the growing number of non-unionised workplaces? Does he agree it would be appropriate to examine this issue, particularly in the context of partnership, given that the right to trade union recognition, membership and representation is critical? Does it not suggest itself to the Taoiseach that it is an issue for the centre to address? In the final analysis, it is perhaps incumbent on this House to consider legislation to make it a requirement of workplaces to recog-

nise the right of employees to join and participate within a trade union organisation.

My second question relates to the fourth periodic report of the National Social and Economic Development Office on the work of the National Economic and Social Forum. This report updates the position contained in a number of its previous reports, including that covering the equality of access to hospital care. As spokesman on health and children, this is an area of particular concern to me. Does the Taoiseach agree with the NESF in its statement that what is now required is a fundamental examination of the public-private mix in hospitals and that it is this mix and the piggybacking by the private sector on the public hospitals' acute services provision which has created what is tantamount to a two-tier system in acute hospital services? The report points up the urgent need to address this imbalance. This brings in the consultants' contracts and all the other issues the Government must address.

An Ceann Comhairle: A detailed question on this issue to the Minister for Health and Children might be more appropriate.

Caoimhghín Ó Caoláin: I thank the Taoiseach for his replies.

The Taoiseach: On the Deputy's first question, although the NCPP and all these other organisations are working under the umbrella of social partnership and their work is available to all, it is correct that they are not as actively involved in non-unionised workplaces. The NCPP always makes its case studies, data and models available to such workplaces. However, a difficulty arises if it is not invited to do so and there is no umbrella mechanism. I have no doubt that some of the work done by the centre would be useful in these areas but here is no way of forcing that into private sector areas in which there is no involvement. However, IBEC, the Chambers of Commerce of Ireland and others, even where workplaces are non-unionised, use case study reports. I will ask the NCPP what it can do to engage in areas in which it may meet an unhelpful response.

Caoimhghín Ó Caoláin: Will the Taoiseach report back to me on this issue?

The Taoiseach: Yes. The Deputy's second question relates to the report of the National Social and Economic Development Office which sets out recommendations for developments in the health area. Most of the issues mentioned by the Deputy, including that of the common contract, are matters that are either under way or under discussion. The report points out the importance of seeking resolutions to these issues and that is recognised by the Department of Health and Children.

The NESF has a somewhat limited role in its ongoing work of researching different sectors. In the report mentioned by the Deputy, the NESF

launched a set of health service case studies demonstrating how change has been managed successfully through partnership in an attempt to encourage the health sector to utilise the findings of these studies. Similar case studies have been undertaken on the local government and education sectors but Deputy Ó Caoláin's question related to health. The NESF has made these reports available and they are useful in terms of change implementation although they do not supersede the change incorporated in the Government's agenda. Issues such as that of the common contract are being considered by the Tánaiste and Minister for Health and Children.

Mr. Rabbitte: The Taoiseach has not dealt with Question No. 9 to any extent. What studies can we expect from the National Economic and Social Council? Will the Taoiseach confirm that reports will be issued on the issues of housing and child care? If so, can he say anything to the House about the likely conclusions on the subject of child care?

The Taoiseach: The NESF report on housing was published before Christmas. It has issued a number of reports, including those entitled Creating a More Inclusive Labour Market, Care of Older People and Early Education, all of which deal with topics that were selected as priorities. It has begun work on studies on anti-social behaviour, cultural citizenship and the delivery of public services. It is also doing some work on the national anti-poverty strategy. They are the main reports it is working on this year.

Mr. Rabbitte: Are they all in the public domain?

The Taoiseach: The housing one was published just before——

Mr. Rabbitte: What about the other ones to which the Taoiseach referred?

The Taoiseach: It is working on the other ones. I will send the Deputy a complete list. I believe it has published approximately six reports in the past few months. I will get the Deputy the list.

Freedom of Information Act.

10. **Mr. Kenny** asked the Taoiseach the number of freedom of information requests received by his Department during November 2004; and if he will make a statement on the matter. [32021/04]

11. **Mr. Kenny** asked the Taoiseach the number of freedom of information requests received by his Department during 2004; the number of these which were granted; the fees received by his Department; and if he will make a statement on the matter. [34091/04]

12. **Mr. Sargent** asked the Taoiseach the number of freedom of information requests received by his Department during 2004; the way in which this compares with 2003; and if he will make a statement on the matter. [34606/04]

The Taoiseach: I propose to take Questions Nos. 10 to 12, inclusive, together.

All requests received in my Department are processed in accordance with both the 1997 Act and the 2003 Act and their implementation is kept under constant review.

A total of 45 requests were received last year, one of them in November, compared to 142 requests received in the previous year. Some 24 of the 45 were granted in whole or in part. In the case of nine requests, there were no records. Two other requests were transferred to other Departments and three requests were withdrawn. A total of seven requests were refused during the year. My Department received €525 in fees for the whole of 2004. Further information is set out in the following two tables.

2004.

Month	Received	Granted	Part Granted	Refused	No Records	Transferred	Withdrawn
January	1	0	0	0	1	0	0
February	8	2	1	2	1	0	2
March	2	1	0	0	1	0	0
April	4	0	2	0	0	1	1
May	1	0	0	0	0	1	0
June	5	2	1	0	2	0	0
July	3	2	1	0	0	0	0
August	3	1	1	0	1	0	0
September	0	0	0	0	0	0	0
October	12	5	2	2	3	0	0
November	1	0	1	0	0	0	0
December	5	1	1	3	0	0	0
Total	45	14	10	7	9	2	3

2003.

Month	Received	Granted	Part Granted	Refused	No Records	Transferred	Withdrawn
January	21	2	7	4	4	2	2
February	29	9	11	2	5	1	1
March	30	10	9	3	6	0	2
April	10	4	2	0	3	0	1
May	11	1	4	0	6	0	0
June	7	2	2	0	2	0	1
July*	13	2	5	0	4	1	1
August	6	3	1	0	1	1	0
September	4	2	2	0	0	0	0
October	2	0	1	0	0	0	1
November	6	3	1	1	1	0	0
December	3	0	1	1	1	0	0
Total	142	38	46	11	33	5	9

* fees introduced

Mr. Kenny: The Taoiseach is probably tired of answering this question. This is probably the eighth or tenth time he has answered a question on freedom of information. Were the seven requests refused because they were not relevant to the Department of the Taoiseach or was the information sought too sensitive? Have personnel in the Department of the Taoiseach taken cognisance of the repeated comments by the Information Commissioner that the restrictions introduced by the previous Minister, Mr. McCreevy, have seriously reduced the numbers of requests being made and thereby diminish the rights of people to have as complete information as possible? Given that we now have a new Minister for Finance, reflecting more equitably the Taoiseach's socialist philosophy, are changes to those restrictions likely?

The Taoiseach: As I stated before, a fee of €15 for making an FOI request when the cost is in the region of €425 cannot be considered a major deterrent to responsible use of the Act and is modest in terms of the administration of the service. The Minister for Finance is responsible and I am not aware of any proposals he has for making changes. The seven requests were probably ones where no information existed. Even if partial information existed we would have replied to them. I do not have the information on them, but I presume there was no information or they were not relevant to my Department. If that is not correct I will inform the Deputy.

Mr. Sargent: The Taoiseach often argues that the fees charged do not represent a deterrent to people making freedom of information requests. How can he explain the 139—

An Ceann Comhairle: The questions refer specifically to the Department of the Taoiseach.

Mr. Sargent: I know they do, but I am referring to the Taoiseach's argument and I thought he would be the best person to answer a question on his own argument. On the basis of the number of requests reducing from 139 in 2003 to 45 in 2004, I thought he would explain such a reduction if it had nothing to do with the fees.

In reply to a parliamentary question in November, the Taoiseach said he had received 40 requests of which 20 were granted and no records were held in respect of nine. Are they explained in some official term as relating to matters for which no records existed because they had never existed or have the records gone missing? Is sanction applied in cases where information is sought and the records are mysteriously missing? This happens at county council level, where letters on a planning file may go missing. It has happened very seriously in the case of Our Lady of Lourdes Hospital where patients looked for their records, many of which had gone missing or were tampered with. Does sanction exist under the legislation or elsewhere to prevent the spiriting away of records for fear they might be sought?

The Taoiseach: I am almost certain it is a case of no records existing, and I have not seen any such cases. Sometimes maybe the records are incomplete. It is taken very seriously in Departments if records go missing and immediately detailed searches take place. Most FOI requests relate to current information and do not go back years requiring officials to go to storage boxes. Normally there is no difficulty on FOI with available information and I am sure that is the case here with the nine cases for which no information exists. There is no file and there are no data. It is not a case of mislaid data.

Mr. O'Dowd: While the €15 fee is one matter, does the Taoiseach agree inconsistencies exist in the charging for searches and other fees across all Departments?

An Ceann Comhairle: I suggest the Deputy submit a question to the Minister for Finance, who has responsibility for the Act. The questions to the Taoiseach refer specifically to his Department.

Mr. O'Dowd: I accept the point. Does the Taoiseach believe there is total consistency within his Department regarding when fees for searching are charged? They should either be charged in all cases or in none. Is there a consistency of application of the rules in the Department of the Taoiseach?

The Taoiseach: Overall guidelines are set down. Liaison takes place between the information officers in each Department. In my Department the officials follow those rules. The amount of money taken in by my Department for the whole year was €525. In all cases a genuine effort is made even with historical records, which are not requested as frequently now. The figures were high early on because people were going back on many of the historical records over many years. Those requests were declining before changes were made. The Departments make an effort to deliver as comprehensively as possible the information the person seeks. That is done in a way that is as cheap as possible for the individuals. While there is a modest fee, the whole programme is designed not to put a burden on the individual seeking the information.

Mr. O'Dowd: I accept what the Taoiseach says from his experience, but can he confirm that is always the case in every application in his Department or are there exceptions when a search fee is charged? If so, on what grounds is that fee applied?

The Taoiseach: To the best of my knowledge, this might happen if an individual case had an enormous impact on time. Perhaps not last year but in the previous year we had a few such requests, but people are charged the same fee. I do not think they are charged a higher fee. I am not positive about that, but that applies in my Department. Some Departments may need to do considerable searching and gathering of information, but to the best of my knowledge in my Department the fee is static and no additional fee is applied, which was the Deputy's question.

Mr. Sargent: What does the Taoiseach mean that a very serious view is taken of records that might be discovered to be missing following a freedom of information request? Is that a matter that results in action or is it simply noted? What action would be possible if it was found that somebody had taken or destroyed a file?

The Taoiseach: Under Civil Service code such a matter would be subject to disciplinary action. Apart from FOI, regarding anything—

Mr. Sargent: Has it ever happened?

The Taoiseach: Certainly not under FOI. Over the years there have been cases of files having been mislaid in Departments, about which quite serious action was taken. I remember one Department in which I was a Minister where such problems existed.

Ministerial Transport.

13. **Mr. Kenny** asked the Taoiseach the procedures in place in his Department for the use of the Government jet and other Air Corps aircraft; and if he will make a statement on the matter. [32022/04]

14. **Mr. Sargent** asked the Taoiseach if he will report on the procedures in his Department for the use of the Government jet and other Air Corps aircraft; and if he will make a statement on the matter. [34607/04]

15. **Caoimhghín Ó Caoláin** asked the Taoiseach the procedures in place for the use of Government aircraft; and if he will make a statement on the matter. [1385/05]

The Taoiseach: I propose to take Questions Nos. 13 to 15, inclusive, together.

The procedures I have outlined to the House previously, most recently on 25 November 2003, are unchanged. Use of the ministerial air transport service requires my approval. Procedurally, requests for use of the service are made by Ministers' private secretaries to my office and are dealt with by the staff of my office. Requests are examined by my staff with regard to the need and purpose of travel, the destination and other logistical details. Any necessary clarification or further information is sought at this point. All screened requests are then submitted to me for approval. Once approved, all operational matters are settled directly between the office of the Minister and the Department of Defence or Air Corps.

Mr. Kenny: I assume the Taoiseach was unable to bring all 300 delegates with him in the jet when he travelled to China. The jet was used often in the last year because of the EU Presidency. Will the Taoiseach circulate a list of the approved uses of the Government jet in the last 12 months? Is the jet currently in use the only jet transport available to the Government? Has the Beechcraft been disposed of? Is the larger Government jet still available?

Mr. Durkan: Does it have a puncture?

Mr. Rabbitte: The Taoiseach is probably the most famous socialist to have visited China in recent years.

Mr. Durkan: He was the only one out there.

The Taoiseach: Travelling in the smallest jet. So small that we are always last in the queue to take off.

The Beechcraft has been replaced by the Learjet to provide the ministerial air service. It is now mainly used by the Air Corps and would only be used for ministerial travel if nothing else was available and normally for local flights within the State. Some of my colleagues must use it to travel to Brussels on occasion.

Mr. Durkan: Such hardship.

The Taoiseach: It takes a while to get there, it is quite a hardship.

The Learjet carried out 78 missions, mainly to various European locations during the Presidency. The Gulfstream IV is still in operation.

Mr. Sargent: So impressed was the Taoiseach with his Chinese visit, I was surprised that he did not declare himself a communist when he returned, following his recent transformation into a socialist.

Does the Government take stock of the impact of the carbon emissions from the jet? It is within the Taoiseach's remit so it could be done. Is the jet used within Ireland from time to time? What sort of journey would it make within the State, given that there are now plenty of roads and opportunities to travel by rail? Is there any need to use the jet within Ireland?

The Taoiseach: I am not directly involved but I am sure the Minister for Defence and the Air Corps follow the highest environmental standards. The jet is rarely used within the State. The Beechcraft is usually used on short flights. The Gulfstream is used for long flights and, increasingly, we use the Learjet on the Brussels route. It is effective for short haul flights.

Caoimhghín Ó Caoláin: Does the Taoiseach know the annual running costs of the Government jets, the Learjet in particular? Is a value for money audit carried out into the annual running costs and the repayment schedule attached to it? Is the audit taken into account in determining the criteria for use of the jet?

The Taoiseach: I do not have the figures, the Department of Defence has them, but the service offers value for money and is efficient. Where easy alternatives are available, it is not used. Each case is screened to ensure it makes sense. Effort is always made to get Ministers to travel together to make it more cost effective. It is also useful to the Air Corps when it is not being used by the Government.

Caoimhghín Ó Caoláin: Is there a value for money audit?

The Taoiseach: The service has been looked at a number of times and it has been found to provide an efficient and cost effective service.

Written Answers follow Adjournment Debate.

Death of Former Member: Expressions of Sympathy.

Mr. Rabbitte: Eileen Desmond was first elected to this House in 1965 and for the next 22 years, as Deputy, Senator, Minister and Member of the European Parliament, she served the people of Cork, Munster and Ireland with honour and distinction. For many people, she will always be remembered as one of the most outstanding women Members ever produced by these Houses. For many more, she was simply outstanding, to be counted among the most genuine, decent and able legislators and representatives of her time.

Eileen's career was all the more remarkable considering its circumstances. She was a young woman with two small children when she was widowed after ten short years of marriage in 1965. The death of her husband Dan, who had himself been a Labour Deputy and deputy leader of the party, was a terrible blow to her. Those who knew her throughout the years that followed testify that she was deservedly most proud of the fact that she raised her two daughters to be her closest friends. Through all the hard and lonely times she served in this House, especially in her early years, she relied heavily on the closeness and love of her daughters, and later her grandchildren.

Eileen was a consummate public representative, closely in touch with the people of her constituency at all times and willing to deal with even the smallest problem on a close personal basis. She lost her seat once, as a result of the re-drawing of her constituency in 1969, but regained it at the first opportunity and was never to be at serious risk again so highly regarded was she by the people of Carrigaline, Kinsale and the southern half of Cork city.

In 1979 she stood in the very first direct elections to the European Parliament and was elected as a representative for Munster. In the 1981 election, however, she chose to represent her native Cork in the general election, and after that election she was appointed Minister for Health and Social Welfare. She is remembered now as the first woman to be appointed to a senior Cabinet position since Countess Markievicz, but many thousands of unemployed people and people living on pensions will remember that her relatively short tenure in that office was marked by the highest increase in social welfare ever awarded. Although the budget of 1982 was voted down, when a Fianna Fáil Government was returned, it retained Eileen's 25% increase in the budget it brought in.

Throughout Eileen's political career, she was known for an honest, direct and yet gentle style. Her friends knew too that throughout a dis-

tinguished career she battled with illness. She was recovering from tuberculosis when her husband Dan died and she was never strong. That never, however, interfered with her determination to represent people to the absolute best of her ability. It never manifested itself in anything but good humour.

Eileen Desmond will be remembered and she will be missed. No woman has made a greater contribution to the development of the Labour movement than Eileen, and none a greater contribution to the history of our party. She will be remembered for her qualities of honesty, integrity and compassion, for the fact that she coped with personal adversity with courage and humour and for her achievements in representing people with dedication. On behalf of the Labour Party, I extend my sympathy to Honor and Paula, who have lost a mother and a close friend, and to their children, Eileen's grandchildren.

The Taoiseach: On behalf of the Fianna Fáil Party and on my own behalf, I extend my deepest sympathy to Deputy Rabbitte and the Labour Party on the death of Eileen Desmond on 7 January. Eileen was one of the earliest women to be elected to this House as a Labour Deputy. As Deputy Rabbitte said, she was one of the first women since Countess Markievicz to be a member of the Government.

The circumstances of Eileen's election to national politics 40 years ago were dramatic and historic. Her husband, Deputy Dan Desmond, had died suddenly, leaving her to care for their two young daughters, Paula and Honor. She stood in the ensuing by-election for the Labour Party and won the seat. The then Taoiseach, Seán Lemass, who led a minority Government at the time, called a general election before Eileen could take up her seat. When one thinks of the circumstances at that time — the death of Dan, leaving Eileen with two young daughters, and the by-election contest — one can imagine the trauma that ensued when she had to endure a further election campaign. At this remove, one can understand the pressure she must have faced at the time. She did as she did and went on to hold her seat in the ensuing general election.

Eileen Desmond spent some time in the Seanad, serving her party and her country, after she had lost out as a result of a boundary revision. She won a seat in the European Parliament in 1979, before returning to national politics when she was elected to represent the new Cork South-Central constituency. I remember her well as Minister for Health and Minister for Social Welfare in the coalition Government between 1981 and 1982. She was always helpful in the House. She was helpful to me at that stage when I was a fairly young and active Deputy who was trying to get things done. She always showed great courtesy and kindness.

Although 18 years have passed since Eileen Desmond left the House, I remember her well. She was always a gentle and kind person. She was

a political activist throughout her adult life. She always had personal concern for those who had least and struggled through life. She helped those on the margins. She enjoyed enormous respect, as well as affection, in the wider labour movement.

I join Deputy Rabbitte and the other Members of the House in extending sympathy to Eileen's two daughters, Paula and Honor. I extend the sympathies of the Fianna Fáil Party to her family. *Ar dheis Dé go raibh a hanam dílis.*

Mr. Kenny: Eileen Desmond was a remarkable woman and a remarkable politician. She became the first woman to be appointed to a senior Cabinet position when she was appointed Minister for Health and Minister for Social Welfare in 1981. At the time of her appointment she was just the third woman in the history of the State to serve as a Cabinet Minister. As Deputy Rabbitte pointed out, her marriage to Dan Desmond ensured she was no stranger to the intricacies and general wear and tear of political life. Dan Desmond's untimely death brought Eileen Desmond to the eye of the storm. It catapulted his widow, then a mother of two young children, to the heart of national politics.

The political manoeuvrings of the minority Fianna Fáil Government of the time which led to the calling of a general election were no match for the mood or will of the people of Cork. Eileen Desmond topped the poll at the subsequent 1965 election and was appointed as the Labour Party's spokesperson on education. Undaunted by the loss of her seat in 1969, she went on to take a seat in the Seanad. Her family rallied around her at the time — her mother moved in with Eileen's young family in Carrigaline and helped to run the shop there which was not easy. When Eileen Desmond was re-elected to the Dáil in 1973, she supported the late Frank Cluskey who made her the Labour Party's spokesperson on justice. She came into her own after the 1981 general election when she was awarded the critical portfolio of health and social welfare. She announced the establishment of a national agency to tackle poverty and battled for an historically high increase of 25% in social welfare payments.

Members are aware that Eileen Desmond's poor health was very evident throughout her career in politics. She never gave up, however — her tenacity ensured she arrived in this House by stretcher for an important vote. Her personal conviction and courage shone through in spite of her poor health. The people of Cork were honoured to be represented in the Dáil by such a passionate and decent person. Eileen Desmond's daughter Paula has done well in local politics. I am sure her mother was proud when she was elected as mayor of County Cork. I am sure she was just as proud of her other daughter, Honor, who has pursued a successful career in law.

Eileen Desmond made a successful and individual mark on this House and Irish politics. I wish her peace. Her daughters and their children can be proud of a woman who was before her

[Mr. Kenny.]
time in many ways. Above all, she was an extraordinary mother and grandmother.

I recall sitting on these benches in 1979 during a debate on a Fine Gael Private Members' motion which related to a nursing dispute taking place at the time. Eileen Desmond, who was sitting where Deputy Rabbitte is sitting now, made an outstanding contribution to the debate. Her speech provided balance to the strident invective of two very energetic speakers from north Dublin — the late John Boland who, as Fine Gael's spokesman on health, was sitting where I am sitting now and the then Minister for Health, Charles J. Haughey. Those who were present on that evening, including the current Taoiseach, who had longer and darker hair at that time, will recall the entrance of that charismatic figure, Dr. Hugh Byrne. The contribution he made from this side of the House on that night resulted in his expulsion from the party the following day. Eileen Desmond who was an outstanding speaker demonstrated feeling and passion when she discussed a subject that she knew so well.

On behalf of the Fine Gael Party and on my own behalf, I extend sympathy to Deputy Rabbitte and the Labour Party. I also extend sympathy to Eileen Desmond's daughters, Honor and Paula, their children and the rest of the Desmond family on the passing of Eileen who was an outstanding Irishwoman in her own right.

Tánaiste and Minister for Health and Children (Ms Harney): I would like to be associated with the words of sympathy extended to the family of the late Eileen Desmond who served as Minister for Health during my early days in this House. Although I knew her, I did not know her very well. Not only did she have fine qualities as a politician and a Minister but she was also a lovely person who was easy to befriend.

I remember the night mentioned by Deputy Kenny. As a Member of the Seanad at the time, I followed the debate from the gallery. It was clear on that occasion, when Eileen Desmond engendered such a notable reaction from many men in the House, that she was quite a formidable woman. That is further borne out when one considers that her success in a by-election in 1965 led to a general election later that year.

When one reflects on this country as it was 40 years ago, one can imagine how difficult it must have been for a woman and a mother to be a Member of this House. It must have been particularly tough for somebody who was a widow and represented a constituency as far away as Cork. It must have been incredibly difficult for her.

It is always a nice tribute to somebody to say that their daughters were their best friends. The experiences one has growing up mean that it can be hard to be one's parents' best friend. It is rare for a mother to have such a close relationship with her two daughters. That Eileen Desmond enjoyed such a friendship with her daughters speaks volumes for the kind of person she was. I

extend my sympathies to her daughters, Paula and Honor, and the Labour Party.

Eileen Desmond who was first elected to this House in 1965 was a great role model for women in politics at a time when there were not many women in Leinster House. There were not many women in Leinster House from 1977 until the early 1980s when I served in the Seanad. Eileen became a Senator when she lost her seat in the Dáil, rather than giving up, and subsequently served in the European Parliament. She was the first female Minister for Health — I hope I will not be the last. I hope I can share many of the fine things Eileen Desmond brought to that portfolio such as a sense of justice and fairness. As she was Minister for Health and Minister for Social Welfare at the same time, she was in charge of two extraordinarily big Departments which must have been incredibly difficult. May she rest in peace.

Mr. Sargent: Ar son an Comhaontas Glas, ba mhaith liom comhbhrón a ghuí ar mhuintir Eileen Desmond. I was saddened to hear of the death of Eileen Desmond. Our sympathies go to her daughters, Honor and Paula, and the rest of her family. I sympathise with Deputy Rabbitte and the Labour Party for having lost such an excellent colleague.

I do not doubt that Eileen Desmond's reputation preceded her. While I did not know her personally, her name was legendary. Her achievements as a proud representative of Cork and the Labour Party will live on long after her. Her unique role in Irish life as Minister for Health and Minister for Social Welfare at the same time has been mentioned. I hope she will be a role model for many other women who would like to enter the political domain.

That Eileen Desmond was formidable and had no problem taking on people whom I knew very well, such as John Boland and Charles Haughey, both residents of Dublin North, speaks volumes about her stature as a politician. She was able to stride proudly and achieve much in a male-dominated arena. I extend our deepest sympathy to her family on their sad loss, in the knowledge that her reputation and record will live on. Ar dheis Dé go raibh a hanam uasal.

Caoimhghín Ó Caoláin: I join in the tributes to the late Eileen Desmond and extend the sympathy of the Sinn Féin Deputies to her family and her Labour Party colleagues. As has already been acknowledged by a number of speakers, she played a pioneering role as a woman in high political office. I am aware of the high regard in which she was held in her constituency and in the rest of County Cork. This, of course, was in recognition of the contribution she made in her local community and throughout County Cork and, it is important to acknowledge, to the advancement of the rights of women in Ireland. Ar dheis Dé go raibh a hanam.

Mr. Coveney: As one who comes from and who has for some time represented the constituency that Eileen Desmond represented, I want to be associated with the comments that have been made. I know her daughter Paula very well as I spent four years working with her on Cork County Council. I also know her daughter Honor, although not so well. I did not know Eileen Desmond particularly well but I am certainly well aware of the high regard with which she is held, particularly in Carrigaline, which is at the heart of Cork South-Central. Her name is known by all regardless of whether they are new to the area. Her name will continue to be associated with politics and achievement in her area and with intelligence, kindness and strength, which were her three strong attributes.

On the basis of what people have said about Eileen Desmond since her passing away, I know her name will remain dominant in Cork South-Central. On behalf of the people of Cork South-Central, I want to be associated with the expressions of sympathy to her family and to the Labour Party, which has also suffered a great loss.

Ms Lynch: As someone who was starting her political career as Eileen Desmond was coming to the end of hers, I note that she was not just inspirational but she encouraged young women to get involved in politics. As the Tánaiste stated, it must have been extremely difficult for her to be involved in political life 40 years ago. God knows it is difficult enough for women with young children to become involved in politics today, and it must have been nearly impossible 40 years ago.

When we used to go canvassing in the early days, Dan Desmond was a name that arose continuously at the doors. We used to hear the name Eileen Desmond in the same breath. Both were virtually legends in Cork South-Central. Young politicians still hear Eileen's name at people's doors. This does not come easily in that people do not continue to remember those who have long since removed themselves from the public arena unless it is justified. It says much about Eileen Desmond that she was involved in public life at a time when it was difficult to be so involved.

In my time in the House — God knows it has been brief but I have watched the proceedings herein with some considerable interest — this is the first time that I have heard a tribute to a female Member. That demonstrates how little we do in the Oireachtas to encourage women to enter politics. Eileen Desmond should be a role model not only for women but also for men. May she rest in peace.

Mr. Boyle: I thank the Ceann Comhairle for giving me the opportunity to join in the votes of condolence. As a Member representing Cork South-Central, I, too, would like to be associated with the many words that have been said in honour of Eileen Desmond. On my first opportunity to vote as a citizen, which was in the election of

June 1981, and before the foundation of the Green Party, I voted for her. She was a candidate in what was then the new constituency of Cork South-Central. It should also be noted that not only did she have personal difficulties as a widow bringing up a young family but she also had to cope with the fact that the constituency she represented, Mid-Cork, was quite a sprawling constituency when she was first elected. It stretched all the way from Rockchapel on the Kerry border to Crosshaven at the mouth of Cork Harbour. Although her health was not always as good as it could have been, even after her retirement from active public life she was regarded as a solid rock of support for the Labour Party and particularly for her daughter Paula, who remains very actively involved in Cork politics and who had the honour of being the first woman elected as chair of Cork County Council. Given the role Eileen Desmond played as a Deputy and Minister and her consistent support of politics at local and national levels, this House and all involved in politics and public life owe her a great debt. May she rest in peace.

Mr. Sherlock: I join with the other speakers in expressing my sympathy to the family of the late Eileen Desmond. When I was elected to the House in 1981, she was Minister for Health and Social Welfare. The constituency of Mid-Cork was referred to. It was so known before it became the Cork North-West constituency. Although Eileen Desmond had been out of politics for some years, to this day she is held in high regard because of the work she did for the people in the Cork North-West constituency. I join the other Members in expressing sympathy to Eileen Desmond's daughters, Paula and Honor. Ar dheis láimh Dé go raibh a h-anam dílis.

Mr. D. Wallace: I, too, would like to be associated with the vote of sympathy to both the Desmond family and the Labour Party. I did not work with Eileen Desmond but I know that her contribution at local level, as a member of Cork County Council, and as a Member of Dáil Éireann, a Minister and MEP epitomised all that public life should be about. As was mentioned, her daughter Paula is continuing that great tradition. On behalf of the local authority members in Cork city and county, I wish to be associated with the vote of sympathy.

Members rose.

Requests to move Adjournment of Dáil under Standing Order 31.

An Ceann Comhairle: Before coming to the Order of Business I propose to deal with 15 notices under Standing Order 31. I call Deputy Finian McGrath.

Mr. F. McGrath: I seek the adjournment of the Dáil to debate a specific matter of public interest requiring urgent consideration, namely, the major

[Mr. F. McGrath.]

crisis in the accident and emergency departments in our hospitals, where patients are on trolleys, and the urgent need to increase bed capacity in hospitals and invest in primary care.

Mr. Connolly: I seek the adjournment of Dáil Éireann under Standing Order 31 to raise a matter of national importance, namely, to call on the Government to establish a redress board to examine the approximately 100 remaining cases of the mistreatment of female members of Patient Focus at Our Lady of Lourdes Hospital, Drogheda and to bring some degree of closure to the trauma, pain and suffering endured by these women as a result of serious malpractice at the hospital.

Mr. Wall: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious implications for employment and farming in the Leinster area of the decision to close the Greencore sugar plant in Carlow and the need for the Minister for Agriculture and Food to enter into discussions with the company with a view to the retention of the plant, especially as no decisions have yet been taken at EU level regarding the future of the sugar industry.

Mr. Crawford: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the ongoing problems of the ladies who were operated on in Our Lady of Lourdes Hospital, Drogheda, represented by Patient Focus, a case which is ongoing since January 1998 and includes the issue of missing files and the failure of the Minister to meet the representative group, although I understand this has been rectified. It is also necessary to set up a redress board urgently.

Mr. Naughten: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, in the light of the Greencore decision to close the Carlow sugar factory, the urgent need for the Minister for Agriculture and Food to outline the action, if any, she is taking to avert the closure of the factory, the measures she intends to take to reduce the potential impact which the EU reforms will have on the Irish sugar industry, and if she will clarify the ownership of the Irish sugar quota.

Mr. Broughan: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the need for Government action to prevent serious disruption to the postal service arising from the imminent industrial action by staff following the decision by An Post management to suspend 68 workers at SDS at a time when matters were due to be considered by the Labour Relations Commission and in the light of the statement today by the national implementation body.

Mr. Sargent: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the urgent need for the Government to establish a redress board to allow the many dozens of women who suffered at the hands of Dr. Michael Neary in Our Lady of Lourdes Hospital, Drogheda, to bring closure to these events; receive an explanation and acknowledgment of what happened and the assurance that such abuse cannot happen again.

Mr. Crowe: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the inexplicable decision of the Minister of State at the Department of Community, Rural and Gaeltacht Affairs, Deputy Noel Ahern, to axe the funding of the Community Workers Co-operative which has provided an invaluable service for the last 24 years, addressing poverty and promoting social inclusion, helping to co-ordinate the work of community groups in disadvantaged areas, the immediate need for the reversal of this decision and the restoration of essential funding.

Caoimhghín Ó Caoláin: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the need for the Tánaiste and Minister for Health and Children, Deputy Harney, to establish a redress board for those women victims of gross malpractice, including the carrying out of unnecessary Caesarian hysterectomy procedures, at the obstetrics and gynaecology unit of Our Lady of Lourdes Hospital, Drogheda between 1974 and 1998 and for the full disclosure to the women concerned of all information pertaining to each of their cases.

Mr. Durkan: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the deteriorating situation in An Post and the likely negative economic impact of the loss of postal services and employment in An Post, and the need for the Minister for Communications, Marine and Natural Resources to take steps to bring about an improvement in the situation. I acknowledge the information on the national implementation body which the Taoiseach gave to Deputy Kenny today.

Mr. Morgan: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the necessity for the Department of Health and Children to establish a redress board to address the plight of those women who were subjected to unnecessary Caesarian hysterectomies by Dr. Michael Neary in Our Lady Of Lourdes Hospital, Drogheda, between 1974 and 1988 and, further, that this board would also have within its remit addressing the many cases of unnecessary symphysiotomy carried out at this hospital until the early 1980s.

Aengus Ó Snodaigh: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the revelation by the Council of Europe that Ireland now has the highest rate of amphetamine use and the second highest rate of cocaine use in Europe; the need for more effective action to increase enforcement against drug traffickers and the right of this House to hold the Minister for Justice, Equality and Law Reform to account for his failure to prioritise this issue because it does not either suit his ideological agenda or affect the elite in Dublin 4.

Mr. Morgan: The Deputy should keep at the Minister.

Mr. Ferris: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the unacceptable treatment of 68 parcel division workers of An Post who were suspended on Monday when the semi-State company acted in extreme bad faith by taking action before an agreed meeting with the Labour Relations Commission to discuss issues around the closure of the parcel division, and the need for the Minister for Communications, Marine and Natural Resources to encourage management of the company to reinstate the 68 workers and enter into discussions with the Communications Workers Union as was previously agreed.

Mr. Cuffe: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, that the Government commits to a national funding framework for the violence against women sector with roles, responsibilities and budgets defined within each of the six Departments with a responsibility to violence against women services and that national funding totalling €7 million be provided for this sector in the Finance Bill in February 2005.

Mr. Gogarty: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the disturbing findings of a report published earlier today which indicates that a large majority of Irish people are not happy with the economic and political climate on the island, as well as the need to discuss what measures can be taken to address this situation.

Mr. Fahey: An election would address it.

Mr. Gogarty: An election would be quite welcome.

An Ceann Comhairle: Having considered the matters raised, they are not in order under Standing Order 31.

Order of Business.

The Taoiseach: It is proposed to take No. 12, motion re ministerial rota for parliamentary ques-

tions; No. 17, statements on the tsunami disaster in South-East Asia; and No. 18, Disability Bill 2004 — Second Stage (resumed).

It is proposed notwithstanding anything in Standing Orders that (1) No. 12 shall be decided without debate; (2) the following arrangements shall apply with regard to No. 17: the statements shall, if not previously concluded, be brought to a conclusion after 65 minutes and subject to this shall be confined to the Taoiseach and the main spokespersons for the Fine Gael Party, the Labour Party and the Technical Group who shall be called upon in that order and which shall not exceed 15 minutes in each case; Members may share time; the Minister for Foreign Affairs shall be called upon to make a statement in reply which will not exceed five minutes; immediately following the statements Members shall observe one minute of silence; Private Members' Business shall be No. 42, motion re Health and Safety Authority; request for an A and E risk assessment and shall take place on 27 January directly after the Order of Business and be brought to a conclusion after 90 minutes on that day.

An Ceann Comhairle: There are three proposals to put to the House. Is the proposal for dealing with No. 12, motion re ministerial rota for parliamentary questions, agreed? Agreed. Is the proposal for dealing with No. 17, statements on the tsunami disaster in South-East Asia, agreed? Agreed. Is the proposal for dealing with Private Members' Business tomorrow agreed? Agreed.

Mr. Kenny: I have looked at the new legislative programme announced by the Government Chief Whip, the Minister of State at the Department of the Taoiseach, Deputy Kitt. It is rather like *The Scarlet Pimpernel* because I cannot find a reference to the critical infrastructure Bill in it. This was the central point of the Taoiseach's speech to the Fianna Fáil Ard Fheis in Killarney two years ago. It seems unusual that it has disappeared from the Government agenda, obviously at the prompting of the Minister for Justice, Equality and Law Reform. It is equally bizarre to read the statement of the Minister for the Environment, Heritage and Local Government who is not present that while incinerators are to be part of the critical infrastructure Bill, one incinerator, proposed for Ringsend, is not.

Mr. Stagg: Neither is the one for County Wicklow.

Mr. Kenny: Will the Taoiseach explain whether this Bill has disappeared? Is it still a runner with the Government and, if so, when are we likely to see it?

The Taoiseach: It is still a runner. I understand there is agreement.

Mr. Kenny: The Taoiseach said that tongue in cheek.

Mr. Durkan: There could be subsidence on that. The Taoiseach needs to be careful.

Mr. Rabbitte: When can we expect the publication of the Quigley report into the circumstances surrounding the contracting of the person by the Minister for the Environment, Heritage and Local Government?

When is the work permits Bill likely to come before the House? I have a case of a South African national who came here three years ago to join her husband who was recruited as a result of the roadshow promoted by the then Minister for Enterprise, Trade and Employment, the Tánaiste, Deputy Harney, in South African. This person came here to join her husband. She has applied and got a job. FÁS has approved her. The director of the nursing home concerned badly needs her particular skill and cannot get it elsewhere, yet she has been refused a permit by the Department which the Tánaiste, Deputy Harney, left.

There are so many of these cases that we could throw our hands in the air, but this is a case—

An Ceann Comhairle: The Deputy should confine himself to a question on legislation.

Mr. Rabbitte: Thank you, Sir. In this case the Tánaiste went looking to recruit, this person is here as a result of that but cannot get a permit.

The Taoiseach: It is my intention to publish the Quigley report tomorrow. The employment permits Bill will be published this session.

Mr. Sargent: I note that most of the territory of this State is under the control of the Department of the Marine and Natural Resources, but I observe the fisheries Bill seems to have disappeared from the list of promised legislation. Sadly, for the people of South East Asia, the disaster there had tragic implications for their livelihoods, but in this case—

An Ceann Comhairle: I ask the Deputy to confine himself to questions on legislation in accordance with Standing Order 26.

Mr. Sargent: Is this Bill now to be incorporated in some other legislation? That the country does not have a marine conservation centre highlights the low priority given to this area generally. Will the fisheries Bill now be called the sea fisheries Bill or is there any hope of attention being paid to the fisheries area?

The Taoiseach: The heads of the sea fisheries Bill to strengthen the sea fisheries law and to secure compliance with EU law have been passed and it is hoped to publish the Bill this session.

Mr. Durkan: My question is along the lines of that asked by my party leader, Deputy Kenny. Is there evidence of subsidence in the Department

of Communications, Marine and Natural Resources, given that some 19 Bills were listed for urgent attention last session, but a number of them must have slipped off the list as there are now only six or seven listed? Is it intended to include those Bills that have slipped off the list? The An Post Bill is listed but has yet to come before the House. The introduction of the various telecommunications Bills is urgently required and that need is becoming more urgent. There is the possibility of revised legalisation on the digital hub and a series of other Bills are urgently required. Can we get a revised version of this document or perhaps a page was missing from the copy I got?

The Taoiseach: In the case of a few of the Bills listed in the area of communications, marine and natural resources, the legislation is being reviewed in the Department in the context of its new statement of strategy. That covers three or four of the Bills that were on the list.

Mr. Durkan: It is not a case of subsidence after all.

Ms McManus: In the middle of last November, the Minister for Health and Children stated that the Government was not going to live up to its promise to deliver 200,000 new medical cards and that instead we would have yellow pack cards which would simply provide for GP care. She said at the time that they would be introduced at the earliest time possible in 2005. Will the Taoiseach clarify that legislation is required for their introduction because this seems to be the indication from the Tánaiste and Minister for Health and Children? If so, why is there no sign of such legislation in the legislative programme?

An Ceann Comhairle: Is legislation promised in this area?

The Taoiseach: The advice is that legislation is required and it is being prepared as a matter of urgency.

Caoimhghín Ó Caoláin: On the same matter, will the preparation of legislation on the yellow pack medical card Bill delay the issuing of the cards? This is a matter of great concern.

An Ceann Comhairle: The Deputy should submit a question on that matter to the line Minister.

Caoimhghín Ó Caoláin: Second, on the Order of Business, I note from the programme that most of the legislation sponsored by the Minister for Health and Children, all of which was promised early last year, that because of the Bill to abolish the health boards this legislation was set aside. Can the Taoiseach give a definite date for the publication of the nurses Bill, the Medicines Board Bill, the medical practitioners Bill, the pharmacy Bill and the VHI Bill?

The Taoiseach: On the first matter, the legislation is being dealt with as a matter of urgency. It is hoped that the medical cards will be issued in April and that there will not be a delay.

The heads of the nurses Bill are due this session. The heads of the medical practitioners Bill have been approved by the Government and the Bill will be due later this year. We will publish the heads of that Bill. Was the other Bill the Deputy asked about the pharmacy Bill?

Caoimhghín Ó Caoláin: I asked about the Medicines Board Bill and the pharmacy Bill.

The Taoiseach: The Medicines Board Bill will be ready this session. Work is under way on drafting the heads of the pharmacy Bill and it will be ready later this year.

Caoimhghín Ó Caoláin: What about the VHI Bill?

The Taoiseach: That Bill will be ready later this year.

Mr. Crawford: In light of the ongoing binge drinking problem among the youth, when will the alcohol products Bill to protect young people come before the House? Its introduction is vital.

The Taoiseach: It will be ready later this year.

Mr. Sherlock: I do not know how many times I have asked the Taoiseach about the Bill to abolish ground rents. Has this Bill been taken off the Taoiseach's clár?

The Taoiseach: To the best of my knowledge, that Bill is not proceeding at present. The Supreme Court decision may have implications in this regard.

Mr. Sherlock: Has the Bill been taken off the Taoiseach's clár?

The Taoiseach: We are awaiting the Supreme Court's decision.

Ms McManus: It is buried.

Mr. Sherlock: It is abdicating responsibility to the property owners.

Mr. Morgan: I have a related matter. With all the talk lately of banks robbing people and people robbing banks——

Ms Harney: Is the Deputy going to tell us what happened?

Mr. Morgan: ——given the nature of what we have just heard on a related subject, now landlords are robbing people. When is the Supreme Court decision likely to be given? Can we get an indication of the likely date for that as this is an extremely urgent matter. I agree with what the

previous speaker, Deputy Sherlock, said on this matter. He has been persistent in raising this issue. We regard it as extremely important. When are we likely to get a commitment that this legislation might be brought forward?

The Taoiseach: Is the Deputy referring to the ground rent Bill?

Mr. Morgan: If the Taoiseach has any information on the other items, maybe he would keep it to himself.

Ms Harney: The Deputy has more information on that. He should tell us about it.

Mr. Coveney: It is hard to follow that. I have asked about the broadcasting authority Bill on a number of occasions. A substantial hike was granted in TV licence fees two years ago, as the Minister for Foreign Affairs, Deputy Dermot Ahern, will be aware. Part of the deal at that time was that an independent broadcasting authority would be introduced and that legislation was required to do that. Two years have passed since then. Can the Taoiseach give us as detailed a timescale as possible for when we are likely to see that legislation?

The Taoiseach: The legislation is listed for 2005. I do not have information on the heads of the Bill. Perhaps the Deputy would raise this matter with the Minister responsible.

Mr. Broughan: I wish to ask the Taoiseach about a Bill referred to by Deputy Durkan, the electronic communications Bill and when it is likely to come forward. Does the Taoiseach have any regrets about the closure of MediaLab Europe during the recess?

An Ceann Comhairle: The matter is the subject of an Adjournment debate tonight. The Deputy cannot anticipate that debate.

Mr. Broughan: The Taoiseach established it. He will not be in the House this evening. He set up the administrative structures which probably led to its collapse.

An Ceann Comhairle: The Taoiseach should answer on the first question.

Mr. Durkan: Let us hear it.

The Taoiseach: The electronic communications (miscellaneous provisions) Bill is due for 2005. It is to provide access to broadcasting networks and to deliver content.

Mr. Durkan: This is 2005.

Mr. Boyle: What priority does the Government attach to the register of persons who are considered unsafe to work with children Bill? Its publication is still not listed. I realise there have

[Mr. Boyle.]

been difficulties with the implementation of the Good Friday Agreement. However, given that guidelines exist in Northern Ireland, what is the hold-up for having such a register put in place in this country?

The Taoiseach: The cross-departmental working group reports to the Minister for Justice, Equality and Law Reform on the proposals for reform of the vetting of employees by the Garda Síochána. The Minister has now appointed an implementation group to advise on the implementation and the necessity for the legislation. While I do not have a date for this, that work is continuing.

Message from President.

An Ceann Comhairle: I have received a message from the President stating that after consultation with the Council of State she has referred the Health (Amendment) (No. 2) Bill 2004 to the Supreme Court, pursuant to Article 26 of the Constitution, for a decision on the question as to whether the said Bill or any provision or provisions thereof is or are repugnant to the Constitution or to any provision thereof.

Ministerial Rota for Parliamentary Questions: Motion.

Minister of State at the Department of the Taoiseach (Mr. Kitt): I move:

That, notwithstanding anything in the Resolution of the Dáil of 6 June 2002 setting out the rota in which questions to members of the Government are to be asked, questions for oral answer, following those next set down to the Minister for Communications, Marine and Natural Resources, shall be set down to Ministers in the following temporary sequence:

Minister for the Environment, Heritage and Local Government

Tánaiste and Minister for Health and Children

Minister for Transport

Minister for Justice, Equality and Law Reform

Minister for Arts, Sport and Tourism

where upon the sequence established by the resolution of 6 June 2002 shall continue with questions to the Minister for Community, Rural and Gaeltacht Affairs.

Question put and agreed to.

Tsunami Disaster: Statements.

The Taoiseach: I welcome this opportunity to make a statement to the House. Words cannot adequately describe the tragic events that

unfolded one month ago on the morning of 26 December last. I, for one, cannot think of an occurrence in living memory that has touched the lives of so many people in so many countries and regions throughout the world. That morning and in the hours that followed the sheer power of nature directly impacted upon Indonesia, Sri Lanka, south India, the Andaman and Nicobar Islands, the Maldives, Thailand, Myanmar-Burma, Malaysia, Somalia, Kenya, Tanzania, the Seychelles and Bangladesh. The people of these areas have suffered enormous physical and personal losses. No matter how great or small the damage caused to them, the thoughts and prayers of the House and the Irish people are with all citizens of this region as they come to terms with rebuilding their lives and livelihoods.

Here in Ireland we learned with great sadness of the confirmation of the deaths of Eilis Finnegan from Dublin and Conor Keightley from Armagh. I convey again the Government's condolences to their families and friends, who have seen the lives of their loved ones cut short in such a shocking way. Our thoughts go also to the families and friends of Lucy Coyle and Michael Murphy, who are still missing.

The Minister for Foreign Affairs, Deputy Dermot Ahern, will outline to the House the efforts of the Department of Foreign Affairs regarding Irish citizens, as well as his firsthand experience of visiting the region. For my part, I emphasise how proud the Government is of all the Irish personnel and volunteers who devoted their time to this unprecedented challenge.

The Department of Foreign Affairs, the crisis centre of which I visited on New Year's Eve, responded to the concerns of thousands of callers regarding more than 1,200 people reported to be in the region. Our embassy personnel across the region worked superbly in the most difficult of circumstances to locate Irish citizens and to help the families of those citizens injured or feared to be lost.

Other branches of the State made an equally valuable contribution to the overall effort. In saying this, I have in mind the Garda Síochána which sent personnel to Phuket in Thailand and worked tirelessly with the Department of Foreign Affairs to track down the remaining Irish people unaccounted for. I must also mention the Department of Health and Children and the Health Service Executive, which established a counselling helpline for those returning Irish citizens traumatised by the experience of the tsunami.

The estimated loss of life to date has just been increased to 280,000 people. The number of injured is expected to exceed the number of dead. Families have been destroyed, children have been orphaned and parents are grieving for their missing children. Livelihoods and whole communities have been washed away, leaving those who survived with nothing but the rubble of their shattered homes and businesses. The efforts of the survivors to recover and rebuild their lives must

now be the focus, not just in the short term but also over the difficult months and years ahead. The development challenges faced by the region as a result of the tsunami will not disappear once the cameras have moved on to the next tragedy or disaster. The process of rebuilding shattered communities will take years. Ireland will play its part in these efforts.

Over recent weeks, we have witnessed unprecedented expressions of generosity across the world. While the power of nature has once again revealed itself with terrifying consequences, the power of the human spirit to respond with compassion and help has been remarkable. Ireland, like many countries, has reacted with speed and generosity to the appeals for help from the countries and communities affected. We were one of the first countries to respond in the immediate aftermath of the earthquake and tsunami.

Immediately, on St. Stephen's Day, the Government pledged €1 million to the relief effort. This was doubled to €2 million two days later as the preliminary assessments of the scale of the disaster became available. Following the recent visit of the Minister for Foreign Affairs to the region, our pledge has increased to €20 million. Of this sum, €10 million is additional to the overall 2005 Government aid budget, which has now risen to €545 million. The remainder will come from Development Co-operation Ireland's emergency humanitarian fund. This fund is deliberately designed to be flexible to respond to disasters of this kind wherever they occur. This is the largest amount Ireland has ever pledged to a single emergency.

The European Union has also been a major contributor to the tsunami relief effort, with €473 million now pledged by the European Commission and overall member state pledges of approximately €1.5 billion. A special session of the General Affairs and External Relations Council was held in Brussels on 7 January to discuss the tsunami disaster, and a follow-up discussion will take place at the Council next Monday. The EU Presidency has circulated a draft action plan proposing follow-up actions that the EU should take to strengthen its current capacity to react to this and future humanitarian crises, including ideas for an EU civilian rapid response capability. The tsunami disaster has also illustrated the way in which military resources of EU countries can contribute in humanitarian relief situations. It has highlighted the importance of enhancing civil-military co-operation.

Co-ordination, in general, is the key to effective emergency humanitarian response. It is the Government's strong view that the United Nations is best positioned to provide clear leadership and co-ordination of the emergency and recovery efforts. Its work in countries such as Afghanistan, Liberia, Sierra Leone and others has given it the capacity and experience to carry the emergency effort forward. Ireland has already

allocated €3 million to UN agencies working in the region.

The UN will also play a crucial role in helping governments put together plans for the long-term reconstruction and rebuilding of the affected regions. Included in this must be the issue of early-warning systems for natural disasters. I welcome the outcome of the United Nations world conference on disaster reduction held in Kobe, Japan, last week, at which delegates pledged their support to create a regional tsunami early warning system in the Indian Ocean.

It is clear at this stage that while the tsunami has affected many countries, the local capacity of countries, communities and people to respond and recover differs greatly. This is a function of the level of development and wealth of each affected country. Sri Lanka and the Banda Aceh region of the Indonesian island of Sumatra have been the worst affected by this disaster in terms of the scale of the destruction and in terms of loss of life. Following the recommendations of the assessment team which the Government sent to the region, the focus of the aid effort is quite rightly on these two countries.

In Sri Lanka and Banda Aceh, Ireland is working with the Red Cross, UN agencies and non-governmental organisations such as Concern, Goal, Oxfam and Trócaire to ensure that our assistance is balanced geographically and focused on the immediate requirements of the most vulnerable people. Shelter — temporary and permanent — and associated services such as clean water and sanitation are priorities. The rebuilding of livelihoods such as fishing, market trading and small business must follow. We will assist in this endeavour.

The public response in Ireland to the disaster has been truly remarkable. As we have seen many times before, the Irish public responds to such emergencies far out of proportion for a country so small. The total amount raised now exceeds €50 million. This is an expression of extraordinary human solidarity.

The link between natural phenomena and the vulnerability of people has been brought into sharp focus by the events in South-East Asia. The capacity of nations and communities to deal with natural disasters, recover and move on is closely related to their level of development. Time and again we see clearly that it is the poorest people who are most vulnerable to natural and other threats.

In other current humanitarian disasters such as in Darfur and northern Uganda it is also the poor, particularly women and children, who are most vulnerable. Long-term aid programmes do not attract the same media attention and public support as humanitarian disasters. However, it is the slow and painstaking human development gains made in areas such as agriculture, health care provision, education and improved governance that will ultimately allow communities and people to better protect themselves, understand and

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respond more quickly to natural and other threats and enjoy social and economic development.

It is critical at this time when the focus of all our efforts is rightly on South-East Asia that we do not forget other parts of the world which are in great need, most specifically Africa. The main focus of the Government's aid programme has always been and will continue to be Africa. Over three quarters of all Government spending on aid is directed to the world's poorest countries in sub-Saharan Africa. This year will be no different. The greatest level of poverty is to be found in Africa and the majority of deaths from disease, malnutrition and other preventable causes is a silent tsunami. Some 8,000 people a day are dying from HIV-AIDS in a disaster without parallel in modern history.

The most important way in which we can reduce human vulnerability to poverty and natural and man-made emergencies is to work towards the millennium development goals which were agreed by 189 nations. They are the best benchmarks by which we can measure human progress in the decade ahead. Our development programme is closely aligned to these targets.

There is a common thread of poverty and vulnerability between many of those affected by the tsunami in South-East Asia and those struggling against almost impossible odds in Africa. Our response and that of the international community must be sustained and comprehensive if poor and vulnerable people everywhere are to share the same hopes for the future that we take for granted in our lives today.

Mr. Kenny: One month ago today the people of South-East Asia woke up to hell. Four weeks on that hell continues. For those who have lost everyone and, therefore, everything, there is the possibility it will never end. On St. Stephen's Day, as in so many other countries across the world, the term "tsunami" left the virtual safety of the Discovery Channel to become hard news, replayed endlessly throughout what we had hoped at least would be the holiday season. Then came the questions. When satellites can spot crop growth on the Russian Steppes and eavesdrop on conversations in Kandahar, why was there no warning? We were asked by our children, "What is a tsunami?" and, perhaps inevitably, "Could it happen here?"

The tsunami devastated South-East Asia but it also affected the whole world. I do not think there is a parent in the House or the country who did not think to themselves in the quieter moments of Christmas, "What if it were us? What if I had to let go? What if it were my child who was just too small to hold on?"

If any good can come from this natural disaster of the Asian tsunami, it must start in that shocked empathy, in the cold realisation that our world is a small one, that there is no such thing as other people's children, that we are all in the end

responsible for each other, globally, nationally and locally.

Everybody will agree that it is hard to pick one moment from the Asian tsunami because there were so many. One that stands out in my mind, however, is the tourist-cum-rescue worker telling international television crews, "I washed the dead because I wanted their families to know that at the end there was someone looking after them."

In Ireland we looked after the living. As a nation, we responded magnificently, contributing €40 million in four weeks. Everyone wanted to do their bit to show that this disaster was not another anonymous catastrophe at the other end of the world but was instead their personal business. Because it was their business, they wanted to make a difference. The aid agencies will verify that they made sure they did.

Now it is time for the country to do the same. It is time for official Ireland to make that vital difference. We have proved that we are well able to do this. Just last week the green dot on the western edge of Europe went calling on that new economic superpower, China, led by the Taoiseach and 300 personnel. I was somewhat amused at how the Chinese media kept rechecking that, in fact, the population of the economic force here was only 4 million. The results of that visit remain to be quantified but what we can be proud of already is that we went there at all. Why not set the bar high? Why not compete against the best? Why not go out and fight for new business in new markets for hard working companies in this country? Why stop there with our economic opportunities? Why can we not be equally bold in discharging our moral and social responsibility to those in the developing world, to the fellow members of the community of man? We can and should do so.

I hope the sheer scale of the Asian tsunami might rouse the Government to real action. It might get through to it that if it was willing to raise the game significantly, it could let official Ireland catch up with the spirit and conscience of the nation and carve out a vital new role for itself, specifically in the developing world. There is a significant proportion of the population who would be enormously proud and relieved if the Government did so. They know that living up to these responsibilities is not just about charity, it is about justice, freedom and opportunity.

The Government's capacity to get itself really into gear remains to be seen. Two issues must be addressed immediately: first, overseas development aid and, second, the confusion of the triple-lock in respect of humanitarian missions.

As regards ODA, Ireland should not only give the 0.7% of GDP promised in the people's name on the world stage to the world's poorest families. With our wealth and privilege we should actively campaign for other countries to do likewise. In fact, the Government's lead was weakened somewhat by having made a commitment that it had failed to live up to in the eyes of the world. We

brought our high standards to China. Why not do the same in Darfur? We would do well to remember that Europe received \$75 billion worth of aid from America after the Second World War. So convinced am I of Ireland's opportunity — even obligation — to lead the world on aid, we should introduce legislation to operate in a way similar to the National Pensions Reserve Fund Act, placing a statutory obligation on any Government to allocate a sum of 0.7% of GDP from the Exchequer in ODA annually.

The millennium development goals are both realistic and achievable and we should work to see them completed. Halving the level of poverty and hunger, providing education for all, improving standards of health, halting the spread of major diseases such as HIV-AIDS, and slowing down the degradation of our environment are all perfectly achievable over the next ten years if governments have the will.

I would like to see the wish of the Minister of State, Deputy Conor Lenihan, granted and have some realism injected into the broader ODA debate. The tsunami has focused us firmly on disaster in the developing world but there is a disaster there every day. Just as individuals we could not walk away from events in South-East Asia, the Government should not be prepared to walk away from the reality of these everyday disasters elsewhere.

In the course of this ten minute contribution 60 children will die from vaccine preventable illness. Eighty babies less than one month old will die worldwide. By the time I finish speaking ten children will have died of measles in Africa. Some 450,000 African children die from this disease every year. Every minute at least one woman in the developing countries will die in childbirth. Every 30 seconds a child dies of malaria. Today, 8,000 people will die of AIDS. If one goes to any African country one will feel that pressure. By the end of this year, as in every other year, whooping cough will have killed 300,000 children and diarrhoea will have killed 600,000 more under the age of five. In 2001, tetanus alone killed 200,000 newborn babies and 30,000 mothers. That is the reality that people in developing countries have not so much to live with but to die with. It is a reality that, in the name of the people of this country, should not be ignored or denied.

The triple lock is another casualty of confused thinking. The Minister for Defence, Deputy O'Dea, who is new to his office, appears confused and hesitant regarding Ireland's humanitarian remit. The Army says we have the people to make a difference to the tsunami crisis. Regrettably there was confusion about this and a refusal to adopt Fine Gael's proposals last year, which would have allowed a rapid response by the Army to emergencies and which means we are not making half the difference we could in the tsunami affected areas.

The Minister is disposed to responding positively to any request for assistance. However, if we continue to dither over the triple lock in respect of humanitarian issues, while we are waiting for a UN rubber stamp mandate, hundreds of thousands of traumatised homeless people over there are battling cholera, typhus and plain hunger, but the Army is convinced that the triple lock does not apply to humanitarian missions. There seems to be confusion about this. There is something the Government could do at once. Given the depth of public feeling about this and given the generosity of so many people here, the Minister might consider lifting the normal restrictions on public servants who want to give of their services in the affected areas for a limited time. That could be done with specific expertise in terms of nursing, teaching, administration, logistical skills, engineering and so on.

Normally there is an endless series of applications to be made. If people want, for humanitarian reasons, to go to any of these countries, perhaps they could be facilitated. Right now, for example, Sri Lanka and Indonesia are the areas most in need of aid not just in terms of money but in terms of expertise. Sanitation is a serious concern right across the affected regions. In Indonesia problems of access and logistics are hampering the aid effort. Logistical problems see hundreds of thousands of survivors living in temporary camps, facing growing risks of water borne disease due to the lack of proper toilet and washing facilities and the persistent flooding of those limited facilities that are available. The situation in Banda Acha, to which the Minister for Foreign Affairs referred, is now so critical that only one person in a thousand has access to a toilet.

I make this point to the Minister for Defence while thanking him for giving approval to a visit by myself and Deputy Timmins to the Irish troops in Kosovo from the Western Command. They do an element of humanitarian aid facilitated by €25,000 from the Department of Foreign Affairs. In a Roma encampment where the situation was atrocious, to put it mildly, there were no administrative costs from the Army personnel perspective, and very little money was needed to get real value in clearing places, putting in gravel or providing water sanitation. That is something that should be examined because the wastage of money in other areas is something that would not occur with that kind of effective strategic work by our Army personnel abroad. For very little money they get very good results. When the Minister goes out there, as I am sure he will, I ask him to bear that in mind.

We should remember and honour the private grief of the Irish families who lost sons and daughters, brothers and sisters in that very public event at the other side of the world on St. Stephen's Day. The families of Conor Keighley and Eilish Finnegan have but cold comfort in hav-

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ing them home. For two more Irish families the vigil goes on. On behalf of the Fine Gael Party I offer the Finnegans and the Keighleys sincere sympathy. Our thoughts and prayers are with them, and with the families whose wait goes on. Losing a child at any age in an unimaginable horror.

The tragedy of the tsunami is not that there are so many statistics but that there so many stories. Yesterday we saw the joy of a father reunited with his little girl. There are so many stories of the sheer brilliance of spirit of those people affected as to make us truly proud. There are unending cups of tea, thanks and prayers from men and women who lost sons, daughters, parents, many of them their entire families and, in some villages, an entire generation. Many of these people live by the philosophy that it is not what happens to one in life but how one responds to it that really matters. Our response could mark a new commitment to ODA, a new commitment to living up to the responsibilities we have as a rich country, a new commitment to showing the rest of the world how it should be done. Imagine the strength of leadership the Minister for Foreign Affairs could give internationally had we honoured the commitment we made. He would be able to go to every other country and say we have only 4 million people but we honoured a commitment solemnly made before the eyes of the world, and show real political leadership by getting on with it. I encourage the Government to give the 0.7% promised in ODA and to actively campaign for other countries to do likewise.

Mr. John O'Shea of GOAL made a point that is very relevant. When something like this happens and a warning system does not work, centres of real commercial tourism will be rebuilt in due course. What is needed as an emergency measure afterwards are the armies without the guns, logistics plans in order to get in 500 aircraft into a small airport and shift goods, facilities and medicines and move on the aircraft. What is required is the ability to get people in, to get people out, to get aid and assistance to where it is most needed quickly and effectively. When one thinks of all that happened in Iraq and all that could be done in terms of life saving, of real humanitarian but military logistical capacity, we have the opportunity to lead and to save thousands of lives.

An unspeakable horror took place last St. Stephen's Day and this presents us with an opportunity to respond in a way that really matters.

Mr. Rabbitte: I propose to share my time with my colleague, Deputy Burton. In our lifetime few events have caused such an outpouring of human reaction as the terrible consequences of the earthquake off the coast of Indonesia and the terrible tsunami that followed it. The rest of the world

watched in horror as first thousands and then tens of thousands and ultimately nearly 300,000 people lost their lives.

For most of us the first reaction was one of helplessness. However, it would be wrong to contribute to this debate without paying tribute to the people who reacted immediately to the terrible human disaster that unfolded. Non-governmental agencies, such as the Irish Red Cross, GOAL, Concern, Trócaire, Oxfam and others, backed up by the willing contributions of thousands of Irish people, set about the vital and urgent task of bringing practical help to the thousands of bereaved and homeless people. Not for the first time, Irish people led the world in their decency towards suffering people.

Following a slow and faltering start, the Government made a real effort to contribute and has committed itself in a variety of ways to remain involved in the long and difficult process of rebuilding that will be necessary. No doubt the Government will learn lessons from the way it failed initially to reflect the spirit of the Irish people in respect of the unfolding tragedy. I acknowledge the real and genuine commitment made by the Minister for Foreign Affairs during his visit to the region.

I acknowledge the supreme effort made by some of our diplomats in the region, especially Ambassador Dan Mulhall who made a huge effort to ensure that missing Irish people were found. The disaster has left a number of Irish families bereft and grieving. It has had horrendous consequences for people thousands of miles away from the region. For example, the number of British and Swedish people who lost their lives is staggeringly large but in Indonesia, Sri Lanka, India, Thailand and other countries, most directly affected by this natural disaster, it will take years, perhaps generations, to recover from the economic damage and the damage caused by so much loss of life and human suffering. We need to reflect on that. We need to look beyond the immediate task of giving help, urgent as that is. This disaster must be used as an opportunity for reflection by countries of the developed world on their policies towards those countries at risk from famine and natural disasters. Perhaps the best tribute that could be paid to all those who have lost their lives — the families of victims and others struggling to survive — is to use the opportunity for a new departure in international politics. This should include a renewed commitment to achieve the world millennium development goals, accepted by the United Nations in September 2000, and which include the achievement of universal literacy, halving of poverty and the elimination of the four major communicable diseases.

The aid and logistical support which is needed in south east Asia must be additional in every respect to what is pledged to continents such as

Africa. One section of the poorest of the world must not be asked to pay for a natural disaster that wrecks the lives of another section of the world's poor. This is a moment for a new departure with a renewed and strengthened United Nations enhanced by the establishment of a new logistical force with a capacity to respond rapidly to natural disasters. It is also an appropriate time to establish a free and just trade with the economies of the countries involved and to offer them such favourable terms as were enjoyed by Europe in the past.

The response of the IMF and the World Bank should be immediate on the issue of debt. Out of this, one of the greatest disasters of our time — and reflecting on its enormity — the best option for the world community is to commit itself radically to a new global partnership in which the resources of science, technology, economy and humanity can be deflected from tasks of war towards the enormously positive challenge of human reconstruction and renewal.

From our point of view, we need to revisit the decision to abandon the United Nations target of 0.7% on ODA. Ireland was held up as an example to others when the Taoiseach stated unequivocally that we would reach that target by 2007. Our commitment was particularly appreciated in continents such as Africa which so desperately needs untied aid and genuine assistance in its task of development.

Every year there are events with the horrific consequences of several tsunamis. Many go unreported or under-reported. There are few enough opportunities for people to express their views on them. There is little mobilising of international effort, few enough tours by foreign Ministers of the affected regions, little interest in sending camera crews and delivering nightly reports. Therefore, we are not told night after night that tens of thousands of people die from unnecessary malaria, three out of four of whom are children, 1.5 million people per year die from TB and 8 million are infected. Those are just some of the features towards which our commitment to meet the UN target was addressed when it was given in September 2000. The commitment is now abandoned. I understand from the Minister of State with responsibility for ODA last evening that it may be 2012 or 2015 before we try to reach the target. It is worth recording that the first swingeing cutback after the Government won the general election was to slash €40 million from the ODA budget and now we are betraying the Third World and the dozens of countries which voted to support Ireland's membership of the United Nations Security Council. Even now the Government should remember that it was supported for membership of the Security Council of the United Nations by those who believed it would meet its commitment and give a lead — and we should give a lead.

The unprecedented outpouring of generosity by people throughout the country, faced with this disaster, proves that Irish people are only too well aware of our global interdependence. The people know well that the unprecedented scale of the death and destruction unleashed on countries surrounding the Indian ocean represents a real test for the states of the developed world. If we want to take a lead in that test, as I believe we should, we must begin by recommitting ourselves to the promise we made human aid.

Ms Burton: I join with the condolences offered to the victims of the tsunami by previous speakers but I wish to address the statement, made last night on RTE's "Prime Time" programme, by the Minister of State at the Department of Foreign Affairs with responsibility for overseas development aid that he only envisages the Government attempting to reach the target of 0.7% of GNP for ODA spending between 2012 and 2015. This is a further shameful betrayal by the Government of a promise freely given by the Taoiseach at the UN and various international meetings. The blustering by the Minister of State on RTE last night was in stark contrast to the efforts made by hundreds of thousands of Irish people, throughout the length and breadth of the country during the past few weeks to do whatever they could to assist the tsunami victims. People in Ireland can be justly proud of the contribution they have made and the contribution made on their behalf by Irish development agencies, such as Trocaire, Concern, Christian Aid, GOAL and others working to assist the tsunami victims.

It is important, and I agree with what the Minister of State, Deputy Conor Lenihan, said last night, that the money collected, whether by individuals, and donated to development agencies, and that contributed by the Government, is spent in a sensible and coherent way and that the solidarity and commitment of the Irish people and the Government should be for the long term and not only for the time the tsunami remains in the media spotlight. Many of the Governments in the region, particularly in India, Sri Lanka, Thailand and Indonesia, have significant military personnel and financial resources. Most people in Ireland are aware the Indian Government has long had a large infrastructure devoted to the rapid relief of humanitarian disasters, whether from natural disasters, such as the tsunami, or from other causes. Nevertheless, there is a role for solidarity from countries such as ours.

As other speakers have said, Ireland has been particularly concerned with African countries, such as our partner countries in Tanzania and Zambia. Not only do such countries suffer from the aftermath of wars and natural disasters but in many cases there is relatively little infrastructure and, therefore, their needs are correspondingly greater. Asia is different for that reason and if

[Ms Burton.]

the international community is able to organise, through the United Nations and its various organisations, a properly targeted disaster relief and rehabilitation programme this may signal a turning point for development assistance not only for Asia but for the ongoing needs in Africa. Organisations such as Oxfam and Concern have made special studies of the process of disaster relief, how it can best be focused and how it can go to those most in need.

There are a number of important principles which the Government accepts. The first is that as far as possible, the resources, skills and knowledge of local people and local communities must be utilised so that outsiders, however well meaning, have key local advice to ensure that what they do is sensible and sensitive to local customs, culture and religion.

The second principle is that in so far as possible, aid relief and rehabilitation supplies should be bought either in the region or as close to it as possible. This prevents foreign assistance from swamping and destroying local markets, particularly those relating to agriculture and food production and helps to provide purchasing power to local markets so that local economies can begin to recover as soon as possible. Third, in some cases of African disasters in particular, inappropriate donations, such as second-hand clothes have done enormous damage to local textile markets and industries. Many Irish agencies have experience in this area and I hope the Government can indicate that the lessons of the aftermath of the genocide in Rwanda have been learned. Many UN organisations compete with each other for funds. It is not a pretty sight in the aftermath of a disaster to behold the competing efforts of different UN agencies.

I join with my party leader in congratulating the Minister, Deputy Dermot Ahern, for visiting the region. The full-time presence of the Minister of State who is responsible for overseas development aid is very important. He should be working full-time on this matter and should be the leader of the Irish campaign to ensure that the aid is properly spent.

I refer to the extraordinarily generous donation of Bill and Melinda Gates of \$0.75 billion to fund research into vaccines for child killer diseases such as malaria. The Gates' challenged the political leaders of the world to match their private generosity and already, the UK Chancellor of the Exchequer, Gordon Brown, has indicated his willingness to rise to that challenge on behalf of the UK Government.

It is imperative that the Government rises to the challenge. With what we now know about the tsunami, it is now time for the Taoiseach to acknowledge that budgetary cutbacks to the overseas aid commitment were wrong and should be reversed. The Irish people would strongly support

this Government honouring its commitments to overseas development aid.

I advise the Minister of State, Deputy Conor Lenihan, who is new to the job, that the survivors who will be most damaged in this disaster will be the women and children. Last night on "Prime Time", the Minister of State said that if the budget cuts were restored, he would not be able to spend the money.

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): There are no budget cuts. This is a complete misrepresentation as usual.

Ms Burton: I say to the Minister of State and to his senior Minister that the Labour Party offered a mechanism to address this issue. I am pleased that Deputy Kenny has also endorsed this proposal. If the Minister of State is of the opinion that he cannot spend the money in this budgetary period because it might be spent inappropriately — which is a reasonable argument — there is a way to meet and honour the important commitment which Ireland made, which is to create a special development aid fund under the control and management of the National Treasury Management Agency, just like the National Pension Reserve Fund. This would provide the Government with the mechanism for contributing the money which is promised and spending it over a longer period. The capital spending envelope which was referred to in the budget could easily be utilised to allow the Government to honour its promise.

I was disappointed by the Minister of State's flinching and flinching on "Prime Time" last night when he stated that the money could not be spent. I could write down on one page how the money can be spent.

Mr. C. Lenihan: I did not say the money could not be spent. That is a misrepresentation of what I said.

An Leas-Cheann Comhairle: The Deputy has exceeded the time and should conclude.

Ms Burton: In the context of the awe-inspiring disaster, the Minister of State should be humble enough to admit that the budgetary cutbacks were a mistake.

Mr. C. Lenihan: The Deputy typically exploits everything, even a disaster.

Aengus Ó Snodaigh: Tá mé ag roinnt ama leis na Teachtaí Connolly, Finian McGrath agus Sargent. Thar cheann Sinn Féin, déanaim comhbhrón faoin tragóid ollmhór, an tsunami seo, a d'fhág 250,000 duine marbh i ndosaen náisiúin san Áise thoir-theas agus san Afraic mí ó shin. I measc na marbh, bhí bean óg ó mo cheantar

féin, Eilís Finnegan, agus tá Éireannach eile caillte, Conor Keightley, as Tír Eoghain, síochán síoraí acu.

Our thoughts are with all the bereaved families and the families of the missing, including the family of Lucy Coyle and of Michael Murphy. Our thoughts are also with the orphaned children and the traumatised survivors, many of whom have been made homeless and jobless and who must now rebuild their lives. They are also with the adults and the children, who are now more vulnerable than ever to preventable death from hunger or disease, and with all those who are now coping with a disaster of unprecedented scale. The bravery and community spirit which the people of the tsunami-affected states have demonstrated under these conditions, humbles us all.

I welcomed the announcement by the Minister, Deputy Dermot Ahern, of the increase in the Government's tsunami humanitarian aid commitment to €20 million but I am deeply disappointed that the Government's second €10 million will not be additional moneys, as stipulated by the UN, but rather come from the existing emergency humanitarian assistance budget.

I urge the Government of the second-wealthiest state in the EU and the fourth-wealthiest in the world, that at the very least it should match the generosity of the Irish people whose donations to date exceed €50 million and with more to come. The Irish people's spirit of solidarity is a source of national pride and I commend each and every donor. I also commend all those, including members of my party, who have organised and participated in tsunami relief fundraising efforts throughout the country. The 5 million survivors in the 12 affected countries who now lack the basics of food, water and shelter, must receive relief on the basis of need without discrimination. Equally, aid must not be used as a tool of counter-insurgency against affected populations in conflict zones. To this end, Sinn Féin welcomes the UN's formal co-ordination role in relief operations.

Sinn Féin supports the contribution of Irish military assets for humanitarian relief in response to the UN requests and their deployment under the leadership of the UN emergency relief co-ordinator in co-operation with the tsunami-affected governments. Emergency disaster relief and the freezing of the €272 billion debt owed by these countries are not sufficient. Ireland must ensure that the reconstruction provides for the long-term development needs of the affected regions and includes participation by local communities affected in formulating their future.

This disaster has highlighted the urgency of the related issues of debt cancellation and the need for fair trade rules as well as the need for meeting the UN's ODA target of 0.7% GNP by 2007. I endorse the priorities for post-tsunami action identified by Oxfam as reconstruction plus. Like

other Deputies, I urge the Government to provide global leadership on these issues, starting with the announcement that it has resumed its commitment to meeting the UN's ODA target by increasing Ireland's ODA spend for 2005 to 0.5% GNP.

Dr. Cowley: I wish to express my sympathies to the families of the Irish victims of the tsunami. I was in Kuala Lumpur on New Year's Eve to help a constituent who became ill. I am aware of the good work done by the Irish diplomatic service in the region. Ambassador Dan Mulhall has been extremely helpful to the constituent in question who fell ill just before the tsunami struck. The ambassador did great work to sort out the person's difficulty before rushing off to Phuket to co-ordinate the relief effort. I am aware of Ambassador Mulhall's hard work on behalf of Irish people in region, including visits to hospitals to try to identify victims, which is harrowing. I also pay tribute to Mr. Brendan Lyons, acting Ambassador in Kuala Lumpur while Ambassador Mulhall was in Phuket.

Terrible things happen and it is reassuring that the Government has contributed €20 million to relief efforts. However, considering our wealth and what is needed in the region, this appears to be a small sum.

The tsunami highlights the terrible reality that is part of life in many other nations. When one considers the number of people who have died from AIDS and the terrible tragedies taking place daily in Africa, Ireland has a great deal going for it. I do not wish to detract from the terrible tragedy and death toll of the tsunami, which also affected Irish people and their families and I convey my sympathy to the families in question. I hope we will do our utmost to increase our contribution.

Mr. Sargent: Words fail us when faced with loss of life, livelihoods and basic needs of life and culture of the scale created by the tsunami and its awful aftermath, which will continue for years. In the years to come, will we monitor the loss of life anticipated as a result of disease and many other hardships facing the areas affected?

We must first express sympathy to all those affected, including the families of those who died. Many westerners, including a number of Irish people, died and we express sympathy to their families. Although many Swedish and British people who were on holiday in the region also died, the vast majority of the victims were local people barely holding onto life and leading subsistence lives. Their destitute circumstances mean they have much in common with many other people dying in other parts of the world such as the western Sahara and Darfur. As other speakers have stated, many of people in such areas are dying without the media coverage many outlets

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have afforded south-east Asia since the tsunami disaster. If those who continue to die due to avoidable reasons, such as lack of clean water, basic medicines or food, were businessmen or football teams involved in an aeroplane crash, our newspapers would not cover anything else.

There is a degree of intolerance towards constant exposure to a disaster of this nature. We have been tested in this respect by the huge scale of the tsunami. Nevertheless, we live on a planet in which we are all interdependent. Therefore, we need to get used to the fact that poorer people are getting poorer and richer people are getting richer. This problem will not be resolved unless we transform our way of life. As Gandhi said, there is enough in the world for everybody's needs but not enough for everybody's greed. Perhaps greed is still the uppermost motivation behind much of the economic life that sustains us.

Will the Minister provide more detail on the outcome of his meeting with the aid agencies on 4 January? I asked the Taoiseach for details as he was involved in the meeting but the question was transferred to the Minister for Foreign Affairs.

I thank all those involved in voluntary fundraising efforts which culminated in a sum of €40 million being raised for victims of the tsunami. Many of the efforts in my constituency, for example, by organisations such as the Hills cricket club or Skerries community school, raised money to buy items such as boats which would be of practical assistance to families. This is not sufficient, however, when one considers that many of the fish in the region were destroyed by the disaster. Silt has covered the beds which provide a breeding ground for fish. Without fresh water, life will not be possible. We face a major challenge in sustaining the interest and effort that has been so fantastic in the initial period.

Information provided by the National Geospatial-Intelligence Agency in the United States indicates the incredible change in the landscape of the region, notwithstanding the human impact of the tragedy. The tsunami has virtually destroyed everything within two kilometres of the shoreline and there is no possibility that people will be able to live in that area in the foreseeable future.

Regardless of whether the eventual death toll is 250,000 or half a million, many times that number of people will be vulnerable to disease. We know from the ecology of mosquitoes that they seldom breed in salt water and many would have been destroyed by the huge tidal wave. However, the wave also created millions of places in which mosquitoes can breed. Malaria and other diseases will take hold anywhere fresh water can lodge, which will be a problem.

One issue not raised this evening is the extent to which places such as many of the Maldives, Andaman, and Nicobar islands have had to be abandoned. Coffins were left floating in the water

in Chaura Island because people were forced to abandon it. Political refugees are recognised under the rulings of the United Nations Commission for Refugees and countries must make provision for them. Environmental refugees, however, fall outside the scope of these provisions. I ask the Minister to take on board this anomaly, which may have been the result of a view that environmental refugees could be dealt with by the home country. In light of the prospect that whole countries may no longer exist or may become uninhabitable, how would one tell the Government of such a country to take care of refugees who do not have a home? I ask the Minister, with the United Nations High Commissioner for Refugees, to take on board this reality, which the tsunami brought home to us.

It is a reality that will be brought home to us again and again with climate change and rising sea levels in places such as Tuvalu in the Pacific. One will not be able to tell a government to take care of its people because the government and the country will have been wiped out. Hopefully, that ruling will change, along with the ruling regarding the 0.7% of GDP to be allocated to ODA, the need for early warning systems and the need for close co-operation with the NGOs which are being stretched but which continue to do great work. The United Nations High Commissioner for Refugees needs to change the rulings in the aftermath of this disaster and this is one lesson which must be learned and acted on.

Minister for Foreign Affairs (Mr. D. Ahern): I thank Members for their comments. Deputy Kenny referred to the need for additional medics. The WHO has stated that there is no need for additional medics, particularly in Indonesia where there was an avalanche of medics. Following such disasters, we always give people, particularly those in the public service, the opportunity to take time off to assist. It is not often I get compliments from Deputy Rabbitte but I will take them in the spirit he made them. However, I would say the response from the Government was not slow. In fact, I was involved as early as 10 a.m. on St. Stephen's Day. A neighbour, a parent of a person who was caught up in the disaster, contacted me at 10 a.m. and immediately the crisis plan, which was put in place in the aftermath of 11 September 2001, kicked into play. Deputy Rabbitte might not have realised it because perhaps he, like most people, was working off the effects of his Christmas dinner, but civil servants were manning the phones before 12 p.m. on St. Stephen's Day, and I thank them for that.

Deputy Rabbitte referred our denial in regard to 0.7% of GDP for ODA, or the fact we had, in effect, forgotten about that. It is an absolute commitment of this Government to reach 0.7% of GDP. I indicated publicly to the NGOs and

other interested parties that we wish to work with them in the coming months to insert a new, realistic timetable in regard to the achievement of this target.

Ms Burton: By 2015.

Mr. D. Ahern: We are also preparing for the first time a White Paper on ODA, and the Minister of State, Deputy Conor Lenihan, will lead on this. I will not take any lectures from Deputy Burton. Ireland is the eighth highest donor of ODA in the world. We have tripled it since 1997 and over the next three years, we will put in place €1.8 billion in ODA.

Deputy Sargent referred to the meeting with the aid agencies. We had a very fruitful meeting with the aid agencies on 4 January and, as a result, I suggested to them that I, and the leaders of the leading agencies, visit this disaster area. There was some trepidation as to the type of reaction people would have in regard to a proposed visit by me to that area but it was common cause by all the people and the agencies who participated that it was a very fruitful decision. We were able to glean a huge amount of information from that short visit which, in turn, overlapped the technical assessment team we sent to the area.

On such an occasion, we struggle to find the right words to reflect the enormity of what has happened and the depth of our feelings about it. As previous speakers said, 280,000 people perished. Entire communities, particularly in Sri Lanka and Indonesia, have been wiped out. We saw clear evidence of that. Many of our European partners have lost hundreds, if not thousands, of their citizens in the tsunami. On Monday, I visited Sweden and Finland, which have lost hundreds of citizens. In Sweden, for instance, 15 people have been confirmed dead but over 800 are still missing.

Ireland has not escaped the effect of the tsunami and our thoughts and sympathies are with the families and friends of Eilís Finnegan and Connor Keightley who lost their lives in Phi Phi in Thailand. Also our thoughts are with the families of Lucy Coyle and Micheal Murphy who are still, unfortunately, missing. The families' lonely wait continues. We can only pray that this wait will be ended as quickly and as mercifully as possible.

The Taoiseach stated that Ireland responded immediately on hearing the news of the disaster on St. Stephen's Day. We did that by immediately establishing a crisis centre, sending staff to Phuket in Thailand and to Colombo in Sri Lanka to assist in locating and helping Irish people affected, dispatching Garda forensic experts and Defence Forces logistic specialists, setting up a 24 hour help line for those people suffering from distress and trauma and donating €20 million in aid. More than anything, Ireland should be proud of the generosity of ordinary, Irish people. It is

worth noting that on the day of Live Aid, Ireland had the highest debt per head in the world yet we donated more per head than any other nation. That same spirit and determination to dig deep is as evident now as it was then.

Again, I echo the words of praise from many speakers for embassy staff, such as Dan Mulhall and Pat Bourne, and many other Irish people and other nationalities who gave their time in these locations and who volunteered to assist the effort to find Irish people. As I said, I visited the disaster area with the main agencies. No amount of television images, reportage or description could brace the mind for the devastation and turmoil which the tsunami caused to the region. I have never seen anything like it and I probably will never see anything like it again in my lifetime. Whole towns and communities were destroyed. Large trawlers normally moored in harbours were, in some cases, found over two miles inland. Of course, there was the human cost which we saw, particularly in Banda Ache where people had lost their loved ones and, in many cases, their livelihoods.

The Irish agencies and their counterparts in the region have responded as they have done so many times in the past in other difficulties areas of the world. Life saving work is being done by people from Concern, GOAL, Trocaire, the Red Cross and others. It is truly worthy of the support of so many generous people in Ireland.

The importance of the UN system in providing help directly, co-ordinating action on the ground and planning for future protection mechanisms cannot be underestimated. In this regard, I want to highlight the role of the UN which has continued to play an important role as the emphasis shifts to the long-term rehabilitation and recovery programmes. The priority of all donors, UN agencies and NGOs, is to carefully co-ordinate their efforts with nationally devised plans which reflect the views and concerns of the local communities. I and the Government are determined to ensure that Ireland's role in relieving the suffering and rebuilding this region will continue long after the cameras have left. We will drive the issue of independent monitoring of assistance, something I did at the most recent meeting of EU Foreign Affairs Ministers. Independent monitoring is needed to ensure that moneys donated by states are delivered. In this instance, Ireland has a good record compared with some other countries.

We will send a special envoy to the region to serve over the next six months and to submit regular reports to the Department detailing progress. I will nominate Chris Flood who has agreed to be that envoy. He is a former Member of this House and the current chairman of the advisory board for Development Co-Operation Ireland. Technical assistance will be provided to that envoy by the emergency recovery section of Development Co-Operation Ireland. We will also designate

[Mr. D. Ahern.]

specialists, as required, in order to provide additional support. We will also establish an honorary consulate in Phuket. Pending its formal establishment, I have appointed an Irish resident, Ms Fallon Wood, to represent the Department.

The Taoiseach has spoken about the overall focus of our aid programme. We have made it clear in announcing the funding for this crisis that, of €20 million allocated to date,

7 o'clock €10 million is additional to the overall budget. The remainder will come from Development Co-operation Ireland's emergency humanitarian aid fund, which is specifically designed to respond to disasters when and wherever they occur.

I thank Members for their strong encouragement and support and their comments on this issue. We can all be proud of the response of the State and the Irish people to this extraordinary disaster.

Members rose.

Private Members' Business.

Accident and Emergency Services: Motion.

Mr. Gregory: I move:

That Dáil Éireann,

noting:

- that the Tánaiste and Minister for Health and Children is now more than 100 days in office;
- with deep concern, the request from the Health and Safety Authority seeking an urgent safety inspection and comprehensive risk assessment of every hospital accident and emergency unit in the State with immediate steps to address any deficiencies;
- that the Health and Safety Authority request follows a statement by the Irish Hospital Consultants Association last week that overcrowding of accident and emergency units is posing a "serious risk" to patients;
- that there are as many as 400 patients on trolleys in accident and emergency departments awaiting beds at various times according to statistics from the Irish Nurses Organisation;
- that the situation is worst in a number of Dublin hospitals with 46 patients on trolleys at Tallaght Hospital, 28 at St. Vincent's Hospital and 27 at the Mater Hospital;

- that the Health and Safety Authority requires the hospitals to report back by 25 February 2005 along with confirmation that steps are being taken to tackle the problems identified;
- the necessity for the action of the Health and Safety Authority in requiring an urgent safety inspection of every accident and emergency unit in the State;
- the failure of the Tánaiste and Minister for Health and Children to make any impact on the crisis situation in the accident and emergency departments of our hospitals;

demands that the Tánaiste and Minister for Health and Children:

- take immediate action to address the ongoing and continuous crisis in the accident and emergency units of our hospitals;
- outline a timescale within which this action will be taken;
- immediately address the growing sense of frustration among staff in accident and emergency units;
- make urgent provision for sufficient new beds to end the crisis; and assist the hospitals immediately to meet all their needs arising from the safety audit and risk assessment as required by the Health and Safety Authority.

I propose to share my time with Deputies Cowley, McHugh, James Breen, Gormley and Ó Caoláin. I acknowledge it was the action of the Patients Together group which primarily focused national attention on the scandal of the suffering of so many of our people, left on trolleys for days and nights in accident and emergency units, which has led to this motion. I pay tribute to the group for its efforts to expose this scandal and am confident it will continue until this outrage is ended.

The situation is all the more scandalous and unacceptable because Ireland is now one of the wealthiest countries in the world and apparently the second most affluent state in Europe. In this context, it is particularly shameful that the crisis in the accident and emergency service is allowed to continue. It is a blot on the good name of this country.

As long as there is a two-tier health service, with medical care readily available for those who can afford to pay and long waiting lists for the rest, there will be the misery of trolleys in accident and emergency units for hundreds of unfortunate people. This inequality is at the heart of the matter. Ironically, it is the policies of the Government that have made Ireland one of the

most unequal societies in the developed world. The crisis in accident and emergency units is merely one of many symptoms of that social injustice.

Dr. Cowley: Somebody must be responsible for this situation. There are more trolleys in our hospitals than at any time in the past. In view of my experience as a practising GP for 27 years and a casualty officer in UCHG, I am in a good position to comment. The situation I have witnessed in recent times is extraordinary. In Mayo General Hospital last night, some patients were treated in ambulances outside the accident and emergency unit because no trolleys were available.

This is entirely unacceptable and somebody must take responsibility. The Tánaiste has been in office for 100 days as Minister for Health and Children but there have been no improvements. She has said the service will improve by next March. That is an easy claim to make because we are currently in the height of the winter crisis. The problem is that the winter crisis is worse than ever and is effectively a year-long crisis. I am not hopeful the problem will be resolved by March. The Government is now paying for its own sins of omission, neglect and failure to the people. It is not possible to put a pint of water into a half-pint glass, which is what is happening. The Government took 3,000 beds out of the system for financial reasons to save money. There must be a consequence to this decision, which is the present crisis. Until those beds are restored the crisis will not end. It does not make sense to try to empty a casualty department when no beds are available upstairs.

While the health strategy promised 3,000 more beds, we have seen nothing like that number so far, nor do I believe we will see it. Promises are made all the time. We were recently promised 38 beds in Mayo. However, those beds have been announced and promised before on more than one occasion. Those beds are used up mainly for orthopaedics, with a few for overflow from accident and emergency departments. The beds are already in use. The 38 beds offered by the Tánaiste and Minister for Health and Children are useless. They are phantom beds for phantom patients. We have enough patients without having phantom patients.

Operation freeflow was established to help the traffic in Dublin. It is time to get freeflow out for the accident and emergency departments. Casualty consultants suggest getting rid of the trolleys and putting them elsewhere — out of sight, out of mind. With respect to my colleagues who are casualty consultants, to put the trolleys elsewhere will not solve the problem. With the trolleys where they are now, at least people can see them.

Some people have been on waiting lists for up to ten years and the 100,000 still waiting to get on the official waiting list are the people who are

presenting at accident and emergency departments. We have an inordinate number of emergencies because of those people. If they are left on a waiting list for five or ten years, what can we expect? They will get seriously ill and block up accident and emergency departments.

West Mayo has no ambulance base. A patient has to wait an hour for an ambulance at the end of Achill, which is 50 miles away, and then wait another hour to get to emergency hospital services. If it was not an emergency when the ambulance was called it would certainly be one by the time the patient reached the hospital.

Mr. McHugh: I am glad to have the opportunity to speak on this very timely motion, which mainly concerns itself with the Health and Safety Authority's call for a safety audit of all accident and emergency departments. For the Health and Safety Authority to make such a call shows great concern on its part about the shortcomings of accident and emergency departments.

It is a timely motion from another point of view. The Tánaiste visited the accident and emergency department in UCHG on Monday and again yesterday. She applied herself to some other issues, which have been of concern to my constituents for some time. I was amazed to hear that she encountered only 14 people in the accident and emergency department in UCHG during her visit, which is rarely the case. To get the real picture the Tánaiste should visit the hospital on a weekend night when she would see multiples of 14, some of whom should not be there but should be accommodated in more suitable accommodation and supervised by appropriate staff members.

I was disappointed that the Tánaiste did not take the opportunity to approve an application to the Department of Health and Children for a medical assessment unit which the medical staff state would provide a system-wide solution to the issues experienced in the accident and emergency department in Galway at the moment. I would encourage the Tánaiste to approve that proposal as a matter of urgency.

On a positive note, I warmly welcome the announcement that the new radiotherapy centre at UCHG will be opened in March. This will go some way towards addressing the totally unacceptable situation whereby patients had to undertake a journey from one side of the country to the other to receive a few minutes treatment per day. Some of those patients were barely well enough to undergo such a gruelling ordeal.

It was disappointing that the Tánaiste did not deal conclusively with the Tuam hospital issue on her visit to Galway. I was alarmed to hear that she is awaiting yet another report on the matter. All the relevant information has been sitting in the Department of Health and Children since 8 October 2002, a long time before the Tánaiste

[Mr. McHugh.]

became Minister for Health and Children. That relevant information comprises a 150-page planning brief prepared by the Western Health Board for the Tuam health campus and identifies the need for a community hospital for Tuam, comprising 60 beds, dementia day-care, mental health day-care, a primary care unit, an ambulance base, regional family and child care, and a training unit. We also know that the Western Health Board has established that while the existing building is not suitable for the hospital and medical portion of the development, it can be used for ancillary accommodation.

The need has been established and the assessment has been done. The model has been created, a photograph of which adorns a notice board on the site, proclaiming that the site has been purchased by the Western Health Board for the development of a Tuam health campus, incorporating a community hospital.

Separately in specific isolated studies, the Western Health Board identified Tuam as the appropriate location for an ambulance base to serve north Galway, south Mayo and on to the Roscommon border. This ambulance base is critical for the population in the region. Under a pilot scheme announced by the former Minister for Health and Children for the delivery of primary health care, Tuam was identified as a priority area for a primary care unit. The West Regional Authority published a document, *Regional Planning Guidelines for the West Region*, which identified the need for the provision of health care services in Tuam.

Tuam has been designated as a hub town under the national spatial strategy. As the Tánaiste will be aware, one of the characteristics of a hub town is that it should have a regional or community hospital. The studies have been done, the needs established and the relevant bodies all support the case. Now all we need is for the Tánaiste to approve the planning brief for Tuam health campus.

Mr. J. Breen: Our hospitals are slowly suffocating to death due to neglect and lack of investment, as is the case with Ennis General Hospital, where staff have been working under protest since 8 a.m. on Thursday, 20 January 2005. This protest was fuelled by the failure of senior management to respond to the issues of poor staffing levels. Ennis General Hospital is one of the busiest in the regions, with increased activity in the area. Workers will continue to work under protest until the shortages have been addressed.

We would all welcome a holistic health model that would meet all our aspirations in terms of what we expect from a health service and which is also cost effective. Why is so much emphasis put on expenditure and financial limits when at all the affected hospitals we should be prioritising

this problem and introducing positive initiatives to ease the discomfort of patients and the excessive workload on nursing and other frontline staff? The Government and hospital management must take primary responsibility for the reality that the problem is getting worse. We should seek to minimise the extent of overcrowding and acknowledge the discomfort and distress experienced by patients in the nights and mornings when they find themselves spending extended periods on trolleys. Further investment should be made to increase bed capacity with the employment of additional nursing and other support staff to deal with the extra workload.

We have a national crisis and the experience of recent days confirms this. Much more can be done at hospital level to alleviate the suffering of hundreds of patients and the intolerable workload on nursing staff with as many as 400 patients on trolleys in accident and emergency departments awaiting beds at various times. The recurring problem of overcrowding in accident and emergency units is posing a serious risk to patients. The problem is much worse in a number of Dublin hospitals, with 46 patients on trolleys at Tallaght Hospital, 28 at St. Vincent's Hospital and a further 28 at the Mater Hospital.

Our health service is fragmented, disparate and disjointed. Accountability for the service is dissipated. Information is either non-existent or difficult to access. The Government hoards money for this mishmash while allowing the underlying problems to fester, leaving a service that is coming apart at the seams and screaming for reform.

As a result of a better health service we will live longer but there will be higher maintenance costs associated with keeping sick people alive and optimising their well-being. There must be a system to ensure that we know exactly where the money is needed and how it should be spent. Too much has been wasted in the health service because of a lack of basic information — the underestimation of the extension of medical card to those over 70 by millions of euro is one such example. Our health service cannot afford these mistakes. There is an urgent need for significant investment in information technology.

Patients need the comfort, certainty and reassurance of being able to see a doctor. People living in urban, suburban and rural communities need to be reassured that the distance they live from a hospital will not influence the reaction in an emergency. To avoid these problems we should have the things we were promised — better equipment, more ambulances and fully trained staff. People want a form of medical cover on a 24 hour basis, and it is not beyond the ingenuity of the Government to provide it.

The hundreds of millions of euro for upgrading general hospitals and their services have not been matched by spending on long-term care centres or community services which are vitally needed.

Even with subvention, private nursing home care is not an option for many people. The publicly funded long-term care we offer these people is often distant from their homes and families, which can cause great distress for patients and relatives at a difficult time.

The public is becoming more aware about the health system; it is continually under the microscope and health will be a priority in the next election. The Minister must ensure that the immediate needs of the thousands awaiting treatment and the shortage of staff are addressed. When will the €20 million promised four years ago by the then Minister for Health and Children, Deputy Martin, be spent on upgrading Ennis General Hospital?

I am deeply concerned about the failure of the Tánaiste and Minister for Health and Children to make any impact on the ongoing crisis in the accident and emergency departments of our hospitals. I demand that she should address this problem, outline a time-scale for action to tackle the growing sense of frustration among staff in accident and emergency units, make urgent provision for sufficient new beds and assist the hospitals to meet all the needs arising from the risk assessment by the Health and Safety Authority.

Mr. Gormley: I thank the Independent Deputies for tabling this important motion. Nothing better reveals the true face of modern Ireland or the PD-Fianna Fáil coalition than the crisis in accident and emergency wards, units where there is now a safety problem. I do not say that to make political capital. It is a fact that was categorically and repeatedly stated on 12 January by Dr. Aidan Gleeson on "Morning Ireland" who said that the accident and emergency units were "unsafe". He put forward a proposal to move accident and emergency patients into wards, an idea that did not find favour with the nurses' unions, which believe it simply transfers the problem. Dr. Patrick Plunkett also made a similar proposal and was lambasted for it.

The proposals Dr. Gleeson put forward were interesting, as was his analysis. He said that it will take several years to deal with this problem. The world-class health system the Tánaiste promised this House must wait because she is not dealing with the problem properly. The Tánaiste put forward a ten point plan in the autumn, stating that the accident and emergency crisis is unacceptable, yet it continues.

On the same edition of "Morning Ireland", Mr. Pat McLaughlin of the Health Services Executive was questioned at length about the implementation of the ten point plan. It was clear that it is not being implemented properly and is being left in abeyance. The Government promised 3,000 beds in its health strategy but part of the ten point plan was to give us 300 beds. Where are they?

Pat McLaughlin tells us they will be available by the end of 2005. Does the Tánaiste think that is acceptable? Does she really believe that is the way to tackle the crisis in accident and emergency units, to let it go on and on? Why can we not just deliver the beds? I have always said that this is a problem of capacity. It is interesting that much of the ten point plan reflects the content of a Green Party document published two years ago on the accident and emergency crisis.

Extra capacity and minor injury clinics are both contained in the plan, but where are they? Mr. McLaughlin was not specific on that when asked. I will be fair because the man has been in the job only a short time. A number of new MRI units and acute medical units were said to be in the pipeline and were being examined in detail, along with the transfer of high dependency patients. He said that tenders have gone out and it was all about to happen, but none of it has happened. Deputy McDaid has experience of this and knows this is the same old story and that we are not tackling the problem. If it is not tackled, it will continue.

I advise the Tánaiste to start investing. The €70 million for the accident and emergency initiative is a drop in the ocean. Funding must go much further. This is a significant part of the problem because the PDs are not prepared to invest or, as the Minister, Deputy Martin said, to raise taxes if necessary to deal with the health crisis.

It was said that while the crisis was taking place, the Tánaiste was on holiday. I would hate to think of her lying on a beach while others were lying on trolleys and sitting in chairs in the most terrible conditions. If the Tánaiste was a Fianna Fáil Minister, it would have been splashed all over the papers. The Tánaiste, however, enjoys a charmed existence with the media. To be on holiday while this took place is unacceptable.

The Green Party believes that the crisis within accident and emergency services reflects the crisis in the wider health system. Any attempt to address the problems in accident and emergency services must therefore be part of a strategic programme in and restructuring of the health services. New investment in health must be targeted at key areas, primary care in particular. The primary care strategy is just not happening.

The low tax, low spend economic policies of Fianna Fáil and the PDs have limited the options available to the Government to respond to the growing crisis. The Government's self-serving rhetoric about the need for greater efficiency and accountability in the health system is an attempt to distract from the fact that it is not prepared to invest in the sort of health services that are available in other EU member states.

The health care available in a society reflects its values. In the USA the provision of health care is not seen as the obligation of society but as a voluntary consumer purchase. It is up to individ-

[Mr. Gormley.]

uals to ensure they receive health care in an environment where social solidarity plays second fiddle to economic forces. One in five Americans is under-insured or has no health insurance and their access to health care is severely curtailed. In comparison, health care systems in the majority of EU states are based on the concept of social solidarity. Ireland's two-tier health care system reveals values closer to Boston than Berlin, in line with the views the Tánaiste has always expressed. Good quality health care does not come cheap. In the United Kingdom, there is a growing realisation that if health care spending is to rise, people must be convinced to pay for it. An Irish Government that intends to deliver equitable and high-quality health care has to convince the electorate to pay for it — that is the bottom line.

The Green Party believes that many of the difficulties encountered in accident and emergency departments can be primarily attributed to this country's lack of a comprehensive and properly funded primary health care system. There are other problems, however. Almost half of all GPs are engaged in solo practice and two thirds of GPs do not employ a nurse. High referral rates to specialists often reflect the isolation and uncertainty of GPs. A modernised GP service would relieve the pressure on the inpatient and outpatient hospitals sector. Accident and emergency services are serving as a catch-all for patients, many of whom should be treated elsewhere. There is a shortfall in the bed capacity of major hospitals, particularly in the eastern regions. Deputies are aware that patients who are assessed in accident and emergency units often have to wait on trolleys for up to 48 hours.

I would like to discuss step-down facilities before I finish. I will give an example that highlights the crisis we face. I spoke recently to two people whose parents, aged 80 and 84, are in hospital. They were told six weeks ago that they could be discharged, as long as they moved back home. The middle-aged children wanted to look after their parents. This is an example of beds being taken by people who should not be in hospital. Proper facilities should be put in place, appropriate equipment should be provided in people's homes and people should be paid to look after their parents. Such a system would be much cheaper than keeping such people in hospital, where they take up space and exacerbate the crisis in accident and emergency departments. I urge the Tánaiste to examine this matter. I will table a parliamentary question on the issue and I will write to the Tánaiste about it.

Caoimhghín Ó Caoláin: Ar son Sinn Féin, ba mhaith liom tacú leis an rún seo in ainneacha na dTeachtaí Neamhsplácha. On behalf of the Sinn Féin Members, I wish to record my support for

the motion that has been proposed in the names of the Independent Deputies. This is a timely motion, sadly. I say "sadly" because the winter crisis in our hospitals' accident and emergency units is an annual event. It is as predictable as Christmas and totally preventable.

Many of the remedies to these problems are outlined in the Government's health strategy, which the Minister for Health and Children, like her predecessors, has failed to implement. I refer to promises that more acute beds will be provided in our hospitals and the additional nurses who are required will be recruited. The strategy states that the primary care centres that have been promised will be rolled out to help to relieve the pressure on our hospitals. It also promises the conclusion of negotiations with hospital consultants about a new contract. It provides for exclusive working by new consultants in the public system. It recommends the restoration of accident and emergency services in local hospitals where they have been cut.

It is scandalous that the number of people on trolleys and chairs in accident and emergency units reached an all-time high earlier this month. The Minister spoke about bringing in a new broom, but it has certainly not yet shown itself to be capable of sweeping clean. I hope it does not yet prove to have been threadbare. I wonder what we can expect from the Tánaiste in her new role as Minister for Health and Children. On 9 December last, she made a statement in the House that was remarkable for a Minister who is responsible for health. It did not receive much attention at the time or since then, but it deserves to be highlighted. I ask the Tánaiste to elaborate on her comment:

I believe in a minimalist role for the State in all our lives, including health care. All but two of the hospitals in this city are voluntary, private, independent organisations.

Ms Harney: That is true.

Caoimhghín Ó Caoláin: I will now argue that it is not true.

Ms Harney: It is true.

Caoimhghín Ó Caoláin: The Tánaiste's comments, which are an example of pure Progressive Democrats ideology, have been reflected in several pronouncements made by her and her colleagues, indicating a growing trend towards the privatisation of the health service. As I have said, her statement is built on a falsehood. She spoke of Dublin's hospitals as if they are private institutions funded and run independently of the State. The taxpayer pays the hospitals' capital funding, running costs and staff remuneration. It is pure deception to pretend that is not the case.

The Government is trying to have it both ways. It is attempting to claim credit for significant and essential increases in Government spending on the health services over recent years while at the same time absolving itself in a Macbeth-like fashion of any responsibility for the delivery of such services. Those who pay tax are entitled to expect that their basic health care needs will be met by the State, as are those whose incomes are too low to pay tax, including people earning low fixed incomes. People who have been paying tax and social insurance for many years have entered into a social contract. Does the Tánaiste and her colleagues propose to renege on that contract?

I will discuss a specific case with which I am familiar. Accident and emergency services have been axed at Monaghan General Hospital, like other local hospitals. The Minister's predecessors in this portfolio, Deputies Cowen and Martin, claimed repeatedly that they could not intervene to prevent the axing of services. Monaghan General Hospital lost maternity and paediatric services before accident and emergency services were axed. I give credit to the remaining staff of the hospital for the fact that the services we have today can survive.

It appears that the Tánaiste as Minister for Health and Children can intervene directly and swiftly when it suits her to do so. I have asked her a number of questions on this matter and I have written to her about it. I await a response and an explanation. The Tánaiste made an unexplained intervention in the case of two suspended consultant surgeons at Cavan General Hospital. She has yet to explain why she lifted the suspensions. Many people consider that she took such a step to prevent legal action, which she had been advised would go against the State. There are all sorts of possibilities within the wider equation in all of that issue, but I think it represents blatant double standards. Intervention has been ruled out as not being possible, but it seems that an intervention can be made where there is a particular agenda or need. It does not balance out. I demand once again the restoration of the accident and emergency and maternity units at Monaghan General Hospital. I ask the Minister to address the difficult situation that maintains in surgical services at Cavan General Hospital.

The Department of Health and Children released figures last week showing that hospital budgets have been cut by €7.5 million under the punitive system that involves the budgets of so-called "inefficient" hospitals being cut and allocated to other hospitals. The north-east region, in which I live, has suffered more than any other region, proportionately. Hospitals in Monaghan, Cavan, Navan and Drogheda have suffered budget cuts of more than €1 million. When the extra funding for Louth General Hospital in Dundalk was taken into account, the net loss to the hospital services in the north-east region was over €650,000. The Minister is effectively punishing patients for the alleged inefficiency of hospitals

and plunging struggling hospitals into further trouble. The north-east region is suffering more than any other region in proportion to its population. Monaghan General Hospital has seen service after service taken away from it and its budget has now been cut by a staggering €368,606 because the Minister has deemed it inefficient, yet she and her colleagues have presided over the removal of all those services, thus creating the crisis in which the staff of that hospital must try to operate and provide the limited services that are on offer today.

The funding of Cavan General Hospital, which has had to cope with the displaced Monaghan patients after the closure of Monaghan maternity, paediatric and accident and emergency units, is also to be cut by a staggering €346,384. Two of the hospital's consultant surgeons were suspended over a period. The Minister has recently lifted that suspension but neither of the surgeons has been allowed to resume his duties. There are so many questions to be asked and so much yet to be exposed.

The staff working in both Monaghan General Hospital and Cavan General Hospital have been heroic in their efforts to cope with the health care needs of the region in the face of Government neglect. This has included cuts in services as well as the State-wide shortage of nurses, the under-provision of acute beds and the ongoing problems associated with the deployment of consultants.

Is it fair and in the interest of patients for the Minister to deem certain hospitals inefficient, cut their budgets and award the funding to other hospitals? If one considers the beneficiaries of this funding, one will note that they are, by and large, larger hospitals throughout the State. Such a system is more akin to that under which bonuses are awarded to and penalties against production managers in factories and other employment locations than to a health system. This is another indication of the much-favoured approach of the Minister and her party colleagues. This approach to health care and hospitals must stop and should be scrapped. Hospitals and patients should not suffer because of the inability and inefficiency of Government and the Department in terms of allowing for the provision of key and critical services. I appeal to the Minister to scrap that particular annoyance.

Tánaiste and Minister for Health and Children (Ms Harney): I move amendment No. 1:

To delete all words after "Dáil Éireann" and substitute the following:

"commends the Government for the level of additional investment that has now been provided to improve the delivery of accident and emergency services, supports the implementation of the new ten-point plan for accident and emergency services and supports the Tánaiste and Minister for Health and Children in her commitment to improve patients'

[Ms Harney.]

experience of health care and particularly of the accident and emergency service.”

I wish to share time with Deputy Brian Lenihan.

An Ceann Comhairle: Is that agreed? Agreed.

Ms Harney: The Deputies opposite should note that on 31 December 2005, we will have spent €23 billion from the public purse on the provision of health care in this country of 4 million people since 1 January 2004. Deputies should reflect on that because much of the comment was to the effect that there was no investment or that there were cuts in spending. Some €23 billion is a lot of money and I suspect that if some of the Members opposite were in power they would not be able to raise such a sum for the health services.

I am pleased to have the opportunity to set out for the House the steps the Government is taking to improve people's experience of accident and emergency services. It is a fact that people judge our health services by their experience of accident and emergency units. While it is not a complete measure of health services, it is understandable that people consider accident and emergency services in this way. There are 1.2 million attendances at accident and emergency units annually, amounting to nearly 3,300 per day. People from every background, suffering from nearly all medical conditions, use accident and emergency services. The extent and quality of services at accident and emergency departments are affected by factors and issues right across health services, from long-term care for older people to GP services, diagnostic facilities, clinical and hospital management and investment programmes.

People will judge our health services by accident and emergency services. The Government will also judge our health reform programme by whether it makes measurable improvements in patients' health care experience, including their experience of accident and emergency services. I have stated that long waiting times at accident and emergency departments are not acceptable to me or the Government. I have also stated that there is no magic wand that I or anybody else can wave to provide an instant solution.

Additional beds must be staffed and we have to recruit nurses, doctors and other personnel.

Mr. Gormley: Yes.

Ms Harney: This takes time and that is why we have given top priority at the Cabinet committee on health to improving accident and emergency services. This is why I have brought forward a fully-funded ten-point plan for accident and emergency services for this year. There is €70 million in current funding and €10 million in capital funding allocated for it. This plan builds on the wider investment in health that has been made since 1997.

We are bringing the greatest focus possible to improving accident and emergency services. Each factor that has caused delays in accident and emergency units is being addressed and each action is being implemented. With the single Health Service Executive now in place, the lines of reporting and accountability are clear. I have asked for and I am receiving frequent and detailed reports on the implementation of each action. We will continue to focus on accident and emergency services throughout the year. We will monitor actions and results and if further decisions and actions are required, we will take them also.

I am sure Deputies are aware that the effective delivery of emergency services cannot be achieved in isolation from all hospital services. It is necessary to take a whole-system or system-wide approach involving primary care, acute care, and sub-acute care and community care in tackling the problems in accident and emergency departments.

I will outline the range of measures to be taken and give the House an update on progress in the first weeks of the year. In this regard, consider the new minor injury units, chest pain clinics and respiratory clinics. The benefits of locating these within accident and emergency departments is well-established, as has been mentioned by a number of Deputies. Specialist medical and nursing staff provide a rapid assessment and treatment service for patients in these units. These units will be established or developed in hospitals to improve care for patients through the accident and emergency department and this in turn will reduce the waiting time for patients with minor conditions.

On MRI scanning, rapid access to high-quality diagnostic services are key to diagnosing and treating patients. The provision of a second MRI scanner at Beaumont Hospital will greatly improve access for patients to the latest diagnostic technology. The tender process is currently being finalised. I have asked that the hospital examine options for accelerating the delivery of this additional key service.

Comhairle na nOspidéal's report on acute medical units, which I launched last October, examined the role, organisation and staffing of acute medical assessment and admission units. The report concluded that there exist good reason and real scope to manage effectively and streamline the process of assessment and/or admission of patients who are acutely medically ill. One of the key recommendations was that acute medical units should be developed in all acute general hospitals receiving acutely ill medical patients. We intend to act on this. Acute medical units should provide rapid assessment, diagnosis and treatment of patients referred for urgent medical assessment and/or admission. Acute medical units will be put in place at

Tallaght, St. Vincent's and Beaumont hospitals as soon as is logistically possible over the next year. The funding will provide for the required staff and equipment.

Other patients will have higher dependency requirements for nursing home care. Tenders will be sought from suitable private nursing home providers to accommodate up to 100 high-dependency patients. I expect that the notification to tender for these high-dependency beds will be published in the coming days. The scope for using greater numbers of private nursing home beds to alleviate pressure on acute hospitals will also be actively pursued by the Health Service Executive.

We will offer intermediate care for patients with lower dependency needs who have completed their acute phase of treatment. These are older people who are awaiting discharge to nursing home care or who are going back to their own home with appropriate supports. This arrangement will provide intermediate care for up to six weeks to patients as they prepare to go home. It is expected that about 500 people will benefit from this initiative annually. Invitations to tender to private nursing home providers have been published in the EU Official Journal and the national media in the past few days. I have asked for an accelerated process to be put in place to ensure that these beds are available as soon as possible.

Most older people who need care prefer to live in their homes and communities, if at all possible. Care in the community is preferable from many points of view. The success of initiatives in the Dublin area such as Slán Abhaile has allowed older people to live independently at home in dignity and comfort. Expanded home care packages will be put in place to support 500 additional older people at home. I have asked the Health Service Executive to accelerate the provision of these packages in line with the assessed needs of individual patients.

Very successful out-of-hours general practitioner services are in place in many areas throughout the country. This service can reduce the number of inappropriate attendances at accident and emergency departments. It has long been recognised that the absence of an out-of-hours service on the north side of Dublin has placed additional pressure on the accident and emergency departments of Beaumont and the Mater hospitals. I have asked the Health Service Executive to bring forward plans to develop a general practitioner out-of-hours service to meet the needs of specific areas. Already general practitioners in north Dublin have responded positively for this renewed focus on achieving reliable out-of-hours services. The model that works will be implemented.

We are all aware particularly patients and their families, that accident and emergency departments do not always meet the standards of cleanliness that we rightly expect. There can be

no excuse for dirt. The Health Service Executive will work with hospitals to ensure effective management and monitoring of standards of cleanliness. The key issue here is not funding, it is pride, standards and management. There will, however, be some funding to cover necessary refurbishment or redecoration of existing facilities.

It is also totally unacceptable that patients and staff do not, at times, feel safe in the caring environment of an accident and emergency department. Therefore, funding is being made available to hospitals to improve security measures and to take whatever other measures are necessary to ensure patient and staff safety.

The further expansion of palliative care facilities, particularly in the Dublin region, will ensure that terminally ill patients can spend their remaining time in the most appropriate environment thereby freeing acute hospital beds for incoming patients from accident and emergency or other planned admissions.

General practitioners have highlighted the need for access to diagnostic services. While the establishment of acute medical units will improve access for general practitioners to these services, additional arrangements will be put in place to enhance direct access for them to diagnostic services. The Health Service Executive and my Department will progress these arrangements. These are the ten actions that I set out at the publication of the Estimates for 2005. I expect real and measurable improvements to take place in the coming months in the delivery of accident and emergency services. To ensure that the measures I have outlined are implemented, a high level accident and emergency steering group is being established to include senior representatives from the Health Service Executive and the Department of Health and Children.

As an aid to progress, I welcome the recent intervention of the Health and Safety Authority which has a clear statutory role in regard to health and safety in the workplace. This is not the first occasion on which it has intervened. We all want to ensure that patients and staff working in hospitals have a safe and healthy environment.

The Health and Safety Authority has investigated specific incidents in hospitals in the past and has worked with the hospital authorities to ensure that satisfactory mechanisms are put in place to safeguard health and safety. The authority has asked hospitals to carry out a comprehensive risk assessment of their accident and emergency departments. This will be done with the co-operation of management and staff in each hospital.

In addition to the ten-point plan, at the end of 2004, my Department requested that the then Eastern Regional Health Authority and the health boards take action on several key areas in the management of accident and emergency departments and processes. Health agencies were

[Ms Harney.]

requested to undertake a detailed analysis of patient flows in order to identify patient profiles, bottlenecks and improved ways of treating patients; to review work practices, particularly in the nursing, radiology and laboratory areas, in a partnership context; to roster medical and nursing staff in accident and emergency departments to match peak patient attendance times; to ensure that ward rounds by consultants or registrars are undertaken regularly to facilitate prompt discharge of patients and or transfer to other services; to enhance information collection to measure performance regarding the provision of service to accident and emergency patients. This should include measurement of the length of time from triage to see a doctor, the length of time from the decision to admit to being placed in a bed and the overall waiting time in the accident and emergency department.

The agencies were also asked to give renewed attention to streamlining discharge arrangements for all patients, including the young chronic sick and high dependency patients, to reduce or suspend the admission of elective patients where there is a high level of pressure in the accident and emergency department and to implement escalation policies if there is a surge in accident and emergency demand. The Health Service Executive which was established on 1 January 2005 will pursue these actions.

Accident and emergency departments form a litmus test for me, the Government and the people of whether the health reform is working. By focusing our analysis, funding and energy on this area, we will achieve tangible improvements. I look forward to keeping the House and the Oireachtas Joint Committee on Health and Children well informed of our progress.

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Tánaiste and Minister for Health and Children has outlined her action plan to improve the delivery of accident and emergency services which will significantly improve patients' experiences of accident and emergency services. The Government has devoted significant attention to, and investment in, accident and emergency and related services. Last October, Comhairle na nOspidéal published a report on accident and emergency services. A key finding was that a hospital wide response was needed to meet the requirements of accident and emergency services and this recommendation has informed and underpinned our approach. Improving the care of patients through emergency departments via minor injuries units or medical assessment units is an important aspect of the hospital-wide response needed, but not the only one.

Delivery of the emergency service at hospital level is interdependent with the inpatient elective

service, day and outpatient care, and community services. The effective delivery of emergency services, therefore, cannot be dealt with in isolation from the delivery of all hospital-based services. The key point in addressing the problems is a whole system approach which addresses the needs of people on a timely basis in the most appropriate setting.

This approach is also consistent with the report of Capita Consulting which was commissioned to carry out a national review of the bed management function by the Health Service Employers Agency. Capita reviewed 23 selected pilot sites where 24-hour, seven day a week, accident and emergency services existed. The report identified system wide problems as affecting bed and patient management in acute facilities, including shortage of acute beds; a high rate of bed occupancy; acute beds blocked by patients who are ready for discharge and capacity problems for long-term care.

Capita also identified a wide range of issues at hospital level that had a serious impact on bed utilisation. One clear message that comes through from the various analyses of hospital services is the need to address the problem of acute bed capacity. The Government is well on the way to building up the acute bed capacity in the hospital system. We are committed to increasing acute hospital bed capacity as set out in the health strategy which identified the need for an additional 3,000 acute beds in the period to 2011. Following publication of the strategy in December 2001, funding was provided to open an additional 700 beds.

Last September, the previous Minister for Health and Children, Deputy Martin, approved the commissioning of 200 beds in several new units in acute hospitals throughout the country, funded under the national development plan. These developments will provide modern health facilities particularly for cancer care, medical assessment units and accident and emergency departments. New day facilities, theatre and diagnostic capacity will result in improved patient flows through the hospital system and ensure better use of existing inpatient beds. These new units will open during 2005. Health agencies are recruiting the additional staff required to operate these new units.

Last week I had the honour of officially opening the new hospital development at the James Connolly Memorial Hospital, Blanchardstown, which was one of the new units announced in September 2004. This new development is a good example of the Government delivering on its promises to improve health infrastructure and expand hospital capacity.

Building at Blanchardstown began in October 2000 and a phased opening of the new facility began when the coronary care and cardiac unit, the therapeutic psychiatry of old age unit, the day

hospital and the rheumatology service transferred into the new building in September 2003. In September last year, the Minister approved funding of €10.7 million for the commissioning of further services to the new wing of the hospital, including the new surgical block, the accident and emergency department and the critical care unit and operating theatres, all of which transferred to the new building in the latter months of 2004.

I would like to focus on the new accident and emergency department at the hospital. It is a state of the art facility, incorporating a chest pain assessment unit and observation area, a resuscitation unit and a minor injuries area in line with recent trends in emergency medicine. Other facilities include a plastering bay for orthopaedic injuries, an eye injury room with specialist eye equipment, an ENT room, ultra sound facilities and a procedures room for suturing. Since the new department opened there has already been an increase in activity of 8%. It is projected that this could grow as much as 20% this year, resulting in an increase in the number of new attendances at the department from 30,000 to 36,000. This emergency department in Blanchardstown now has the lowest waiting time in the eastern region. Its core team of dedicated doctors and nurses is supported by the work of advanced nurse practitioners, patient liaison officers and local general practitioners who attend on a regular basis.

As a Deputy representing the area and as a Minister of State at the Department of Health and Children, I keep a close eye on developments at the accident and emergency unit. It is important we work on ensuring that accident and emergency units develop the procedures, protocols and staffing arrangements that ensure overloading does not take place. It requires a major intellectual, social, management and, above all, staff effort to guarantee that overloading does not take place.

The hospital will now also have a new theatre suite with two additional theatres bringing the total number to five. These include a specialist clean air orthopaedic theatre with state of the art facilities. The provision of additional beds in the intensive care unit and in the coronary care as well as the provision of additional day beds is good news for patients and will result in greater numbers receiving treatment and care. This hospital is also well known for its care of the elderly services and the progressive day hospital operates a rapid access service helping to reduce admissions to the emergency department.

One of the most important projects being implemented in that hospital is the respiratory pilot project. This is an associated development intended to also have an impact on accident and emergency services. The project was approved in July 2004. It is a major development for the hospital and will see it become a centre of excellence for the provision of respiratory care. The

project will ensure that respiratory patients are seen quicker, that there will be a reduction in the average length of stay, that there will be improved liaison with general practitioners and that all respiratory patients will be under the care of respiratory consultants.

There are also other developments in the system. The Tánaiste and Minister for Health and Children will open the new medical assessment unit at the Midland Regional Hospital in Mullingar tomorrow. The new accident and emergency department at Cork University Hospital is expected to open in March of this year. A new accident and emergency department is under construction at St. James's Hospital. New hospital buildings will also be provided at St. Vincent's Hospital in Dublin and at Tullamore General Hospital.

I trust that I have shown in my contribution that improving the delivery of accident and emergency services is a top priority for the Government. In the Department of Health and Children we will continue to work in the best interests of patients and staff. I am confident that we can and will improve the delivery of accident and emergency services so that patients receive the appropriate treatment as quickly as possible.

Since the appointment of the Tánaiste as Minister for Health and Children, she has clearly signalled her determination to tackle these issues. She has set herself clear deadlines in that respect. From the basis of her political record, I know that she is determined to produce results in this area. It is not something that can be done overnight. We all know the difficulties that exist. In the Tánaiste's tenure in the Department to date she has shown a determination to tackle these issues. I have no doubt her efforts will result in success.

Dr. Twomey: I wish to share time with Deputies Neville and Ring.

An Leas-Cheann Comhairle: That is agreed.

Dr. Twomey: I am delighted the Tánaiste and the Minister of State, Deputy Brian Lenihan, are present. Deputy Gormley of the Green Party said earlier that the Tánaiste seems to have a charmed relationship with the media in terms of the coverage she gets on what is happening in the Department of Health and Children. All Ministers seem to have a charmed relationship with the media. Perhaps it is something to do with the amount of money being spent by the Government on public relations and spin doctors. It is increasingly my belief that many Members of this House are expected to get information from the media after it has been properly sanitised by the public relations people.

Regardless of what the Tánaiste said in regard to her budget estimates, up to this point we have had no great idea about what she was planning to do to address the accident and emergency crisis.

[Dr. Twomey.]

I went to the trouble of reading an extensive one page article on the Tánaiste in the *Irish Examiner* on Monday to glean more insight into what she was thinking of doing to address the crisis in health care, but I did not get any more knowledge on that. This shows that the spin is much better than the substance of what the Government often says inside and outside this House which does not stand up to critical scrutiny.

In the article to which I referred, the Tánaiste pointed out that the Hanly report has more or less been permanently put to bed. In explaining why this was the case, she said that the problem with Hanly was that it was presented to the public or maybe pursued by certain vested interests which led to a lot of unnecessary fear. I do not know what she meant by “a lot of unnecessary fear” when the essence of her speech and that of the Minister of State, Deputy Brian Lenihan, focused completely on the accident and emergency services in Dublin and across the country. The essence of what Hanly stood for was the closing of accident and emergency departments and providing such facilities in regional centres. The Tánaiste is conceding that she does not agree with over-centralising the health services. She is now talking about regionalising services. Does that mean that the radiotherapy report, which was published, is also more or less finding its way to the bin and that radiotherapy units will be provided, as we would have expected given that such units constitute appropriate medical care, in Cork, Dublin, Galway, Limerick and Waterford, or is that something that will be announced next year?

I was disappointed when I heard the Tánaiste say that for her the standard of accident and emergency departments form a litmus test in respect of the health services generally. The crisis in accident and emergency departments is a sign of the botched job that has been done to the health service for the past seven years and of a crisis that has got progressively worse during that time. For the Ministers to merely point out all the measures they will take and which we are expected to believe will make the delivery of the service excellent, is rubbish. The accident and emergency crisis should have been sorted out five years ago. The Government has shown no great dedication to addressing problems in the health services. The health strategy in 2002 was deceitfully published, given that the people expected that additional investment would be made in the health services from 2002 onwards. The Minister of State might say that extra money has been invested in the health services but that is not the same as extra investment. Most of the money that has been put into the health services is to cover the cost of benchmarking pay awards. Little has been put into the system, certainly in the past

two, if not four, years, to improve the level of services.

The Minister of State said a significant report was published in October 2002 by Comhairle na nOspidéal on accident and emergency services. It is more than two years since that significant report was published. It has now cropped up in the Chamber as if it was something new and unique when it is not.

The Capita report identified system wide problems as effecting bed and patient management in acute facilities. A group of experts got together and wrote that report in which they identified a shortage of acute beds, a high rate of bed occupancy, acute beds being blocked by patients who were ready for discharge and capacity problems in relation to long-term care. We have known that since 1997 when the Government parties came into office. Presenting that information as if the Government only found this out last week and will now do something about it shows that in some respects the Government had no interest in what was happening in the health services.

I noticed an interesting point which I probably should not raise here. The Tánaiste said she has appointed Prospectus to examine a way of mixing public and private investment in the health services. I received a request recently from a student for Fine Gael's views on its health policy and what it considered was the way forward in regard to health services. I am always willing to help any student to become more educated on the health services and I would even help the Minister if she needed help, which seems to be the case. The only reason I did not reply to that student was that the email address I was given was @prospectus.ie. Perhaps we should cut out the middlemen and work together on this one.

It seems the Government has no idea what it wants to do with the health service as highlighted by developments in the past 12 months. What about the treatment of pensioners? The Minister should read the scripts from the High Court and Supreme Court in regard to the Government's treatment of them. It has been stated in this House that those who are sick in hospital beds will be the ones to pay if the Government has to pay back this money.

Mr. Justice McCarthy asked a senior counsel whether it was appropriate to raise the appalling vista scenario regarding the cost of meeting potential claims. The senior counsel stated those alive should get their money back. No facts regarding those alive, dead or over 70 years of age were presented to the Supreme Court. The Minister knows the legislation to which I refer, that dealing with nursing home charges. Counsel even pointed out that they were not impressed with the speed of the passage of the legislation through the House.

As the Minister is aware, when the legislation was being debated in the House, many problems

in the Department of Health and Children, including the waste of time and money, were highlighted. For example, a meeting was held in the Gresham Hotel in December 2003 but the minutes of that meeting seem to have been totally ignored. This led to the crisis in which legislation had to be rushed through the House in the last sitting days before last Christmas. Now we are expected to believe the ten point plan the Minister has presented will cure all ills in accident and emergency departments and other health services.

The Government will achieve little because it does not recognise the problems. The Minister should state why an MRI scanner in Beaumont Hospital is so important to solving the accident and emergency crisis. Why does it get precedence over the operation of 24 hour CAT scanning machines in all other hospitals? Beaumont Hospital needs an MRI scanner because patients with significant head injuries in many hospitals outside Dublin must be transferred to be scanned. Many of the patients who travel there for a scan are then sent back in an ambulance to the hospital from which they originally came. In some respects, much of this debate points up that the Government responds more to the media than to a medical crisis. The Minister should seek to make CAT scanners available on a 24 hour basis in regional hospitals in order that patients can be treated there. She should not focus on delivering an MRI scanner to Beaumont Hospital and think this will make everything wonderful.

The medical admissions units are another interesting issue. A report was drawn up by Comhairle na nOspidéal well over a year ago. However, it was not until the Tánaiste was appointed to the Department of Health and Children and some regard was paid to the crisis in accident and emergency units that the report was even published. Now the Minister is diving headlong into the setting up of such units. Does she agree with me that there should be a consultant in charge of them? If so, are we just making them into a medical form of an accident and emergency unit? Does the Minister believe consultants should not be in charge? Does she believe the units should be the responsibility of all consultant physicians in order that they have ownership of them and that, therefore, it would be in their own interests to ensure they empty at 7 p.m. or 8 p.m.? Does she believe it is in the interests of consultants to free up acute beds within hospitals and, therefore, have the progression we expect such units to deliver?

Medical admissions units on their own will not solve the crisis. A ten bed medical admissions unit may be opened in the coming days but such units which operate efficiently and effectively in Kilkenny and Wexford have stopped working at the same success rate as they are full of patients who cannot get a bed in a ward because trolleys

are backed up in accident and emergency units and are now backing up in the medical admissions units.

The problem is that the focus is on quickly putting beds into hospitals. The people have been told that some 500 beds are being provided in private nursing homes. Why did the Government wait so long for this? Why was this not done three years ago when the problems were as acute as they are now? Why did the Government not bother in the past three years to investigate the issue of patients waiting on trolleys? Why did it wait until the crisis is such that patients are more or less dying on trolleys in hospitals?

No matter what is said in the House, much of it is too little too late. It is based on the attempt by the Government to bail itself out of the mess it has made of the health service in the past seven years. It has done a botched job and caused this crisis. It would be better off facing up to its responsibilities and admitting it was wrong. It should invest properly in the health service. It has no intention of delivering on its commitments on primary care because it has already stated it will not make a significant investment until 2007.

All the Government is trying to achieve is to tidy up matters for the next general election in order that it can walk back in on the premise that it somehow improved the health service. However, the people are copping on to this and to the fact that pouring money into the service does not equate with better health services. This is where the Government has failed.

Mr. Ring: At the time of the recent Cabinet reshuffle we were led to believe health was to be a priority of the Government. I listened to the Government and spin doctors stating what they were going to do. I thought the Government had learned its lesson at the local elections but it did not. I was prepared to give the new Minister for Health and Children, Deputy Harney, an opportunity to deal once and for all with the health service but she has failed. She has allowed a situation to develop in which the unions and vested interests — doctors, general practitioners, consultants and others — control the health service while the Government has lost control.

This is highlighted by the Government's decision to guarantee 15,000 health workers that they will not be transferred and can remain in their current jobs, even if there are no jobs for them to do, despite the fact that the health service is in disarray. It is similar to the cases of Bord na Mona and the ESB in that we will be paying workers in the health service until they retire because the Government has done a deal with them. If it was serious about the health service, it would have had its business in order, would not have had a row with the unions and would have been able to make changes. It has ensured 15,000

[Mr. Ring.]

workers will not have to reorganise or change, which is a disgrace. It has sold out the people.

Ireland is supposed to be medically advanced and have the best treatment available, yet I regularly meet people who have contracted MRSA or the hospital bug. One man told me he had gone into hospital with a serious illness, had contracted the hospital bug and had not been well for the past two or three years. What is going on in the health service? I was sick over Christmas and my doctor advised me to go to hospital. I said I would not go into hospital, that I would prefer to stay at home because I was afraid of the hospital bug. Why can we not control this, given all the medication, personnel, doctors and funding available?

BreastCheck was made available in the east of the country and women in the west and surrounding areas were told it would be in place in their areas from 2005. We are now told it might not be in place until 2007 or 2008. This is discrimination against women. Why should women in the west and other areas have to wait that long? It would have been rolled out by now if the Government was serious about women's health. We have let women down and forgotten about them. This is wrong and should be dealt with.

I wish to deal with the Government's attack on the elderly, a matter on which I expect the Minister to respond later in the debate. I heard Deputy Twomey referring to the High Court and Supreme Court. I am going to bring a case shortly if the Minister of State does not do something about this matter. Let me cite an example of what is happening in the health service. I know of a woman in Ballycroy in north Mayo who is over 80 years of age. She had a hospital appointment 75 miles away. She is in receipt of a widow's pension and was always brought by the health board to the hospital for appointments. She has now received a letter from the health board, as have thousands more like her, telling her that it will no longer bring her to hospital for her appointments. How can this woman, on a pension of €150 a week, afford a taxi to bring her to Galway and back home again? She might have to make this journey two or three times a month. That is abuse of the elderly by the State. We preach about sick, weak and old people but this is the best we can do for them. When they retire and need transport to hospital services, the best we can do is send them a letter stating hospital transport will not be provided.

I want someone from the Minister of State's Department to deal with this matter immediately in order that he can respond tomorrow. There are no officials present. Why would there be? They can do what they like. They are guaranteed jobs for the rest of their lives in the package arranged by the Government. I want the Minister of State to note what I have said and respond; otherwise I will bring an elderly person into the High Court

where I will say the woman mentioned was not treated properly, was not looked after and had been let down by the State. I want this matter dealt with quickly.

We have talked about the health service since the foundation of the State. We have talked about hospitals, doctors and improved services but all I see happening is that those involved in the service are getting richer, while patients are getting sicker. People are not getting the service they deserve.

Over Christmas people from Castlebar had to travel to Westport where there are a number of general practitioners. However, in spite of all the money they are getting under the GMS scheme, they could not even organise a rota system for Christmas. As they are receiving big money from the State, they should provide a service. If they are not going to do so, they should be removed from the scheme altogether. We should not have a situation where people in the county town of Mayo are expected to do without the services of a doctor for two weeks from Christmas Eve. This matter should be investigated and somebody should have to pay a price. If we are paying that kind of money, we should have a medical service, including GP cover during the holiday period.

We would not have had half as many in hospital if a GP had been on duty at that time. It was a sad situation for the people affected, some of whom had to travel 11 miles to another town to consult a doctor. The Government has had its chance and the people will speak in two years' time. What is happening is wrong. When somebody gets sick, he or she expects the best service and expects the State to be there for him or her. People pay their taxes and do not expect to be left on a hospital trolley. They expect to have access to doctors and nurses. They expect the best treatment possible but the Government has failed them and let them down. There is a shortage of doctors and consultants but no shortage of Government spin-doctors.

Mr. Neville: I wish to share time with Deputy Crawford.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Mr. Neville: I am glad to have an opportunity to speak to the motion. I wish to deal with the continuing neglect of mental health services. This year the Minister announced an increase of €15 million towards improving mental health services. This figure is derisory, given the requirements to be met. Compared to spending in other areas, the Minister of State will agree it is totally unacceptable.

In Limerick alone €7 million needs to be invested in a special secure unit. Two patients committed suicide in the city's hospital in the past two years. A further €7 million will go towards

meeting the Government's commitment to improve the Central Mental Hospital. That would account for the €15 million allocated to mental health services if the Minister decided to spend it on what was required in just two areas.

I also wish to mention the black spots in terms of psychiatric in-patient treatment which have been drawn to our attention by the inspector of mental hospitals whose annual report stated some locations "were unacceptable for the care and treatment of patients because of seriously unsatisfactory conditions". To have such conditions in 2005 in any part of the health service is totally unacceptable.

The areas highlighted by the inspector as having these "seriously unsatisfactory conditions" include most of the Central Mental Hospital; the entirety of St. Brendan's Hospital; almost all of the old building at St. Brigid's Hospital, Ballinasloe; some long-stay wards in St. Finan's Hospital, Killarney; St. Edna's and the current female admission wards in St. Loman's Hospital, Mullingar; the admission wards at St. Ita's Hospital, Portrane; the female admission ward at St. Senan's Hospital, Enniscorthy; Vergemount Clinic, Dublin; some continuing care wards at St. Luke's Hospital, Clonmel; and some wards at St. Joseph's Hospital, Limerick.

That is an unbelievable list of places where there are totally unsatisfactory conditions for the treatment of patients. The list has been supplied to us in the inspector's report which also states: "In addition, some relatively acute units did not provide safe observation facilities, such as St. James's Hospital, Dublin". I have referred to Limerick Regional Hospital in this regard but St. James's Hospital does not have a special, safe observation facility for psychiatric patients who are suicidal. The report continues: "Some of the smaller private hospitals catering for elderly patients were unsuited for this purpose because of the structure and layout of the premises, with many small rooms spread out over several floors".

Groups of people who are neglected by the psychiatric services include the homeless, prisoners and others who come under the ambit of the criminal law. Immigrants and asylum seekers are also affected by the co-morbidity of intellectual disability and psychiatric care and the co-morbidity of substance abuse and psychiatric illness.

Just before Christmas I tabled a parliamentary question regarding a person who had committed an offence, had been determined by two doctors to be psychiatrically ill and committed to the Central Mental Hospital. To appear in court an insane person must be certified as sane. The same person must be certified as insane again when returned to the Central Mental Hospital. Surely this procedure would not be accepted in any

other area of general medicine. Such a practice in this day and age is ethically questionable.

Mr. Crawford: I thank my colleagues for affording me the opportunity of saying a few words on the health issue. I thank those involved in getting Monaghan General Hospital back on-call but the aftershock was the fact that its budget was cut by €380,000 because it had not met certain criteria. That is absolutely unacceptable. I ask the Minister of State to rectify this. If a hospital was held off-call for two and a half years, how could it meet the criteria laid down for a normal hospital? It is totally wrong to reduce the allocation to Monaghan General Hospital. If the Minister and her Department are serious about trying to improve services and relieve the chronic situation in Cavan and elsewhere, this matter must be rectified as a matter of urgency.

It also happened to a lesser degree in Cavan where there is an ongoing problem. The Minister must treat this issue extremely seriously. It must be remembered that the North Eastern Health Board had to cater for the single biggest population increase in the country in the past 30 years, yet there was no corresponding increase in its budget.

It is unacceptable to see Monaghan General Hospital back on-call to a limited degree while having its budget cut. I beg the Minister of State to ensure the Tánaiste and Minister for Health and Children is made fully aware of this. It may be a blip in the computer system but surely we do not deserve this after two and a half years.

Debate adjourned.

Message from Seanad.

An Leas-Cheann Comhairle: Seanad Éireann has passed the Health (Amendment) (No. 2) Bill 2004, without amendment.

Adjournment Debate.

Media Lab Europe.

Mr. Broughan: I propose to share time with my colleague Deputy Upton.

It is very important that the Dáil is given a very full report on the closing of Media Lab Europe which occurred on 14 January last — it will be liquidated on 1 February — and on the failure of the negotiations between the MIT and the Government regarding additional funding and sponsorship for the project. It must be said that 14 January was a sad day that saw the closure of the anchor tenant in the digital village in the Liberties. Only last autumn Media Lab Europe employed more than 70 people, which was reduced to 45 people more recently. It is very

[Mr. Broughan.]

important that we commiserate tonight with those workers who have tragically lost their important jobs. I hope any new similar project in the digital hub will ensure they are employed.

Earlier today I asked the Taoiseach whether he had any regrets at the manner in which Media Lab Europe had folded, the manner in which it was established and the lack of support and attention he, as the progenitor, along with the Minister for Foreign Affairs, Deputy Dermot Ahern, and the Minister of State, Deputy Noel Treacy, had given it. Media Lab Europe was perhaps one of the Taoiseach's two pet projects, Abbotstown being the other one. It was very much the minor project and the Taoiseach certainly took his eye off the ball.

It is right that the Comptroller and Auditor General and the Committee of Public Accounts should examine the €35 million that has been spent by the State on Media Lab Europe. Even though Ms Carla Lillington, our most distinguished high-tech writer, says that the net amount may be only €8 million, we should examine it closely. The IT downturn certainly damaged the planned structure of private corporate sponsorship. Corporate sponsorship which had been expected to run at €10 million a year was only running at one fifth of that and our media lab had to compete with the media lab in Boston. Furthermore, the aims of Media Lab Europe were never very clear. If we compare the Liberties with districts in Seoul and Kuala Lumpur, our ambition for the Liberties was far smaller compared to that of other countries.

It was not clear whether Media Lab Europe had a commercial mandate and or just an academic one, and it could not issue academic qualifications. It is also regrettable that the two local universities, DIT and Trinity College, were not involved in the project, and it is regrettable that there was such a large turnover of leadership. In only four years we had Nicholas Negroponte, Rudi Burger, Ken Haase and Simon Jones and each left with a huge golden handshake. This was not helpful in ensuring this was a successful, sustainable project.

I accept that it was a unique venture and played a very important role regarding the road we are travelling to becoming a technological civilisation. I note that luminaries such as Larry Page and Sergei Bryn of Google visited it along with many others in recent times and that it raised €11 million in work with other universities abroad.

Two Ministers are responsible. The Minister for the Environment, Heritage and Local Government, Deputy Dempsey and the Minister for Foreign Affairs, Deputy Dermot Ahern, did not give the issue the attention it deserves. I welcome Deputy Dempsey's belated announcement

and I hope we will have a full debate in the House on the issues to which I have briefly alluded.

Dr. Upton: I thank Deputy Broughan for giving me the opportunity to speak for a few minutes on this. I spoke on the digital hub Bill when it was going through the House and was very enthusiastic about it at that time. I represent the constituency where it is located and clearly I had a particular interest that everything about it would be successful and productive.

It is with great regret that almost five years later, because this was opened in July 2000, the taxpayer, unfortunately being €35 million worse off, we see it coming to an end or at least this part of it.

In late 2004 the Minister flagged a number of concerns about it. Among them was the need for a greater focus on research interests in it, that there was need for better links to Irish universities, that stricter financial control and a limit on financial exposure was required and that improved corporate governance and management was important. All of these issues did not arise overnight. I wonder why they were not identified sooner, why there was not some action taken on them and why we had to wait until there was so much money wasted effectively.

I see this as a mini "Bertie Bowl". It was one of his great flagship projects and one that has flopped. The major concern has to be for those people whose jobs have been lost because of the failure of this project and for the area, that there will be something to replace that tenant in the digital hub area and to take over the responsibilities and roles albeit in a different form and with some new project. It is very important that the area is sustained, that the jobs are sustained and that account will be taken of the people who have suffered from this. As my colleague has said a full report on this is important and should be brought before this House.

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Minister for Communications, Marine and Natural Resources, Deputy Dempsey, has asked me to convey his regret that he is unable to be in the Chamber tonight.

Media Lab Europe was formed by an agreement between the State and the Massachusetts Institute of Technology and was in operation since early 2000. It was established to conduct non-directed research in the field of digital media.

The Government invested €35.5 million in start-up capital for MLE. Property was also purchased for MLE to the value of €22.5 million. The property remains in State ownership.

While it is acknowledged that research will generally require State support, the unique aspect of the MLE model, as presented initially to Government, was that it would be self-funding by

2005. However, the financial situation deteriorated significantly in recent times due to MLE being unable to raise the necessary sponsorship and corporate income required and as envisaged in their business plan.

In February 2004, the Government Liaison Committee, made up of Departments with an interest in the MLE operation, wrote to MLE requesting that it undertake a fundamental review of its business model and produce a strategic plan. The board of MLE submitted its strategic plan to the Department on 7 May 2004 which included a request for additional exchequer funding of €9 million. Following this, extensive efforts were made to agree a restructuring of MLE that would allow it to move forward on a more sustainable basis. This included: detailed independent assessment of MLE's strategic plan and its progress towards achieving its high-level objectives; in-depth discussions with the relevant Departments; in-depth discussions with the research and educational agencies and third level institutions; in-depth discussions with the business and development agencies; direct negotiations with MIT and discussions with MLE.

However, a package acceptable to the Government failed to emerge and the decision was taken that no further Exchequer funding would be provided. On 14 January the board of MLE took the decision to wind down operations. Liquidators are due to be appointed on 1 February. The wind-down of MLE is a matter for the directors of the board of MLE and liquidators in the first instance. However, officials from the Department will liaise with the board and management throughout the winding down process.

Regarding students involved in research at the lab, the Minister for Communications, Marine and Natural Resources, Deputy Dempsey is committed to continuing to fund a number of collaborative projects with Irish universities to conclusion over the next two years. He is currently considering the options for a new research entity at the MLE facilities. Issues to be addressed include the need to secure: greater focus on sustainable research and more directed research in a new business model; better links to Irish universities; improved corporate governance and management.

Considering the importance of digital media in the broader ICT sector, and the need for commitment to research and development in this field, there is a need to make a comprehensive assessment of what model and structures should be put in place as part of a new research entity. It is the Minister's intention, therefore, to initiate a consultation process with third-level institutes, industry, Government agencies and the digital hub in early February to establish what the research focus, structure and objectives of the new entity should be. Drawing on the results of the consul-

tation Government will make decisions regarding the shape of a new research entity.

Job Losses.

Mr. McGinley: I thank the Chair for allowing me to raise this important matter on the Adjournment. Last week's announcement by Donegal Parian China that its factory in Ballyshannon is to close with a loss of 44 full-time and ten part-time jobs is a severe blow not alone to Ballyshannon but to all of County Donegal. Parian China has been producing ceramic ware in Ballyshannon for more than 23 years and has been looked upon as a flagship company within the county. Donegal Parian China is a nationally and internationally recognised brand name and has given County Donegal a worldwide profile. Not only does it provide valuable employment in the area but the factory attracted thousands of visitors annually to its impressive showrooms in Ballyshannon. With the imminent closure of the factory all of this is gone and will deal another body blow to the economy of Ballyshannon and the morale of its inhabitants. This is the latest in a long litany of job losses in Ballyshannon and south Donegal. Some years ago Donegal Rubber Company closed with the loss of 100 jobs that have never been replaced. A task force was promised at that time but we still await its establishment. In recent years, Rogan's international fishing fly company closed with the loss of 15 highly skilled jobs. The ESB has reduced its workforce in Ballyshannon from a peak of 200 to 40 employees. The long-established *Donegal Democrat* that was synonymous with Ballyshannon for many years has been relocated in other parts of Donegal. All these jobs have been lost but not even one industrial replacement job has been created there in the past ten years. One can justifiably say that so far as industrial jobs are concerned, Ballyshannon is a virtual wasteland. To add insult to injury the Parian China jobs are going to Beleek, four miles across the Border into County Fermanagh. This must be an eloquent testament to how the employment environment has deteriorated in the county, even compared to Northern Ireland.

The position in Ballyshannon is a reflection of the serious unemployment problem throughout Donegal. How can the Minister and the Government justify an unemployment rate of 16% in Donegal compared to a national average of approximately 4%? This Government and its predecessor have boasted about the 300,000 to 400,000 new jobs created by the Celtic tiger economy. While I cannot deny these estimates how many of these jobs have gone to Donegal or to Ballyshannon? Donegal has lost more jobs during the years of boom than were created within the county.

Our textile industry in the county has been decimated. One need only mention Fruit of the Loom which closed its centres in Bunrana, Mil-

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 ford, Raphoe and Dungloe, Comer Yarns, in Gweedore industrial estate in my parish, Nenagh Models and Herdsman in the Finn Valley and many others. These jobs have gone from Donegal and have been relocated in other parts of Europe and the world. Is it any wonder that our unemployment rate in Donegal is four times the national average? What has happened in Ballyshannon is a reflection of what is happening throughout County Donegal. Our traditional industries are also in crisis. The fishing industry is at a low ebb. Killybegs is a ghost town. Having visited the town last Monday with our spokesman on the marine, Deputy Perry, we encountered at first hand the serious position there. In previous years one could expect from 1,500 to 2,000 to be employed in onshore processing facilities at this time of year. Currently there are approximately 100 employed there, which is a catastrophic decrease, a wipeout.

We have task forces, reports and plans for many years. What we have not had in Donegal is the provision of new jobs. It is a terrible indictment that only 4% of graduates of the Institute of Technology in Letterkenny obtain employment within the county. This cannot be allowed to continue. I ask the Minister and the Minister of State to come to Ballyshannon and Donegal as soon as possible to see for themselves the seriousness of the position. I ask the Minister to direct his energies and the energies of all the agencies, including IDA, Údarás na Gaeltachta, Forbairt Ireland and others to set annual employment targets for Donegal. Only with such a radical and planned approach can the crisis be addressed. The fight back should commence immediately in Ballyshannon and should spread throughout the rest of the county without further delay.

Mr. Killeen: I thank Deputy McGinley for raising this matter on the Adjournment.

The announcement by the company that it is to close its Donegal Parian China facility is most disappointing and particularly devastating for the workers and families directly affected.

I understand the decision to close is due to a reduction in product demand. However, I am also advised that the company is to consolidate its production in its existing Beleek facility and that some 15 of the 54 Donegal employees may be offered employment in Beleek.

The role of FÁS, the State training agency, will be particularly important in assisting those who are to lose their jobs. FÁS will provide advice and training opportunities for the Parian China workforce. FÁS will make its full range of services available to the workers, which will include top level agreement with the company on responsibilities and actions; intensive interviews, individually and-or in groups, with affected workers that will outline the range of supports and services

available; preparation of a "skills analysis report" by FÁS based on identified workers' needs and local opportunities; referral by FÁS of affected workers to jobs, training courses or other options; establishment by FÁS of special or customised training courses where necessary; and ongoing support and action to keep redundant workers in touch with the labour market. In addition to the foregoing, Enterprise Ireland is also providing information and support for those that might wish to start their own businesses.

On 2 December 2004 my colleague, the Minister for Enterprise, Trade and Employment, Deputy Martin, visited North Donegal and met with a number of groups and companies. He undertook this visit in recognition of the relatively difficult employment situation in Donegal. It is his intention, in the very near future, to visit south Donegal and meet with local interest groups to discuss the employment position.

The IDA is actively marketing all areas of Donegal for new investment and jobs and has invested significant moneys in developing a business park to international standards in Letterkenny. In Ballyshannon, the IDA has obtained planning permission for a new facility and a significant amount of site development work has been recently completed. Also in Ballyshannon, Enterprise Ireland has recently partnered with the local community development company, Erne Enterprise, to develop new high quality enterprise space. Enterprise Ireland is providing €300,000 in support to this new 10,000 square foot enterprise centre.

While the IDA and Enterprise Ireland continue to work with their existing company client base to encourage them to grow, the Donegal County Enterprise Board continues to be active in helping new and existing micro-enterprises in the county. I assure the Deputy that tackling the difficulties in Donegal is a priority for the Government and the Minister for Enterprise, Trade and Employment, Deputy Martin, a point which he has also reiterated to the State development agencies operating in Donegal.

Community Workers' Co-operative.

Mr. Crowe: The Community Workers' Co-operative is a membership organisation of groups and individuals, which work on the ground to tackle poverty, inequality and promote social inclusion. Some 30% of its 800 members are unwaged and approximately one third are from organisations and projects. They are not a representative organisation for community workers. For 24 years it has been an important, if sometimes a critical voice of Government policies on anti-poverty and equality issues. The most recent assessment of its work carried out by Combat Poverty Agency at the end of 2003 acknowledged the quality of its work and its focus on poverty

and exclusion. The quality of its work and its commitment to addressing poverty is recognised locally, nationally and internationally. The Migrant Rights Centre for Ireland said the Community Workers' Co-operative is the one organisation that has consistently provided a space for people committed to social inclusion on justice to take action and influence policy. It has brought together organisations and individuals at grassroots, regional and national level to organise and develop the analysis necessary to engage in a meaningful way with the Irish decision-making process. The European anti-poverty network based in Brussels stated that the Community Workers' Co-operative is an important part of the community and voluntary sector in Ireland and is also well known with anti-poverty NGOs who are active at European level. The withdrawal of its core funding is a matter of grave concern and will weaken the voice of those experiencing poverty, exclusion and inequality in Irish society and in Irish policy making. Of the ten anti-poverty networks, only the funding of the Community Workers' Co-operative was axed and the other nine have come out in support of the Community Workers' Co-operative saying it has played a central role in the development of community work in Ireland for more than 20 years, initiating much of the new thinking in community work and supporting hundreds of local community organisations fighting poverty.

At local level the Community Workers' Co-operative plays a central role in supporting the participation of the community sector in local partnership. At national level it provides a voice for hundreds of groups fighting poverty, which are not otherwise represented. It also provides a coordination and support role for the rest of the anti-poverty networks at national level. All ten anti-poverty networks work with their respective membership on the ground supporting their work. The last assessment of the Community Workers' Co-operative acknowledged that it is unique in that its work goes way beyond its membership and supports hundreds if not thousands of other groups working against poverty. The provision of quality information, policy analysis, strategy guides, resources and training are invaluable to thousands of local groups struggling to work against poverty.

These groups are outraged at the negative impact closure of the community workers' co-operative will have on their work. I have pages of statements from community workers praising the work of the community workers co-operative and describing the vital role it plays. The decision by the Minister of State, Deputy Noel Ahern, to axe this funding has been described by one group as a sinister move to silence an effective critical voice. The Minister of State has referred to the overlap with the work of other organisations but

has failed to give a single example of this as none exist.

Such work is not done by any other organisation. Any organisation mentioned by the Minister of State is a member of the CWC and relies on it for much of its work output. The funding of €150,000 per year is not much but it is a significant amount to the CWC. This is core funding and its withdrawal may mean the demise of the community workers' co-operative. The process by which this decision was made must be questioned and there was no consultation with the organisation. Were evaluation and assessment reports of other networks considered in the decision? It seems not, as the CWC has consistently performed well, particularly in respect of anti-poverty focus. Were others renowned for their work in the field of anti-poverty work consulted? I do not know, but as witnessed by statements such as that by Helen Johnson of the Combat Poverty Agency or from the European Anti-Poverty network, it does not seem so.

It appears there is political vetting of community work. The Government does not appear to like what this organisation says or its ability to bring together diverse groups who have experience of poverty to work collectively, such as the co-ordination of the community platform, which is a network of 25 national anti-poverty and equality organisations. The withdrawal of funding to this group is inexplicable. I ask the Minister to reconsider the withdrawal of this vital funding.

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): Funding of anti-poverty networks arises from the White Paper on a framework for supporting voluntary activity and was originally administered by the Combat Poverty Agency on a three year contract basis.

This function transferred to my Department from that agency late in 2003. My Department sought work plans for 2004 from each of the ten national anti-poverty networks funded under the White Paper and, pending review, there was little option at that stage but to agree to extend funding for 2004 on a one year contract basis.

The Department of Community, Rural and Gaeltacht Affairs was established by Government in June 2002 with a mandate to produce a more co-ordinated engagement by the State with communities around the country as they pursue their own development. In establishing my Department, it is clear that the Government was placing a focus on communities, particularly those vulnerable or under threat. In such cases, the provision of support to enable communities to identify and address problems in their own areas is seen as the best way forward. Those communities may be in rural or inner-city settings, grappling with difficulties caused by a range of factors, including declining population, unemployment, language

[Mr. N. Ahern.]

issues, social disadvantage or drug misuse. While most such communities or groups of communities can be defined in terms of geographic location, others will be defined on the basis of a common focus on a particular issue.

The Department's commitment in the context of the National Anti-Poverty Networks is to focus on concentrating available resources on support for communities experiencing disadvantage, exclusion and isolation. In line with this commitment, I decided to continue funding for nine anti-poverty networks in the amount of €1.35 million for 2005. This represents an increase of 5% over 2004 for the networks concerned. However, in the context of focusing my Department's resources on disadvantaged communities, continued funding of the CWC could not be justified.

There is in existence a well-developed structure providing supports to the sector. My Department will spend €2.3 million in 2005 on six regional support agencies providing support and advice to the community support projects. In addition, my Department funds 38 partnership companies for €45.7 million, 185 community development projects and 32 community partnerships. Under the White Paper on a framework for supporting voluntary activity, 70 networks and federations are supported to the tune of €4.2 million.

The CWC differs from the other groups funded under the national anti-poverty networks in that those other groups, in the main, deal with specific target groups. The other nine anti-poverty networks, which will continue to receive funding have a specific focus on Travellers, unemployment, refugees, rural poverty, lone parents, older people and disabled people. The CWC is the voice of community workers rather than of disadvantaged communities. It overlaps with the function of other networks and as such fails to meet a number of the key criteria suggested by the White Paper on supporting voluntary activity.

I cannot accept the implication in the motion before the House that the range of excellent people working in communities experiencing disadvantage and isolation cannot develop informed positions and articulate valuable opinions on a range of issues without the intervention of the CWC. To take such a view would be to deny the individual and collective wisdom that has been accumulated by people working directly in local and community development work over many years. The purpose of this decision is to support this activity as comprehensively and efficiently as possible. The key point is that the groups being funded are supporting disadvantaged communities. I do not regard the CWC as being in that category.

Missing Persons Unit.

Mr. McGuinness: Given the timing of this motion I wish to extend my sympathies to the

Holohan family in Midleton on their recent tragedy and to thank the Garda Síochána for the huge effort put into the search for Robert Holohan. I also thank the public who turned out in great numbers on a daily basis to assist the Army, the Garda and the family in that search.

I also wish to highlight what is not being done. I acknowledge the work of the Taoiseach and his support for many of the families in question. Political will on the part of the Minister is required to herald a change in Government policy because I am aware he is not in favour of a special missing persons' unit. I ask that such a policy is reviewed and that the finances necessary to support a special unit within the Garda are made available. That unit could be run according to best practice as it applies in America. A connection exists with the John Jay College in New York as a result of the Jerry McCabe fellowship. I visited that college a year ago and was told that an exchange programme could be put in place to train the Garda in best practice when searching for missing persons and in engaging with their families in order to continue that search. Some officers have been trained but it gives me no joy to say that not enough is being done.

The centre for exploited and missing children is funded by both private and public moneys and supported by the FBI. Members of the FBI work with the staff on a 24 seven basis. Much could be learned from this centre. The centre has offered to share its technology and experience, free of charge, with the Garda. I suggest this offer be availed of.

I suggested to the Minister for Justice, Equality and Law Reform and to the former Garda Commissioner who is now retired that the case of Jo-Jo Dollard could be used as a model case for the required special unit so that a model of best practice in Irish terms could be created. This will not cost the State a fortune and it would deal directly with the families concerned.

An examination of unsolved cases would show they do not have a public profile from a Garda perspective. In the United Kingdom, the rest of Europe and the United States such cases are kept alive through constant reminders to the public of what a missing person would look like one year, five years, ten years and so forth after he or she went missing. While I was in Washington, a child who went missing at the age of four years was found at 14 years of age solely as a result of the persistence of law enforcement agencies and the National Center for Missing and Exploited Children. In the case of Ireland nothing has happened.

Political will is needed, as has been shown by Senator Hillary Clinton in New York, who has sponsored various protocols, including Code Adam and Amber Alert, signed into law by President Bush. There is no reason we cannot benefit from the experience of the United States. In the

9 o'clock

recent case involving two children, Holly and Jessica, in Soham in England, the police brought in best practice from outside the jurisdiction, applied it and solved the case.

A large number of missing Irish people are acknowledged as missing on the Garda website. Their families are deeply concerned and traumatised and must face the issue on a daily basis. It gives me no pleasure to say that the response of the Garda Commissioner and the Minister is unsatisfactory. In the modern day and age, with society changing rapidly, we need to change our approach to this problem.

I acknowledge the website for the missing, www.missingkids.ie. While it is a step in the right direction, it is a long way from being the completed process. I urge the Minister to involve himself politically in this matter and bring about a change in policy with appropriate funding. This would satisfy the families whose members have gone missing and would prepare us for future missing cases.

Mr. Killeen: I am deputising this evening for the Minister for Justice, Equality and Law Reform. I thank the Deputy for raising this matter and I am aware of his interest in this subject. I assure the Deputy that the Minister shares his concern and that of the public with regard to missing persons.

As the House is aware, the establishment of a national missing persons unit has been suggested from time to time and the matter is kept under ongoing review by the Garda authorities. There are arguments for and against such a proposal.

At present, local Garda management takes direct responsibility for missing persons cases and special investigation teams are appointed as necessary. When a person is reported missing the local Garda superintendent takes direct responsibility for the investigation and appoints an investigation team to include any specialised unit deemed necessary, for example, the national bureau of criminal investigation or the technical bureau. The Garda authorities have assured the Minister that every effort is made to locate all missing persons and that they consider the current procedures for dealing with missing persons to be adequate. The procedures are kept under constant review.

The view of the Garda Síochána, which has been gained through experience, is that while specialist units prove extremely useful in investigating certain types of crime, missing persons cases by their nature require specific local knowledge about the area where they occur and the circumstances and background of the person who is missing.

The Garda Síochána participates fully with all the media outlets, print, radio and television, in highlighting cases involving missing persons, as appropriate. All cases of persons reported missing in suspicious circumstances are subject to

ongoing review and investigation. The services of other external agencies such as Interpol and Europol are also available to assist in the investigation. In addition, every Garda district has a specially trained search team that is familiar with the locality.

The missing persons bureau in Garda headquarters is responsible for maintaining data relating to missing persons. All files on missing persons remain open and under continuous review until the person is located or in the case of a missing person who is presumed drowned, a verdict to that effect is pronounced by the coroner.

The Garda authorities continuously monitor international developments with regard to investigations of missing persons to ensure that best practice is followed. If their professional judgment is that some change in the existing legislation or protocols would be of assistance in improving investigations, the Minister would carefully consider same.

The Minister is aware of research previously conducted by the Deputy regarding missing persons investigations by the authorities in the United States. As was outlined to the House previously, Garda authorities maintain close links with the John Jay College of Criminal Justice in New York. The McCabe fellowship foundation was established in 1996 and provides for the regular exchange of personnel from the Garda Síochána with the New York police department. Since its foundation three gardaí have completed an MA in criminology and one completed an MA in forensic psychology at John Jay College, New York. To date 45 participants from the Garda Síochána and 22 from the New York police department have completed the programme. The exchange programme is based on a two-week period and provides for opportunities to identify best practice regarding policing requirements for the two organisations. The Garda authorities are exploring the possibility of exchanges of personnel with missing persons expertise.

It is every parent's worst nightmare to discover that his or her child has gone missing. Thankfully, the majority of missing children cases reported to the Garda authorities are successfully resolved. The Department functions as the central authority for Ireland in implementing The Hague and Luxembourg conventions which operate to secure the speedy return of an abducted child to its habitual residence, where the courts can decide how the child's best interest can be served.

In September last year the Minister launched the missing children's website, www.missingkids.ie. This is a joint initiative between the Garda Síochána and the International Centre for Missing and Exploited Children. This website enables the Garda Síochána to circulate instantaneously and internationally written details and high quality photographs of children reported missing to other police forces.

[Mr. Killeen.]

In the area of legislation, the House will be aware that the Minister published the Criminal Justice Bill outlining new Garda powers of investigation which, when enacted, will improve the effectiveness of the criminal justice system in a number of specified areas. These provisions are of particular interest in missing persons cases. The proposals provide for longer powers of detention in Garda custody, the strengthening of Garda powers regarding the preservation of the scene of a crime, the introduction of new powers on the issuing of search warrants in certain circumstances and the strengthening of the law with regard to DNA sampling.

The disappearance of any person is traumatic for family and friends. For this reason, the Mini-

ster is anxious to assist in any way he can. The Deputy will be aware of the missing persons helpline, which has been operating since October 2002. This is a dedicated helpline which is operated by Victim Support as a counselling and referral service and serves as a primary point of contact for the families of missing persons. The helpline provides advice and psychological support for families of missing persons as well as structured liaison with the Garda Síochána.

The Minister is completely satisfied that the Garda does its utmost with regard to missing persons cases and that current procedures are in line with international best practices.

The Dáil adjourned at 9.10 p.m. until 10.30 a.m. on Thursday, 27 January 2005.

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 15, inclusive, answered orally.

Questions Nos. 16 to 88, inclusive, resubmitted.

Questions Nos. 89 to 98, inclusive, answered orally.

Overseas Missions.

99. **Mr. Rabbitte** asked the Minister for Defence if he will propose changes to the Defence (Amendment) Act 1960 in order to allow Irish troops participate in the EU's proposed rapid reaction battle groups; if such changes would alter the triple lock procedure by which Irish troops operate in activities abroad; and if he will make a statement on the matter. [1509/05]

115. **Dr. Twomey** asked the Minister for Defence if he has had recent discussions with his European Union counterparts with regard to the formation of EU battlegroups; when he considers that such battlegroups will be operational; and if he will make a statement on the matter. [1535/05]

118. **Aengus Ó Snodaigh** asked the Minister for Defence his plans to change the legal and constitutional position to allow Irish troops to be deployed internationally without the requirement of a UN mandate. [1514/05]

137. **Mr. Boyle** asked the Minister for Defence if he will propose changes to the Defence (Amendment) Act 1960 in regard to the deployment of Irish troops abroad; and if he will make a statement on the matter. [1519/05]

1272. **Aengus Ó Snodaigh** asked the Minister for Defence the details of the command and control structure of the EU battle groups; and the persons who would command Irish troops. [1641/05]

1273. **Aengus Ó Snodaigh** asked the Minister for Defence the regions and countries that fall outside the proposed 2,500 mile deployment zone for EU battle groups and the non-EU regions and countries that are included within it. [1642/05]

1275. **Aengus Ó Snodaigh** asked the Minister for Defence the persons with whom his Department officials are liaising with regarding to Irish participation in EU battle groups; the persons who are on the interdepartmental committee dealing with this issue; when it was set up; the number of meetings it has conducted; and if he will report on its recommendations. [1644/05]

1282. **Mr. Durkan** asked the Minister for Defence the extent to which he has had discussions with his EU or UN colleagues in the matter of a rapid reaction force or any similar body likely to be asked to undertake peacekeeping, peace enforcement or humanitarian assignments on a large scale; and if he will make a statement on the matter. [2001/05]

Minister for Defence (Mr. O'Dea): I propose to take Questions Nos. 99, 115, 118, 137, 1272, 1273, 1275 and 1282 together.

I refer Deputies to my reply to this House on this very subject on 17 November last. The position remains as I outlined at that time.

The background to the rapid response elements concept, commonly referred to as the "battlegroups", is that at the European Council in Helsinki in 1999, member states set themselves a headline goal, that is, that "by the year 2003, co-operating together and voluntarily, they will be able to deploy rapidly and then sustain forces capable of the full range of Petersburg Tasks as set out in the Amsterdam Treaty" — that is, in short, humanitarian, rescue, peacekeeping and crisis management operations including peacemaking. This included, *inter alia*, a capability to provide "rapid response elements available and deployable at very high readiness". The ambition of the EU, to be able to respond rapidly to emerging crises, has and continues to be a key objective of the development of the European Security and Defence Policy, ESDP.

The EU has learned from historical experiences in the Balkans and Africa and wants to be able to react faster when crises develop. This was effectively illustrated last year by the EU's first autonomous military operation, which was conducted in the Democratic Republic of Congo. The operation, undertaken at the request of the United Nations Secretary General, and which deployed in very rapid circumstances, was successful in contributing to the stabilisation of the security environment and the improvement of humanitarian conditions in the Democratic Republic of Congo.

During his visit to Dublin in October 2004, UN Secretary General, UNSG, Kofi Annan underlined the extent to which he believes regional organisations, such as the EU, can contribute to the UN's requirements in the crisis management area.

Deputies will also recall, in his address to the forum on Europe on 14 October, that the UNSG specifically welcomed the development of EU capabilities in the context of European Security and Defence Policy and stressed the importance of strengthened EU capacities, in particular rapid deployment capabilities, to the UN. He also highlighted Ireland's pivotal role during our Presidency of the European Union in promoting co-operation between the EU and the United Nations in crisis management and in particular the potential use of EU rapid response elements to support UN peacekeeping operations.

[Mr. O'Dea.]

In this context, if we do not seek to establish how best Ireland may make a meaningful contribution to the rapid response elements initiative we would be departing from our traditional policy of full support to the UN.

As I indicated in my reply to the House on 17 November, at the Cabinet meeting of 16 November, the Government agreed that I should advise my EU counterparts of Ireland's preparedness to enter into consultations with partners with a view to potential participation in rapid response elements. A Military Capabilities Commitment Conference was held on 22 November 2004 at which member states committed up to 13 battlegroup formations, which will be available to deploy to crisis situations within a five to ten day period from 2005 onwards. The five to ten day period begins from the date of a decision by the EU Council to launch an operation. However, it is to be expected that a crisis would normally have a longer gestation period during which the UN Security Council would have sufficient opportunity to decide on a UN mandate.

In order to fully assess the implications associated with such participation, I have established an interdepartmental group, which includes representatives of my Department, the Defence Forces, the Taoiseach's Department, the Department of Foreign Affairs and the Attorney General's office. This group met in December and has established three sub-groups to address the policy, legislative and operational issues arising. The work of these sub-groups will span some months due to the fact that the rapid response elements concept is still evolving and a complete picture of all other member states' proposed involvement is not yet available. Following completion of the necessary analysis I intend returning to Government with proposals regarding the level of any proposed participation.

One must bear in mind the Defence Forces are currently in Liberia in a UN operation, in Kosovo in a NATO led operation, in Bosnia in a EU led operation and that rapid responsive elements are but one aspect of EU capabilities to assist in crisis management.

The rapid response concept raises many issues not alone for Ireland, but also for other EU member states, such as legal issues; operational, training, deployability, rotation and timeframe issues — multinational RREs will not be operational before 2007 and some as late as 2010; and decision-making issues, in particular how to preserve the integrity of national decision-making.

Once again, I stress that the question of Ireland's participation in rapid response elements will remain subject to the usual requirements of a Government decision, Dáil approval and UN authorisation and I have no plans to change that position.

100. **Ms Shortall** asked the Minister for Defence his views on whether it is necessary to alter the wording of the section of the Defence

Act permitting Irish involvement in an international or United Nations force, such as EUFOR, to reflect that such operations are established under the authority of the UN Security Council rather than by the Security Council; his further views on whether there is a distinction between operating in a force established by and one established under the authority of the UN Security Council; and if he will make a statement on the matter. [1511/05]

Minister for Defence (Mr. O'Dea): There are two types of UN missions on which members of the Permanent Defence Forces have been deployed. The first is the traditional "UN Blue-Hat" mission, established by the Security Council of the United Nations or the UN General Assembly. UNIFIL in Lebanon and UNMIL in Liberia are examples of such missions. The second type are missions authorised to be established by the Security Council of the United Nations or the UN General Assembly. KFOR in Kosovo, EUFOR in Bosnia and Herzegovina and ISAF in Afghanistan are examples of such missions, where a regional organization, such as NATO or the EU, assembles the force and deploys it under the authorisation of the UN.

The advice to me from the Attorney General is that the Defence Acts are not an impediment to the Government dispatching members of the Permanent Defence Force on either type of mission and, as such, the necessity for any change in the provisions of the Defence Acts does not arise. In accordance with the provisions of the Defence Acts, Ireland's participation in these missions has only been undertaken following UN authorization, Government approval and, where required, the approval of Dáil Éireann, the so called "triple lock". There are no plans to depart from or amend these arrangements.

Hearing Impairment Claims.

101. **Mr. Quinn** asked the Minister for Defence the number of claims for damages for deafness determined in court or settled out of court at the latest date for which figures are available; the amount paid out to date in terms of damages or legal costs; the number of such claims outstanding; and if he will make a statement on the matter. [1508/05]

Minister for Defence (Mr. O'Dea): By 31 December 2004 a total of 16,731 claims had been received in my Department from current and former members of the Defence Forces in respect of loss of hearing allegedly caused during their military service. A total of 332 claims have been determined in court and 15,099 have been disposed of out of court, mainly through settlement, leaving a total of 1,300 claims outstanding at that date. A total of €277.6 million has been paid in respect of hearing loss claims, including €93.4 million in plaintiff's legal costs.

Questions Nos. 102 and 103 answered with Question No. 98.

Defence Forces Reserve.

104. **Mr. G. Mitchell** asked the Minister for Defence if he intends developing the Reserve Defence Forces overseas; and if he will make a statement on the matter. [1398/05]

131. **Mr. J. O’Keeffe** asked the Minister for Defence the role and function of the FCA; the numbers involved; the percentage of the force which is active as opposed to nominal members; and his plans for the development of the force. [1222/05]

Minister for Defence (Mr. O’Dea): I propose to take Questions Nos. 104 and 131 together.

On 26 July 2004 my predecessor, Deputy Michael Smith, officially launched the Reserve Defence Force review implementation plan which is the start of a process that will radically change the structure and configuration of the reserve while preserving its traditional strengths. These include such things as the spirit of voluntary commitment, the maintaining of strong links with local communities and a nationwide geographical spread.

An important change recommended by the study of the reserve is that members of the FCA and Naval Service Reserve should be considered for participation in overseas peace support missions subject to suitable qualifications, personal availability and appropriate advance training. In other countries service by reservists on overseas peace support missions is quite common.

As specified in the Reserve Defence Force implementation plan, any such participation is likely to be in specialist areas such as medical, transport, engineering and communications and information services. This service will be dependent on extended pre-deployment training. General criteria governing selection for overseas service come within the scope of representation and any matters relating to overseas service by members of the reserve, which come within the scope of representation, will be raised with the representative associations at the appropriate forum. The question of the security of civilian employment, for the members of the reserve who may wish to serve overseas, will be considered as part of the ongoing implementation process.

While there are no immediate plans for participation by members of the Reserve Defence Force in overseas missions, policies to support the selection of reserve personnel for overseas duties will be developed over the lifetime of the Reserve Defence Force implementation plan.

The White Paper on Defence sets out the assigned roles for the Defence Forces. The Reserve Defence Force, as a constituent element of the Defence Forces, augments and assists the Permanent Defence Force across the full range of roles assigned by Government. The roles-functions of the Reserve Defence Force are as fol-

lows: defence against armed aggression; aid to civil power; participation in peace support operations; fishery protection; and other duties which may be assigned by Government.

The military authorities have advised that the current strength of the Reserve Defence Force is 12,652; the effective strength is 7,095 which is 56% of the force.

The Permanent Defence Force is now organised in a three-brigade structure and a Defence Forces training centre. The Reserve Defence Force will be similarly reorganised and restructured and it is envisaged that the implementation of this plan will take place over the course of the next six years.

The plan defines the organisational framework of the new Army Reserve and provides for a greater concentration of units within each Army brigade area. There will be mergers both at battalion and company level as well as between sister technical support units. This will be the key to providing enhanced training facilities and opportunities for each member of the reserve.

In producing detailed proposals for the restructuring of reserve units within each brigade area, the military authorities have taken due cognisance of the existing FCA presence within communities. Consultation and communication have been a priority throughout the development of the plan. They will continue to be important if the changes now proposed are to be carried through smoothly and effectively. Reserve units will be kept informed of developments on a regular basis.

Members of the FCA are already seeing the benefits of the reorganisation process in terms of better clothing and improved equipment and more and better quality training. As the process develops we will see additional benefits in terms of a clearer role for the reserve, a better overall organisation structure and opportunities for suitably qualified personnel to serve overseas. We will also see benefits from the closer integration of the reserve with the Army.

Departmental Estimates.

105. **Mr. Costello** asked the Minister for Defence the way in which the €1.2 million allocated in the Estimates for his Department towards the cost of participating in EU security and defence initiatives will be spent; and if he will make a statement on the matter. [1498/05]

130. **Mr. Sargent** asked the Minister for Defence his views on an item in the Defence Estimates for 2005, that is, costs arising directly from Ireland’s participation in the EU’s European Security and Defence Policy; and if he will make a statement on the matter. [1528/05]

Minister for Defence (Mr. O’Dea): I propose to take Questions Nos. 105 and 130 together.

National sovereignty and voluntarism are the fundamental underlying principles of participation in the European Security and Defence

[Mr. O'Dea.]

Policy, ESDP. For example, participation in any specific EU operation by member states is decided on a case-by-case basis and in accordance with respective national decision making procedures.

Defence spending in EU member states remains a sovereign issue for each member state and is usually undertaken in the context of ever increasing and competing demands for invariably limited national resources.

A new subhead V has been created within the Vote for Defence for 2005 relating to costs associated with Ireland's participation in the EU's European Security and Defence Policy, ESDP, and a sum of €1.2 million has been allocated within the Estimates. The costs involved are broken down into three separate categories. First, common costs relating to EU missions. A figure of some €805,000 consisting mainly of costs associated with the EU follow on operation EUFOR — Althea, in Bosnia Herzegovina, which replaced the NATO-led Stabilisation Force, SFOR, in December 2004 — is being provided in respect of common costs for 2005. Second, costs associated with participation in the European Defence Agency. Ireland has paid a contribution of €21,733.07 towards the agency's initial general budget for 2004. A provision of some €315,000 has been sought in respect of the agency for 2005, which includes a contribution to "once off" capital costs in respect of accommodation and facilities. Third, costs associated with the running of the EU Satellite Centre. The provision of €80,000 represents 50% of Ireland's contribution to the running costs of the EUSC. The balance of Ireland's contribution is funded from the Vote for Foreign Affairs.

Defence Forces Investigation.

106. **Mr. S. Ryan** asked the Minister for Defence the progress made in exploring ways of bringing the alleged killer of two Irish peacekeepers in Lebanon 24 years ago to justice here; the details of the review of all the files relating to the case that has recently been launched; when this review will conclude; and if he will make a statement on the matter. [1510/05]

135. **Mr. Coveney** asked the Minister for Defence the situation with respect to the investigation into the murders of persons (details supplied) while on service with UNIFIL; and if he will make a statement on the matter. [1388/05]

Minister for Defence (Mr. O'Dea): I propose to take Questions Nos. 106 and 135 together.

The case to which the Deputies refer relates to the killing of Private Thomas Barrett and Private Derek Smallhorne while serving with the United Nations Interim Force in Lebanon, UNIFIL, in 1980. The question of the measures open to the Irish authorities to bring the alleged perpetrator of this crime to justice is currently being examined in my Department in conjunction with the

Department of Foreign Affairs and the Attorney General's office. As Deputies will appreciate, the process is detailed and complex, involving a review of international legal provisions including the potential application of the provisions of the Geneva Convention and of all the available evidence in the case. In this regard my Department has compiled all information available from its own files, and the files of the Defence Forces and the Department of Foreign Affairs. This information has been provided to the Attorney General, who has been requested to advise my Department as to whether there is a basis available for mounting a case against the alleged perpetrator.

The advice of the Attorney General is awaited. In the event that there is sufficient evidence available to mount a case then I assure the Deputies that this will be pursued. I will ensure that no stone is left unturned in seeking justice for Privates Barrett and Smallhorne.

Defence Forces Equipment.

107. **Mr. Gormley** asked the Minister for Defence if he will report on the signing of contracts for four Air Corps helicopters; and if he will make a statement on the matter. [1517/05]

120. **Mr. Gilmore** asked the Minister for Defence the cost accruing to the State from the purchase of two light EC-135 helicopters and four AB139 models from companies (details supplied); the type of operations these craft will be involved in; and if he will make a statement on the matter. [1499/05]

Minister for Defence (Mr. O'Dea): I propose to take Questions Nos. 107 and 120 together.

Following a tender competition, two contracts have been signed for the provision of new helicopters for the Air Corps, at a total cost of over €61 million.

Four utility AB139 helicopters are being acquired from the Bell Agusta Aerospace Company at a cost of €48.4 million, inclusive of VAT. The four helicopters will be built at the Agusta facility near Milan, Italy. Two AB139s will be delivered in 2006 and the other two will be delivered in 2007.

The four AB139 helicopters will be operated by the Air Corps in a general purpose military operational and training role. Primary taskings for the utility helicopter will include training and operations with special forces, security and aid to the civil power, military exercises, infantry interoperability training and limited troop transport. They will also be used to perform air ambulance, inland search and rescue, aid to the civil community and VIP transport tasks.

Two light utility EC-135 helicopters are being acquired from Eurocopter S.A.S. at a cost of €12.8 million, inclusive of VAT. The two helicopters will be built at Eurocopter's facility in Donauwörth, Germany. Both EC-135s are scheduled to be delivered in the latter part of this year.

The two light utility helicopters will be operated by the Air Corps primarily in the military pilot and aircrew training role. Primary taskings for the helicopters will include pilot training, instructor training and instrument flight training.

The new helicopters will provide a very significant boost to the Army and the Air Corps. The purchase of the helicopters is another positive indication of the Government's commitment to ensure that all branches of the Defence Forces are fully equipped to carry out their roles at home and overseas.

Military Police Investigation.

108. **Mr. M. Higgins** asked the Minister for Defence the details of the military police investigation into suggestions of two incidents of near mutinous behaviour on a Naval Service vessel; if these investigations involve allegations of sabotage on board the vessel; if the military investigation is concluded; the conclusions that have been reached from this investigation and if action has subsequently been taken; and if he will make a statement on the matter. [1500/05]

Minister for Defence (Mr. O'Dea): The military authorities advise that as a result of a number of alleged incidents on board a Naval Service vessel in November-December 2004, two Military Police investigations were initiated. One of these investigations concluded on 20 December 2004 and a report was submitted to the Flag Officer Commanding Naval Service on 22 December 2004 for consideration. The appropriate disciplinary procedures have now been initiated by the military authorities in relation to the matter reported on by the Military Police and due process will now take its course. In the circumstances, it would be inappropriate to comment further on the matter.

The Military Police investigation into the second alleged incident is still ongoing and therefore it would be inappropriate to comment on the matter.

Emergency Planning.

109. **Mr. Deasy** asked the Minister for Defence the frequency with which the emergency planning cell meets; the members of same; if it has a budget; and if he will make a statement on the matter. [1404/05]

Minister for Defence (Mr. O'Dea): The Government Task Force on Emergency Planning, which I chair, was established in October 2001. The membership of the task force includes Ministers, senior officials of Government Departments, senior officers of the Defence Forces and the Garda Síochána and officials of other key public authorities that have a lead or support role in Government emergency planning. The work of the task force continues and there have been 35 meetings to date. I intend convening the next task

force meeting early in February and further meetings will be held on a regular basis as required.

The Office of Emergency Planning was established, following a Government decision in October 2001, as a joint civil and military office within my Department. The office supports the work of the task force and continues to work with Government Departments and other public authorities in order to ensure the best possible use of resources and compatibility between different planning requirements. A key area of activity is oversight of emergency planning; refine and develop the arrangements that exist; continuously improve them through review and revision; and generally provide the basis for an increased confidence in the emergency planning process.

An interdepartmental working group on emergency planning supports the work of the task force and carries out studies and oversight of emergency planning structures and processes. This working group has met on 32 occasions and continues to meet on a regular basis.

The inter-departmental working group on emergency planning encompasses all Departments with lead roles in the various Government emergency plans and those key public authorities, including the Defence Forces, which plan to support such activities. This working group, under the guidance of the Government task force, continues to meet and is chaired by the Office of Emergency Planning. It is a forum for developing strategic guidance to all those involved in emergency planning and for sharing information on emergency planning.

The lead responsibility for specific emergency planning functions remains with the relevant Government Departments as does the budgetary requirements for such responsibilities. Emergency plans are co-ordinated by the various lead Government Departments at a national level and through the local authorities, including the Fire Service, the Health Service Executive and the Garda divisions at local and regional levels.

The Defence Forces contribute significantly to the work of both the Government task force and the inter-departmental working group on emergency planning to ensure that their emergency planning and preparations are to the highest standards and are well co-ordinated with the lead Government Departments and the other key public authorities involved.

The objective of the Government is to ensure that all State bodies can react quickly and efficiently to any large-scale emergency. My expectation is that all Government Departments and key public authorities will have the correct plans and response arrangements in place so that a large-scale emergency in Ireland will be handled efficiently and effectively. We must refine arrangements to ensure co-ordination of all those responding so that, should we be unfortunate enough to experience a large-scale emergency, we will be in a position to mount a credible response.

[Mr. O'Dea.]

As chairperson of the task force, my approach continues to be that such responses must be characterised by effective management of all aspects of emergency planning and by a high level of public confidence in all the response arrangements. I will continue to report regularly, on a confidential basis, to Government on emergency planning. I am pleased to report to this House that there continues to be excellent co-operation between my Department and all other Departments and public authorities in these vital areas of work.

Defence Forces Strength.

110. **Mr. Durkan** asked the Minister for Defence if he is satisfied with the current strength of the Defence Forces; and if he will make a statement on the matter. [1529/05]

Minister for Defence (Mr. O'Dea): The White Paper on Defence of February 2000 sets out a figure of 10,500 personnel for the Permanent Defence Force, comprising 930 for the Air Corps, 1,144 for the Naval Service and 8,426 for the Army. It is my intention to maintain the established Government policy of ongoing recruitment to the Defence Forces. Recruitment into the Permanent Defence Force will continue to maintain the strength at the level set out in the White Paper as required to meet military needs.

The strength of the Permanent Defence Force, comprising the Army, Air Corps and Naval Service, as of 31 December 2004 was as follows:

Army	8,369
Air Corps	871
Naval Service	1,053
Total P.D.F.	10,293

In addition, there were 258 recent recruits undergoing training on 31 December 2004.

The Government is committed to a policy of equal opportunity for men and women in the Defence Forces, including the Reserve Defence Force, and to the full participation by women in all aspects of Defence Forces activities.

Defence Forces Equipment.

111. **Mr. Sargent** asked the Minister for Defence the new major military equipment which will be acquired by the Defence Forces in 2005; the estimated costs and purposes of these investments; and if he will make a statement on the matter. [1527/05]

Minister for Defence (Mr. O'Dea): The acquisition of new equipment for the Defence Forces will be a key focus for me as Minister for Defence in 2005. I am aware that significant investment has taken place in recent years and I will continue the good work in that regard.

The unprecedented level of expenditure on equipment for the Army, Air Corps and Naval Service was made possible by the Government's decision that pay savings arising from the reorganization of the Defence Forces set out in the White Paper of 2000, along with proceeds from the sale of surplus properties, would be reallocated for investment in modern facilities and equipment.

Investment in new equipment for the Army, Air Corps and the Naval Service is provided for under various subheads of the Defence Vote relating to defensive equipment, mechanical transport, aircraft, ships and naval stores, engineering, communications and information technology equipment, etc. The total expenditure for 2004 for equipment under those subheads was in the region of €100 million and a similar provision is available this year.

The acquisition of light tactical armoured vehicles, LTAVs, for the Defence Forces has been identified as a key priority by the military authorities for 2005. The LTAVs will complement the work of the 65 Mowag armoured personnel carriers delivered in the past few years at a cost of some €84 million. The final stage payments for the APCs in the sum of €9.6 million will be paid in 2005. Preparations are in hand for a tender competition for the acquisition of the LTAVs and I would expect that the competition will commence in the near future. The precise number of vehicles to be acquired will be confirmed at a later date. The cost of the LTAV programme will only be evident after the tender competition is held.

A contract for the acquisition of the Javelin missile system from Raytheon-Lockheed Martin in the USA at a cost of some €13 million inclusive of VAT will be fulfilled this year with the main delivery due this summer. The purpose of this acquisition is to give Defence Forces personnel an effective, anti-armour capability while on peace support operations. The system will replace the Milan system.

On the general transport side, the focus will be on the purchase of $\frac{3}{4}$ ton trucks, trailers for the DROPS vehicles, the purchase of a number of EOD trucks and some road ambulances for the Army Medical Corps.

There have been ongoing programmes of acquisitions of both nuclear biological chemical, NBC, equipment and night vision equipment, NVE, in recent years and these programmes will continue in 2005 to meet the ongoing requirements of the Defence Forces. This will include the purchase of a further 1,000 NBC suits this year.

The delivery of eight Pilatus training aircraft for the Air Corps at a total cost of €60 million has been completed. The final stage payment for the aircraft in the sum of €7 million will be paid this year. The focus for the Air Corps is now on the two contracts for helicopters for a total value

of over €61 million, which I had the pleasure of signing recently.

Four utility AB139 helicopters are being acquired from the Bell Agusta Aerospace Company at a cost of €48.4 million, inclusive of VAT. The four helicopters will be built at the Agusta facility near Milan, Italy. Two AB139s will be delivered in 2006 and the other two will be delivered in 2007.

Two light utility EC-135 helicopters are being acquired from Eurocopter S.A.S. at a cost of €12.8 million, inclusive of VAT. The two helicopters will be built at Eurocopter's facility in Donauworth, Germany. Both EC-135s are scheduled to be delivered in the latter part of this year. The Naval Service has also benefited from the investment programme in recent years with the acquisition of two new modern ships, *LE Roisin* and *LE Niamh*, at a cost of some €25 million each.

Overseas Missions.

112. **Mr. Broughan** asked the Minister for Defence if, in the context of the upcoming debate on the new European Constitution, he will consider drawing up a White Paper on Ireland's defence commitments and growing European defence role; and if he will make a statement on the matter. [1496/05]

Minister for Defence (Mr. O'Dea): The Government's White Paper on Defence, published in February 2000, sets out a medium-term strategy for defence and covers the period up to 2010. A major objective of the strategy is to ensure that Ireland has a world-class military organisation capable of carrying out the roles assigned to them by the Government, both at home and abroad. This objective requires an ongoing modernisation process, including an investment programme to ensure that the Defence Forces are properly equipped for these roles.

Events at both a national and an international level are closely monitored by my Department on an ongoing basis. A high level civil-military planning and procurement group was established within my Department under the White Paper in order to ensure the continued efficiency, professionalism and safety of the Defence Forces.

I understand that the Department of Foreign Affairs is preparing a White Paper describing all aspects of the European Constitution, but it is not intended that this will address specific policy areas in detail.

Emergency Planning.

113. **Ms McManus** asked the Minister for Defence the level of the threat posed to Ireland by international terrorists as communicated to him by Garda and Army intelligence services; his views on whether Ireland is prepared to cope with an emergency on the scale of that created by the

Madrid bombings in 2004; and if he will make a statement on the matter. [1503/05]

Minister for Defence (Mr. O'Dea): The most important defence against any terrorist attack is early detection and prevention by the security forces. The Garda Síochána has primary responsibility for law and order, including the protection of the internal security of the State. The potential threats to the State arising from international terrorism are continuously monitored by them in co-operation with the Defence Forces. The advice available to me at this time is that, while the Garda authorities recognise that the terrorist threat to Europe may currently be high, in relation to Ireland it is low.

Notwithstanding this, it is important that all prudent precautions are taken and that matters are kept under continuous review. The awareness that the situation could change rapidly and with little warning has ensured that vigilance is maintained. The objective has been, in so far as possible, to confine and control threats before they translate into destructive actions.

Government Departments with lead and support roles for emergency planning, management and response continue to work to achieve the most effective outcome possible from State assets in terms of organisation, equipment and personnel.

The vision continues to be that State bodies must react quickly and effectively to any large-scale emergency. Response arrangements must continue to be characterised by effective management of all aspects of emergency planning.

The Government task force and the inter-departmental working group on emergency planning are essential to providing the necessary co-ordination across Departments and bodies under their aegis to ensure that the system acts in a co-ordinated way.

The terrorist attacks in Madrid in March 2004 further stimulated those involved in emergency planning to ensure that readiness was maintained. Any large-scale emergency presents enormous challenges to the State in which it occurs and the issues that arise take many years to resolve. Such incidents can be etched into the national consciousness, perhaps for generations.

The experience of the Spanish authorities in the immediate response and in providing supports during the recovery phase, which will continue for some considerable time into the future, have been generously made available to others.

The European Union has been an important vehicle in passing on the experiences and lessons learned by the Spanish authorities to key personnel in other European countries and we, in Ireland, have benefited considerably from this process.

Those with emergency responsibilities in Ireland know that they must prepare for many different scenarios, which may affect their own particular areas and functions. By studying the experiences of others valuable lessons can be

[Mr. O'Dea.]

learned that may have an application in our national, regional or local situations.

The response of the Spanish authorities continues to be studied and any further lessons learnt will be considered and incorporated into the work of the Government Task Force on Emergency Planning, which I chair.

Defence Forces Equipment.

114. **Mr. Stanton** asked the Minister for Defence the number of nuclear, biological and chemical suits available to members of the Defence Forces; and if he will make a statement on the matter. [1532/05]

1285. **Mr. Durkan** asked the Minister for Defence if he is satisfied that adequate protection and equipment is available to the Army, Naval Service and Air Corps in the event of a gas or similar attack; and if he will make a statement on the matter. [2004/05]

Minister for Defence (Mr. O'Dea): I propose to take Questions Nos. 114 and 1285 together.

The Defence Forces have available to them equipment for monitoring and protecting their members in dealing with nuclear, biological or chemical, NBC, threats identified from time to time. They hold an extensive range of modern NBC equipment that meets their current requirements. This range includes approximately 7,000 NBC suits, 1,500 of which were delivered in 2004. It is planned to purchase a further 1,000 NBC suits this year.

In addition, the Defence Forces has sufficient stock of respirators for each individual soldier. They also have 98 of the most technologically up to date chemical agent monitors and Defence Forces personnel have been trained on their operation. Other equipment on hands includes biological agent detector and screening kits, group decontamination equipment and personal decontamination equipment.

The requirement for additional NBC equipment is kept under continuous review by the Defence Forces. A programme for the purchase of NBC equipment is ongoing and whatever equipment deemed necessary is purchased expeditiously to meet the changing requirements.

Question No. 115 answered with Question No. 99.

Overseas Missions.

116. **Mr. English** asked the Minister for Defence if he will report on the situation in Liberia (details supplied); and if he will make a statement on the matter. [1533/05]

125. **Mr. Gogarty** asked the Minister for Defence if he will report on his visit to West Africa in December 2004; and if he will make a statement on the matter. [1524/05]

Minister for Defence (Mr. O'Dea): I propose to take Questions Nos. 116 and 125 together.

The Defence Forces contingent, which was deployed for service with the United Nations Mission in Liberia, UNMIL, in December 2003, comprises a motorized infantry battalion of some 428 personnel. A small number of additional personnel have been also deployed at force headquarters and as military observers. Irish Personnel are rotated on a six monthly basis. The 92nd Infantry Battalion commenced a six month tour of duty last month.

Ireland, together with an infantry company group from Sweden, provides the quick reaction force, QRF, to the UNMIL force commander. Despite the difficult start to this mission, with the tragic death of Sergeant Derek Mooney of the Army Ranger Wing in a road accident, the mission is proving very successful. Ireland was specifically requested by the UN to participate in a substantive manner in this mission, which is a tribute to the high regard in which the UN holds the Irish Defence Forces. I very much welcome the participation of Sweden as part of the QRF. This type of co-operation is reflective of the changing dynamics in peacekeeping. The range and diversity of arrangements now in place for peacekeeping allow us to work in tandem with like-minded nations to contribute in a very effective and meaningful manner to peace support operations throughout the world. The role of the Irish personnel is the provision of an immediate response capability, deployable in sufficient strength and with the required level of force to provide a swift and decisive military reaction to any crisis situation.

The Irish battalion in UNMIL has operated in a path-finding and reconnaissance role supporting the deployment of other UN contingents. It has also conducted long-range patrols beyond Monrovia and well into the interior of Liberia showing a UN presence, deterring lawlessness and protecting local populations. The contingent also undertakes regular daily patrols within the Monrovia area. The Irish battalion is available to the force commander to provide support and a rapid response capability in the event of a breakdown in law and order or further conflict.

During the period 13 to 15 December 2004, I was a member of the delegation accompanying President McAleese on her visit to West Africa. The delegation included the Secretary General of the Department of Defence and the Chief of Staff of the Defence Forces. On 13 December 2004, en route to Liberia, President McAleese paid a courtesy call on the President of Senegal, Mr. Abdoulaye Wade, at his palace in the capital, Dakar.

On 14 December 2004, I accompanied President and Dr. Martin McAleese on their visit to Liberia. The principal purpose of the visit was to meet members of the Irish contingent serving with UNMIL and to observe at first hand the work of the contingent and to convey to them,

on behalf of the Government and the people of Ireland, our deep appreciation for the outstanding manner in which they continue to perform their duties on overseas service. UNMIL is a challenging assignment and the Defence Forces are to be congratulated on the expeditious manner in which they planned and undertook deployment to this mission.

On our visit we met with UN Special Representative of the Secretary General, Jacques Klein, the UNMIL force commander, the US Ambassador to Liberia, international representatives of non-governmental organisations — Concern, Trocaire, Oxfam, ICRC and UNICEF — and Mr. Gyude Bryant, Chairman of the Transitional Government of Liberia. All were full of praise for the Irish contingent which has earned universal respect and affection, particularly from those who understand the vital role they play in UNMIL.

The meeting with Chairman Bryant was very cordial and both he and President McAleese expressed their desire for stronger co-operation between both countries. Chairman Bryant recalled his recent excellent visit to Ireland last November and reiterated his enormous gratitude for the Irish UN contingent.

We later visited Camp Clara, headquarters of the Irish troops serving with the 92nd Infantry Battalion UNMIL, where we found morale among troops to be very high. There the President reviewed a guard of honour and laid a wreath at the memorial to late Sergeant Derek Mooney. This was followed by a tour of the camp after which the President addressed about 250 members of the battalion. President McAleese sent a very clear message to the Irish contingent which set out the important role which Irish peacekeepers play in Irish foreign policy. She also reinforced the message that the Irish Government and people are very committed to assisting the countries in most need, particularly in Africa, in the areas of humanitarian, democratic and socio-economic development. Deputies will be aware that the adoption of a number of local humanitarian projects is a feature of Irish peace support operations.

While in Liberia, President McAleese availed of the opportunity to visit St. Michael's Hospice, which has received funding from the Department of Defence and Development Co-Operation Ireland, DCI. St. Michael's is an AIDS hospice run by the Missionaries of Charity, the Order of Mother Theresa, and is being assisted on a personal voluntary basis by members of the Irish battalion. She was shown the new building which was funded by Ireland and the Irish UN contingent.

The visit to Liberia was extremely successful. It was a great boost for the Irish UN contingent and the reception they accorded us was spontaneous and very warm.

Question No. 117 answered with Question No. 94.

Question No. 118 answered with Question No. 99.

Departmental Properties.

119. **Mr. McCormack** asked the Minister for Defence if he plans to make any of his Department's land available to the Department of the Environment, Heritage and Local Government for social housing; and if he will make a statement on the matter. [1406/05]

Minister for Defence (Mr. O'Dea): The Government decided on 1 July 2003 that Magee Barracks, Kildare, and Gormanston Camp, County Meath, would be among the State lands released for inclusion in the Sustaining Progress affordable housing initiative. In addition, the Government agreed on 16 December 2003 to the release of a further series of State lands for inclusion in the affordable housing initiative including Department of Defence sites at St. Bricins Hospital, Dublin, and at the Camp Field, Collins Barracks, Cork.

The modalities for the transfer of these sites to the relevant local authorities are under active consideration and my Department is in ongoing communication with the Department of the Environment, Heritage and Local Government in this regard.

Apart from the foregoing, there are no proposals at present to make further Department of Defence lands available to the Department of the Environment, Heritage and Local Government for housing.

Question No. 120 answered with Question No. 107.

High Court Action.

121. **Ms Burton** asked the Minister for Defence the details of the settlement reached in the High Court action arising from a dispute (details supplied); if further legal action on this issue is likely; the legal costs incurred by his Department; and if he will make a statement on the matter. [1497/05]

Minister for Defence (Mr. O'Dea): A settlement was reached in the matter referred to by the Deputy on 19 November 2004 and a statement was read into the court record. The terms of the settlement did not provide for any compensation to be paid to the person referred to in the question. However, as part of the settlement, an order for the taxation of the applicant's costs to include reserved costs was made. The costs have yet to be agreed.

Emergency Planning.

122. **Ms Lynch** asked the Minister for Defence if he will report on the series of exercises being undertaken by gardaí, the Defence Forces and the Civil Defence to establish the way in which security and emergency agencies can cope with a major terror alert; the role he is taking in co-

[Ms Lynch.]
 ordinating the activities of this task force; the frequency with which the task force is meeting; and if he will make a statement on the matter.
 [1502/05]

Minister for Defence (Mr. O’Dea): The Government Task Force on Emergency Planning, which I chair, was established in October 2001. The membership of the task force includes Ministers, senior officials of Government Departments, senior officers of the Defence Forces and the Garda Síochána and officials of other key public authorities that have a lead or support role in Government emergency planning.

The work of the task force continues and there have been 35 meetings to date. I intend convening the next task force meeting early in February and further meetings will be held on a regular basis as required.

The Office of Emergency Planning was established, following a Government decision in October 2001, as a joint civil and military office within my Department. The office supports the work of the task force and continues to work with Government Departments and other public authorities in order to ensure the best possible use of resources and compatibility between different planning requirements. A key area of activity is oversight of emergency planning; refine and develop the arrangements that exist; continuously improve them through review and revision; and generally provide the basis for an increased confidence in the emergency planning process.

An interdepartmental working group on emergency planning supports the work of the task force and carries out studies and oversight of emergency planning structures and processes. This working group has met on 32 occasions and continues to meet on a regular basis.

The interdepartmental working group, IDWG, on emergency planning encompasses all Departments with lead roles in the various Government emergency plans and those key public authorities, including the Defence Forces, which plan to support such activities. This working group, under the guidance of the Government task force, continues to meet and is chaired by the Office of Emergency Planning. It is a forum for developing strategic guidance to all those involved in emergency planning and for sharing information on emergency planning.

The lead responsibility for specific emergency planning functions remains with the relevant lead Government Departments and those bodies under their aegis. Emergency plans are co-ordinated and exercised by the various lead Government Departments at a national level and through the local authorities, including the Fire Service, the Health Service Executive and Garda divisions at local and regional level.

The Garda Síochána, the Defence Forces and other bodies, such as Civil Defence, regularly take part in simulated exercises both within their

own structures and collectively as part of their ongoing training policies.

The Garda Síochána has primary responsibility for law and order, including the protection of the internal security of the State. The potential threats to the State arising from international terrorism are continuously monitored by them in co-operation with the Defence Forces. The Garda Síochána conducts exercises on a regular basis and involve lead Government Departments and other key public authorities. Exercises are conducted on a regular basis with the UK authorities and the Police Service of Northern Ireland. A comprehensive programme of exercises for 2005 is in train.

The Defence Forces can provide resources and capabilities in the event of a terrorist alert, including specialist units such as explosive ordnance disposal teams. The Defence Forces participated in two major security operations in 2004 during the EU accession meetings in Dublin and the EU-US Summit in Shannon during which these resources and capabilities were deployed in the field. The Defence Forces chemical, biological, radiological, nuclear, CBRN, training for 2004 culminated in a major internal exercise in November. The Defence Forces will continue to work and co-operate with lead Government Departments and bodies under their aegis in developing operational capabilities.

Civil Defence volunteers are exercised at local level within their respective local authorities to respond within the context of the local authority element of the major emergency plan. Regional exercises in particular disciplines are held to test roles and facilitate interaction. Annual exercises are held under the aegis of the Civil Defence Board to test the broader skill levels and preparedness of the organisation to meet its responsibilities as a second line emergency service under the various emergency plans, including the national emergency plan for nuclear accidents.

The Defence Forces contribute significantly to the work of both the Government task force and the interdepartmental working group on emergency planning to ensure that their emergency planning and preparations are to the highest standards and are well co-ordinated with the lead Government Departments and the other key public authorities involved.

The objective of the Government is to ensure that all State bodies can react quickly and efficiently to any large-scale emergency. My expectation is that all Government Departments and key public authorities will have the correct plans and response arrangements in place so that a large-scale emergency in Ireland will be handled efficiently and effectively.

We must refine arrangements to ensure co-ordination of all those responding so that, should we be unfortunate enough to experience a large-scale emergency, we will be in a position to mount a credible response.

As chairperson of the task force, my approach continues to be that such responses should be characterised by effective management of all aspects of emergency planning and by a high level of public confidence in all the response arrangements. I will continue to report regularly to Government on emergency planning, on a confidential basis, and I am pleased to report to this House that there continues to be excellent co-operation between my Department and all other Departments and public authorities in these vital areas of work.

Question No. 123 answered with Question No. 94.

European Council Meetings.

124. **Mr. Cuffe** asked the Minister for Defence if he will report on the meeting of EU Defence Ministers in Brussels on 21 November 2004; and if he will make a statement on the matter. [1521/05]

Minister for Defence (Mr. O'Dea): On 22 November 2004, the Dutch Presidency convened a meeting of EU Defence Ministers in the form of a Military Capabilities Commitment Conference, MCCC, in order to discuss various aspects of military capability development, in particular in terms of the rapid response elements-battle-groups concept. Most notably, member states gave commitments for up to 13 battle groups and niche capabilities. These commitments will allow for the delivery of the ambitions set in the rapid response elements concept for an initial operating capability in 2005 and a full operating capability in 2007. This would permit the EU to one battle group sized operation in 2005 and one in 2006. From 2007 the EU could launch two concurrent operations.

Following the MCCC, a General Affairs and External Relations Council, GAERC, meeting was held in Defence Ministers formation. At this meeting the conclusions of the MCCC were approved and an update on the activity of the European Defence Agency, EDA, was provided by SG-HR Solana, acting as the head of the EDA. At the second meeting of the steering board of the EDA, which followed the GAERC meeting, the budget and the work programme of the EDA were both formally approved.

Question No. 125 answered with Question No. 116.

Overseas Missions.

126. **Mr. Boyle** asked the Minister for Defence the position regarding the training abroad of Irish troops under Ireland's Partnership for Peace commitments; and if he will make a statement on the matter. [1518/05]

Minister for Defence (Mr. O'Dea): Ireland's participation in Partnership for Peace, PFP, to date is set out in our five individual partnership

programmes, IPP, copies of which have been lodged in the Oireachtas Library.

Ireland's fifth IPP, covering the period 2005-06, was completed in consultation with the Departments of Foreign Affairs, the Environment, Heritage and Local Government, Justice, Equality and Law Reform, Health and Children and Communications, Marine and Natural Resources. A total of 116 activities were chosen representing participation by the Department of Defence, the Defence Forces, the Departments of the Environment, Heritage and Local Government, Health and Children and Communications, Marine and Natural Resources. Activities consist of training courses, seminars, workshops, conferences, staff exercises and table top exercises.

Defence Forces personnel have participated in a number of staff, technical and crisis management exercises in the context of both the EU and PFP. In accordance with stated policy, the Defence Forces do not participate in multinational military field exercises.

Ireland also participates in the PFP planning and review process, known as PARP. In common with the other EU neutrals, Ireland is using the PARP process in connection with planning for humanitarian and rescue tasks, peacekeeping and crisis management collectively known as the Petersberg tasks. The scope of our involvement in PARP is focused on enhancing interoperability and familiarity with operating procedures in a multi-national environment. Participation in PFP activities is entirely voluntary and is based on the principle of self-differentiation, that is, a State selects for itself the nature and scope of its participation.

It is Government policy to stay in the mainstream of peacekeeping. Ireland's participation in PFP enables our peacekeepers to remain abreast of developments in preparation for peacekeeping in areas such as training, humanitarian aspects of peacekeeping and interoperability and enhances the ability of our peacekeepers to work with those of other countries. It also enables us to share our own peacekeeping skills with a wide range of countries. We want to ensure that our Defence Forces have a full voice in preparations for peacekeeping missions and we do not want to see Ireland absent when matters in which we have a legitimate interest are being discussed.

Army Equitation School.

127. **Mr. Eamon Ryan** asked the Minister for Defence if he will report on progress in the investigation he has initiated into practices at the Army Equitation School in McKee Barracks, Dublin; and if he will make a statement on the matter. [1525/05]

Minister for Defence (Mr. O'Dea): An investigation was carried out into the operation of the Army Equitation School in McKee Barracks, Dublin, following on from unattributed rumours which suggested that certain unacceptable practices were happening in the equitation school.

[Mr. O'Dea.]

The Chief of Staff advised me that there were no grounds for believing that anything untoward was actually happening in the equitation school. However, as a proactive measure, he felt it prudent to move quickly to safeguard the school's good name and reputation.

The investigation into the operation of the Army Equitation School was carried out by the Military Police in conjunction with two independent veterinary surgeons from UCD Veterinary College. The investigation was carried out both at the equitation school in McKee Barracks, where there are almost 40 horses stabled, and at the equitation detachment at the Curragh Camp in County Kildare, where up to 12 non-competition horses are kept. The investigation included an examination of animal husbandry and interviews with all relevant personnel including grooms and riding officers.

I am pleased to announce that there were no findings that would suggest any mistreatment or abuse of the animals whatsoever. The report found that the general facilities, the care and training given to the horses and the veterinary standards were all excellent and that the school was being run to a high standard.

Ministerial Travel.

128. **Mr. Stanton** asked the Minister for Defence his travel plans for 2005; and if he will make a statement on the matter. [1531/05]

Minister for Defence (Mr. O'Dea): At present the only definite plans for travel in my capacity as Minister for Defence are to visit a number of barracks throughout the State over the coming months and to attend the informal meeting of Ministers of Defence of the European Union in Luxembourg on 18 and 19 March 2005. I also intend to visit our troops who are serving abroad but these plans are not yet finalised.

Question No. 129 answered with Question No. 97.

Question No. 130 answered with Question No. 105.

Question No. 131 answered with Question No. 104.

Decentralisation Programme.

132. **Mr. Stagg** asked the Minister for Defence the position with regard to decentralisation plans for his Department; if further staff have agreed to relocate as part of this plan; the number of staff who have agreed to relocate; when the civil defence branch of his Department will be moved to Roscrea; and if he will make a statement on the matter. [1512/05]

138. **Mr. Eamon Ryan** asked the Minister for Defence the progress made in decentralisation of

his Department; and if he will make a statement on the matter. [1526/05]

Minister for Defence (Mr. O'Dea): I propose to take Questions Nos. 132 and 138 together.

The Government decision on decentralisation provides for the transfer of my Department's Dublin based civil service staff to Newbridge, County Kildare. The number of staff to be relocated to Newbridge is 200. The Government decision also provides for the transfer of 300 Defence Forces headquarters staff to the Curragh, County Kildare.

A total of 385 civil servants, of whom 78 are currently serving in the Department, have declared an interest in relocating to Newbridge. The Office of Public Works is in discussions regarding the possible acquisition of a site in Newbridge for the Department's new headquarters. A site for the Defence Forces' headquarters at the Curragh has been selected and preliminary planning in connection with the design of the building has commenced.

Part of the staff of the Civil Defence Board has already moved to temporary accommodation in Roscrea. The Office of Public Works, which has responsibility for the provision of official accommodation for Government Departments, will shortly issue tenders for the fit-out of a leased building in Roscrea which will be the permanent headquarters of the Civil Defence Board. It is expected that this building will be available for occupation later this year.

Shannon Airport Landings.

133. **Mr. Gormley** asked the Minister for Defence if he has investigated allegations reported in publications (details supplied) that a Gulfstream V turbojet (details supplied) has been transporting tortured and kidnapped Muslims through Shannon Airport; and if he will make a statement on the matter. [1516/05]

Minister for Defence (Mr. O'Dea): Responsibility for the approval of overflights and landings by foreign military aircraft lies with my colleague, the Minister for Foreign Affairs. In relation to civil aircraft and civil airports, the responsibility lies with my colleague, the Minister for Transport. I have no role in relation to the investigation of any allegations regarding any activity at Shannon Airport. I have made my concerns and views known regarding the alleged transport of prisoners and terrorist suspects through Shannon Airport. However, I am led to understand that there is no substance to the allegations.

PDFORRA Meeting.

134. **Mr. Timmins** asked the Minister for Defence when he last met with PDFORRA; and if he will make a statement on the matter. [1402/05]

Minister for Defence (Mr. O'Dea): My first public engagement after being appointed Mini-

ster for Defence was to attend PDFORRA's annual delegate conference in Letterkenny last October. I had the privilege of addressing the delegates and meeting briefly with officials of the association.

PDFORRA is the voice of enlisted personnel of the Permanent Defence Force and it plays an integral and valuable part within the representative process. I look forward to developing a positive and productive working relationship with the association.

PDFORRA has recently been in contact with my office requesting a formal meeting and it is hoped that a mutually agreeable date will be arrived at in the near future.

Question No. 135 answered with Question No. 106.

Question No. 136 answered with Question No. 94.

Question No. 137 answered with Question No. 99.

Question No. 138 answered with Question No. 132.

Security Threats.

139. **Ms B. Moynihan-Cronin** asked the Minister for Defence if Army intelligence is maintaining surveillance on between 50 and 60 persons here suspected of having links with international terrorists; if there is a hard core of a dozen persons in the greater Dublin area who have to be kept under regular watch; and if he will make a statement on the matter. [1504/05]

Minister for Defence (Mr. O'Dea): Both the Garda Síochána and the Defence Forces perform complementary roles in relation to the protection of the security of the State. There is ongoing and close liaison between the Garda Síochána and the Defence Forces regarding internal security matters including in the intelligence field. Both agencies gather and share information and assessments in relation to perceived and-or emerging security threats. In addition, mutual assistance and co-operation is maintained between the Irish security services and those of other like-minded countries to ensure effective flow of relevant intelligence.

The Garda Síochána has the primary responsibility for law and order, including the protection of the internal security of the State. In the intelligence field, the Defence Forces act in a complementary role, primarily in relation to the gathering and analysis of intelligence on paramilitary activities, while also providing intelligence on external threats, in particular, threat assessments in respect of locations where the Defence Forces are deployed on overseas peace support missions.

The director of intelligence provides briefings to me, the Chief of Staff and the Deputy Chief of Staff, Operations, on such threats. In addition,

the Chief of Staff, who is a member of the National Security Committee, apprises that committee on the nature of such threats. Obviously, of their nature, the content of those briefings must be kept confidential. As such, I am not at liberty, nor would it be appropriate for me, to indicate the nature and extent of any activities which the Defence Forces may undertake in this regard or to disclose information received by me on such issues.

Military Police Investigation.

140. **Ms O'Sullivan** asked the Minister for Defence if the investigation into allegations made by a soldier who claimed he was locked in a locker and made to eat food off a floor during training at an Army barracks is complete; if so, the conclusions of the investigation; if it is still under way, when the investigation will be complete; and if he will make a statement on the matter. [1506/05]

Minister for Defence (Mr. O'Dea): The Military Police investigation in relation to this matter is still in progress. The scale and scope of the investigation is very broad due to the numbers of personnel to be interviewed and the seriousness of the allegations in this case. Fair procedures and due process must be fully observed. Every effort is being made to ensure that the investigations will be finalised as soon as possible.

Northern Ireland Issues.

141. **Aengus Ó Snodaigh** asked the Taoiseach if, as part of his discussion with the DUP in the recent negotiations to secure that it abide by the principles of the Good Friday Agreement, the issue of loyalist paramilitary arsenals (details supplied) being put beyond use was part of that discussion; and if he will make a statement on the matter. [34111/04]

The Taoiseach: The issue of the decommissioning of weapons and explosive materials held by all paramilitary organisations has been the subject of discussions with all of the political parties, including the DUP and Sinn Féin, in the talks process.

International Trade.

142. **Mr. Durkan** asked the Taoiseach the trading partners with whom Ireland has achieved the best record in terms of exports in the past 12 months; and if he will make a statement on the matter. [33993/04]

143. **Mr. Durkan** asked the Taoiseach the countries from which Ireland has imported most in the past 12 months and the countries which have shown the growth in this area in the past 12 months; and if he will make a statement on the matter. [33994/04]

The Taoiseach: I propose to take Questions Nos. 142 and 143 together.

[The Taoiseach.]

Tables 1, exports, and 3, imports, respectively, compares Ireland's main trading partners for the nine month period January to September 2004 with the corresponding period for 2003-September 2004 is the latest month for which data is available.

Tables 2, exports, and 4, imports, similarly compare the full year 2003 to 2002. In all tables the top 30 trading partners have been identified together with the respective period percentage changes.

Export trading partners — Table 1.

Country of destination	Jan-Sep 2003	Jan-Sep 2004	Period % change
	€(000)	€(000)	
United States	12,744,065	12,560,750	-1.4
Great Britain	9,920,176	9,889,607	-0.3
Belgium	7,674,530	9,529,492	24.2
Germany	5,006,335	4,688,359	-6.4
France	3,669,316	3,667,884	-0.0
Italy	2,547,035	2,807,165	10.2
Netherlands	2,986,770	2,733,806	-8.5
Switzerland	1,893,528	2,144,837	13.3
Spain	1,745,406	1,752,342	0.4
Japan	1,528,104	1,734,704	13.5
Northern Ireland	1,066,228	1,088,778	2.1
Sweden	740,691	697,598	-5.8
Hong Kong	504,825	656,483	30.0
Singapore	541,276	635,301	17.4
Australia	480,964	538,573	12.0
China	410,226	455,896	11.1
South Korea	389,801	442,136	13.4
Norway	410,558	356,985	-13.0
Denmark	358,122	351,773	-1.8
Malaysia	424,522	328,523	-22.6
Mexico	441,018	313,634	-28.9
Portugal	218,282	249,538	14.3
Austria	236,123	248,059	5.1
Canada	306,714	247,343	-19.4
Taiwan	220,060	245,528	11.6
Greece	235,796	243,563	3.3
Turkey	245,541	223,173	-9.1
Finland	206,423	217,496	5.4
Saudi Arabia	220,122	197,263	-10.4

Export trading partners — Table 2.

Country of destination	Year 2002	Year 2003	Year on year % Change
	€(000)	€(000)	
United States	16,509,438	16,939,245	2.6
Great Britain	20,853,065	13,427,189	-35.6
Belgium	13,547,073	10,334,321	-23.7
Germany	6,729,140	6,803,989	1.1
France	4,685,440	5,013,505	7.0
Netherlands	3,493,468	4,181,352	19.7
Italy	3,597,067	3,749,807	4.2
Switzerland	3,103,770	2,603,265	-16.1
Spain	2,239,681	2,353,668	5.1
Japan	2,630,798	2,109,434	-19.8
Northern Ireland	1,610,716	1,409,013	-12.5
Sweden	1,202,085	1,159,286	-3.6

Country of destination	Year 2002	Year 2003	Year on year % Change
Singapore	739,310	734,246	-0.7
Hong Kong	534,074	688,304	28.9
Australia	636,070	647,646	1.8
China	538,662	584,978	8.6
Malaysia	765,941	578,068	-24.5
Norway	517,204	530,137	2.5
Mexico	456,560	518,544	13.6
South Korea	640,367	509,585	-20.4
Denmark	545,302	501,851	-8.0
Canada	510,896	469,287	-8.1
Austria	334,916	329,057	-1.7
Greece	329,898	312,165	-5.4
Portugal	362,144	309,744	-14.5
Turkey	327,777	303,848	-7.3
Finland	302,982	292,846	-3.3
Taiwan	345,974	285,561	-17.5
Saudi Arabia	365,110	273,558	-25.1
Philippines	342,688	208,010	-39.3

Import trading partners — Table 3.

Country of origin	Jan-Sep 2003	Jan-Sep 2004	Period % change
	€(000)	€(000)	
Great Britain	9,908,961	10,259,825	3.5
United States	5,339,722	5,178,843	-3.0
Germany	2,555,892	2,765,848	8.2
China	1,534,019	2,037,768	32.8
France	1,368,854	1,650,515	20.6
Japan	1,732,338	1,575,995	-9.0
Netherlands	1,257,554	1,376,856	9.5
Northern Ireland	766,312	816,107	6.5
Italy	809,144	798,315	-1.3
South Korea	541,090	694,387	28.3
Taiwan	567,269	684,466	20.7
Singapore	745,194	676,596	-9.2
Belgium	574,873	668,763	16.3
Norway	561,870	666,505	18.6
Denmark	598,629	524,928	-12.3
Spain	437,368	469,154	7.3
Switzerland	373,176	422,066	13.1
Sweden	323,313	393,422	21.7
Hong Kong	280,799	318,670	13.5
Malaysia	347,370	313,678	-9.7
Thailand	232,702	265,544	14.1
Turkey	214,175	233,033	8.8
Canada	335,748	204,897	-39.0
Brazil	167,870	186,133	10.9
Finland	201,022	174,124	-13.4
Hungary	79,497	159,991	101.3
Portugal	128,565	140,840	9.5
South Africa	116,287	124,676	7.2
Mexico	173,564	114,474	-34.0
India	104,040	109,007	4.8

Import trading partners — Table 4

Country of origin	Year 2002	Year 2003	Year on year % Change
	€(000)	€(000)	
Great Britain	19,083,893	13,659,298	-28.4
United States	8,517,747	7,416,172	-12.9
Germany	3,564,277	3,493,771	-2.0
Japan	1,840,254	2,296,562	24.8
China	1,495,131	2,215,503	48.2
France	2,265,235	1,912,216	-15.6
Netherlands	1,858,790	1,678,649	-9.7
Italy	1,098,554	1,070,404	-2.6
Northern Ireland	1,036,313	1,042,511	0.6
Singapore	1,005,572	1,039,057	3.3
Denmark	694,096	816,038	17.6
Taiwan	999,128	787,897	-21.1
Belgium	788,365	750,522	-4.8
Norway	721,803	749,116	3.8
South Korea	889,531	733,411	-17.6
Spain	676,895	665,260	-1.7
Switzerland	616,648	487,462	-20.9
Malaysia	675,442	468,801	-30.6
Canada	423,825	452,442	6.8
Sweden	421,363	447,657	6.2
Hong Kong	498,309	382,250	-23.3
Thailand	283,091	334,944	18.3
Finland	728,582	263,710	-63.8
Turkey	226,532	262,225	15.8
Brazil	159,348	221,474	39.0
Mexico	249,637	209,284	-16.2
Philippines	353,279	181,851	-48.5
Portugal	170,286	179,304	5.3
Hungary	182,279	163,456	-10.3
Austria	206,445	163,058	-21.0

Northern Ireland Issues.

144. **Mr. F. McGrath** asked the Taoiseach the position regarding the Northern talks and further plans for 2005. [34578/04]

The Taoiseach: The Chief Constable Hugh Orde's comments on 7 January regarding the Northern Bank robbery are a matter of deep concern. While recognising that the investigation is ongoing and arrests have yet to be made, irrespective of the final outcome of the investigation, the attribution of the Northern Bank robbery to the Provisional IRA represents a serious set-back for the political process in Northern Ireland and is corrosive of the public confidence that we have been seeking to create.

It underscores the need for compelling commitments, both in word and deed, that the full spectrum of IRA paramilitary activities and capability has been brought to a definitive closure. This must include the necessary assurance in regard to all forms of criminal activity which, following the Northern Bank robbery, clearly remains a major concern.

The proposals for a comprehensive agreement published by both Governments on 8 December provided for these essential commitments, both in regard to the transparency of arms decommissioning and the ending of all forms of paramilitary and criminal activity. Recent developments have validated the need for such demonstrable commitments if the public confidence necessary to sustain inclusive government is to be achieved.

At political level, the robbery and its aftermath will reinforce the determination of both Governments to complete the unfinished business arising from the comprehensive agreement. If stable politics in Northern Ireland is to be secured, there can be no doubt or ambiguity about the total commitment of all concerned to exclusively peaceful and democratic engagement, including desisting from involvement in criminality in all its forms.

On his return from the Far East, the Minister for Foreign Affairs met with Secretary of State Murphy to review matters and I met with a Sinn Féin delegation led by Gerry Adams, an SDLP delegation led by Mark Durkan and a UUP del-

egation led by David Trimble yesterday. I will meet with David Forde and an Alliance Party delegation tomorrow. Prime Minister Blair and I will meet next week.

Official Travel.

145. **Mr. Gormley** asked the Taoiseach if he will report on his most recent trade delegation visit to China; and if he will make a statement on the matter. [1489/05]

The Taoiseach: From 17 to 23 January, I made an official visit to China and Hong Kong. The purpose of the visit was to further enhance Ireland's strong economic and trade links with China. I was accompanied on the trip by my colleagues, the Minister for Enterprise, Trade and Employment, the Minister for Health and Children, the Minister for Agriculture and Food and the Minister for Communications, Marine and Natural Resources. On this visit, I led the biggest trade delegation ever to leave Ireland. It comprised more than 200 people representing over 120 companies in a wide variety of business and academic sectors. This element of the visit was co-ordinated by Enterprise Ireland. The visit allowed for meetings between the Ministers accompanying me and their Chinese counterparts in bilateral sessions and at round table meetings.

China is the world's fifth largest economy and it is essential that Ireland makes its presence firmly felt there. The visit was designed to drive forward our economic, trade, agriculture, education and tourism interests through dedicated commercial and trade events and signings with Chinese partners. I am pleased that contracts worth hundreds of millions of euro were signed in the course of the visit. The importance of the Chinese economy to Ireland is reflected in the Government's Asia Strategy, a new phase of which is currently being prepared.

I renewed a number of important political connections during the visit. I met with President Hu Jintao, Premier Wen Jaibao and the Chief Executive of Hong Kong. My discussions with all three focused on bilateral and trade relations, EU-China relations and political issues, including human rights. I also had a short bilateral meeting with the Prime Minister of Canada, Paul Martin. We discussed bilateral relations, the Northern Ireland peace process and UN Reform. My visit afforded political outreach and awareness-raising through keynote speeches at the prestigious Tsinghua and Fudan universities.

The importance of tourism, including cultural tourism, was addressed throughout the visit. Irish musicians, including Dervish, and dancers accompanied the delegation for this purpose and were well received. The Hong Kong leg of my journey coincided with a visit by the GAA Allstars. I took the opportunity to watch them play and to meet the teams afterwards.

Freedom of Information Act.

146. **Mr. R. Bruton** asked the Taoiseach the State, semi-State, State-sponsored and statutory bodies under the aegis of his Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if he envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1704/05]

The Taoiseach: The only State, semi-State, State-sponsored or statutory body under the aegis of my Department that is not subject to the Freedom of Information, FOI, Acts is the Law Reform Commission.

Proposals for extending FOI are being developed at present in the Department of Finance in the context of plans to extend FOI to other appropriate bodies by the end of 2005. The question of extending FOI to the aforementioned body is being considered in this context.

Ministerial Appointments.

147. **Mr. Gormley** asked the Taoiseach the public appointments made in his Department since the Cabinet reshuffle in September, 2004. [2089/05]

The Taoiseach: My Department has not made any public appointments since the Cabinet reshuffle on 29 September 2004.

In relation to the bodies under the aegis of my Department, Patricia T. Rickard-Clarke and Marian Shanley were re-appointed to the Law Reform Commission in September and November 2004, respectively, and Dr. Seán Barrett, economist, Trinity College, was appointed to the National Economic and Social Council, NESC, in January 2005. There have been no other appointments made by me since that date.

Adoption Services.

148. **Mr. J. O'Keefe** asked the Tánaiste and Minister for Health and Children the practical measures which have been identified as being necessary to tackle the waiting lists for inter-country adoptions, in view of the appalling delays for assessment of those who want to adopt children. [2198/05]

168. **Ms Lynch** asked the Tánaiste and Minister for Health and Children the waiting time in each health board area for the assessment of couples for suitability to adopt overseas children; and if she will make a statement on the matter. [34191/04]

231. **Mr. J. O'Keefe** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the number of persons in the country who are awaiting assessment for adoption; the approximate number involved; if her attention has further been drawn to the fact that it can take more than three years for assessments

[Mr. J. O’Keeffe.]
to take place; and the practical measures being taken to tackle these waiting lists. [1202/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): I propose to take Questions Nos. 148, 168 and 231 together.

Applications for inter-country adoption are processed by the Health Service Executive under the Adoption Acts 1952 to 1998.

The length of time it takes to complete the necessary assessment and the allocation of resources within the Health Service Executive is a matter for the management of HSE. However, I have asked the Adoption Board to identify practical measures to tackle the waiting lists of inter-country assessments and they are examining this currently.

Health Board Services.

149. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if she will facilitate an immediate assessment of needs in the case of a person (details supplied) in County Kildare with a view to determining the best way in which to offer assistance. [2207/05]

225. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the reason extra home support has not been restored in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [1190/05]

Minister of State at the Department of Health and Children (Mr. T. O’Malley): I propose to take Questions Nos. 149 and 225 together.

The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of services to persons with intellectual disability and those with autism in the Celbridge area lies, in the first instance, with the Health Service Executive. My Department has asked the chief officer of the Health Service Executive, eastern region, to investigate the matter raised by the Deputy and reply directly to him.

Smoking Ban.

150. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if the smoking ban in public houses is in breach of Article 8 of the European Convention on Human Rights; and if she will make a statement on the matter. [34114/04]

Minister of State at the Department of Health and Children (Mr. S. Power): The prohibition on smoking in enclosed places of work introduced on 29 March 2004 in section 47 of the Public Health (Tobacco) Act 2002 as inserted by section 16 of the Public Health (Tobacco) (Amendment) Act

2004 is a public health and safety measure enacted for the purposes of reducing the risk to and protecting the health of persons in places of work. Passive smoking and environmental tobacco smoke has long been recognised as a significant public health issue. The facts on smoking and the damage caused by second-hand smoke are well established. Being able to work and socialise in public houses and other places of work in a clean and healthy environment has health benefits for all. Article 8(1) of the European Convention on Human Rights recognises a right to respect of a person’s private and family life, home and correspondence. A person’s dwelling is specifically exempt under section 47(7)(a) of the 2002 Act as amended. Therefore, there is no breach of Article 8 by the application of the work place smoking ban to licensed premises in so far as they are places of work.

Nursing Qualifications.

151. **Mr. Connaughton** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that due to regulations under the Care and Welfare Regulations 1993, a nurse cannot be recognised as a nurse in charge in a nursing home unless they have three years’ experience in a nursing home; if her attention has further been drawn to the fact that there are many persons who have major nursing qualifications who would be immediately suitable for this position but are debarred due to this regulation; and if she will make a statement on the matter. [34115/04]

Minister of State at the Department of Health and Children (Mr. S. Power): The Nursing Home (Care and Welfare) Regulations 1993 set down the requirements for staffing within a registered nursing home. Article 10.2 states: “Subject to article 10.3, the post of person in charge shall be full-time and the person in charge shall be a nurse with a minimum of three years appropriate post registration experience within the previous 6 years.” The experience of the person in charge is examined by the director of nursing involved with the inspection teams for nursing homes.

These regulations allows for nurses from different disciplines to qualify for such a position provided that their experience is relevant, for example, a public health nurse could qualify on the basis that many of her day to day patients were elderly. However, ideally such experience should include care for older people, in any setting, or care of people with Alzheimer’s disease.

When these regulations were drafted many stakeholders were consulted, including An Bórd Altranais, and the wording reflects the combined views of these stakeholders. It is the opinion of my Department that this wording is sufficiently broad and at the same time focused on its essential purpose of ensuring that the persons in charge in nursing homes will be suitably qualified to discharge the responsibilities entrusted to them.

Services for People with Disabilities.

152. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children when she will implement the National Disability Authority recommendations for establishing national standards in services for persons with disabilities. [34116/04]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): A key policy aim of the Health Strategy, Quality and Fairness: A Health System for You, is to deliver high quality services that are based on evidence-supported best practice. Essential elements for the execution of this aim are currently being developed under the health reform programme. A critical constituent in this process is the establishment of the Health Information Quality Authority, HIQA. I have recently appointed the chairman of HIQA and plans are well advanced to put in place an interim HIQA whose role will be to plan for the orderly establishment of the HIQA on a statutory basis.

Responsibility for the development and implementation of the national standards for disability services will rest with HIQA upon its appointment.

153. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the percentage of budget 2005 disability allocations which will pay for services for persons with disabilities; and the percentage which will go towards the assessment and appeals bureaucracy proposed under the Disability Bill 2004. [34117/04]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The additional revenue funding of €70 million and €60 million capital funding provided in 2005 for services for people with physical, sensory, intellectual disabilities, autism and mental illness is being used to put in place a broad range of new and enhanced services around the country. These include, among others, new residential, respite, day and home support services, together with enhanced access to child and adolescent mental health treatment services.

As outlined by the Taoiseach at the launch of the national disability strategy last September, the Government is committed to building on and accelerating the measures which it has taken in recent years to strengthen the capacity of the health services to respond to the identified needs in support services for people with disabilities and to implement the provisions of the proposed Disability Bill 2004 and other relevant legislative measures.

154. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the way in which the additional finance in budget 2005 will be used to reduce the 299 service users on the priority residential waiting list at a centre (details

supplied) in Dublin; and if she will make a statement on the matter. [34118/04]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The additional revenue funding of €70 million and €60 million capital funding provided in 2005 for services for people with physical, sensory and intellectual disabilities, autism and mental illness is being used to put in place a broad range of new and enhanced services around the country. These include, among others, new residential, respite, day and home support services, together with enhanced access to child and adolescent mental health treatment services.

As the Deputy may be aware, since 1 January 2005 the Health Service Executive is the statutory provider of health and personal social services to persons with an intellectual disability and those with autism. The disbursement of the additional funding will be carried out by the executive.

Medical Cards.

155. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a medical card will be issued to a person (details supplied) in County Kilkenny. [34120/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of a medical card rests with the executive. My Department has requested the chief officer for the executive's south eastern area to investigate the matter raised by the Deputy and to reply to him directly.

Health Board Services.

156. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Carlow has been waiting two years from the date of the visit to their general practitioner to be examined to determine the cause of a disorder in their hands, arms, neck and back; the further reason this person has been waiting so long to be examined at Cork University Hospital; if this person's examination can be fast tracked; if they can be considered under the treatment purchase fund; if a resolution will be expedited in this case; and if she will make a statement on the matter. [34121/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

As the person referred to by the Deputy resides in County Carlow, my Department has

[Ms Harney.] requested the chief officer for the executive's south eastern area to investigate the matter raised and reply directly to the Deputy.

157. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the reason she denied a request from the violence against women sector for a €7 million increase in funding earmarked for frontline services which would increase the budget allocation to €19 million in order to redress severe under-resourcing of these services in relation to demand; and if she will make a statement on the matter. [34125/04]

253. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if urgent assistance will be given to a group (details supplied) in Dublin 3 in its efforts for funding; and if she will work closely with the Department of Social and Family Affairs on this issue. [1310/05]

258. **Mr. McCormack** asked the Tánaiste and Minister for Health and Children if she will make the necessary funds available to the Western Health Board to grant aid the Galway rape crisis centre to meet its running costs (details supplied); and if she will make a statement on the matter. [1331/05]

259. **Mr. Ferris** asked the Tánaiste and Minister for Health and Children if she will commit funding to the Kerry rape and sexual abuse centre in order that it can sustain its current level of services and also develop its services in the future. [1332/05]

269. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children the reason agencies which are funded by her Department and involved in issues related to violence against women (details supplied) have suffered a reduction in real terms in their funding for 2005; and if she will make a statement on the matter. [1609/05]

287. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children if she will increase financial aid to the rape crisis services in the south west, particularly Kerry; and if she will make a statement on the matter. [1629/05]

298. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children her plans to increase and ring-fence funding for frontline women's services by €7 million for 2005; and if the Government will establish funding security for the sector through multi-annual planning, as demanded by the non-governmental organisation Coalition on Violence Against Women. [1667/05]

300. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that, due to a lack of coherent national level governmental commitments to services, a centre (details supplied) is experiencing difficulties in providing adequate services to vic-

tims of assaults in Sligo and Leitrim; if funding will be ring-fenced for delivery of services to enable it to plan service provision strategically for the future; if her Department is committed to a national funding framework for VAW; and if she will make a statement on the matter. [1838/05]

307. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the role of her Department in the funding of rape crisis and sexual assault centres around the country; the funding which is provided by her Department to these services; and if she will make a statement on the matter [1893/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I propose to take Questions Nos. 157, 253, 258, 259, 269, 287, 298, 300 and 307 together.

The National Steering Committee on Violence against Women was established following the report of the Task Force on Violence against Women, 1997. Its purpose is to provide a multi-disciplinary, multi-agency and cohesive response to the problem of violence against women and it is chaired by the Minister of State at the Department of Justice, Equality and Law Reform, Deputy Fahey.

My Department does not directly fund or co-ordinate health and personal social services to victims of abuse. Moneys are made available each year, formerly through the health boards, and now through the Health Service Executive, for the provision of services to women victims of violence. In recent years there has been a substantial increase in funding so that now over €12 million is provided annually for the provision of such services. It is now a matter for the Health Service Executive to resource the provision of these services.

Medical Cards.

158. **Mr. Hogan** asked the Tánaiste and Minister for Health and Children when a decision on an appeal for a medical card will be made for a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [34167/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of a medical card rests with the executive. My Department has requested the chief officer for the executive's south eastern area to investigate the matter raised by the Deputy and to reply to him directly.

159. **Mr. Hogan** asked the Tánaiste and Minister for Health and Children when a decision on an appeal for a medical card will be made for a

person (details supplied) in County Kilkenny. [34168/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of a medical card rests with the executive. My Department has requested the chief officer for the executive's south eastern area to investigate the matter raised by the Deputy and to reply to him directly.

160. **Mr. Hogan** asked the Tánaiste and Minister for Health and Children when a decision on an appeal for a medical card will be made for a person (details supplied) in County Carlow; and if she will make a statement on the matter. [34169/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of a medical card rests with the executive. My Department has requested the chief officer for the executive's south eastern area to investigate the matter raised by the Deputy and to reply to him directly.

Nursing Home Subventions.

161. **Ms McManus** asked the Tánaiste and Minister for Health and Children if, in view of the financial hardship being caused to the family of a person (details supplied), this person's health board subvention will be increased under section 22.4 of the Nursing Homes (Subvention) Amendment Act 1996. [34170/04]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of health services in Bray rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Hospital Services.

162. **Mr. English** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Meath will receive an appointment to see a consultant; and if she will make a statement on the matter. [34173/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of services at Our Lady of Lourdes Hospital, Drogheda, rests with the executive. My Department has requested the chief officer of the Health Service Executive's north eastern area to investigate the position in relation to this case and to reply directly to the Deputy.

Medical Practitioners.

163. **Ms McManus** asked the Tánaiste and Minister for Health and Children if she will respond to the petition put before her for the registration of an orthopaedic surgeon (details supplied); and if she will make a statement on the matter. [34174/04]

Tánaiste and Minister for Health and Children (Ms Harney): The responsibility for the registration and regulation of the activities of medical practitioners lies with the Medical Council under the Medical Practitioners Act 1978.

I have responded to previous correspondence with the party mentioned and have advised him that without the written approval of the doctor concerned I cannot discuss the matter with any third party. This approval has not yet been received in my Department. Furthermore, officials from my Department have also corresponded directly many times with the doctor concerned in this matter.

Health Board Services.

164. **Ms McManus** asked the Tánaiste and Minister for Health and Children the location at which a person (details supplied) will receive speech therapy; and if she will make a statement on the matter. [34175/04]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of services to people with an intellectual disability and those with autism in the Dublin area lies, in the first instance, with the Health Service Executive. My Department has asked the chief officer of the Health Service Executive, Eastern Region, to investigate the matter raised by the Deputy and reply directly to her.

165. **Ms McManus** asked the Tánaiste and Minister for Health and Children when a speech therapist will be appointed to a centre (details supplied) in Dublin 9; if she will report on the

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provision there is for children who must have speech therapy at an early stage as a priority; and if she will make a statement on the matter. [34176/04]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of services to people with an intellectual disability and those with autism in the Dublin area lies, in the first instance, with the Health Service Executive. My Department has asked the chief officer of the Health Service Executive, Eastern Region, to investigate the matter raised by the Deputy and reply directly to her.

Registry Offices.

166. **Ms McManus** asked the Tánaiste and Minister for Health and Children her plans for improving the state of the Registry Office in Wicklow; and if she will make a statement on the matter. [34177/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of accommodation for registry offices for civil marriages rests with the executive. My Department has asked the chief officer for the executive's Eastern Regional area to investigate the matter raised and to reply directly to the Deputy.

Medical Cards.

167. **Mr. Sherlock** asked the Tánaiste and Minister for Health and Children the category of persons in possession of medical cards and that are in a public or private nursing home who will be refunded for the care they receive. [34178/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health (Amendment) (No. 2) Bill 2004, which was passed by both Houses of the Oireachtas on 17 December 2004, as well as providing a statutory basis for the imposition of charges on persons to whom long stay in-patient services are provided, irrespective of whether they are otherwise fully eligible for those services, also provides that a relevant charge levied under section 53 of the Health Act 1970 for long stay care prior to the enactment of the legislation is and always has been lawful. Furthermore, the Bill states that the declaration of lawfulness in relation to the imposition and payment of a relevant charge does not apply in the case of such

charge which is the subject of civil proceedings instituted on or before 14 December 2004 and for the recovery of the relevant charge. The President referred the Bill to the Supreme Court for a decision on its constitutionality.

The Deputy will also be aware that, following legal advice from the Attorney General on the matter, health boards were instructed to cease imposing any financial charge on fully eligible people in receipt of public long stay in-patient services with effect from 9 December 2004. In the case of nursing homes run by former health boards or private nursing homes — solely by virtue of a contractual arrangement with a former health board — the category of person covered is fully eligible individuals, including those who had their medical card withdrawn on admission to the institution and in respect of whom charges were imposed and paid for long stay in-patient services. In addition, by way of a goodwill gesture, the Government agreed to have ex-gratia payments of up to €2,000 made to those with full eligibility who have paid the charges and who were alive on 9 December 2004. Where persons have been charged less than €2000, they will be refunded the amount they have paid. The Health Service Executive is making the necessary arrangements with regard to the ex-gratia scheme and payments to those currently in public long stay care have already commenced.

Question No. 168 answered with Question No. 148.

Adoption Services.

169. **Ms Lynch** asked the Tánaiste and Minister for Health and Children if she has plans to set up a new adoption authority to replace the existing Adoption Board under proposed reforms of legislation governing adoption; her views on the current delay of up to four years for couples to be assessed for suitability to adopt; her further views on whether a one stop shop integrating all the necessary services would assist in speeding up the process; and if she will make a statement on the matter. [34192/04]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): Following an extensive public consultation process I recently announced that the Government has approved the drafting of a range of legislative proposals relating to adoption. These proposals include the establishment of an Adoption Authority to act as a central national authority for adoption, including the carrying out of the functions that are the responsibility of the Adoption Board.

The allocation of resources within the Health Services Executive is a matter for the management of the HSE. However, I have asked the Adoption Board to identify practical measures to tackle the waiting lists of inter-country assessments and they are examining this currently.

170. **Ms Lynch** asked the Tánaiste and Minister for Health and Children if it is intended to introduce an upper age limit for adoptive parents under proposed reforms of the legislation governing adoption; her views on whether such a move will doubly militate against couples in the older age bracket who already have to wait four years to be assessed for suitability to adopt; and if she will make a statement on the matter. [34193/04]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Government recently approved the drafting of legislative proposals relating to adoption. One of the proposals is that only persons under 50 would be eligible to apply for assessment for inter-country adoption. Adoption is a service for children, and the best interests of children are at the core of the proposals. As the proposals relate to age at the time of application for assessment, time on the waiting list will not have a negative impact.

Hospital Accommodation.

171. **Ms Shortall** asked the Tánaiste and Minister for Health and Children the position regarding the provision of extra accommodation at the National Maternity Hospital; and if she will make a statement on the matter. [34206/04]

Tánaiste and Minister for Health and Children (Ms Harney): A draft planning brief has been prepared on interim capital works at the National Maternity Hospital. The brief includes proposals designed to increase capacity in delivery rooms, theatres and neo-natal intensive care units, as well as providing improved post-natal facilities for mothers and babies.

The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

As part of the executive's responsibility to prepare and submit an annual service plan for my approval, it is obliged under section 31 of the Act to indicate any capital plans proposed by the executive. In this process the executive can be expected to have regard to the full range of potential capital developments, its own criteria in determining priorities, available resources and any other relevant factors.

My Department is awaiting the 2005 service plan from the Health Service Executive. In the interim, my Department has asked the chief executive of the Health Service Executive, Eastern Regional Area, to investigate the position in relation to this project and to reply directly to the Deputy.

Health Board Services.

172. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if a care plan will be put in place for a person (details supplied)

in Dublin 9, especially in the area of occupational therapy; if this will be made a priority issue. [34209/04]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for occupational therapy rests with the executive. My Department has requested the chief officer for the executive's northern area to investigate the matter raised and to reply directly to the Deputy.

Health Board Staff.

173. **Mr. Hogan** asked the Tánaiste and Minister for Health and Children the number of health sector personal social service professionals in each health board; if there are waiting lists for these services; if so, the number of persons on these waiting lists; and if she will make a statement on the matter. [34211/04]

Tánaiste and Minister for Health and Children (Ms Harney): I understand that the Deputy is referring to the number of health and social care professionals in each Health Service Executive, HSE, area. The number of these staff in each area in wholtime equivalence terms is as set out in the following table. The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the management of the services provided by these grades rests with the executive.

My Department has requested the chief officer of each HSE area to investigate the matters raised and to reply directly to the Deputy.

Health & Social Care Professionals by Area.

Area	Total WTE
Eastern	6,110
Midland	717
Mid-Western	903
North-Eastern	771
North-Western	636
South-Eastern	852
Southern	1,851
Western	1,169
Total:	13,009

Source: Department of Health & Children Personnel Census at 30 September 2004.

Residential Institutions.

174. **Mr. Costello** asked the Tánaiste and Minister for Health and Children the number of institutions under her care which came under the

[Mr. Costello.]
 terms of the Residential Institutions Redress Act 2002; if these were residential institutions which did not come within the terms of the Act in which children were in the care of her Department; and if she will make a statement on the matter. [34215/04]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Department of Health and Children did not have children under its direct care while they were resident in institutions. Children were placed in these institutions by the then local health authorities and by health boards who were acting *in loco parentis*. Under the Health Act 1953 the Minister had responsibility for 14 homes of which ten are included in the Schedule to the Act. The Department of Education and Science has been informed that a further two homes can be considered for inclusion in the Schedule and research is ongoing in relation to the remaining two homes. Responsibility for 23 industrial schools transferred from the Department of Education and Science to the Department of Health under the Education (Transfer of Departmental and Ministerial Functions) Order, 1983 (S.I. No. 358 of 1983). A total of 22 of these institutions are included in the Schedule to the Act and research is ongoing in relation to the remaining one.

Section 4 of the Residential Institutions Redress Act 2002 states that the Minister for Education and Science may include additional institutions to the Schedule of the Act on condition that a public body had a regulatory or inspection function in relation to that particular institution. My Department liaises closely with the Department of Education and Science in considering institutions for inclusion on the schedule of the Act.

Nursing Home Subventions.

175. **Ms McManus** asked the Tánaiste and Minister for Health and Children if, in view of the high care cost of Alzheimer's patients at a centre (details supplied) in County Dublin, appropriately higher nursing home subvention levels will be provided to meet this specialist care; and if she will make a statement on the matter. [34235/04]

Minister of State at the Department of Health and Children (Mr. S. Power): As the Deputy will be aware, St. Joseph's is a private facility offering nursing care to individuals, many of whom suffer from terminal dementia. As the placement of an individual in a private nursing home is a private matter between the patient or his/her representative and the nursing home, my Department has no function in the matter of fees charged by the home. Nursing home subvention payments are paid by the Health Service Executive and the rates of subvention are currently €114.30, €152.40 and €190.50 depending on the level of dependency. The HSE, under the Health (Nursing

Homes) Act 1990, can enter into an arrangement with a nursing home to pay more, that is, enhanced subvention, than the maximum rate payable for the three levels of dependency, on a discretionary basis.

Health Board Services.

176. **Ms McManus** asked the Tánaiste and Minister for Health and Children if she will investigate the policy of Naas General Hospital in refusing a blood test to a person with acute rheumatoid arthritis; if this provision will be ensured in the future; and if she will make a statement on the matter. [34236/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of services at Naas General Hospital rests with the executive. My Department has therefore asked the chief officer of the executive's Eastern Regional Area to investigate the position in relation to this case and to reply to the Deputy directly.

Health and Social Care Registration.

177. **Ms McManus** asked the Tánaiste and Minister for Health and Children the costs arising from the passing of the Health and Social Care Registration Bill; the fees that are likely to be charged for the professionals involved; and if she will make a statement on the matter. [34237/04]

Tánaiste and Minister for Health and Children (Ms Harney): No detailed estimates are available at present for the costs of establishing the Health and Social Care Professionals Council. The Deputy may wish to note that, once operational, the system of statutory registration provided for under the Health and Social Care Professionals Bill will be self-financing, that is, funded from registration fees of professionals to be registered.

Section 18 of the Bill provides that it is the responsibility of the Health and Social Care Professionals Council to determine the fee to be charged to registered professionals.

Hospital Services.

178. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the cost to the North Eastern Health Board of transporting a person from Monaghan General Hospital to Dublin hospitals on a return journey; and if she will make a statement on the matter. [34238/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or

arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of services at Monaghan General Hospital rests with the executive. My Department has requested the chief officer of the Health Service Executive's North Eastern Area to investigate the matter raised and to reply directly to the Deputy.

179. **Mr. Allen** asked the Tánaiste and Minister for Health and Children, further to Question No. 84 of 8 December 2004, if she will investigate a situation regarding a person (details supplied) in County Cork; and if she will further investigate another situation regarding this person who was referred by the central appointments office to another department within Cork University Hospital. [34270/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for Cork University Hospital rests with the executive. My Department has requested the chief officer for the executive's Southern area to investigate the matter raised and reply directly to the Deputy.

Hospital Charges.

180. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Wexford was charged for a recent stay in hospital despite being a medical card holder; and if she will make a statement on the matter. [34272/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Services Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the imposition of charges in the case of individuals in hospitals in County Wexford rests with the executive. My Department has requested the chief officer for the executive's South Eastern area to investigate the matter raised and to reply directly to the Deputy.

Nursing Home Subventions.

181. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if an increase in nursing home subvention will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [34273/04]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive,

which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of health services in County Kildare rests with the executive. My Department has requested the chief officer for the executive's Eastern Regional Area to investigate the matter raised and to reply directly to the Deputy.

Health Board Services.

182. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the actions taken to resolve the case of a person (details supplied); and if further efforts will be made to end this dispute. [34302/04]

183. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if the North Western Health Board refused the offer of a mediator in the case of a person (details supplied) in County Donegal; and if the new Health Service Executive will resolve this dispute definitively. [34328/04]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 182 and 183 together.

The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the matters raised by the Deputy rests with the executive. My Department has requested the chief officer for the executive's north western area to investigate the matters raised and to reply directly to the Deputy.

Health Service Executive.

184. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if assistance will be given to a person (details supplied) in Dublin 5. [34598/04]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of hospital services rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Cancer Statistics.

185. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the number of deaths each year from lung cancer caused by

[Mr. F. McGrath.]
asbestos; and her plans to deal with this epidemic in 2005. [1001/05]

Tánaiste and Minister for Health and Children (Ms Harney): Data concerning the number of

deaths each year from lung cancer caused specifically by exposure to asbestos is not available. The number of deaths from selected causes for the period 1999 to 2003, as provided by the Central Statistics Office, is as follows:

	1999	2000	2001	2002*	2003*
Cancer of the trachea, bronchus and Lung	1,449	1,568	1,478	1,474	1,587
Asbestosis	1	3	1	2	2
Cancer of the Pleura (which includes the mesothelium)	12	10	15	16	17

*Provisional figures

It should be noted that unlike asbestosis and mesothelioma, which can be directly linked to asbestos exposure, lung cancer can develop due to exposure to many chemicals, tobacco smoke, environmental causes, or a combination of exposures from environmental, social and work environments.

The use of asbestos is now banned. However, there is still a health risk from asbestos which was used in buildings in the past. In this context, the Deputy may wish to note that the protection of persons from exposure to asbestos in the workplace is a matter for the Health and Safety Authority.

Hospital Waiting Lists.

186. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in Dublin 9 has been waiting for an appointment since September 2004 at the Mater Hospital; and if this person will be given the maximum support and assistance. [1002/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of hospital services rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Radio Frequencies.

187. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if there is concrete medical evidence that mobile phones can cause cancer and that radiation from these phones is able to damage DNA in human cells. [1003/05]

188. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if persons who use mobile phones for more than ten years have an increased risk of developing tumours and damage to brain tissue; and if she will clarify this medical evidence from Sweden. [1004/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 187 and 188 together.

The current consensus of authoritative scientific literature is that there is no evidence of a causal relationship between exposure to radio frequencies, RF, from mobile phones and ill health. Furthermore, research to date indicates that RF fields do not possess sufficient energy to cause direct damage to DNA.

The World Health Organisation has assessed the many reviews carried out in this area and has indicated that exposure below the limits recommended by the International Commission on Non-Ionising Radiation Protection in its 1998 guidelines, covering the frequency range from 0-300 GHz, does not produce any known adverse health effects. Telecommunication companies licensed to operate in Ireland are obliged to comply with these guidelines.

Research is ongoing in relation to this issue. The Swedish study to which the Deputy refers is part of the INTERPHONE study which is an international collaboration of 13 countries, coordinated by the World Health Organisation's International Agency for Research on Cancer. The primary object of the INTERPHONE study is to establish whether RF exposure from mobile phones is associated with cancer risk. The interpretation and publication of results are a matter for the INTERPHONE international study group which is expected to produce its report in early 2005.

Hospital Services.

189. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children the proposals she has in the matter of providing a radiotherapy unit at Waterford Regional Hospital; and if she will make a statement on the matter. [1005/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Government is committed to making the full range of cancer services available and accessible to cancer patients throughout Ireland. To this end, we will provide considerable investment in radiation oncology facilities in the coming years.

The Government in its decision on radiotherapy services remained open to the provision of a 'satellite' radiation oncology unit in Water-

ford. We are determined to deliver enhanced services for the whole population as soon as possible. There is unanimity about the urgent need for significantly enhanced services in the major population centres of Dublin, Cork and Galway. I will keep the question of networked satellite locations under active review.

The immediate developments in Cork and Galway will result in the provision of an additional five linear accelerators. Five additional consultant radiation oncologists are being recruited for this service. These developments will significantly improve access to radiotherapy for patients in the south-east and throughout the country.

As recommended in the report on “The Development of Radiation Oncology Services in Ireland”, the National Radiation Oncology coordinating group (NROCG) has been established. The group comprises clinical, technical, managerial, academic and nursing expertise from different geographic regions. The group’s remit encompasses recommending measures to facilitate improved access to existing and planned services, including transport and accommodation. The group is expected to develop proposals in these important areas. The group will also advise on quality assurance protocols and guidelines for the referral of public patients to private facilities.

The NROCG is currently developing a National Telesynergy® Network for Radiation Oncology Services. Arrangements are being made to install this technology at Waterford Regional Hospital which will enable the hospital to develop improved linkages with Cork University Hospital and St. Luke’s Hospital, Dublin and reduce patient and consultant travel time.

National Cancer Strategy.

190. **Mr. O’Shea** asked the Tánaiste and Minister for Health and Children the proposals she has to meet the concerns of the Cancer Care Alliance in the matter of best outcome for all cancer patients (details supplied); and if she will make a statement on the matter. [1006/05]

270. **Mr. O’Shea** asked the Tánaiste and Minister for Health and Children if she has received the strategy document from the National Cancer Forum on the provision of cancer care; and if she will make a statement on the matter. [1610/05]

271. **Mr. O’Shea** asked the Tánaiste and Minister for Health and Children if she will publish the strategy document on the provision of cancer care from the National Cancer Forum before any decisions are made by Government regarding the recommendations from the forum; and if she will make a statement on the matter. [1611/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 190, 270 and 271 together.

The National Cancer Forum is currently finalising a new National Cancer Strategy which is expected to be completed in the first quarter of

2005. The forum is a multi-disciplinary group of experts and includes representatives of all modalities of cancer care. In developing the new strategy, the forum’s considerations have been informed by the broad strategic context in which the cancer strategy exists, a comprehensive review of the current status of cancer care, a review of the literature evidence concerning key aspects of the organisation of cancer services and a review of international models of care. The forum has concluded that the current arrangements for the delivery of cancer services are not generally in accordance with best practice and cannot be recommended to deliver best quality cancer care. The new strategy will set out the key priorities for the development of cancer services over the coming years and will make recommendations in relation to a balanced organisation of cancer services nationally, with defined roles for hospitals in the delivery of cancer care.

In relation to the development of radiation oncology specifically, the Government’s policy is based on the report on “The Development of Radiation Oncology Services in Ireland”. The predominant view of the group, based on international guidelines of best practice is that radiation oncology services would be best developed in the context of a clinical network model of large centres. The report was discussed and unanimously endorsed by the National Cancer Forum at its meeting in September 2004 as the framework for the future development of radiation oncology services in this country.

The Government is committed to making the full range of cancer services available and accessible to cancer patients throughout Ireland. To this end, we will provide considerable investment in radiation oncology facilities in the coming years. The central aim is to ensure access by cancer patients throughout the country to high quality radiation oncology in line with best international standards. We are determined to deliver enhanced services for the whole population as soon as possible. There is unanimity about the urgent need for significantly enhanced services in the major population centres of Dublin, Cork and Galway. I will keep the question of networked satellite locations under active review.

Diabetes Incidence.

191. **Mr. O’Shea** asked the Tánaiste and Minister for Health and Children the action she proposes in 2005 in regard to the implementation of the recommendations of the report of the diabetes service development group of the Diabetes Federation of Ireland, Diabetes Care—Securing the Future, and the recent supplementary report (details supplied); and if she will make a statement on the matter. [1007/05]

Tánaiste and Minister for Health and Children (Ms Harney): In recognition that diabetes is an important health condition, a national diabetes group chaired by the chief medical officer of my Department was established in January 2004 and

[Ms Harney.]

has met on a regular basis since. The terms of reference of the working group included: the epidemiology of diabetes, health promotion and preventive initiatives, examination of services and the expansion of shared care programmes, and recommendations on future needs.

In the course of its work, the group has received and considered a number of submissions including those from the Diabetes Federation of Ireland. It is the intention that this work will lead to a diabetes strategy which underlines the importance of prevention, is patient centred and will enhance the quality of care for people with diabetes.

I understand that the group's intention is that it will conclude its report for submission to and consideration by my Department later in 2005.

Hospital Accommodation.

192. **Mr. Carey** asked the Tánaiste and Minister for Health and Children her views on the practice of some hospitals which treat male and female patients in the same ward; her further views on the fact that older patients find this practice insensitive; and if she will make a statement on the matter. [1008/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the issues raised by the Deputy rests with the national hospitals office of the Health Service Executive. My Department has, therefore, requested the Director of the national hospitals office to investigate this matter and to reply directly to the Deputy.

Hospital Services.

193. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the reason for the delay in granting an appointment to read the scan results for a person (details supplied) in County Wexford; the efforts which are being made to provide an earlier appointment; and if she will make a statement on the matter. [1009/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of services for residents of County Wexford rests with the executive. My Department has requested the chief officer for the executive's south eastern area to investigate the matter raised and reply directly to the Deputy.

Hospital Waiting Lists.

194. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the average length of the waiting lists for tonsillectomy operations in the Midland Health Board area; and if she will make a statement on the matter. [1010/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of hospital services rests with the executive. My Department has requested the chief officer for the executive's Midland area to investigate the matter raised and to reply directly to the Deputy.

Hospitals Building Programme.

195. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children if she will meet a deputation of the Ennis Hospital Committee to discuss the timetable for the €20 million investment and upgrade for Ennis General Hospital as promised; and if she will make a statement on the matter. [1011/05]

Tánaiste and Minister for Health and Children (Ms Harney): I am pleased to inform the Deputy that I will be in a position to meet the Ennis Hospital Development Committee. My office will be in touch with the organisation in due course to make the necessary arrangements.

Hospital Accommodation.

196. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the constant chronic overcrowding at Ennis General Hospital, including the continuous use of the day surgical unit which, unlike the Mid Western Regional Hospital in Limerick, has to stay open on a 24 hour basis to cater for in-patients; and if she will make a statement on the matter. [1012/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for Mid Western Regional Hospital, Ennis rests with the executive. My Department has requested the chief officer for the executive's mid western area to investigate the matters raised and to reply directly to the Deputy.

Services for People with Disabilities.

197. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when a current

home help review will be made in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [1013/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act, 2004 provided for the Health Services Executive, which was established on 1 January, 2005. Under the Act, the executive is required to manage and deliver or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of services to persons with intellectual disability and those with autism in the Kildare area lies, in the first instance, with the Health Service Executive. My Department has asked the chief officer of the Health Service Executive, Eastern Region, to investigate the matter raised by the Deputy and reply directly to him.

Medical Cards.

198. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when a medical card will issue to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [1014/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of a medical card rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised by the Deputy and to reply to him directly.

Ambulance Service.

199. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children the decision which has been taken to approve the proposed ambulance base in Thurles further to an adjournment debate of 24 November 2004; the funds which have been allocated for the project; when building work is expected to start; and if she will make a statement on the matter. [1055/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of ambulance services in County Tipperary rests with the executive. My Department has requested the chief officer for the executive's mid western area to investigate the matter raised and to reply directly to the Deputy.

Health Board Services.

200. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the reason a reply to Parliamentary Question No. 205 of 2 November 2004 has not yet been received; and if this reply will issue from the health board. [1060/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for speech and language therapy rests with the executive. My Department has requested the chief officer for the executive's southern area to investigate the matter raised and to reply directly to the Deputy.

Hospitals Building Programme.

201. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the position regarding the provision of a new community hospital in Tralee, County Kerry; if, further to Parliamentary Question No. 771 of 29 September 2004, a decision has been made by An Bord Pleanála on the project; and if she will make a statement on the matter. [1061/05]

Minister of State at the Department of Health and Children (Mr. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of a new Community Hospital in Tralee rests with the executive. My Department has requested the chief officer for the executive's southern area to investigate the matter raised and to reply directly to the Deputy.

Hospital Waiting Lists.

202. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called for a scan in Mayo General Hospital. [1078/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of hospital services for people living in County Mayo rests with the executive. My Department has requested the chief officer for the executive's western area to investigate the matters raised and to reply directly to the Deputy.

203. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be given an admission date for a hip operation in Merlin Park Hospital; and the reason this person was not called for admission on the date that was promised. [1079/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of hospital services for people living in County Mayo rests with the executive. My Department has requested the chief officer for the executive's western area to investigate the matters raised and to reply directly to the Deputy.

Hospital Services.

204. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if transport will be provided to a person (details supplied) in County Mayo to enable her to attend the eye clinic in Galway. [1080/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of hospital services for people living in County Mayo rests with the executive. My Department has requested the chief officer for the executive's western area to investigate the matters raised and to reply directly to the Deputy.

Health Board Allowances.

205. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in Dublin 12 is entitled to the blind welfare allowance plus arrears since registering with the NCBI. [1081/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the assessment of entitlement to, and payment of the blind welfare allowance, including the payment of arrears, rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Hospital Waiting Lists.

206. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be admitted to Our Lady's Hospital for Sick Children. [1082/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of hospital services for people living in County Mayo rests with the executive. My Department has requested the chief officer for the executive's western area to investigate the matters raised and to reply directly to the Deputy.

Services for People with Disabilities.

207. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if the health boards have submitted the information for a database to her Department in relation to the Planning Services for People with Disabilities — A Guide to the Physical and Sensory Disability Database; if not, when this process will be complete; and the cost of compiling this database for each health board area and for her Department. [1083/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The national physical and sensory disability database is currently being implemented in all Health Service Executive areas. When complete, the database will provide a comprehensive picture of the health and personal social service needs of people with a physical or sensory disability over a five year period. The database will inform planning, service development, prioritisation of service needs and resource allocation at national, regional and local level.

The cost of implementing and maintaining the national physical and sensory disability database and the National Intellectual Disability Database is €3.9 million per annum.

Hospital Waiting Lists.

208. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called to Galway to be seen by a urologist; if this person is on a waiting list; and if so, when they were placed on the list. [1084/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of hospital services for people living in County Mayo rests with

the executive. My Department has requested the chief officer for the executive's western area to investigate the matters raised and to reply directly to the Deputy.

Nursing Home Subventions.

209. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when refunds will be made available to those who were charged illegally in respect of their stay in nursing homes over the years; when family members can apply for the money that is owed to them; and if she will make a statement on the matter. [1085/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health (Amendment) (No. 2) Bill, 2004, which was passed by both Houses of the Oireachtas on 17 December 2004, as well as providing a statutory basis for the imposition of charges on persons to whom long-stay inpatient services are provided, irrespective of whether they are otherwise fully eligible for those services, also provides that a relevant charge levied under section 53 of the Health Act 1970 for long-stay care prior to the enactment of the legislation is and always has been lawful. Furthermore, the Bill states that the declaration of lawfulness in relation to the imposition and payment of a relevant charge does not apply in the case of such charge which is the subject of civil proceedings instituted on or before 14 December, 2004 and for the recovery of the relevant charge. The President referred the Bill to the Supreme Court for a decision on its constitutionality.

The Deputy will also be aware that, following legal advice from the Attorney General on the matter, health boards were instructed to cease imposing any financial charges on fully eligible people in receipt of public long-stay inpatient services with effect from 9 December 2004. Additionally, by way of a goodwill gesture, the Government agreed to have *exgratia* payments of up to €2,000 made to those with full eligibility who have paid charges and who were alive on 9 December 2004. Where persons have been charged less than €2,000, they will be refunded the amount they have paid. The Health Service Executive is making the necessary arrangements with regard to the *exgratia* scheme and payments to those currently in public long-stay care have already commenced.

Health Board Allowances.

210. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if all the health boards have issued arrears of the blind welfare allowance, which arose due to the misinterpretation of the blind welfare allowance Circular 4/79; if the funding has issued from each health board; and the number of persons who have received payment to date. [1086/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): My Department issued letters to the CEO of each health board on

6 December informing them that the funding to pay arrears of blind welfare allowance is being authorised by this Department. It was a matter for each individual health board, and is now a matter for the Health Service Executive, as to how and when the arrears are issued to the individuals involved.

Patient Transport.

211. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the help available from the Western Health Board for appointments for persons who urgently need hospital appointments for their well-being and who are in receipt of social welfare, own no form of transport, have no public transport available to them and cannot afford taxis. [1087/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of hospital services for people living in County Mayo rests with the Executive. My Department has requested the chief officer for the executive's western area to investigate the matter raised and to reply directly to the Deputy.

212. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if she will report on the guidelines for patient transport in each health board area or region, in particular transport to attend outpatient appointments, for persons who live in isolated areas, have no means of transport or access to public transport and who do not have the resources to hire private transport. [1088/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of patient transport services rests with the executive. My Department has requested the director of the national hospitals office of the executive to provide the information requested directly to the Deputy.

Nursing Home Subventions.

213. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if assistance will be given to a person (details supplied) with nursing home subvention and if the maximum support and advice will be available to the family. [1089/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under

[Mr. S. Power.]

the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in Whitehall rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Medical Aids and Appliances.

214. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in Dublin 3, who until recently could obtain insulin and syringes by means of a green book now has to obtain a prescription from the doctor and pharmacy to secure the syringes; and the motive behind giving insulin on the green book but not the instruments with which to administer it. [1090/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Under the 1970 Health Act, the relevant area of the Health Service Executive may arrange for the supply, without charge, of drugs, medicines and medical and surgical appliances to people with a specified condition, for the treatment of that condition through the long term illness scheme. The conditions are mental handicap; mental illness, for people under 16 only; phenylketonuria; cystic fibrosis; spina bifida; hydrocephalus; diabetes mellitus; diabetes insipidus; haemophilia; cerebral palsy; epilepsy; multiple sclerosis; muscular dystrophies; parkinsonism; conditions arising from thalidomide; and acute leukaemia. Parkinsonism, acute leukaemia, muscular dystrophies and multiple sclerosis were added to the scheme in 1975. The long-term illness scheme does not cover GP fees or hospital co-payments.

My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Children in Care.

215. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children her plans to investigate the way in which health boards apparently paid out €85 million in 2004 to keep just 600 children in residential care; the fact that one health board is paying out €19,000 a week for special arrangements for one child; and if she will make a statement on the matter. [1091/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under

the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for provision of residential care for children in care rests with the executive. My Department has requested the primary, community and continuing care directorate of the Health Service Executive to investigate the matter raised and to reply directly to the Deputy.

Housing Aid for the Elderly.

216. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when an application will be processed under the housing aid for the elderly scheme for a person (details supplied) in County Clare; and if she will make a statement on the matter. [1092/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of the housing aid scheme for the elderly in Clare rests with the executive on behalf of the Department of the Environment, Heritage and Local Government. My Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Accident and Emergency Services.

217. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the position regarding the provision of a new accident and emergency department for Kerry General Hospital. [1093/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of services at Kerry General Hospital rests with the executive. My Department has requested the chief officer for the executive's southern area to investigate the matter raised and reply directly to the Deputy.

I have identified the delivery of accident and emergency services as a priority area for attention. I have announced a ten point action plan in relation to accident and emergency services which is being financed with €70 million current funding and €10 million capital funding. My Department is liaising with the Health Service Executive to progress the implementation of the plan.

Hospitals Building Programme.

218. **Ms B. Moynihan-Cronin** asked the

Tánaiste and Minister for Health and Children the position regarding the proposed extension to Kenmare District Hospital, County Kerry; and if she will make a statement on the matter. [1094/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the proposed extension to Kenmare District Hospital rests with the executive. My Department has requested the chief officer for the executive's southern area to investigate the matter raised and to reply directly to the Deputy.

219. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the position regarding the provision of the new community hospital for Dingle, County Kerry; and if she will make a statement on the matter. [1095/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of a new community hospital in Dingle rests with the executive. My Department has requested the chief officer for the executive's southern area to investigate the matter raised and to reply directly to the Deputy.

Health Board Allowances.

220. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if a person in receipt of the invalidity pension can also qualify for the blind welfare allowance. [1147/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The assessment of entitlement to and payment of the blind welfare allowance, including the payment of arrears, is a matter for the Health Service Executive in the relevant area. Blind welfare allowance is a means-tested Department of Health and Children supplementary payment which is paid to eligible persons who are blind or visually impaired in addition to an existing Department of Social and Family Affairs income maintenance payment, for example, invalidity pension, old age contributory and non-contributory pension, disability allowance, to eligible persons whose income is below the combined blind person rate and the blind welfare allowance rate.

Nursing Home Subventions.

221. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the funding

made to each nursing home in counties Roscommon, Mayo and Galway respectively under the winter initiative in 2004; the number of patients in each nursing home under this scheme; the rate charged per patient per week; and if she will make a statement on the matter. [1150/05]

Minister of State at the Department of Health and Children (Mr. S. Power): As the information required is not normally collated in my Department, my Department has requested the chief officer of the Health Service Executive, western region for the information sought, and will forward it to the Deputy as soon as it is received.

Medical Cards.

222. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the reason the health boards are applying the health regulations in such a way as to deny a medical card to non-working persons under 18. [1166/05]

Tánaiste and Minister for Health and Children (Ms Harney): Dependent children aged up to 16 years, whose parents are medical card holders, are normally covered for services under the medical card issued to their parents under the general medical services scheme.

Individual assessments of applications for medical cards from persons aged 16 and over who may or may not be dependants of their parents are made by the chief officer of the relevant area of the Health Service Executive which, under legislation, has the responsibility for such determinations.

Housing Aid for the Elderly.

223. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when an application will be processed under the housing aid for the elderly scheme for a person (details supplied) in County Clare; and if she will make a statement on the matter. [1188/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of the housing aid scheme for the elderly in County Clare rests with the executive, on behalf of the Department of Environment, Heritage and Local Government. My Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Medical Cards.

224. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when a medical card will issue to a person (details supplied) in County

[Mr. Durkan.]
Kildare; and if she will make a statement on the matter. [1189/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of a medical card rests with the executive. My department has requested the chief officer for the executive's eastern regional area to investigate the matter raised by the Deputy and to reply to him directly.

Question No. 225 answered with Question No. 149.

Health Board Services.

226. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if care will be provided for a person (details supplied) in County Carlow at the Alzheimer's unit in Carlow; and if she will make a statement on the matter. [1197/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in County Carlow rests with the executive. My Department has requested the chief officer for the executive's south-eastern area to investigate the matter raised and to reply directly to the Deputy.

Hospital Services.

227. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the progress in extending the CAT scan services at St. Luke's Hospital, Kilkenny, to out-of-service hours; if she has costed the number of times patients have been sent from Kilkenny to other hospitals for the service; and if she will make a statement on the matter. [1198/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of services at St. Luke's Hospital, Kilkenny, rests with the executive. My Department has requested the chief officer for the executive's south-eastern area to investigate the matter raised and reply directly to the Deputy.

228. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the reason a proposal from a private company to provide CAT scan and other services on the grounds of St. Luke's Hospital, Kilkenny, has not been approved; and her views on such public-private partnerships. [1199/05]

Tánaiste and Minister for Health and Children (Ms Harney): My Department is aware of a previous proposal to provide a private MRI facility on the grounds of St. Luke's Hospital, Kilkenny. Following discussions with the South Eastern Health Board last year it was agreed that the issues involved would be kept under review in the light of the board's regional MRI requirements. Public CAT scanning facilities are already on site at the hospital and my Department is not aware of proposals to develop a private CAT scanning facility there.

It is the Government's policy, as outlined in the health strategy, to increase the capacity of the acute hospital system to treat public patients. A significant proportion of this additional capacity will be supplied in the future by private providers. I am in the process of developing an overall policy framework which will identify the policy issues which need to be addressed and the key criteria to be applied in developing private facilities on public hospital sites.

Health Board Services.

229. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if the SEHB will fund cranial structural alignment treatment at a location for a person (details supplied) in County Kilkenny; if an immediate assessment will be carried out to determine if this treatment is appropriate and if it will be funded in 2005; and if she will make a statement on the matter. [1200/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of services for residents of County Kilkenny rests with the executive. My Department has requested the chief officer for the executive's south-eastern area to investigate the matter raised and reply directly to the Deputy.

Housing Aid for the Elderly.

230. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if an occupational therapist's report has been prepared in the case of a person (details supplied) in County Kilkenny who applied in 2004 under the housing aid for the elderly scheme; if the grant has been approved; and if the work will be approved. [1201/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of the housing aid scheme for the elderly in Kilkenny rests with the executive, on behalf of the Department of Environment, Heritage and Local Government. My Department has requested the chief officer for the executive's south-eastern area to investigate the matter raised and to reply directly to the Deputy.

Question No. 231 Answered with Question No. 148.

Hospital Accommodation.

232. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the timescale and location within Cavan General Hospital for the additional theatre capacity proposed by the former North Eastern Health Board in its submission of 13 December 2004; and if she will make a statement on the matter. [1203/05]

233. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the extent and cost of the additional theatre capacity proposed for Cavan General Hospital by the former North Eastern Health Board in its submission of 13 December 2004; and if she will make a statement on the matter. [1204/05]

235. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the position with regard to the commissioning of the 19 additional beds proposed for Cavan General Hospital by the former Northern Eastern Health Board in its submission of 13 December 2004; the areas identified for same; and if she will make a statement on the matter. [1206/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 232, 233 and 235 together.

The planning brief prepared by the former North Eastern Health Board envisages using the existing shelled-out ward accommodation known as surgical three to facilitate the provision of 19 additional beds, and the commissioning of the shelled-out fourth operating theatre. The board estimated the overall capital cost of the proposals in the brief at €6 million.

The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

As part of the executive's responsibility to prepare and submit an annual service plan for my approval, it is obliged under section 31 of the Act to indicate any capital plans proposed by the executive. In this process the executive can be expected to have regard to the full range of potential capital developments, its own criteria in

determining priorities, available resources and any other relevant factors.

My Department is awaiting the 2005 service plan from the Health Service Executive. In the interim, my Department has asked the chief executive of the Health Service Executive — north eastern area to investigate the position in relation to this project and to reply directly to the Deputy.

234. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the position with regard to the commissioning of the ten additional day beds approved for Monaghan General Hospital; the areas identified for same; if any request for their provision has been received from the Cavan-Monaghan Hospital Group; and if she will make a statement on the matter. [1205/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of services at Monaghan General Hospital rests with the executive. My Department has requested the chief officer of the Health Service Executive's North Eastern Area to investigate the matter raised and to reply directly to the Deputy.

Question No. 235 answered with Question No. 232.

Child Care Services.

236. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regarding development of a regional child development centre at Dooradoyle, County Limerick. [1233/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of services to children with intellectual disability and those with autism in the Limerick area lies, in the first instance, with the Health Service Executive. My Department has asked the chief officer of the Health Service Executive mid-western area, to investigate the matter raised by the Deputy and reply directly to him.

237. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regarding the provision of a time out facility for children at Foynes. [1234/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under

[Mr. B. Lenihan.]
the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of a time out facility at Foynes rests with the executive. My Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Hospital Services.

238. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regarding the development of a private hospital in the Limerick region. [1235/05]

Tánaiste and Minister for Health and Children (Ms Harney): The development of private hospital facilities in the Limerick region is essentially a matter for individual private investors. The Mid-Western Health Board had previously raised with the Department the development of a private hospital on the site of the Mid-Western Regional Hospital, Limerick.

I am in the process of developing an overall policy framework which will identify the policy issues which need to be addressed and the key criteria to be applied in developing private facili-

ties on public hospital sites. I hope to complete this work in a matter of weeks.

239. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regarding the radiotherapy unit at the Mid-West Regional Hospital, Limerick under the Mid-West Hospitals Development Trust. [1236/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the health services in the mid-western region rests with the executive. My Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Nursing Home Subventions.

240. **Mr. Neville** asked the Tánaiste and Minister for Health and Children if she will report on the enhanced subvention payments in each of the former health board areas. [1237/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The most recent information available, as requested by the Deputy, is as follows:

Former Health Board Area	Enhanced Subvention Payments
ERHA	1,098 people are in receipt of enhanced subvention as at 30th November 2004. €20.4 million was spent on the subvention scheme (including enhanced subvention) as at 30th November 2004. €680 is the highest amount that can be approved as an enhanced subvention.
NEHB	293 people were in receipt of enhanced subvention as at 31st December 2004. €2,961,915.13 was spent on enhanced subvention in 2004.
NWHB	249 people were in receipt of enhanced subvention as at 31st December 2004. Total paid on enhanced subvention in 2004 was €481,905.
MHB	39 people were in receipt of enhanced subvention as at 30th September 2004. Maximum enhanced subvention is €50 per week for certain categories at Maximum dependency level and €90 for certain categories at High dependency level. Total figure spent on enhanced subvention is unavailable at present.
MWHB	322 people are currently in receipt of enhanced subvention. €672,200 was spent on the subvention scheme (including enhanced subvention) in 2004. Current enhanced subvention is €50 per week.
SEHB	767 people were in receipt of enhanced subvention as at 31st December 2004. €1,960,452 was spent on enhanced subvention in 2004.
SHB	674 people were in receipt of enhanced subvention as at 31st December 2004. €1,557,133.16 was spent on the subvention scheme (including enhanced subvention) in December 2004.
WHB	613 people were in receipt of enhanced subvention as at 31st December 2004. €227,117 (estimated) was spent on enhanced subvention in December 2004. Maximum payment of enhanced subvention is €85.50 per week.

Services for People with Disabilities.

241. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the number of persons with an intellectual disability in psychiatric institutions. [1238/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The data from the national intellectual disability database committee's annual report for 2004 which was published on 26 November 2004, identify 474 individuals with intellectual disability all aged 20 years or over, accommodated in psychiatric hospitals, 315 of whom have services requirements.

Care of the Elderly.

242. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regarding the provision of a dementia unit at a hospital (details supplied) in County Limerick; and her views on the proposals submitted in April 2004 to her Department to construct this unit. [1239/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf,

health and personal social services. Responsibility for the provision of health services in County Limerick rests with the executive. My Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and to reply directly to the Deputy.

Mental Health Services.

243. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regarding the provision of a full acute psychiatric unit at Nenagh General Hospital. [1240/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January, 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of the service referred to by the Deputy rests with the executive. My Department has requested the acting chief executive officer of the Health Service Executive to investigate the matter raised and to reply directly to the Deputy.

Health Board Services.

244. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regarding the refurbishment of the health centre at Foynes, County Limerick. [1241/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for provision of health centres rests with the executive. My Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and reply directly to the Deputy.

245. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regarding the provision of a purpose built health centre at Glin, County Limerick (details supplied). [1242/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for provision of health centres rests with the executive. My Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and reply directly to the Deputy.

246. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the progress in providing a new health centre for Thomastown, County Kilkenny; if a site has been identified; the

timeframe for completing the project; and if she will make a statement on the matter. [1277/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for provision of health centres rests with the Executive. My Department has requested the chief officer for the executive's south eastern area to investigate the matter raised and reply directly to the Deputy.

Hospital Waiting Lists.

247. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a hip replacement operation will be expedited for a person (details supplied) in County Kilkenny at Kilcreene, Kilkenny or Waterford Regional; the waiting time for such operations at these locations; and if she will make a statement on the matter. [1278/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of services for residents of County Kilkenny rests with the executive. My Department has requested the chief officer for the executive's south eastern area to investigate the matter raised and reply directly to the Deputy.

248. **Mr. Penrose** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in County Westmeath will be immediately admitted to the Midland Regional Hospital, Tullamore for a tonsillectomy; and if she will make a statement on the matter. [1279/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of hospital services rests with the Executive. My Department has requested the chief officer for the executive's midland area to investigate the matter raised and to reply directly to the Deputy.

Medical Cards.

249. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the number of persons in possession of a medical card in each county. [1280/05]

Tánaiste and Minister for Health and Children (Ms Harney): The latest figures available from the Health Service Executive — shared services,

[Ms Harney.]
primary care reimbursement service are those for December 2004. The number of persons in possession of a medical card in each county is as follows:

County	Number of persons in possession of a medical card
Dublin	274,272
Kildare	37,195
Wicklow	27,612
Laois	17,133
Longford	12,384
Offaly	19,039
Westmeath	21,059
Clare	30,896
Limerick	49,767
Tipperary NR	18,915
Cavan	18,638
Louth	35,013
Meath	30,333
Monaghan	16,361
Donegal	67,229
Leitrim	11,169
Sligo	19,343
Carlow	15,404
Kilkenny	19,506
Tipperary SR	28,318
Waterford	34,938
Wexford	38,353
Cork	130,955
Kerry	40,924
Galway	66,502
Mayo	47,590
Roscommon	20,066
Grand Total	1,148,914

250. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children when the 30,000 additional medical cards announced in December 2004 will be made available; when the 200,000 GP-visit cards will be made available; and if she will make a statement on the matter. [1281/05]

268. **Mr. Broughan** asked the Tánaiste and Minister for Health and Children when the proposed new general practitioner cards will be introduced; the details of the income guidelines and other conditions which will apply to these cards; and the estimate of the number of beneficiaries. [1608/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 250 and 268 together.

Some €60 million has been provided for in the 2005 Estimates for health to improve access to primary care by providing for additional persons to become eligible for a medical card and free access to GP visits for those on low income. The medical card income guidelines were increased from 1 January 2005 by 7.5% generally and in specific regard to children the income allowance for each of the first two children were increased by 20% and for the third and subsequent children by 30%. It is estimated that this will increase the numbers eligible for medical cards by approximately 30,000 in a year.

Free access to general practitioner visits under the GMS scheme will be provided to individuals and families based on income guidelines which may be up to 25% in excess of the new medical card income guidelines. It is estimated that 200,000 persons will become eligible for free GP services under this initiative. Subject to clarifying legislative and administrative issues, the doctor visit card will be introduced as soon as possible in 2005. Income guidelines are shown in the table follows:

	Medical Cards 2005 Weekly	Doctor Visit Cards 2005 Weekly
	€	€
Single person living alone (under 66)	153.50	191.87
Single person living alone (66-69years)	168.00	210.00
Single person living with family (under 66)	136.50	170.63
Single person living with family (66-69years)	144.50	180.63
Married couple (under 66)	222.00	277.50
Married couple (66-69years)	248.50	310.63
Married couple (70-79years)	497.00	621.25
Married couple (80 and over)	522.50	653.13
Allowance for first 2 children under 16 financially dependent on applicant	31.50	39.38
Allowance for 3rd and subsequent children under 16 financially dependent on applicant	34.00	42.50
Allowance for first 2 children over 16 years financially dependent on applicant	32.50	40.63
Allowance for 3rd and subsequent children over 16 yrs financially dependent on applicant	35.50	44.38

	Medical Cards 2005 Weekly	Doctor Visit Cards 2005 Weekly
	€	€
Allowance for a dependent over 16 years who is in full time third level education and not grant aided	65.00	81.25
Out-goings on house: rent/mortgage in excess of	26.00	32.50
Reasonable expenses necessarily incurred in travelling to work (in excess of)	23.00	28.75

Health Board Services.

251. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children if she will approve a request for funding (details supplied) submitted to the Health Services Executive in County Offaly; and if she will make a statement on the matter. [1287/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for funding rests with the executive. My Department has requested the chief officer for the executive's midland area to investigate the matter raised and to reply directly to the Deputy.

Hospital Staff.

252. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children if she will approve funding for the appointment of additional staff and the development of respite services at the St. Mary's residential services, Dunleer, County Louth; and if she will make a statement on the matter. [1306/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act, 2004 provided for the Health Service Executive, which was established on 1, January, 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of services to persons with an intellectual disability and those with autism in the Louth area lies, in the first instance, with the Health Service Executive. To ensure the smooth transition and delivery of services, I have agreed to meet with representatives of the executive and representatives of the St. John of God Order to discuss the issue.

Questions No. 253 answered with Question No. 157.

Hospital Waiting Lists.

254. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the reasons for the delay in arranging a hip operation for a person (details supplied) in County Kilkenny at Waterford Regional Hospital; if the operation

will be expedited; and if she will make a statement on the matter. [1326/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of services for residents of County Kilkenny rests with the executive. My Department has requested the chief officer for the executive's south eastern area to investigate the matter raised and reply directly to the Deputy.

Hospital Staff.

255. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 323 of 9 March 2004, the progress which has been made on this issue; if the phlebotomy course has commenced; and if she will make a statement on the matter. [1327/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for education and training of health service employees, including in relation to phlebotomy training, rests with the executive. My Department has requested the chief officer for the executive's eastern area to investigate the matter raised and respond directly to the Deputy.

Nursing Home Subventions.

256. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when a review of nursing home subvention will be finalised with a view to an increase in same in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [1328/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in County Kildare rests with the executive. My Department

[Mr. S. Power.]
has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Hospital Services.

257. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children the decisions which have been made in regard to the draft planning brief submitted by the South Eastern Health Board for capital developments at Waterford Regional Hospital which includes the provision of a new oncology and haematology department; and if she will make a statement on the matter. [1329/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. As part of the executive's responsibility to prepare and submit an annual service plan for my approval, it is obliged under section 31 of the Act to indicate any capital plans proposed by the executive. In this process the executive can be expected to have regard to the full range of potential capital developments, its own criteria in determining priorities, available resources and any other relevant factors.

My Department is awaiting the 2005 service plan from the Health Service Executive. In the interim, my Department has asked the chief executive of the Health Service Executive, south eastern area, to investigate the position on to this project and to reply directly to the Deputy.

Questions Nos. 258 and 259 answered with Question No. 157.

Health Board Services.

260. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the proposals of the Health Services Executive western area for Knock, County Mayo; the nature of the building being constructed in Knock; and the services which will be provided from that property in Knock. [1333/05]

261. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if a review has taken place of the Westdoc facility in the west; if so, the outcome of that review; if an independent review will be taken of this facility to assess the way in which it is working; if her attention has been drawn to the fact that Westdoc plans to set up a headquarters in Knock even though it has not carried out a review of the existing services; and if she will make a statement on the matter. [1334/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 260 and 261 together.

Westdoc is an out-of-hours general practitioner led service which operates on a partnership basis between the participating GPs and the Health Service Executive, western area. The service has been operating since December 2002 and to date it has received over 95,000 patient contacts. Westdoc has 107 general practitioners providing service to public and private patients in counties Galway, Mayo and Roscommon.

The service was primarily established to provide a more managed and structured service to patients requiring urgent GP care out of hours. The service operates via a lo-call number with patients receiving advice from specially trained triage nurses and appointments to see a GP in their locality where required or domiciliary visits where deemed appropriate. Calls are prioritised in order of their seriousness with more urgent calls receiving the earliest appointments.

A patient satisfaction survey, independently conducted by NUIG in July 2003, found that "patient satisfaction with the Westdoc service is very high". A further patient satisfaction survey will be conducted in 2005. I am conscious of the challenges of providing this service over a particularly wide, rural area and I hope these challenges will continue to be addressed in order to meet patients' needs.

The Health Service Executive, western area, has purchased a premises at Drum, Knock, County Mayo, that will serve as a central base for out-of-hours GP services in this immediate area and it is planned to provide a range of primary care day services from this facility. Refurbishment work on the premises, an existing building that has been unoccupied for some time, is expected to commence within the next few months. The Health Service Executive does not have a similar health facility in the immediate area and this development will play a central role in meeting the health needs of the local population.

Hospital Waiting Lists.

262. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the number of persons in the State with multiple sclerosis; the number of these who are on waiting lists for treatment; and if she will provide other data available on multiple sclerosis sufferers in the State. [1335/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The most recent figures from the national physical and sensory disability database, NPSDD, which is managed by the Health Research Board, HRB, show 1,804 people as having being diagnosed with multiple sclerosis. In interpreting the data from the HRB, it is important to note that as not everyone in this country with a physical or sensory disability is availing of a specialised health and personal social service, the NPSDD will not provide any definite epidemiological statement on the number of people with a particular type of disability. The

other data requested by the Deputy is not readily available in my Department.

Care of the Elderly.

263. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the plans there are to provide residential or respite facilities for Alzheimer's patients in County Roscommon; the total number of persons with the disease in the county; if she will outline the procedure for patients who cannot be catered for at home and are unsuitable for a nursing home; and if she will make a statement on the matter. [1336/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in County Roscommon rests with the executive. My Department has requested the chief officer for the executive's western area to investigate the matter raised and to reply directly to the Deputy.

Suicide Incidence.

264. **Mr. Crawford** asked the Tánaiste and Minister for Health and Children the number of cases of suicide recorded in each of the past three years nationally; the breakdown of these figures on a county basis; and if she will make a statement on the matter. [1604/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The number of deaths by suicide as published annually by the Central Statistics Office are as follows: 2001- 519, 2002 — 451, 2003 — 444, 2004 — not yet available. A breakdown of these figures on a county by county basis as requested by the Deputy, is as follows:

County	2001	2002	2003
Carlow	8	3	6
Cavan	9	6	8
Clare	13	12	13
Cork	100	77	64
Donegal	15	20	14
Dublin	120	95	111
Galway	23	26	21
Kerry	20	10	9
Kildare	12	16	18
Kilkenny	15	12	11
Laois	7	4	4
Leitrim	6	6	3
Limerick	16	24	24
Longford	6	5	2
Louth	7	7	16
Mayo	17	19	10
Monaghan	2	2	8

County	2001	2002	2003
Meath	19	19	11
Offaly	12	13	7
Roscommon	5	5	3
Sligo	10	4	7
Tipperary	23	17	26
Waterford	17	14	8
Westmeath	9	8	6
Wexford	19	16	23
Wicklow	9	11	11
	519	451	444

As the Deputy may be aware, a new strategic action plan for suicide reduction is currently being prepared by the project management unit, Health Service Executive, in partnership with the national suicide review group and supported by the Department of Health and Children. This plan will build on existing policy and on the recommendations contained in the report of the national task force on suicide. All measures aimed at reducing the number of deaths by suicide will be considered in the preparation of this strategic action plan, which will be published later this year.

Care of the Elderly.

265. **Mr. Sherlock** asked the Tánaiste and Minister for Health and Children if there has been progress in the provision of extra beds for the elderly who require long-stay care in hospital in the areas of Mallow and Fermoy in County Cork. [1605/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in County Cork rests with the executive. My Department has requested the chief officer for the executive's southern area to investigate the matter raised and to reply directly to the Deputy.

Nursing Home Subventions.

266. **Mr. Sherlock** asked the Tánaiste and Minister for Health and Children the arrangements her Department has made in respect of refunding those who are referred to private nursing homes, though not in a contract bed situation by health services personnel, due to the shortage of beds in public nursing homes. [1606/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Department of Health and Children is unaware of the practice to which the Deputy refers. However, because of a shortage of public long-stay beds in some areas of the country, I understand that health service providers have, under section 22(3) of the Health

[Mr. S. Power.]
(Nursing Homes) Act 1990 entered into arrangements with private nursing homes to provide services. .

267. **Ms Shortall** asked the Tánaiste and Minister for Health and Children if it is correct for a health board or nursing home to deduct money from a patient's pension as in the case of a person (details supplied); and if so, the action she is taking to stop such action and to reimburse the person concerned. [1607/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in the Dublin 1 area rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Question No. 268 answered with Question No. 250.

Question No. 269 answered with Question No. 157

Questions Nos. 270 and 271 answered with Question No. 190.

National Archives Act 1986.

272. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children if her Department has not fulfilled its obligations under the National Archives Act 1986; the period during which her Department has been negligent in this regard; and if she has proposals to comply with the terms of the Act. [1613/05]

Tánaiste and Minister for Health and Children (Ms Harney): Section 8 of the National Archives Act 1986 requires that departmental records that are more than 30 years old should be transferred to the National Archives where they shall be made available for inspection by the public. However, the Act also provides an exemption from this requirement where records are required in connection with a Department's administration and where their transfer to the National Archives would seriously interfere with the administration of the Department.

The administration of the Department of Health and Children involves, on an ongoing basis, detailed examinations of its records in the context of orders of discovery, tribunals, inquiries, commissions, freedom of information requests and administrative requests, many of which involve the use of pre-1973 records. The Department's business programme also includes an examination of files by professional archivists and the creation of a names index and a central-

ised records and file tracking system. Owing to the nature of the Department's current administrative programme, much of the Department's file holdings are unsuitable for transfer to the National Archives at this time.

Since 2001, the records management unit of my Department has been in regular contact with the National Archives with the intention of complying fully with the requirements of the National Archives Act 1986. Interim measures agreed and pursued with the National Archives include the following: the transfer in 2003 of more than 300 items, including folder files, box files and bound volumes; the identification of further suites of records suitable for transfer and the preparation of appropriate deposit agreements. To date, space restrictions in the National Archives premises have prevented the physical transfer of these papers; the administrative release of certain records from within the Department using the National Archives legislation as guidelines; the Department's funding of an initiative by the National Archives to microfilm certain record sets that are suitable for transfer, with a view to making the microfilms accessible to the public; the Department's initiative to have certain of its files published on the National Archives website. A pilot in 2004 resulted in 8 files being published electronically, with the intention of adding to this set throughout 2005. The Department of Health and Children is fully committed to meeting its obligations under the National Archives Act, and continues to liaise on a regular basis with the National Archives to achieve this.

Health Board Staff.

273. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the responsibilities and roles of the former chief executive officer of each of the health boards under the newly structured health reforms. [1614/05]

Tánaiste and Minister for Health and Children (Ms Harney): Following the establishment of the Health Service Executive, HSE, on 1 January 2005, the HSE has responsibility for the management and delivery of health and personal social services, including those functions previously carried out by chief executive officers of former health boards, area boards and authority.

As part of the transition arrangements and as provided for in the Health Act 2004, the interim chief executive officer of the Health Service Executive has delegated responsibility for the administration of health and personal social services to a chief officer in each of the former health board, area board or authority areas. A chief officer is defined as a person who on establishment day was chief executive officer of a health board, area board or authority, or a person nominated to act in that capacity. Each chief officer reports to the chief executive officer of the HSE. I have been informed by the HSE that the delegations will be reviewed by it during the first half of 2005.

Nursing Home Accommodation.

274. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the number of public nursing home beds in hospitals and nursing homes in County Westmeath; and the locations of these beds. [1615/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of health services in County Westmeath rests with the executive. My Department has requested the chief officer for the executive's midland area to investigate the matter raised and to reply directly to the Deputy.

Care of the Elderly.

275. **Mr. Deasy** asked the Tánaiste and Minister for Health and Children the cost involved in maintaining an elderly person in their own home as opposed to seeking a placement for them in a public hospital or a nursing home; and if she will make a statement on the matter. [1616/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The cost involved in maintaining an older person at home or in a public hospital or in a nursing home depends on the type of medical needs, accommodation and health services required. The information requested cannot therefore be provided as each individual's circumstances will differ.

If the Deputy has a specific case in mind, details should be sent to the chief officer in the relevant Health Service Executive, HSE, area.

Inter-Country Adoptions.

276. **Mr. Deasy** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the lengthy process of the present system of adoption here; the steps she proposes to take to streamline this system; if she has had discussions with the adoption authority in this regard; and if she will make a statement on the matter. [1617/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): Applications for inter-country adoption are processed by the Health Services Executive, HSE, under the Adoption Acts 1952-1998, as amended by the Health Act 2004.

The process of assessment of applicants for inter-country assessment is set out in a framework for inter-country assessment introduced in 1999 to streamline assessments and to provide a transparent system centred on the child's best interests. It involves a number of stages and would generally include an initial assessment, a considerable level of education-preparation

work, including an exploration with prospective adoptive parents of the challenges and issues that are likely to arise when undertaking adoption, and a home study assessment. The length of the assessment process can vary between applicants depending on the particular circumstances of each case, bearing in mind at all times the best interests of the child. Applicants found to be suitable to be adoptive parents are granted a declaration of suitability by the Adoption Board, and may then pursue the adoption of a child abroad with the selected sending country. It should be noted that difficulties may arise in sending countries that can also cause delay. The length of time it takes to complete the necessary assessment and the allocation of resources within the HSE is a matter for the management of the HSE. I have asked the Adoption Board to identify practical measures to tackle the waiting lists of inter-country assessments and they are examining this currently.

Health Board Services.

277. **Mr. Deasy** asked the Tánaiste and Minister for Health and Children if she will provide funding to a centre (details supplied) in County Waterford; and if she will make a statement on the matter. [1618/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in County Waterford rests with the executive. My Department has requested the chief officer for the executive's south eastern area to investigate the matter raised and to reply directly to the Deputy.

Accident and Emergency Services.

278. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children the position in relation to expanding the accident and emergency service in Letterkenny, County Donegal; and if she will make a statement on the matter. [1619/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of services at Letterkenny General Hospital rests with the executive. My Department has, therefore, requested the chief officer of the executive's north-western area to investigate the position in relation to this matter and to reply directly to the Deputy.

I have identified the delivery of accident and emergency services as a priority area for atten-

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 tion. I have announced a ten point action plan on accident and emergency services which is being financed with €70 million current funding and €10 million capital funding. My Department is liaising with the Health Service Executive to progress the implementation of the plan.

Nursing Home Charges.

279. **Mr. Penrose** asked the Tánaiste and Minister for Health and Children the category of persons who will be refunded €2,000 in respect of payments deducted from them for nursing home care; if the category includes persons who were the holders of medical cards and were inpatients at public hospitals; if such persons are so entitled to the refund, but have in the interim died, if such a repayment will be made to their next of kin; and if she will make a statement on the matter. [1621/05]

Tánaiste and Minister for Health and Children (Ms Harney): The category of person who will receive refunds under the *ex gratia* scheme in respect of payments deducted from them for publicly funded long-stay care in facilities run by former health boards or private nursing homes solely by virtue of a contractual arrangement with a former health board comprises fully eligible persons, including those who had their medical card withdrawn on admission to the institution and were alive on 9 December 2004. Those qualifying under the scheme will be paid up to €2,000 if they have already paid up to that amount by way of charges. Where persons have been charged anything less than €2,000, they will be refunded the amount they have paid.

The category of person who will receive refunds does not include medical card holders in receipt of acute public inpatient services in a hospital, but may include medical cardholders who were charged incorrectly while in receipt of long-stay inpatient services following an acute phase of treatment in a hospital. In relation to acute care in hospitals the position is that under the Health (In-Patient Charges) Regulations 1987, as amended, a statutory inpatient charge of €55, with effect from 1 January 2005, is levied in respect of each day during which a person is maintained, subject to a maximum payment in any 12 month period of €550. However, it should be noted that various categories of person, including medical card holders, are exempt from the charge.

The scheme does not apply in the case of persons who were in long-stay care in the institutions in question but died before 9 December 2004. If, however, individuals concerned died on or after this date, payments will be made to the executor or person who has taken out the grant of administration in respect of the individual who died.

Hospital Waiting Lists.

280. **Mr. Hayes** asked the Tánaiste and Mini-

ster for Health and Children the number of persons on the waiting list for Our Lady's Hospital, Cashel and South Tipperary General Hospital, Clonmel, County Tipperary. [1622/05]

Tánaiste and Minister for Health and Children (Ms Harney): Responsibility for the collection and reporting of waiting lists and waiting times falls within the remit of the national treatment purchase fund, NTPF. My Department has, therefore, asked the chief executive of the NTPF to reply to the Deputy directly with the information requested.

Orthodontic Service.

281. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if orthodontic treatment will be arranged immediately in the case of a person (details supplied) in County Kilkenny; her views on the waiting list for this treatment; the exact timeframe relative to this case; and if she will make a statement on the matter. [1623/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of orthodontic treatment for eligible persons in County Kilkenny rests with the executive. My Department has requested the chief officer for the executive's south eastern area to investigate the matter raised and to reply directly to the Deputy.

Hospital Waiting Lists.

282. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if an assessment will be expedited for a hip operation for a person (details supplied) in County Kilkenny; if there is a waiting list for such cases; if this case will be urgently attended to; and if she will make a statement on the matter. [1624/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of services for residents of County Kilkenny rests with the executive. My Department has requested the chief officer for the executive's south-eastern area to investigate the matter raised and reply directly to the Deputy.

Speech Therapy Service.

283. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children if the Health Service Executive will reinstate a person (details supplied) on the waiting list for speech and langu-

age therapy at the Maynooth Health Centre; and if she will make a statement on the matter. [1625/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for speech and language therapy rests with the executive. My Department has requested the chief officer for the executive's south western area to investigate the matter raised and to reply directly to the Deputy.

Nursing Home Charges.

284. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the steps she proposes to take to force health boards to return the pension books of residents that they continue to retain illegally; and if she will make a statement on the matter. [1626/05]

321. **Ms Enright** asked the Tánaiste and Minister for Health and Children the position in relation to the refund of pensions to persons aged over 70 years in nursing houses; the procedure for returning the pension book to those persons or to their next of kin; the reason some pension books have not been returned to date; and if she will make a statement on the matter. [2061/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 284 and 321 together.

The Health Act 2004 provides for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. The Health Service Executive decided that pension books held by health agencies in respect of pensioners who were charged in relation to long-stay care should be returned to the pensioners concerned or their representatives. Responsibility for this matter rests with the executive. My Department has requested the interim chief executive officer to investigate the matter and to reply directly to the Deputies.

Services for People with Disabilities.

285. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Question No. 235 of 2 November 2004, the progress there has been in the development of a village complex for 60 residents with an intellectual disability on the campus at St. Ita's Hospital, Portrane, County Dublin. [1627/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and

deliver, or arrange to be delivered on its behalf, health and personal social services. As part of the executive's responsibility to prepare and submit an annual service plan for my approval, it is obliged under section 31 of the Act to indicate any capital plans proposed by the executive. In this process the executive can be expected to have regard to the full range of potential capital developments, its own criteria in determining priorities, available resources and any other relevant factors.

My Department is awaiting the 2005 service plan from the Health Service Executive. In the interim, my Department has asked the chief executive of the Health Service Executive, eastern regional area to investigate the position with regard to this project and to reply directly to the Deputy.

Hospitals Code of Practice.

286. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children her views on whether conduct (details supplied) is appropriate behaviour for a hospital (details supplied); and if there is a code of practice for all hospitals by which they are to protect patient care and confidentiality. [1628/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Services at St. James's Hospital, Dublin, are provided under an arrangement with the executive and my Department has requested the chief officer for the executive's eastern regional area to examine the issues raised and to reply to the Deputy directly.

Question No. 287 answered with Question No. 157.

Nursing Staff.

288. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children if she will provide funding for a nurse for County Kerry to deal specifically with Parkinson's disease sufferers; and if she will make a statement on the matter. [1630/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of services for residents of County Kerry rests with the executive. My Department has requested the chief officer for the executive's southern area to investigate the matter raised and reply directly to the Deputy.

Hospital Services.

289. **Ms McManus** asked the Tánaiste and Minister for Health and Children if it is regular practice for a hospital (details supplied) to give a patient's (details supplied) details to a third party without first notifying the patient; is it normal practice for the same hospital to make a separate charge to a patient who may take a successful personal injury claim; and if she will make a statement on the matter. [1631/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Services at St. James's Hospital, Dublin, are provided under an arrangement with the executive and my Department has requested the chief officer for the executive's eastern regional area to examine the issues raised and to reply to the Deputy directly.

Health Centres.

290. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the extent to which it is intended to upgrade the various health centres throughout County Kildare in line with population increases or other demographic changes; and if she will make a statement on the matter. [1632/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was estab-

lished on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for provision of health centres rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and reply to the Deputy directly.

National Case-Mix Programme.

291. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if details of the cost of inpatient and day procedures and for bed days in different hospitals, based on case-mix, are available for 2004; if not, when she expects them to be available; and if she will put them on the record of Dáil Éireann. [1633/05]

Tánaiste and Minister for Health and Children (Ms Harney): Data on the 37 acute hospitals which participate in the national case mix programme is detailed in the following table. This data is based on audited costs and activity for 2003, the latest full year for which data is available. Data for 2004 will be audited during the year for release in January 2006.

The case mix adjusted base price for inpatients and day cases is the average cost of a case when all national data has been aggregated and takes into account each hospital's unique mix of cases and differing complexities, that is, the base price is the cost of treating the same type of case in each hospital. Bed day costs do not take account of complexity and are simply an expression of total costs divided by total bed days. Bed day costs relate to inpatients only.

Data for 2003:

Hospital	Case Mix Adjusted Hospital Inpatient Base	Day Case Base Price	Cost per Bed Day* Price
	€	€	€
Beaumont	3,930	542	641
Cork University	3,774	534	747
James Connolly	4,825	535	640
Mater	3,721	652	658
St. James	4,147	461	692
St Vincents	3,874	584	633
Tallaght AMNCH	3,992	516	671
UCHG	3,856	427	662
Cavan	3,454	655	488
Croom	3,627	665	806
Letterkenny	3,107	417	470
Limerick	3,603	477	573
Longford/Westmeath	2,963	464	447
Lourdes Drogheda	3,479	463	575
Louth General	2,797	697	381
Mallow	3,223	394	477
Mayo General	3,632	587	534
Mercy	3,371	576	565
Merlin Park	3,118	648	481
Monaghan	4,053	536	507

Hospital	Case Mix Adjusted Hospital Inpatient Base	Day Case Base Price	Cost per Bed Day* Price
	€	€	€
Navan	3,428	781	556
Portiuncula	3,362	525	500
Portlaoise	3,567	501	550
South Infirmary	3,108	524	469
Sligo	3,276	773	476
St Columcilles	4,349	556	492
St Lukes Kilkenny	3,340	385	541
St Marys Orthopaedic	3,906	561	582
Tralee	3,559	503	523
Tullamore	3,501	684	502
Waterford	3,349	474	535
Wexford General	3,076	514	500
Coombe	3,556	Note 2**	563
National Maternity	3,657	Note 2	677
Rotunda	3,714	Note 2	697
OLHSC, Crumlin	5,109	Note 2	1,155
Temple Street	5,281	Note 2	1,128
National Totals	3,644	540	589

*Note 1: *Cost per bed day calculation excludes day cases, outpatient services, accident and emergency cost and activity. It also excludes capital and depreciation.

**Note 2: Day case costs not currently collected.

Hospital Waiting Lists.

292. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the numbers on acute hospital waiting lists by each region and hospital. [1634/05]

Tánaiste and Minister for Health and Children (Ms Harney): Responsibility for the collection and reporting of waiting lists and waiting times falls within the remit of the national treatment purchase fund, NTPF. My Department has, therefore, asked the chief executive of the NTPF to reply to the Deputy directly with the information requested.

Consultants' Common Contract.

293. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the progress in the negotiation of a revised contract for hospital consultants to ensure greater equity for public patients as promised in action 89 of Quality and Fairness; and if she will make a statement on the matter. [1635/05]

Tánaiste and Minister for Health and Children (Ms Harney): A series of meetings have taken place between management and the medical organisations to resolve outstanding issues from the current consultants' common contract. These negotiations resulted in the introduction of a revised grievance and dispute procedure for consultants. Preliminary talks have been held between management and the medical organisations to discuss forthcoming negotiations on the new contract. Unfortunately, the opposition of these organisations to the extension of the clinical

indemnity scheme to cover claims against consultants has led to a decision by the Irish Hospital Consultants Association, IHCA, not to participate in further negotiations. This has resulted in the commencement of talks on a new contract being postponed.

I am anxious to break the deadlock which has arisen and I have continually indicated to the consultants that I am available to sit down with them to discuss a new contract in tandem with those issues that are of particular concern to them with regard to the clinical indemnity scheme. In this respect, I met again the IHCA before Christmas when we discussed the negotiations on the new contract for consultants and the resolution of the medical indemnity issues. I regret that the IHCA indicated it wished to resolve the indemnity issue before it will agree to negotiate a new contract. I am available to meet again with the IHCA on this matter and it is my wish to move beyond the current impasse at the earliest opportunity.

I emphasise that the root cause is the withdrawal of cover for historic liabilities of consultants by the Medical Defence Union. I have also met the Medical Defence Union to bring forward a sustainable resolution to this issue. I have also ensured that, in the meantime, consultants who have been unreasonably left without cover will receive State assistance for a legal defence for any case that arises against them.

In this regard, I regret that both medical organisations are currently considering whether to take industrial action to seek a resolution to these issues. I encourage the IHCA and the IMO not to take this action and to continue with the dis-

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 cussion process with a view to reaching a mutually agreeable solution.

Hospital Staff.

294. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the reasons for terminating the suspensions of persons (details supplied); and if she will make a statement on the matter. [1636/05]

Tánaiste and Minister for Health and Children (Ms Harney): I reviewed the suspensions of the persons concerned on 23 December 2004 and decided, based on legal advice and pursuant to the powers conferred on me as Minister for Health and Children by section 22(3) of the Health Act 1970, to terminate the suspensions with effect from that date. My decision is without prejudice to the outcome of any legal or disciplinary proceedings relating to the suspensions and, in these circumstances, I am unable to comment further.

Hospital Services.

295. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the action she proposes to take on foot of the RCSI report on surgical services at Cavan General Hospital; and if she will make a statement on the matter. [1637/05]

Tánaiste and Minister for Health and Children (Ms Harney): At the request of my Department, the report referred to by the Deputy is being examined by the National Hospitals Office of the Health Service Executive. I expect to be advised by the executive in the near future as to the steps it proposes to take to address the issues raised in the report.

296. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children her proposals for action regarding the future of surgical services at Monaghan General Hospital in view of her meeting with Cavan-Monaghan Oireachtas Members to address this matter on 9 December 2004; and if she will make a statement on the matter. [1638/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of services at Monaghan General Hospital rests with the Executive. My Department has requested the chief officer of the Health Service Executive's north-eastern area to investigate the matter raised and to reply directly to the Deputy.

Home Help Service.

297. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if extra home help will be offered to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [1639/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in County Kildare rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and reply directly to the Deputy.

Question No. 298 answered with Question No. 157.

Freedom of Information Act.

299. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the State, semi-State, State-sponsored and statutory bodies under the aegis of her Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if she envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1705/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Department of Finance plans to extend freedom of information provisions to a range of appropriate bodies in 2005. Within the health sector, proposals to extend freedom of information to the following bodies are currently being finalised with that Department: An Bord Altranais; Bord na Radharcmhastoiri (Opticians Board); the Crisis Pregnancy Agency; the Dental Council; Dental Health Foundation; the Drug Treatment Centre Board; the Health Insurance Board; the Health Research Board; the Irish Health Services Accreditation Board; the Medical Council; the National Breast Screening Board; the National Cancer Registry; the National Council for the Professional Development of Nursing and Midwifery; the National Treatment Purchase Fund; the Office of Tobacco Control; the Pharmaceutical Society of Ireland; the Pre-Hospital Emergency Care Council; the Special Residential Services Board.

The following bodies are not deemed appropriate for the application of the Act at this time for the reasons outlined below: the Food Safety Promotion Board; the Institute of Public Health; the Hepatitis C and HIV Compensation Tribunal; the Adoption Board; the Voluntary Health Insurance Board; the Hospitals Trust Board; the Board for the Employment of the Blind.

The Food Safety Promotion Board is a North-South Implementation Body established under the British Irish Agreement Act 1999. Under the Agreement, Irish and Northern Ireland Ministers with responsibility for freedom of information will, as soon as practicable, draw up a code of practice on access to information for approval by the North-South Ministerial Council. Preparation of the code of practice is at an advanced stage and it is expected to be implemented during 2005.

The Institute of Public Health was established prior to the British-Irish Agreement Act 1999 under the auspices of the Department of Health and Social Services in Northern Ireland and the Department of Health and Children. It is intended to consult the institute regarding the application of the above code of practice to it. The Hepatitis C and HIV Compensation Tribunal is a quasi-judicial body. Access to information concerning adoption has been the subject of an extensive process of consultation and the Minister of State with responsibility for Children has recently published details of legislative proposals arising from this. The Voluntary Health Insurance Board provides private health insurance within the commercial market.

Under the current health reform programme, the Hospitals Trust Board is to be dissolved and alternative arrangements are intended for the services provided by the board for the employment of the blind. These services are being examined by a working group which is expected to report on its work at the end of March.

Question No. 300 answered with Question No. 157.

Hospital Waiting Lists.

301. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children, further to Parliamentary Question No. 89 of 16 December 2004, when the person will be called for a urology outpatients appointment at the County Hospital, Roscommon; and if she will make a statement on the matter. [1855/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the County Hospital, Roscommon rests with the executive. My Department has again requested the chief officer for the executive's western area to investigate the matter raised and to reply directly to the Deputy.

Community Care.

302. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children if the full complement of beds is now in use in the Maynooth community care unit, Maynooth, County Kildare; if not, the

number of beds in use; the reason for the delay in bringing the unit to full capacity; and if she will make a statement on the matter. [1874/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in County Kildare rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and reply directly to the Deputy.

Accident and Emergency Services.

303. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the serious overcrowding in recent weeks in the accident and emergency unit at Naas General Hospital, Naas, County Kildare; the way in which she intends to improve matters at the hospital prior to autumn 2005; and if she will make a statement on the matter. [1877/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of services at Naas General Hospital rests with the executive. My Department has, therefore, asked the chief officer of the executive's eastern regional area to investigate the position regarding this case and reply to the Deputy directly.

I have identified the delivery of accident and emergency services as a priority area for attention. I have announced a ten point action plan on accident and emergency services which is being financed with €70 million current funding and €10 million capital funding. My Department is liaising with the HSE to progress the implementation of the plan.

Audiology Services.

304. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the waiting time for hearing tests in the region covering County Kildare by the South Western Area Health Board, now Health Service Executive; and the waiting time for the provision of hearing aids following the hearing test. [1888/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the

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provision of audiology services for eligible persons in County Kildare rests with the executive. My Department has requested the chief officer for the executive's eastern area to investigate the matter raised and reply directly to the Deputy.

Ophthalmic Services.

305. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the waiting time for eye tests in the region covering County Kildare by the South Western Area Health Board, now Health Service Executive; and the waiting time for the provision of glasses following the eye test. [1889/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for provision of ophthalmic services rests with the executive. My Department has requested the chief officer for the executive's south-western area to investigate the matter raised and reply to the Deputy directly.

Home Help Service.

306. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the number of hours allocated for home help services in County Kildare in 2002, 2003, 2004 and 2005. [1890/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in County Kildare rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and reply directly to the Deputy.

Question No. 307 answered with Question No. 157.

Asthma Management.

308. **Mr. Sargent** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the results of a study in New Zealand on a breathing method (details supplied) as a treatment for asthma; her plans to investigate the merits of the treatment and its application here; and if she will make a statement on the matter. [1895/05]

Tánaiste and Minister for Health and Children (Ms Harney): My attention has been drawn to this particular study and to other aspects of this matter. Therefore, I am aware of the work that is

being done in this area. The causation and treatment of asthma are very complex issues involving a combination of environmental, physiological, psychological, metabolic and other factors.

As regards the particular point of this study, namely, the Buteyko breathing technique, I would make the following observation. The use of any treatment modality in any area of medical practice is a matter for individual practitioners based on best practice, as reflected in the research literature, standards and guidance provided by professional bodies and practitioners' individual experience. The Department is not in a position, therefore, to advocate the use of any particular programme of treatment in the complex and difficult area of asthma management.

Services for People with Disabilities.

309. **Ms McManus** asked the Tánaiste and Minister for Health and Children her plans to compensate registered nurses working in the intellectual disability sector who are paid significantly less than other staff working in this area with fewer qualifications, whom the nurses work alongside and in many cases supervise; and if she will make a statement on the matter. [1900/05]

317. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she will urgently resolve the major professional matters (details supplied) relating to the registered nurse in intellectual disability to ensure that they get the maximum support and ensure that persons with an intellectual disability be entitled to the same high standard of service as others; and if she will make a statement on the matter. [1971/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 309 and 317 together.

The final report of the joint committee on social care professions made recommendations in relation to pay and grading structures for child care workers. The pay recommendation provided for increases of 17% to 27% for house parents-child care leaders and assistant house parents-child care workers in the residential sector. The benchmarking body, PSBB, referred to this report and recommended that these increases be extended to similar grades in the intellectual disabilities sector, IDS.

In March 2004 the Labour Court considered a claim from the Alliance of Nursing Unions for a 10.55% pay increase for nurses working in the intellectual disability sector, to restore a 'differential' which existed between nurses and social care professionals prior to the determination of the public sector benchmarking body. While the Labour Court accepted that registered nurses intellectual disability, RNID, had traditionally been paid more than social care professionals, it stated that no formal pay 'differential' existed between the two grades. The court noted that an understanding had been reached at the Labour Relations Commission on 3 September 2003

between the employers and the Alliance of Nursing Unions and that both parties had accepted that the report of the PSBB severed all pay links and established new absolute levels of pay for benchmarked grades. There was also an acceptance that any future benchmarking exercise or whatever subsequent arrangements are put in place for determining public service pay is the appropriate forum to examine the position of RNIDs *vis-à-vis* other social care professionals. The court also noted that this understanding was rejected by members of the Alliance of Nursing Unions leading to the referral to the matter to the court.

The court issued its recommendation on 1 April 2004. Having considered the written and oral submissions the court was of the view that the claim could not be dealt with outside of the established agreements. Accordingly, the court recommended that the matter be dealt with in accordance with the understanding reached between the parties at the conciliation conference on 3 September 2003 and that it be give priority in this exercise.

In the discussions on phase II of Sustaining Progress the management agreed that the position of the RNID would be considered in the next benchmarking review which will commence in the second half of 2005. The special working group on the registered nurse intellectual disability was established in April 2003 and includes representatives of the Nursing Alliance and health service employers. This group is continuing to consider issues relevant to the role of the RNID, including reporting relationships, scope of practice matters and the education of persons with severe and profound intellectual disability.

The Government is committed to enhancing services for people with intellectual disability. Between 1997 and 2004, the Government provided additional revenue and capital funding of €400 million for services for people with intellectual disability and those with autism. In late 2004, the Government announced details of a further five-year investment programme in services for people with disabilities, the cumulative cost of which will be around €900 million. A major proportion of this funding will be used to target specific high support services for people with disabilities, including those with intellectual disability or autism, provided by the health services. This investment programme is a key element of the national disability strategy announced by the Taoiseach in September 2004.

Orthodontic Service.

310. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Clare will be called for orthodontic treatment in Limerick; and if she will make a statement on the matter. [1906/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was estab-

lished on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of orthodontic services for eligible persons in County Clare rests with the executive. My Department has requested the chief officer for the executive's mid-western area to investigate the matter raised and reply directly to the Deputy.

Tobacco Control.

311. **Ms McManus** asked the Tánaiste and Minister for Health and Children if she plans to ratify the WHO framework convention on tobacco control by 27 February 2005; and if she will make a statement on the matter. [1947/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I intend to bring a motion before the Oireachtas shortly seeking approval to the ratification by Ireland of the framework convention on tobacco control. The convention is an initiative of the World Health Organisation in response to the global epidemic of tobacco addiction. The treaty, which was adopted unanimously by the World Health Assembly in May 2003 and signed by Ireland in September 2003, provides an agreed approach to tobacco control at a global level.

This will be the first binding international treaty that addresses all aspects of tobacco control — the traditional health interventions such as advertising and sponsorship bans, passive smoking and retail licensing. It also addresses economic and trade issues, including taxation policy, international trade and smuggling. Other areas include product specification and issues of compensation and liability.

Ireland is a strong advocate of effective tobacco control policies and of the framework convention on tobacco control and has consistently pressed these policies nationally and internationally to protect public health and reduce deaths from tobacco related illness. To enable the treaty to come into force ratification by 40 states is necessary and this figure was achieved at the end of last year. Ireland is committed to effective tobacco control policies. Our smoke-free workplace initiative which commenced in March 2004 has drawn favourable comment from public health authorities around the world as an effective public health instrument in tackling the negative health effects of tobacco smoking. A number of other jurisdictions are using the Irish experience as a basis for similar type health interventions.

Nursing Home Subventions.

312. **Mr. Haughey** asked the Tánaiste and Minister for Health and Children if persons aged over 70 years with medical cards prior to December 2004, who were in long-term private nursing home care and in receipt of a subvention from

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the health board were entitled to this service free of any charge; the amount which will now be paid to such persons; if she will investigate the case of a person (details supplied); and if she will make a statement on the matter. [1961/05]

Minister of State at the Department of Health and Children (Mr. S. Power): As the Deputy will be aware, the placing of a person in a private nursing home is a private matter between the person or his or her representatives and the nursing home, as are the fees charged for that service. The nursing home subvention scheme was introduced to help people with some of the cost of this service and is based on need, both medical and financial. Consequently, the issue of refunds does not arise.

Health Centres.

313. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she will ensure maximum support and funding in 2005 for a centre (details supplied) in Dublin 5; and if she will make a statement on the matter. [1967/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in the Dublin 5 area rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

314. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the position regarding funding to a centre (details supplied) in Dublin 5; if it will receive the maximum support and funding in 2005. [1968/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in the Dublin 5 area rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply directly to the Deputy.

Hospital Services.

315. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if assistance will be given to persons (details supplied) in Dublin 3 with their complaint regarding a hospital; and if this case will be a priority issue. [1969/05]

316. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if the HSE will put in place a care plan for a person (details supplied) and work closely with the family on the issue; and if she will make a statement on the matter. [1970/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 315 and 316 together.

The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of hospital services rests with the executive. My Department has requested the chief officer for the executive's eastern regional area to examine the issues raised and to reply to the Deputy directly.

Question No. 317 answered with Question No. 309.

Home Help Service.

318. **Ms McManus** asked the Tánaiste and Minister for Health and Children the breakdown of home help expenditure in each of the health board areas which are funded by the health boards for the years 2002, 2003 and 2004; and if she will make a statement on the matter. [1976/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for the provision of health services in each county rests with the executive. My Department has requested the chief officers for each of the executive's areas to investigate the matter raised and reply directly to the Deputy.

Hospital Services.

319. **Ms McManus** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that a major hospital in Dublin (details supplied) states that it can only provide day service physiotherapy for patients who are over 65 years of age and had no physiotherapy stroke service for patients under 65 years of age; and if she will make a statement on the matter. [1977/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Services at the Adelaide

and Meath Hospital, incorporating the National Children's Hospital, Tallaght, are provided under an arrangement with the executive. My Department has, therefore, requested the chief officer of the executive's eastern regional area to investigate the position with regard to this matter and reply directly to the Deputy.

Chiropody Services.

320. **Mr. Carey** asked the Tánaiste and Minister for Health and Children if there have been any recent discussions between her Department and the ERHA-Health Service Executive or the professional bodies representing chiropodists regarding the long-running issue of chiropodists charging a top up fee to elderly medical card holders for chiropody services; and if she will make a statement on the matter. [1982/05]

Tánaiste and Minister for Health and Children (Ms Harney): The provision of chiropody services is a matter for the local area of the Health Service Executive. This is a service which it is not statutorily obliged to provide and a variety of arrangements were in place nationally under the former Eastern Regional Health Authority and the health boards. As the Deputy is aware, my Department informed the Eastern Regional Health Authority that it was inappropriate to impose a charge for this service on medical card holders. There are complex inter-relationships at play and I regret that the matter was not resolved. My Department has written to the Health Service Executive with a view to getting an early resolution of this matter.

Question No. 321 answered with Question No. 284.

Occupational Therapy Service.

322. **Mr. Connaughton** asked the Tánaiste and Minister for Health and Children the reason Ballinasloe social services, County Galway, has not had the services of an occupational therapist for more than four years; if her attention has been drawn to the fact that there is a vital need for this service in a town and hinterland the size of Ballinasloe; and if she will make a statement on the matter. [2063/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for occupational therapy rests with the executive. My Department has requested the chief officer for the executive's western area to investigate the matter raised and to reply directly to the Deputy.

Health Board Services.

323. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children the position in

relation to the case of a person (details supplied) in County Wicklow; if an operation will be carried out as a matter of urgency; and if she will make a statement on the matter. [2065/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of health services to persons residing in counties Dublin, Kildare and Wicklow rests with the Health Service Executive. My Department has requested the chief officer for the executive's eastern regional area to investigate the matter raised and to reply to the Deputy directly.

Health Service Executive.

324. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children when the HSE advisory forums are due to be established; the number of representatives per county; if she has to make a ministerial order, and if so, when she will do so. [2066/05]

Tánaiste and Minister for Health and Children (Ms Harney): I assume the Deputy is referring to the regional health forums due to be established under section 42 of the Health Act 2004. This section of the Act provides for the establishment of regional health forums, not exceeding four, following consultation with the Minister for Environment, Heritage and Local Government.

The function of a regional health forum is to make representations to the Health Service Executive on the range and operation of health and personal social services provided within its functional area. Members will be appointed to a regional health forum by the city and county councils in the forum's functional area. A regional health forum is to be composed of members of each city council and each county council within the functional area of the forum who are to be appointed as members of the forum by that city council or county council.

Details relating to the establishment, composition and operation of the regional health forums will be set out in regulations to be prepared by my Department. It is my intention that these regulations will be completed in the near future to enable the forums to be established as soon as possible.

Hospitals Building Programme.

325. **Mr. J. O'Keeffe** asked the Tánaiste and Minister for Health and Children the position in relation to the proposed extension and enlargement from 23 to 45 beds at Dunmanway community hospital, which was sanctioned in 1996; the progress which has been made in the meantime; and when the work will commence. [2067/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

As part of the executive's responsibility to prepare and submit an annual service plan for my approval, it is obliged under section 31 of the Act to indicate any capital plans proposed by the executive. In this process, the executive can be expected to have regard to the full range of potential capital developments, its own criteria in determining priorities, available resources and any other relevant factors.

My Department is awaiting the 2005 service plan from the Health Service Executive. In the interim, my Department has asked the chief executive of the Health Service Executive — southern area — to investigate the position in relation to this project and to reply directly to the Deputy.

Suicide Incidence.

326. **Mr. O'Connor** asked the Tánaiste and Minister for Health and Children her plans for a major programme to promote suicide prevention; her views on the matter; and if she will make a statement on the matter. [2068/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Since the publication of the report of the national task force on suicide in 1998, there has been a positive and committed response from both the statutory and voluntary sectors towards finding ways of tackling the tragic problem of suicide. I am fully committed to the intensification of suicide prevention measures and in this regard, work is now well underway on the preparation of a strategic action plan for suicide reduction. This strategic action plan involving the project management unit, Health Service Executive, in partnership with the national suicide review group and supported by the Department of Health and Children will build on existing policy and on the recommendations contained in the report of the national task force on suicide. All measures aimed at reducing the number of deaths by suicide will be considered in

the preparation of this strategic action plan which will be published later this year.

Cancer Screening Programme.

327. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that women who have medical cards are having to make a payment for the cervical smear test; and if she will make a statement on the matter. [2069/05]

Tánaiste and Minister for Health and Children (Ms Harney): Where cervical smear testing is necessary in the context of an individual woman's medical examination and clinical needs, it is covered under the general medical services scheme. However, opportunistic cervical smear testing is not currently provided under the scheme for medical card holders. Any necessary follow-up treatment is available to all women, including medical card holders, within the public hospital system.

The Health Board Executive, HeBE, commissioned an international expert in cervical screening to carry out an examination on the feasibility and implications of a national roll-out of a cervical screening programme and her report has been submitted to my Department. My Department is now consulting with relevant professional representative and advocacy groups on the report as an essential input into its preparation of a detailed response to the recommendations. These groups are: the Irish College of General Practitioners, An Bord Altranais, the Academy of Medical Laboratory Science, the Institute of Obstetricians and Gynaecologists of the RCPI; the faculty of pathology of the RCPI, the women's health council and the Irish Cancer Society.

Appointments to State Boards.

328. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the public appointments made in her Department since the Cabinet reshuffle in September 2004. [2090/05]

Tánaiste and Minister for Health and Children (Ms Harney): I take it that the Deputy is referring to persons appointed by the Minister for Health and Children to State boards under the aegis of the Department from 30 September 2004 to date. These appointments are set out in the following table.

Board/Agency	Appointee	Date of Commencement of Appointment
Crisis Pregnancy Agency	Peter Finnegan	13/12/2004
Dublin Dental Hospital Board	Bernard McCartan	20/12/2004
	Edward Cotter	20/12/2004
	Eamon Croke	20/12/2004
	William Watts	20/12/2004
	Jane Davis	20/12/2004
	Pat Harvey	20/12/2004
	Deirdre Sadler	20/12/2004
	Angela Kerins	20/12/2004

Board/Agency	Appointee	Date of Commencement of Appointment
	Ann Murphy	20/12/2004
	Colette Morrissey	20/12/2004
	Michael Horgan	20/12/2004
	Colm A. O'Moráin	20/12/2004
	Diarmuid B. Shanley	20/12/2004
	John Clarkson	20/12/2004
Food Safety Authority	Mary Falvey	22/11/2004
Health Service Executive	Liam Downey	01/01/2005
	Anne Scott	01/01/2005
	Maureen Gaffney	01/01/2005
	Michael McLoone	01/01/2005
	Michael Murphy	01/01/2005
	Niamh Brennan	01/01/2005
	John A. Murray	01/01/2005
	Eugene McCague	01/01/2005
	P.J. Fitzpatrick	01/01/2005
	Donal de Buitléir	01/01/2005
Irish Blood Transfusion Service	Helen Enright	4/11/2004
	Jane O'Brien	4/11/2004
	Mary Cahill	4/11/2004
Medical Council	Kieran Murphy	30/11/2004
National Breast Screening Board	Sheelagh Ryan	01/01/2005
	Olivia O'Leary	01/01/2005
	Sean Hurley	01/01/2005
	Pat McLoughlin	01/01/2005
	Niall O'Higgins	01/01/2005
National Council on Ageing and Older People	Oliver R. Clery	23/12/2004
	Paul O'Donoghue	23/12/2004
	Eileen O'Dolan	23/12/2004
	Annette Kelly	23/12/2004
	Elaine Soffe	23/12/2004
	Ruth Loane	23/12/2004
	Kit Carolan	23/12/2004
	John Grant	23/12/2004
	Daivda de la Harpe	23/12/2004
	Paddy O'Brien	23/12/2004
	Martina Queally	23/12/2004
	Bernard Thompson	23/12/2004
	Sylvia Meehan	23/12/2004
	Noel Byrne	23/12/2004
	John Brady	23/12/2004
Tallaght Hospital Board	Richard Conroy	10/12/2004
	Gerry Hurley	10/12/2004
	Chris Flood	10/12/2004
	Robert Kelly	10/12/2004
	Michael Gannon	10/12/2004
	Salters Sterling	10/12/2004
	Catherine Quinn	10/12/2004
	Tony Morris	10/12/2004
Voluntary Health Insurance Board	Jim Kelly	01/02/2005
	Julia Neuberger	01/02/2005

Health Board Services.

329. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children the position in relation to the case of a person (details supplied) in County Wicklow; if the decision will be re-examined and this person treated as speedily as possible; and if she will make a statement on the matter. [2105/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of orthodontic services to eligible persons in County Wicklow rests with the executive. My Department has requested the chief officer for the executive's eastern area to investigate the matter raised and to reply directly to the Deputy.

330. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children if she will provide the HSE with €121,000 to provide a respite service at Sycamore Drive, Athlone, County Roscommon; and if she will make a statement on the matter. [2110/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Responsibility for funding rests with the executive. My Department has requested the chief officer for the executive's western area to investigate the matter raised and to reply directly to the Deputy.

331. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children if she will allocate funding to the HSE to appoint a specialist counsellor at the North-West Hospice; and if she will make a statement on the matter. [2112/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the executive is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services.

Responsibility for the provision of health services in Sligo rests with the executive. My Department has requested the chief officer for the executive's north western area to investigate the matter raised and to reply directly to the Deputy.

Services for People with Disabilities.

332. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 207 of 30 November

2004 when she intends to commence the strategic review of existing service provision for persons with disabilities; and if she will make a statement on the matter. [2119/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): As the Deputy is aware, Sustaining Progress makes a commitment that "the Department of Health and Children will carry out a strategic review of existing service provision, in consultation with relevant interests, with a view to enhancing health and personal social services to meet the needs of people with disabilities". This review has commenced and it is anticipated that it will be completed within the lifetime of Sustaining Progress, that is, by the end of 2005.

Departmental Schemes.

333. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 789 of 29 September 2004, the progress to date on the issue; if a detailed examination of the schemes has taken place; the reason for the delay in performing this examination; if it will be included in her Department's business plan for 2005; when she intends to publish this plan; and if she will make a statement on the matter. [2121/05]

Tánaiste and Minister for Health and Children (Ms Harney): A preliminary review of the vaccine damage compensation schemes in place in a number of other countries was undertaken by my Department. This review was done in order to establish general details of schemes already in existence. More recently, my officials have begun an investigation to identify the most relevant models from a clinical, administrative and fairness point of view. On completion of this investigation, I will be in a position to consider the available options. The completion of this work has been included in the Department's 2005 business plan which it is hoped will be posted on the Department's website by the end of February 2005.

Pre-School Services.

334. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 90 of 16 December, 2004, if the child care report has been finalised; if training issues for pre-school inspection staff will arise as a result of the requirements of the revised regulations; and if she will make a statement on the matter. [2122/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The report on the review of the child care — pre-school services — regulations 1996 and amendment regulations 1997 has been completed pending clarification on a small number of legal and technical issues which are being progressed. Training issues for pre-school inspection staff which may arise as a result

of the requirements of the revised regulations will be a matter for the Health Service Executive as part of the implementation of the revised regulations.

Cancer Screening Programme.

335. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 793 of 29 September, 2004, if she will report on progress to date; and if she will make a statement on the matter. [2124/05]

Tánaiste and Minister for Health and Children (Ms Harney): The examination on the feasibility and implications of a national roll out of a cervical screening programme, referred to in the reply to Parliamentary Question No. 793, has now been completed. The Health Board Executive, HeBE, commissioned an international expert in cervical screening to carry out the examination and her report has been submitted to my Department.

My Department is now consulting with relevant professional representative and advocacy groups on the report as an essential input into its preparation of a detailed response to the recommendations. These groups are, the Irish College of General Practitioners; An Bord Altranais; the Academy of Medical Laboratory Science; the Institute of Obstetricians and Gynaecologists of the RCPI; the faculty of pathology of the RCPI; the women's health council and the Irish Cancer Society.

This year additional revenue funding of €1.1 million is being allocated to the Irish cervical screening programme for developments in quality assurance, training and more effective testing.

Disabled Drivers.

336. **Mr. Deenihan** asked the Minister for Fin-

Thresholds	First-Time Buyer Rate Pre-Budget	Number of transactions for First-Time Buyers (Pre-Budget)	First-Time Buyer Rate Post-Budget	Number of transactions for First-Time Buyers (Post-Budget)	Stamp Duty Yield for First-Time Buyers
€190,501 to €254,000	3%	3,970	Exempt	n/a	€26.7m
€254,001 to €317,500	3.75%	2,542	Exempt	n/a	€26.5m
€317,501 to €381,000	4.5%	1,069	3%	35	€16.4m (4.5%) €0.4m (3%)
€381,001 to €635,000	7.5%	Unknown	6%	16	€0.4m

As stamp duty rates for property transactions exceeding €381,000, up to 1 December 2004, and for transactions exceeding €635,000, on or after 2 December 2004, were the same for all purchasers, it is not possible to distinguish first-time buyer transactions from other transactions in excess of those values.

Statistics on stamp duty transactions are not compiled by reference to the address of the property purchased and, accordingly, it is not possible to provide the information requested by reference to counties. Particulars of transactions

ance when the medical board of appeal to the disabled drivers and disabled passengers scheme will be reconstituted; when the staffing and administrative charges will be put in place; and if he will make a statement on the matter. [34124/04]

Minister for Finance (Mr. Cowen): The Department of Finance together with the Department of Health and Children, is currently reconstituting the medical board of appeal for the disabled drivers and disabled passengers — tax concessions — scheme. Progress has been made and it is expected that the new arrangements will be put in place over the coming weeks. Staffing and administration of the board are also being addressed as part of this process.

Tax Code.

337. **Mr. Ferris** asked the Minister for Finance the number of first-time buyers in 2004 who were exempt from paying stamp duty; the number who paid at the 3%, 3.75%, 4.5%, 7.5% and 9% rates, respectively; the amount of revenue raised in each rate for first time buyers; the number of first-time buyers who paid stamp duty at the lowest rate in Dublin in 2004; and the number who paid stamp duty at the lowest rate in Mayo in 2004. [34126/04]

Minister for Finance (Mr. Cowen): As the Deputy will be aware, I changed the stamp duty rates for first-time owner-occupiers of second-hand property in the 2005 budget, which was announced on 1 December 2004. The table below outlines the old rates which were applicable up to 1 December 2004 as well as the new rates as applicable on or after 2 December 2004. It also shows relevant information available regarding the number of transactions and the stamp duty yield relating to first-time buyers who paid stamp duty in 2004, as provided to me by the Revenue Commissioners:

where no stamp duty applies are not normally captured. Accordingly, it is not possible to provide reliable information in relation to exempt categories.

338. **Mr. R. Bruton** asked the Minister for Finance if he will consider waiving VAT charges (details supplied); and if he will make a statement on the matter. [34171/04]

Minister for Finance (Mr. Cowen): The position is that charities and non-profit groups are exempt from VAT under the EU Sixth VAT

[Mr. Cowen.]

Directive with which Irish law must comply. This means that such organisations do not charge VAT on the goods and services they provide and cannot recover VAT incurred on their input costs. Essentially, only VAT registered businesses which charge VAT are able to recover VAT. There is no provision to waive the VAT charges in respect of production costs for the CD or cassette as referred to in the question.

339. **Mr. Boyle** asked the Minister for Finance if he will consider a joint study between his Department and the Department of Social and Family Affairs on the advantages of refundable tax credits over current direct provision of the family income supplement. [34210/04]

Minister for Finance (Mr. Cowen): The issue of paying family income supplement through the tax system was considered in late 2002 by a working group established under the Programme for Prosperity and Fairness to examine the role which refundable tax credits can play in the tax and welfare system. The group was made up of representatives of the social partners and was chaired by my Department.

A perception existed at the time that the take up of the FIS scheme was low, that it was not reaching intended beneficiaries to the extent that it might and that payment through the tax and payroll systems might help in that regard. The take up of the scheme had peaked at about 14,700 at the end of 1999 but had subsequently declined to 11,700 at end September 2002. However, the examination undertaken suggested that some of the perceived disadvantages for eligible persons under the existing system, for example, the need to make an application to a State agency, could apply equally to FIS paid through the tax and payroll systems. The examination also suggested that it would probably not prove feasible to introduce a system whereby FIS would be paid automatically to eligible persons through the tax and payroll systems because of the complexities involved for employers and for the Revenue Commissioners.

I understand that since 2002, the numbers availing of the scheme have risen significantly. Average annual numbers of claimants for the years 2002 to 2004 are 11,716, 12,265 and 13,508, respectively. In the week ending 14 January 2005, there were 14,637 claimants. The improved take up may be due to a number of factors, including generous increases in FIS income thresholds over successive budgets, an increase in the minimum weekly FIS payment to €20, expansion of the economy and greater flexibility in working arrangements.

Having regard to the improved level of take up, I do not see that there is a pressing need to carry out a further examination along the lines proposed by the Deputy.

340. **Mr. Allen** asked the Minister for Finance if he will examine the case of a person (details

supplied) in County Cork; and if the Revenue Commissioners will examine this person's tax allowances. [34223/04]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that they have written to the person concerned requesting details of all employments, any other sources of income and P60 forms. When the information requested is received, Revenue will review the person's tax credits and ensure that the taxpayer is subject to the correct tax deduction. Any overpayment of tax for earlier years will be refunded.

Flood Relief.

341. **Mr. O'Shea** asked the Minister for Finance his proposals to fund the Tramore Road phase of the John's River flood relief scheme (details supplied); and if he will make a statement on the matter. [34228/04]

Minister of State at the Department of Finance (Mr. Parlon): The Deputy will be aware that the Tramore Road phase of the John's River flood relief scheme has a negative cost benefit ratio and the decision was therefore taken to omit this phase from the scheme at this stage as it does not meet the Department of Finance requirement that a flood relief scheme be economically viable. While flooding of the Tramore Road causes considerable disruption and inconvenience, it is not the only access route between Tramore and Waterford and I could not justify including this phase in the scheme while other cost beneficial schemes to relieve flooding of houses and other property awaited attention.

I wish to reiterate, however, the OPW's willingness to progress the other four phases of the scheme and it is proposed to arrange a meeting shortly between OPW and Waterford City Council officials to discuss this. Alternative approaches to solving the flooding of the Tramore Road can also be discussed.

342. **Mr. N. O'Keeffe** asked the Minister for Finance if the Office of Public Works will complete all the works to be carried out at a location (details supplied) in County Cork within the next 12 months. [34285/04]

Minister of State at the Department of Finance (Mr. Parlon): The OPW has received a request for funding for flood relief work at Market Dock and Greens Dock in Youghal. OPW officials will assess the situation in Youghal in the near future and will establish whether the flooding is due solely to tidal forces in which case it would be a matter for the Department of Communications, Marine and Natural Resources or is caused by a combination of tidal and fluvial influences in which case it will be a matter for OPW.

The Commissioners of Public Works will also need to quantify the potential benefits arising from any flood relief scheme, as well as any possible constraints to implementing a scheme. The

local authority has been asked for its views on these issues. When all of the relevant information is available a decision will be made on undertaking flood relief works in Youghal and on the priority to be accorded to such works within OPW's overall flood relief programme.

Tax Code.

343. **Mr. F. McGrath** asked the Minister for Finance if he will consider radical new initiatives to assist young persons to buy a home; and if he will reconsider the tax issue whereby the State takes a 40% cut from the sale of every new home. [34303/04]

Minister for Finance (Mr. Cowen): Government policy in the housing market has focused, among other things, on improving supply thereby assisting home ownership particularly for first-time buyers. In this context, the years 2002 and 2003 were the eighth and ninth successive years of record housing output with 57,695 and 68,819 completions, respectively. This positive trend in supply has continued into 2004, with statistics for the six months to June showing that overall house completions at 35,957 were up 21.4% on the same period last year. The rate of house building is now more than double that in 1996.

In addition, a range of tax incentives exist to facilitate first-time buyers in purchasing their own homes. The Deputy will be aware that I introduced a stamp duty relieving measure in the 2005 budget for first-time house purchasers who are owner-occupiers of second hand houses by increasing the stamp duty exemption threshold for such purchasers from €190,500 to €317,500 and by having reduced rates for house values up to €635,000. The lowering of stamp duty rates for first-time buyers was designed to increase the affordability of residential property for such buyers, thus helping them to get a foothold in the property market. It should be noted that all owner-occupiers are generally exempt from stamp duty on new houses where the property is 125 sq. m. or less whereas an investor who purchases a new house for renting is liable for stamp duty where the price exceeds €127,000.

Mortgage interest relief is available at source in respect of interest paid on moneys borrowed for the purchase, maintenance, repair or improvement of that taxpayer's main residence, including second-hand houses. For owner-occupiers, mortgage interest relief at the standard rate is granted in respect of interest paid up to a ceiling on loans used for the purchase or improvement of a person's sole or main residence. Preferential arrangements exist for first-time buyers over other owner occupiers. The existing higher ceilings for first-time buyers on allowable interest were increased in budget 2003 and currently stand at €4,000 for a single person and €8,000 for married couples and widowed persons. The period for which these increased ceilings apply was extended from five years to seven years.

In relation to the tax take from new homes, the State finds it necessary to raise taxes from this area like all other goods and services. The Deputy may wish to note that I dealt with the issue of the tax take from the price of a new house in a reply to a parliamentary question on 23 November 2004. Figures in excess of 40% have been attributed by the house building industry to the amount that the Government raises in tax from each new home. However, this figure is wrong. In fact, based on the same industry figures, the cost of a new home that accrues directly to the Exchequer through taxation is more like 28%, based on both Dublin and national prices. This is broadly in line with the tax take on the overall economy.

Social Inclusion.

344. **Mr. F. McGrath** asked the Minister for Finance if the €33 million surplus in the 2004 final Exchequer finances will be spent on social inclusion measures. [34575/04]

Minister for Finance (Mr. Cowen): The Government will spend a multiple of this small surplus amount on social inclusion in 2005. Over €12 billion will be spent on social welfare measures, including increases in old age pensions, unemployment benefit and child benefit — 8% more than in 2004. Some €2.8 billion has been allocated for health, education and accommodation services for those with an intellectual or physical disability — an increase of over 11% on 2004. Education spending in 2005 will amount to over €7 billion, a year on year increase of around 9%. The Deputy need have no concern over this Government's commitment to social inclusion.

Property Disposal.

345. **Mr. Wall** asked the Minister for Finance the number of public buildings sold or in the process of being sold by the OPW in Kildare; the value of such properties; if he will report on the guidelines regarding the sale of such properties; and if he will make a statement on the matter. [34589/04]

Minister of State at the Department of Finance (Mr. Parlon): To date no properties have been identified for sale in the Kildare area. The examination of the State property portfolio by the Commissioners of Public Works with a view to identifying vacant, under-utilised, under-developed or surplus property is continuing. To date, the process has produced a number of properties deemed suitable for detailed assessment to determine their potential for disposal or redevelopment.

In considering properties for disposal, the following considerations are taken into account: Title; the planning issues in the context of their development potential; their overall condition; the extent to which decisions on decentralisation might impact on them; the alternative use to which they might be put; their likely market

[Mr. Parlon.]
value. Final decisions on disposal-redevelopment will follow the completion of the detailed assessment of each of the properties in question.

Tax Code.

346. **Mr. R. Bruton** asked the Minister for Finance the cost of introducing refundable tax credits solely for tax expenditures, that is, in respect of credits on expenditures which taxpayers have actually incurred such as mortgage interest, health insurance, bin charges and so on.
[34590/04]

Minister for Finance (Mr. Cowen): Tax relief for mortgage interest and health insurance already operate in effect as refundable tax credits as the relief is given at source to all, irrespective of tax liability. As for the costs of introducing refundable credits generally, this depends on the particular expenditure involved, the liability of individual taxpayers and the impact on economic behaviour of changing to a refundable tax credits system. It is not possible at this point to assess such costs with any degree of certainty.

347. **Mr. R. Bruton** asked the Minister for Finance if he has considered introducing a system whereby the tax relief on bin charges would be deducted at source in the same way as applied to health insurance and mortgage interest payments; and if he will make a statement on the matter.
[34591/04]

Minister for Finance (Mr. Cowen): The current tax relief for waste service charges is provided by granting a relief to taxpayers based on the charges they have paid to local authorities and private operators in the previous year, provided of course that they have actually paid the relevant amount and on time. I appreciate the thrust of the various points raised by the Deputy. There are, however, a number of factors which mitigate against a system of tax relief at source for waste service charges, in particular the different ways that service charges operate in local authorities, the changeover to the pay by use system of charging and the number of private operators involved. In general, a tax relief at source operates more easily where there are a limited number of providers of the service for the tax system to deal with. I will, however, bear in mind what the Deputy has said when I next review the application of the system.

Companies Register.

348. **Mr. Cuffe** asked the Minister for Finance if progress has been made with amending the State Property Act to ensure that the Companies Office notifies his Department if a residue has accrued to the State from companies that have been struck off the Register of Companies.
[34596/04]

Minister for Finance (Mr. Cowen): The position regarding residues, either lands or other assets, belonging to companies which are struck off the Register of Companies under company law is that such residues become the property of the State under section 28(2)(a) of the State Property Act 1954. More than 5,000 companies have been struck off the register per annum in recent times. The cost of establishing and maintaining an administrative structure for monitoring property devolving to the State under such circumstances would be substantial as the vast bulk of the property involved consists of small units such as footpaths and roads in housing estates and the common areas, internal and external, of apartment blocks. It is not clear that any countervailing benefits would ensue. In the circumstances, it is considered that the present arrangement, whereby the State becomes aware of property accruing to it on foot of the dissolution of struck-off companies when notified by interested parties, should continue.

Regulation of Gambling.

349. **Mr. Durkan** asked the Minister for Finance if he has issued directives to curtail gambling through the use of mobile telephones; and if he will make a statement on the matter. [31197/04]

350. **Mr. Durkan** asked the Minister for Finance if his attention has been drawn to the encouragement of gambling on the Internet; if he will issue directives to control the extent of the problem; and if he will make a statement on the matter. [31199/04]

351. **Mr. Durkan** asked the Minister for Finance if his attention has been drawn to the extent to which the Internet and mobile telephone system is being used to promote gambling to the detriment of young persons and families; if he intends to issue instructions; and if he will make a statement on the matter. [31211/04]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 349 to 351, inclusive, together.

Regarding the growth of betting by phone and the Internet, I refer the Deputy to my previous reply of 30 November 2004 on this matter. There is a limit to what can be achieved in tax legislation and this is particularly the case when considering the problem of excessive gambling.

Cross-Border Funding.

352. **Mr. R. Bruton** asked the Minister for Finance if public funds have been provided through the cross-Border INTERREG funding programme to support the activities of a group (details supplied); and if he will make a statement on the matter. [34621/04]

Minister for Finance (Mr. Cowen): The INTERREG IIIA, Ireland-Northern Ireland programme, is managed by the special EU programmes body, SEUPB, one of six North-South

implementation bodies set up under strand II of the Good Friday Agreement. The SEUPB has informed me that the group in question was part of a consortium that applied for funding under the INTERREG IIIA Ireland-Northern Ireland programme on 22 January 2004 under priority 1.1 business and economic development.

This application was approved for grant assistance of €308,682 out of a total project cost of €661,414 on 30 March 2004 by the Ireland-Northern Ireland INTERREG steering committee, subject to a successful economic appraisal. The steering committee is responsible for formally determining which applications are to receive offers of assistance under the programme. The economic appraisal found the project to be compliant with both national and EU regulations.

Tax Collection.

353. **Mr. G. Mitchell** asked the Minister for Finance the additional cost in income tax per taxpayer if bin charges were eliminated and replaced by income tax. [1052/05]

Minister for Finance (Mr. Cowen): The Minister for the Environment, Heritage and Local Government is responsible in Government for national waste management policy. The position as I understand it is that local authorities are obliged to collect or arrange for the collection of household waste within their functional areas. However, this obligation does not apply in certain circumstances, including where an adequate waste collection service is otherwise available.

At present, of the 34 city-county councils involved in waste management planning, some 20 are privately operated, while 14 remain local authority operated. In the areas where a local authority collection service is in place, the determination of charges for the service is a matter for the local authority itself. In areas where the local authority is not involved in the collection service, the determination of charges is a matter for the private collectors concerned.

The Department of the Environment, Heritage and Local Government has no function in the setting of waste charges and therefore it has not been the policy of that Department to collect full data on waste charges. However, based on returns received from local authorities in respect of their 2004 adopted budgets, income from domestic refuse charges applied by local authorities themselves is estimated to amount to €113 million for 2004. This figure does not include data in respect of private collectors.

As the Department of the Environment, Heritage and Local Government does not collect full data on the total cost of waste collection it is not possible to say what the additional cost to the taxpayer would be to provide such a service if bin charges were eliminated.

Flood Relief.

354. **Mr. Lowry** asked the Minister for Finance

if his attention has been drawn to correspondence from North Tipperary County Council regarding necessary maintenance work to the Ballyfinboy River; if his attention has further been drawn to the urgency associated with such maintenance work; when he will sanction the necessary funds to carry out this work; and if he will make a statement on the matter. [1059/05]

Minister of State at the Department of Finance (Mr. Parlon): The Ballyfinboy River does not form part of any drainage scheme for which the Commissioners of Public Works have a maintenance responsibility under the Arterial Drainage Act 1945. Moreover, from the information available to the commissioners, it appears that this river would be unlikely to meet the criteria that would lead to it being included on the priority list for flood relief schemes in the foreseeable future.

Tax Code.

355. **Mr. Ring** asked the Minister for Finance his plans to address the discrimination against single income families, in cases in which one person earns €56,000 and pays 20% tax on €37,000 plus 42% income tax on the balance yet a married couple with two incomes pay 20% tax on the first €56,000 of taxable income, particularly as the home carer tax credit of €770 was not increased in budget 2005 or in the two previous budgets; and if he will make a statement on the matter. [1113/05]

Minister for Finance (Mr. Cowen): I do not accept the Deputy's assertion that there is unfair discrimination in the situation outlined in his question. While the couples may have the same income, they are not in the same situation. The difference in treatment between married one income and married two income couples with regard to the standard rate band arises as part of the policy of band widening which was commenced in budget 2000. The aim was to achieve a position that eventually each individual would have his-her own non-transferable standard rate band. This was with a view to achieving a number of objectives. It was seen to be the most cost effective way of moving towards a position where 20% of income-earners are on the top rate of tax.

As the Deputy may be aware, this is one of the key Government taxation priorities set out in the Government programme and endorsed in the current national agreement Sustaining Progress. It helped to deal with the situation where single people on moderate wages had a relatively high tax burden and it also helped address the problem whereby married persons returning to the workforce faced high marginal rates of tax almost from the first euro of earnings because the full band was already being used by their spouse.

It should be noted that married couples can still benefit from double personal tax credits. The employee — PAYE — credit is only available to employees and not to others so it is not doubled up for a married one-earner. However, this has

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always been the position in relation to the PAYE credit which was introduced as an allowance in 1979. It might also be noted that there are costs associated with earning an income which are likely to be greater if two persons rather than one person must work outside the home to earn the same total income.

The home carer tax credit, formerly an allowance, was introduced in Finance Act 2000 and is designed to recognise the contribution made by a spouse who remains working in the home in order to care for children or the aged or incapacitated, other than the spouse of the claimant. It currently amounts to €770 per annum. The provision is intended to cover situations where a spouse has forfeited a second income to care for dependents in the home. It is available only to married couples who are jointly assessed for tax. While it was decided not to increase the home carer tax credit in budget 2005, it is worth noting that couples who benefit from the credit will gain significantly in 2005 from the income tax changes I announced in the budget. For example, a married one-earner on PAYE with two children on a salary of €58,800 per annum will gain €765.48 from the budget. This is made up of €658 from increases in tax credits and band widening as well as €180 from increases in child benefit, less €72.52 in additional social insurance contributions.

The position is that nobody has lost out as a result of the introduction of the band widening policy relative to his or her former position. In fact, as a result of positive developments in the tax system over the last number of years, including band widening, all categories of income earner, including married one-earner couples, have seen their average tax rates fall considerably.

In an international context, the most recent data available from the OECD relating to the year 2003 indicate that for the average production worker, who is married with two children with a carer in the home, Ireland now has the lowest tax wedge — that is, income tax, levies, and employers and employees PRSI, as a percentage of gross income plus employers PRSI — in the EU and, indeed, in the entire OECD. Furthermore, recently released OECD data show that the tax wedge for such workers has fallen more sharply in Ireland than in any other OECD country reflecting the progress that the Government has made in this area.

356. **Ms M. Wallace** asked the Minister for Finance if there are special exemptions from stamp duty for purchasers who have no option but to move under advice of a Department or agency; and if he will make a statement on the matter. [1114/05]

Minister for Finance (Mr. Cowen): The Deputy will be aware that there are a number of incentives in place to assist owner-occupiers in purchasing residential property. There is no stamp

duty on the purchase of new residential property for owner-occupiers where the dwelling is not greater than 125 sq. m. and complies with certain conditions in relation to building standards. If the property is over 125 sq. m., stamp duty is charged on the site value or one quarter of the total value of the property, whichever is the greater. Also, I introduced a stamp duty relieving measure in the 2005 budget for first-time house purchasers who are owner-occupiers of second hand houses by increasing the stamp duty exemption threshold for such purchasers from €190,500 to €317,500 and by having reduced rates for house values up to €635,000.

Mortgage interest relief, MIR, is also available at source in respect of interest paid on moneys borrowed for the purchase, maintenance, repair or improvement of that taxpayer's main residence. From 1 January 2003, a first-time mortgage holder can claim 100% tax relief for the first seven years, five years prior to 1 January 2003, of the mortgage at the standard rate of tax, currently 20%, on the interest paid within the following limits: €8,000 for a married couple who are jointly assessed for tax; €8,000 for a widow(er); €4,000 for a single person.

Apart from those outlined above, there are no special exemptions from stamp duty in the circumstances outlined by the Deputy and there are no plans to introduce such exemptions.

Garda Stations.

357. **Mr. O'Connor** asked the Minister for Finance if he will present a report on considerations by the OPW of the future Garda station needs of Tallaght, Dublin 24; if his attention has been drawn to the need for a specific announcement to be made by OPW in the matter; and if he will make a statement on the matter. [1116/05]

Minister of State at the Department of Finance (Mr. Parlon): I understand that the Garda authorities are considering their accommodation requirements at Tallaght. My office is not in a position to consider the re-design of the Tallaght station until a revised brief has been received from the Garda authorities and the Department of Justice Equality and Law Reform.

Disabled Drivers.

358. **Ms McManus** asked the Minister for Finance the reason for the problem with regard to remission of VAT and VRT to a company (details supplied); and if he will make a statement on the matter. [1117/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the organisation in question currently has eight vehicles registered under the disabled drivers and disabled passengers — tax concessions — regulations 1994 on which VAT and VRT have been repaid.

Under the regulations, repayment or remission is given only where the Revenue Commissioners

are satisfied that the vehicle in question is a reasonable requirement of the organisation making the claim, having regard to the number of qualifying disabled persons being transported by that organisation and the number and capacity of vehicles already owned by that organisation. The organisation concerned was advised on 28 July 2003 that any future applications under the above regulations would be considered for replacement vehicles only. On 11 March 2004, the organisation applied for repayment of VRT and VAT on two additional vehicles. It was requested to submit a business plan supporting the application to expand its fleet of vehicles. A reply has not been received to date to this request. On receipt of the requested information by the Revenue Commissioners' central repayments office, Monaghan, further consideration will be given to the application.

Tax Code.

359. **Mr. R. Bruton** asked the Minister for Finance when the small income exemption limit was last increased; the value it would now represent if it had kept a pace with increases in personal tax allowances; the cost of restoring the small income exemption limit to that level; and if he will make a statement on the matter. [1186/05]

Minister for Finance (Mr. Cowen): The general exemption limits were last increased in 1998-99, apart from a small upward rounding in 2002 because of conversion to the euro. It stands at €5,210 for a single person and €10,420 for a married couple. There are child additions of €575 for the first and second child, and €830 for third and subsequent children. The general exemption limits have not been increased in recent years. This is as a result of a deliberate policy of removing those on low incomes from the tax system through increases in the personal credits rather than through higher general exemption limits.

The approach taken is in line with the recommendations of the expert working group on the integration of tax and social welfare systems 1996, which considered that the exemption limits should effectively be phased out. At the time, the interaction between the system of marginal relief, which is an integral part of the exemption limits arrangements, and the withdrawal of family income supplement was seen as potentially giving rise to a negative impact on work incentives as well as causing severe poverty traps for a small number of people in a narrow band of income. The group also held that it was difficult to justify, as a matter of principle, the imposition of high marginal rates of tax on low income.

The age exemption system, however, remains in operation to the benefit of a significant number people aged 65 and over, and their spouses. The cost associated with reviving the general exemption limit system, by reference to the increase in the aggregate value of the personal credits, is set out below. The aggregate value of the basic personal tax credit and the employee, PAYE, tax

credit has increased by 184% from a combined allowance of €5,016 to a combined credit of €2,850, which equates to a combined allowance of €14,250 at 20%.

I understand from the Revenue Commissioners that if the general exemption limits were increased in value by the same percentage as the combined value of the personal credits, that is, 184%, they would now have a value of €14,796, single, and €29,592, married. Assuming a similar percentage increase in the child addition to the exemption limits, and also in the associated marginal relief limits, the total cost to the Exchequer would be about €226 million in a full year in post budget 2005 terms.

Flood Relief.

360. **Mr. Durkan** asked the Minister for Finance if he has had discussions with Kildare County Council regarding the alleviation of flooding at Mill Lane, Leixlip, County Kildare, a report on which has been prepared by the County Council; if he expects to be in a position to offer financial assistance toward the project; and if he will make a statement on the matter. [1187/05]

382. **Mr. Stagg** asked the Minister for Finance if he has received a report from Kildare County Council in relation to flood alleviation measures in Leixlip, County Kildare; if funding is available from his Department to carry out the work; and if he will make a statement on the matter. [1871/05]

Minister of State at the Department of Finance (Mr. Parlon): I propose to take Questions Nos. 360 and 382 together.

The Office of Public Works has received a copy of the executive summary of a study commissioned by Kildare County Council into localised flood relief works at Leixlip. The OPW has written to the county council requesting additional information including a copy of the full study in order that consideration can be given to their application for funding for the proposed works.

Freedom of Information Act.

361. **Mr. R. Bruton** asked the Minister for Finance the State, semi-State, State-sponsored and statutory bodies under the aegis of his Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if he envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1194/05]

Minister for Finance (Mr. Cowen): The State, semi-State, State-sponsored and statutory bodies under the aegis of my Department that are not subject to the Freedom of Information Acts are: Central Bank and Financial Services Authority of Ireland; Irish Financial Services Regulatory Authority; Financial Services Ombudsman;

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National Treasury Management Agency; National Pensions Reserve Fund Commission; National Development Finance Agency; State Claims Agency; Valuation Tribunal; Disabled Driver Medical Board of Appeal; Public Service Benchmarking Body, non-statutory; and the Review Body on Higher Remuneration in the Public Sector, non-statutory.

Proposals for extending freedom of information are being developed at present in my Department in the context of plans to extend freedom of information to other appropriate bodies by the end of 2005.

In addition to the above bodies, the special EU programmes body under the aegis of my Department is a North-South implementation body established under the British Irish Agreement Act 1999. The Act states that “the Irish and Northern Ireland Ministers with responsibility for Freedom of Information will as soon as practicable draw up a code of practice on access to information for approval by NSMC”. Preparation of the code of practice is at an advanced stage and it is expected to be implemented during 2005. My Department is, of course, covered by the freedom of information legislation and any information held by it which is common to both the Department and the special EU programmes body is therefore subject to freedom of information.

Flood Relief.

362. **Mr. McGuinness** asked the Minister for Finance the funding set aside in the River Nore flood relief scheme to re-stock the river when the scheme is completed; the timeframe for restocking the river; when it is likely to commence; and if he will make a statement on the matter. [1195/05]

Minister of State at the Department of Finance (Mr. Parlon): There is no specific funding set aside at present to restock the River Nore on completion of the drainage scheme as there are no indications to date that such a measure will be required.

Fish population has been carefully considered by the Office of Public Works and the Central Fisheries Board prior to and during the scheme. The Southern Regional Fisheries Board has also been intimately involved in fisheries considerations as the River Nore lies within its jurisdiction. As part of the requirements of the environmental impact statement, a fish population study was carried out on the River Nore prior to the commencement of works on the drainage scheme. As it was evident that the scheme works would have an impact on the fishery habitat, appropriate mitigation measures were incorporated into the scheme works.

Fish population surveys will be carried out post-scheme in order to establish if fish stocks have recovered naturally as it is anticipated they will. An initial study will take place in autumn

2005 with further monitoring studies to be carried out over the next four years. These studies will be carried out by the Central Fisheries Board, working with the Southern Regional Fisheries Board, on behalf of the Office of Public Works.

If the initial survey indicates a depletion of fish stocks, the Central Fisheries Board will advise the OPW of the appropriate measures required and a timeframe for the implementation of any such measures will then be established. The Central Fisheries Board has, however, indicated that physical restoration work to encourage reproduction of the rivers' indigenous stock is usually the method preferred for building up fish stock, particularly in a naturally productive river such as the Nore, as it encourages bio-diversity and does not undermine the genetic structures of the native river fish populations.

The substantial late run of salmon, which caused problems at Lacken Weir some weeks ago, is an encouraging sign that natural recovery will occur successfully.

363. **Mr. J. O’Keeffe** asked the Minister for Finance if he will approve the flood relief scheme for Bandon. [1215/05]

Minister of State at the Department of Finance (Mr. Parlon): Cork County Council submitted an engineering report to the Commissioners of Public Works, which makes proposals in relation to a flood relief scheme for Bandon, County Cork. This report is currently being considered by OPW and a decision on including Bandon in the OPW programme of potential flood relief schemes will be made as soon as possible.

Financial Services Regulation.

364. **Ms Shortall** asked the Minister for Finance if, further to previous replies, he has yet received the report from the Irish Financial Services Regulatory Authority on endowment loan shortfalls; if not, if the IFSRA has advised him on when the report will be available; and if he will make a statement on the matter. [1220/05]

Minister for Finance (Mr. Cowen): The Irish Financial Services Regulatory Authority, IFSRA, is statutorily independent in the carrying out of its regulatory functions and I have no involvement in its day to day activities. However, I am advised that in 2004 IFSRA wrote to all lenders and insurers seeking information on the their endowment businesses. The information requested included details of, *inter alia*, the number of endowment policies currently in force, the number of policyholders likely to be impacted by shortfalls and requested details of the steps institutions are taking to inform and advise their customers of options available where a shortfall is projected.

Responses have now been received from the institutions surveyed. The process of compiling and analysing the information submitted is currently underway with a view to ascertaining a cle-

arer picture of the nature and extent of the short-fall problem. When the information has been analysed, IFSRA will consider what appropriate action should be taken.

Tax Code.

365. **Ms O. Mitchell** asked the Minister for Finance the reason psychiatric hospitals and geriatric-psychiatric hospitals do not qualify for tax incentives in the same way as mainstream nursing homes. [1230/05]

Minister for Finance (Mr. Cowen): In the budget and Finance Act 1998 the Government introduced a system of capital allowances specifically for nursing homes that are registered with a health board. The purpose of this targeted measure was to encourage investment in increased nursing home capacity and in improved facilities for the elderly and incapacitated for which there continues to be a demand. When the scheme of capital allowances for the construction of private hospitals was introduced in 2001, the question of including psychiatric hospitals and geriatric-psychiatric hospitals within the ambit of this scheme did not arise.

In recent months I have received proposals with regard to the provision of capital allowances for psychiatric hospitals. These proposals are being examined in my Department.

366. **Mr. Haughey** asked the Minister for Finance if a first-time buyer of a second-hand house purchased in November 2004 is entitled to relief from stamp duty or a refund of any kind; and if he will make a statement on the matter. [1282/05]

Minister for Finance (Mr. Cowen): As the Deputy will be aware, the 2005 budget introduced a stamp duty relieving measure for first-time house purchasers who are owner-occupiers of second-hand houses by increasing the stamp duty exemption threshold for such purchasers from €190,500 to €317,500 and by having reduced rates for house values up to €635,000.

Where a contract has been entered into prior to 2 December 2004 the new rates will apply provided the instrument, for example, deed of conveyance or transfer or lease, giving effect to the contract is executed on or after 2 December 2004. If someone is unsure as to whether the instrument relating to the property was executed before this date, I would advise them to contact their solicitor for confirmation. If someone is a first-time buyer who is an owner-occupier and the instrument giving effect to the contract was executed before the date outlined above, the stamp duty rates in force before 2 December 2004 would apply and there would be no entitlement to a refund of stamp duty already paid in such a case.

When relieving changes to the stamp duty code are introduced, they take effect from a date specified at the time of the introduction of the measure and are not applied retrospectively. As the Deputy will no doubt appreciate, if one were

to backdate the budget change to conveyances executed, say, one week before budget day, there would be strong claims of discriminatory treatment from those who incurred the stamp duty liability, say, two weeks earlier.

Flood Relief.

367. **Mr. McGuinness** asked the Minister for Finance the Department responsible for the design of the fish pass at Lacken Weir, Kilkenny which was part of the River Nore relief scheme; if the drawing or plans of the pass are available; if a new fish pass is to be constructed; if the existing pass is to be modified; and if he will make a statement on the matter. [1283/05]

Minister of State at the Department of Finance (Mr. Parlon): The Department of Communications, Marine and Natural Resources has responsibility for the specification for the fish pass and OPW has responsibility for the production of the design and the installation of the pass. The final design produced was approved by the Department of Communications, Marine and Natural Resources prior to construction. Copies of the construction drawings can be made available to interested parties on request.

A review of the functioning of the fish pass is currently being carried out by the OPW, the Department of Communications, Marine and Natural Resources and the Southern Regional Fisheries Board. Upon completion of the review, OPW will be in a position to confirm the exact nature of any work required. Preliminary investigations, however, indicate that some modifications to the existing fish pass will resolve the issues associated with the functioning of the pass.

Tax Collection.

368. **Mr. Deenihan** asked the Minister for Finance the amount collected by the Exchequer in direct payments of VAT, PAYE and PRSI from the greyhound racing and breeding sector; and if he will make a statement on the matter. [1365/05]

Minister for Finance (Mr. Cowen): I have been informed by the Revenue Commissioners that the information furnished on tax returns generally does not require the yield from a particular sector or sub-sector of trade to be identified. In these circumstances, the amount of tax revenues collected under all taxation headings in respect of the greyhound and breeding sector cannot be readily identified from the overall yield from taxation. Accordingly, the specific information required by the Deputy is not readily available and could not be obtained without conducting a protracted examination of the Revenue Commissioners' records.

369. **Mr. Deenihan** asked the Minister for Finance the amount collected by the Exchequer in direct payments of VAT, PAYE and PRSI from

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the horse racing and breeding sector; and if he will make a statement on the matter. [1366/05]

Minister for Finance (Mr. Cowen): I have been informed by the Revenue Commissioners that the information furnished on tax returns generally does not require the yield from a particular sector or sub-sector of trade to be identified. In these circumstances, the amount of tax revenues collected under all taxation headings in respect of the horse-racing and breeding sector cannot be readily identified from the overall yield from taxation. Accordingly, the specific information required by the Deputy is not readily available and could not be obtained without conducting a protracted examination of the Revenue Commissioners' records.

Tax Code.

370. **Mr. Cregan** asked the Minister for Finance the situation in relation to a house let out by the owners in order to pay for their private nursing home fees; if such a situation would affect this person's tax situation in any way; if they would be liable for capital gains tax on the increased capital value of the house for the years it was let out; if the rental would affect the gift or inheritance tax later when sold for distribution to this person's children; the way in which their situation would be treated if the house were sold prior to death and after death; if he will provide the exemption limits for tax payable by this person's children; and if he will make a statement on the matter. [1367/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that profits arising on letting a house in the circumstances outlined will be aggregated with other income arising in the same year and chargeable to income tax. Exemption from income tax is available where total income for the year does not exceed the appropriate limits. For 2005, for a person aged 65 years and over, these are €16,500 and €33,000 for single-widowed individuals and married couples respectively. A person chargeable to income tax may claim a deduction for the cost of maintenance or treatment in an approved nursing home, by virtue of S469 TCA 1997, relief for health expenses. A list of approved nursing homes can be viewed on the Revenue website at www.revenue.ie.

Capital gains tax treatment will depend on when the property is sold. If it is sold prior to death the gain is calculated by reference to the consideration on sale and the cost on acquisition, or value at 6 April 1974 if acquired before that date. This gain is apportioned for main residence relief purposes on the basis of the period, inclusive of the final 12 months of ownership in any event, during which the property was occupied as the main residence and the overall period of ownership, or from 6 April 1974 if relevant. The period of stay in a nursing home would not be

considered a period of principal private residence of the family home during the time it was rented. If the property is sold after death the gain is computed on the difference between the sale consideration and the market value at the date of death. Main residence relief does not apply to this gain.

The gift and inheritance tax free thresholds from parents to children is €466,725. No gift or inheritance tax is payable by any child unless the value of that child's gifts or inheritances received from their parents since 2 December 1991 exceeds this figure. The letting of the house prior to a gift or inheritance of the proceeds of sale of the house being received by the children does not affect the gift or inheritance position of the children. If the Deputy has a specific case in mind, he may wish to contact Revenue directly with further details for a more definitive reply.

Site Acquisition.

371. **Mr. O'Shea** asked the Minister for Finance if the OPW has yet acquired a site for the new office of Ordnance Survey Ireland to the decentralised to Dungarvan, County Waterford; and if he will make a statement on the matter. [1584/05]

Minister of State at the Department of Finance (Mr. Parlon): The Office of Public Works has identified a number of suitable sites in Dungarvan. Negotiations are currently in train with a view to acquiring the best overall property solution at this location for the decentralisation programme.

Decentralisation Programme.

372. **Mr. O'Shea** asked the Minister for Finance if the 300 Ordnance Survey Ireland office jobs promised for decentralisation to Dungarvan, County Waterford in budget 2004 includes the 100 jobs in the six regional offices; and if he will make a statement on the matter. [1585/05]

373. **Mr. O'Shea** asked the Minister for Finance his proposals to open an advance office for 20 or more staff of Ordnance Survey Ireland in Dungarvan, County Waterford to begin the process of decentralising the promised 300 Ordnance Survey Ireland jobs; and if he will make a statement on the matter. [1586/05]

374. **Mr. O'Shea** asked the Minister for Finance if he is aware that some staff members of Ordnance Survey Ireland purchased houses in the Dungarvan, County Waterford area following indications that an advance office for 20 or more staff would be set up in the town as a forerunner to the decentralisation of the full 300 jobs; and if he will make a statement on the matter. [1587/05]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 372 to 374, inclusive, together.

In reply to a parliamentary question on 4 February 2004, my predecessor stated that approximately 210 staff based in Dublin would decentralise to Dungarvan, County Waterford. The relocation of Ordnance Survey Ireland, OSI, to Dungarvan will not affect its existing regional offices.

The outline implementation plan prepared by OSI in June 2004 stated that it would be preferable to establish an advance office prior to decentralisation. The data from the central application facility, CAF, published in September 2004 indicated that there are 15 members of the staff of OSI who have applied to decentralise and 47 expressions of interest for decentralisation to Dungarvan. In November, the decentralisation implementation group, DIG, published its list of “early movers”. This list, which was accepted by Government, does not include OSI. It is expected that a further report will issue from the group in spring 2005 dealing with all remaining locations, including Dungarvan. The issue of a possible advance office in Dungarvan will be considered in the light of that report.

The purchase of property in any location by individual staff members is a matter for themselves, having regard to published information on the decentralisation programme.

Tax Reliefs.

375. **Mr. Bruton** asked the Minister for Finance if he has considered the desirability of extending tax relief for charitable donations to include other than cash contributions, such as share securities or property; and his policy towards extending relief in this way. [1589/05]

Minister for Finance (Mr. Cowen): As the Deputy is aware, the Finance Act 2001 introduced a new uniform scheme of tax relief on donations made by either individuals or corporate bodies to eligible charities and other approved bodies, including first and second level schools and third level institutions, including universities. The minimum qualifying donation for relief purposes to any one eligible charity or approved body is €250 per annum. Generally speaking, there is no upper limit on the amount which can be donated and qualify for relief. Donations must be in the form of money and can be on a cumulative basis for any one year. Thus, a weekly donation of €5 per week can qualify for the relief. The relief on the donation is at the individual’s marginal rate of tax.

It should be noted that while the tax relief on donations scheme does not apply to the donation of non-cash assets, relief from capital gains tax is available where an asset is donated to an eligible charity. Essentially, where a donation of a non-cash asset is made to an eligible charity, the disposal is deemed for capital gains tax purposes to be made for such an amount as to ensure that neither a gain nor a loss accrues on the disposal. Thus, no charge to capital gains tax arises to either the donor or the receiving charity on sub-

sequent disposal of the asset. Income tax relief on the value of an asset donated together with the current capital gains tax exemption would amount to a double relief. Such a concession could result in tax relief which was significantly higher than marginal rate income tax relief being granted.

The income tax for donations of cash presupposes that the individual is making the donation from income on which he or she has paid income tax to the value of the relief being claimed. Such a link may be broken where non-cash items are involved. In addition, the inclusion of non-cash gifts would also give rise to valuation issues. Extending the scheme to non-cash items would give rise to significant additional cost to the Exchequer in regard to a scheme which is already very generous.

The existing scheme of tax relief on donations is effective in encouraging greater donations. I understand that the Irish Charities Tax Reform Group has informed my officials that they have found the relief very useful in obtaining donations.

Disabled Drivers.

376. **Mr. J. Higgins** asked the Minister for Finance if, due to the difficulties encountered by blind and visually impaired persons living in rural Ireland in accessing the free public transport to which they are entitled, he will consider funding the extension of the refund of VAT and other taxes on a new car, and on all petrol used on running that car to the households of blind and visually impaired persons in cases in which the car is solely for the family’s personal use. [1590/05]

Minister for Finance (Mr. Cowen): I assume the Deputy is referring to the disabled drivers and disabled passengers (tax concessions) scheme. This scheme is open to those with disabilities who meet the specified criteria and have obtained a primary medical certificate to that effect. The senior area medical officer attached to the relevant local health board is responsible for both the medical assessment and the issue of the medical certificate.

The medical criteria for the purposes of the tax concessions 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 leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the 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

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and who have serious difficulties of movement of the lower limbs.

An individual who qualifies under the medical criteria, as set out above, is issued with a primary medical certificate, possession of which qualifies the holder for remission or repayment of vehicle registration tax, VRT, a repayment of value added tax, VAT, on the purchase of the vehicle and a repayment of VAT on the cost of adaptation of the vehicle. Repayment of the excise duty on fuel used in the motor vehicle and exemption from annual road tax to local authorities are also allowed.

An interdepartmental review group was established to review the disabled drivers and disabled passengers (tax concessions) scheme. The group examined all aspects of the scheme, including the qualifying medical criteria. Its report was published on my Department's website in early July and copies have been placed in the Oireachtas Library. As agreed by Government in June, I will consider the report on an ongoing basis in the overall budgetary context, having regard to the existing and prospective cost of the scheme.

Pension Provisions.

377. **Mr. P. McGrath** asked the Minister for Finance if, in view of the announcement by his predecessor regarding public pension increases (details supplied), he will give the increases awarded to date under these proposals; indicate the increase which is due to a pensioner with 35 years of service as a clerical officer who has a fortnightly pension of €569; and when these increases will be awarded. [1591/05]

Minister for Finance (Mr. Cowen): I will be introducing the pension increases referred to at an early date. These arrangements will have retrospective effect to 1 January 2004. The new arrangements relate only to the pension entitlement of workers with a pensionable salary below the threshold of 3.33 times the rate of the contributory old age pension, €31,186, and whose occupational pensions are integrated with the social welfare contributory old age pension.

Integration applies in the case of public civil servants who are fully covered for pay related social insurance, class A, PRSI. The social welfare pension is merged with the employer's occupational pension to provide a combined pension which, at 40 years service, is no less than the occupational pension, where the total pension is paid by way of occupational pension only. Generally, civil servants, including clerical officers recruited prior to 1995, are not fully covered by PRSI and, as such, their pensions are not integrated with the social welfare pension. Accordingly, they do not qualify under the new arrangements.

In addition, from the information supplied in this particular case, it appears that the pensionable salary of the official in question would not fall below the threshold of 3.33 times the rate of OACP and accordingly would not qualify under

the new arrangements, even if the individual were in class A, PRSI.

Tax Certificates.

378. **Mr. Durkan** asked the Minister for Finance when a P21 form will issue to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [1592/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that a PAYE balancing statement, P21 form, for the year 2003 issued to the taxpayer on 21 January 2005.

Tax Reliefs.

379. **Mr. N. O'Keeffe** asked the Minister for Finance if the Office of the Revenue Commissioners will investigate a business park (details supplied) in County Cork for breaches under the Finance Act 1997 at which special tax designation status has been secured for the development but it is understood that a number of firms are allegedly in breach of the criteria. [1593/05]

Minister for Finance (Mr. Cowen): As the Deputy is aware, the Revenue Commissioners cannot comment publicly on particular cases. Section 343 of the Taxes Consolidation Act 1997 provides for the granting of capital allowances to certain qualifying companies carrying on qualifying trading operations in enterprise areas. Both the Revenue Commissioners and the Minister for Enterprise, Trade and Employment have roles in the administration of this provision. The Revenue Commissioners do not determine whether or not companies are entitled to be certified as qualifying companies for the purposes of claiming the capital allowances provided for in the section.

Section 343(1) of the Taxes Consolidation Act 1997 provides that a qualifying company must have received a certificate indicating its qualification from the Minister for Enterprise, Trade and Employment following consultation with the Minister for Finance. The Minister for Enterprise, Trade and Employment may not certify that a company is a qualifying company unless it is carrying on, or intends to carry on, qualifying trading operations in an enterprise area and the Minister is satisfied that the carrying on of such trading operations will contribute to the balanced development of the enterprise area.

The qualifying trading operations in this instance are those manufacturing activities that qualify for manufacturing relief in accordance with section 443 of the Taxes Consolidation Act 1997, internationally traded services, that is those services designated under the Industrial Development Act 1986, and freight forwarding and certain allied services in enterprise areas adjacent to the regional airports. Section 343(4) of the Taxes Consolidation Act 1997 also empowers the Minister for Enterprise, Trade and Employment to revoke the certificate in circumstances where the

company has failed to comply with any of its conditions.

The Revenue Commissioners may have to satisfy themselves as to whether the other conditions for claiming the capital allowances, provided for in the section, have been fulfilled. These conditions include the requirement to carry on qualifying trading operations and to claim the rates of allowance provided for in the section.

380. **Mr. Perry** asked the Minister for Finance if the status of a company (details supplied) can be backdated to 2002; and if he will make a statement on the matter. [1831/05]

Minister for Finance (Mr. Cowen): I understand the Deputy's question relates to the charitable tax exemption status of the company. I am advised by the Revenue Commissioners that charitable tax exemption was granted to the company on 25 November 2004. There is no provision whereby the charitable tax status can be backdated to 2002.

Tax Yield.

381. **Mr. P. McGrath** asked the Minister for Finance the amount of VAT collected annually on the sale of parts for the motor industry. [1848/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the amount of VAT collected in respect of the sale of parts by the motor industry cannot be identified in the overall yield of VAT, as the information furnished on VAT returns from the industry does not require this to be identified. The only relevant information available regarding VAT on motor parts is in respect of the purchase of car accessories for which the VAT yield in 2004 is estimated at €28 million and in respect of car repairs for which the VAT yield, including the VAT collected in respect of labour, is estimated at €34 million.

Question No. 382 answered with Question No. 360.

Flood Relief.

383. **Mr. Stagg** asked the Minister for Finance if further technical and engineering reports have been provided by Kildare County Council in regard to flood alleviation in Ardclough, County Kildare; if he will make funding available for the required work; and if he will make a statement on the matter. [1872/05]

Minister of State at the Department of Finance (Mr. Parlon): Kildare County Council has provided no further technical or engineering reports for the Office of Public Works in regard to flood alleviation in Ardclough, County Kildare.

Garda Stations.

384. **Mr. Stagg** asked the Minister for Finance

if negotiations with Kildare County Council for the acquisition of a small portion of land to the front of the site for the new Garda station for Leixlip, County Kildare, have been concluded; if a revised sketch scheme has been submitted to the Department of Justice, Equality and Law Reform for approval; if approval has issued from this Department; when construction will commence; and if he will make a statement on the matter. [1884/05]

Minister of State at the Department of Finance (Mr. Parlon): Negotiations are ongoing with Kildare County Council for the acquisition of an additional plot of land for this development. The Office of Public Works wrote to the council again on 5 January 2005 seeking to finalise the matter and is awaiting the council's response. When these negotiations are completed satisfactorily, a revised sketch scheme will be issued to the Department of Justice, Equality and Law Reform for approval.

National Monuments.

385. **Mr. Stagg** asked the Minister for Finance if the OPW has completed its review of options for increasing visitor numbers to Maynooth Castle; if the completion of the second phase of the restoration works to the castle formed part of the review; and if he will make a statement on the matter. [1886/05]

Minister of State at the Department of Finance (Mr. Parlon): Plans are being drawn up for a dedicated promotional campaign for Maynooth Castle, including advertising in the local press. With regard to possible future development at Maynooth Castle, the position remains as set out in my reply to Parliamentary Question No. 185 of 17 November 2004.

Decentralisation Programme.

386. **Ms Shortall** asked the Minister for Finance the details of all sites being examined by his Department in the Listowel area in respect of the decentralisation programme; and the criteria used to assess the suitability of each site. [1892/05]

Minister of State at the Department of Finance (Mr. Parlon): The Office of Public Works has identified a number of potentially suitable property solutions, which includes both sites and buildings, for the decentralisation to Listowel. It is expected that the associated evaluation process, which is at an advanced stage, will be completed shortly.

The main evaluation criteria applicable to the assessment of all property solutions on the decentralisation programme are as follows: the proposed cost of the accommodation offered either by way of lease, outright purchase or on a deferred purchase basis; the proposed timescale within which the accommodation can be provided; the quality of the design and specification; the potential for future expansion exhibited by

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any proposed site or building; the proximity of the site or building to amenities and any available transportation mode; the practicality of any car parking proposal submitted in respect of the site or building; and the requirement that premises should comply where appropriate with all relevant sections of health and safety legislation, building regulations and planning legislation and should be fully accessible to persons with disabilities.

Communications Masts.

387. **Mr. Quinn** asked the Minister for Finance if he will give a categorical assurance in writing to residents living in the vicinity of Ardee Road, Rathmines, Dublin 6 that the erection of telecommunications equipment on an OPW building by a company (details supplied) will not pose a health threat to the residents in the vicinity or the pupils of St. Mary's College, Rathmines and if, in the event of any damage done to the health of such persons, he and the Office of Public Works will accept responsibility; and if he will make a statement on the matter. [1952/05]

Minister of State at the Department of Finance (Mr. Parlon): The company referred to is a telecommunications consultancy company appointed by the Commissioners of Public Works in August 2003 to assess the suitability of the State property portfolio for use in the mobile telecommunications sector and to act in an advisory capacity to the commissioners in their dealings with mobile telecommunications operators. As part of this process, a licence to install equipment on Ardee House, Rathmines, has been granted to a mobile phone operator.

Under the terms of the licence, the operator is required to comply strictly with all relevant health and safety legislation, to operate within current standards and EU regulations and to adhere to the guidelines on exposure limits to emissions, issued by the International Commission on Non-Ionizing Radiation Protection, ICNIRP. This compliance with health and safety legislation and so on required under the licence agreement also applies to any future relevant legislation or regulations and ICNIRP guidelines.

Motor Fuels.

388. **Mr. Cregan** asked the Minister for Finance the situation regarding the price of diesel; if he will track the price *vis-à-vis* petrol at wholesale or retail level; the reason diesel has increased in price *vis-à-vis* petrol; if the increasing price of diesel is mainly due to production prices, refining or taxation; and if he will make a statement on the matter. [1987/05]

Minister for Finance (Mr. Cowen): Fuel prices are driven by a number of factors, including the price of oil on international markets, exchange rates, production costs and refining costs. The rise in oil prices over recent periods reflected

additional factors such as geopolitical uncertainty, supply disruptions and strong economic growth in “catch-up” countries such as China. Mineral oil taxes are also a factor influencing fuel prices. However, as the Deputy may be aware, I did not increase taxation on motor fuels in the recent budget.

In respect of the tracking of petrol prices *vis-à-vis* diesel prices, the CSO's national average price survey of these fuels for 2004 produced the results set out in the following table.

	Unleaded Petrol	Auto Diesel
	€ Litre	€ Litre
January 2004	0.894	0.826
February 2004	0.900	0.830
March 2004	0.897	0.825
April 2004	0.921	0.842
May 2004	0.984	0.864
June 2004	0.997	0.916
July 2004	0.975	0.905
August 2004	0.990	0.918
September 2004	0.985	0.935
October 2004	0.981	0.939
November 2004	1.009	0.987
December 2004	0.970	0.962

The data show the price of diesel increased by more than the price of petrol during 2004 with the differential between the two narrowing as the year came to an end. While a number of factors have been advanced to explain the recent price developments, it is clear they were not driven by tax increases.

Tax Reliefs.

389. **Ms Burton** asked the Minister for Finance the number of stud farm companies and stud farm operators benefiting from the provision whereby tax exemption is given in respect of non-resident stallions (details supplied); the estimated cost of this tax relief from 1997 to date; and the basis on which this relief is given. [2070/05]

Minister for Finance (Mr. Cowen): The stallion stud fees exemption was introduced in the Finance Act 1969 to encourage the development of the Irish bloodstock industry by creating an incentive for investment in Irish stallions and applied to stallions standing at stud in the State and abroad. Income arising to the owner or part-owner of a stallion from the sale of services or the right to services is exempt from tax. Losses may not be offset against other income.

Income from a stud farm is charged to tax in the same way as other profits from farming. The income charged to tax in full includes income from the keeping of mares and stallions at the farm. The only income exempt is the income arising from stallion fees. The legislation providing for this exemption was amended in the Finance Act 1985 so as to confine the tax exemption on stallion fees to income earned from stallions at

stud in the State. Income arising to a part-owner of a foreign-based stallion continued to be exempted where the share has been acquired by a breeder for the purpose of acquiring new breeding lines for a bloodstock enterprise carried on in the State. The exempting measure is now contained in section 231 of the Taxes Consolidation Act 1997.

A Revenue Commissioners administrative ruling issued in November 1986, in response to a perceived downturn in the industry, confirmed that if a stallion ordinarily kept on land in the State was temporarily exported from the State for genuine commercial purposes and for a period which would not exceed two years, it would be accepted that the stallion would continue to be regarded as ordinarily kept on land in the State. This position was changed in September 1998. Since then, stallions which are sent abroad to cover mares, mainly to the southern hemisphere and commonly for a period of up to six months, are regarded as ordinarily kept on the land in the State but, except as otherwise provided for in the legislation, only those profits arising in the State are exempt.

As the Deputy is aware, it has not been a requirement under various Governments since 1969 to identify the costs of this relief because there was no obligation on a taxpayer to make a return of exempt income or profits from the sale of services of mares by stallions. However, in the Finance Act 2003 this position was changed to ensure that income or profits, although exempt, are included in the annual return of income to the Revenue Commissioners. The new requirements apply in respect of chargeable periods commencing on or after 1 January 2004. The first of these returns for individuals under self-assessment rules will be required by 31 October 2005 in respect of the 2004 tax year.

The date of the return for companies will vary depending on the company's accounting period. Where a company has a calendar year accounting period, which is the case for many companies, the return will be required by 30 September 2005 in respect of the tax year 2004. In this context the information on costs is not yet available but I hope to be in a position after the tax returns have been received and analysed to give some information in this regard.

In budget 2005, I announced that I had directed my Department and the Revenue Commissioners to carry out a thorough evaluation of the effect of certain tax incentive reliefs and exemptions with a view to introducing measures in budget 2006 that balance the benefit of such reliefs and the extent to which such incentives and exemptions are used by high earners to reduce their tax bill. I also indicated that the review will incorporate an examination of data that is due to come to hand in late 2005 on certain exempt income including stallion fees.

Disabled Drivers.

390. **Mr. Connaughton** asked the Minister for Finance his views on whether single upper limb amputees should be considered eligible applicants for the disabled drivers scheme; the number of such cases there is likely to be should eligibility be granted; his further views on whether a person with one hand can be as handicapped as a person with one foot; and if he will make a statement on the matter. [2071/05]

Minister for Finance (Mr. Cowen): The disabled drivers and disabled passengers (tax concessions) scheme is open to those with disabilities who meet the specified criteria and have obtained a primary medical certificate to that effect. The senior area medical officer attached to the relevant local health board is responsible for both the medical assessment and the issue of the medical certificate.

The medical criteria for the purposes of the tax concessions 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 leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the 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.

An individual who qualifies under the medical criteria as set out above is issued with a primary medical certificate. Possession of a primary medical certificate qualifies the holder for remission or repayment of vehicle registration tax, VRT, a repayment of value added tax, VAT, on the purchase of the vehicle and a repayment of VAT on the cost of adaptation of the vehicle. Repayment of the excise duty on fuel used in the motor vehicle and exemption from annual road tax to local authorities are also allowed.

An interdepartmental review group was established to review the disabled drivers and disabled passengers (tax concessions) scheme. The group examined all aspects of the scheme, including the qualifying medical criteria. Its report was published on my Department's website in July 2004 and copies have been placed in the Oireachtas Library. As agreed by Government in June 2004, I will consider the report on an ongoing basis in the overall budgetary context, having regard to the existing and prospective cost of the scheme.

Regarding an expansion of the criteria along the lines suggested in the question, it is not possible to estimate the numbers involved.

Betting Premises.

391. **Mr. Cregan** asked the Minister for Finance if he will report on the rules and regulations guiding the permitted opening times of betting shops and his views on the continuing concern from the public at the apparent very liberal licensing laws pertaining to the opening hours of betting shops; his plans to curtail the hours during which a betting shop may remain open; if there is any responsibility on a licence holder regarding the way in which they should handle a client who obviously is gambling excessively; if there is any formal assistance granted from a State agency to a licence holder who wishes to refer a client to a counselling service; and if he will make a statement on the matter. [2072/05]

Minister for Finance (Mr. Cowen): The permitted opening times of registered betting premises were amended in the Finance Act 1998. The 1998 changes extended the opening hours of betting shops to cater for the growing trend towards evening race meetings and Sunday racing.

The legislation covering opening hours of betting shops sets out that registered premises cannot be open for business on Christmas Day, Good Friday or Easter Sunday; from 1 September to 31 March in any year, registered premises cannot be open before 7 a.m. or after 6.30 p.m.; and from 1 April to 31 August in any year, registered premises cannot be open before 7 a.m. or after 10 p.m.

I have no plans at this time to report on the rules and regulations guiding the permitted opening times of betting shops or to curtail their opening hours. There are no provisions in betting legislation in respect of issues associated with excessive gambling.

Departmental Appointments.

392. **Mr. Gormley** asked the Minister for Finance the public appointments made in his Department since the Cabinet reshuffle in September 2004. [2091/05]

Minister for Finance (Mr. Cowen): Since my appointment as Minister for Finance, in accordance with the provisions of section 11(1) of the Public Service Management Act 1997, the Government has appointed one special adviser at my request. I have also appointed a personal secretary and personal assistant. These posts are held on a contract basis.

Tax Certificates.

393. **Mr. Timmins** asked the Minister for Finance the position regarding the case of a person (details supplied) in County Wicklow; and if a P21 can be forwarded as a matter of urgency. [2104/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that a PAYE balancing statement for the year 2003

issued on 21 January 2005, following a telephone call from the taxpayer on 18 January 2005.

Postal Services.

394. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the plans to address the points put across by the CWU, now that the one-day strike of postal workers has taken place, in order to avoid the disruption which a further strike would cause; and if he will make a statement on the matter. [34148/04]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): As the Deputy may be aware, An Post has been in negotiations for several months with the main union in An Post, the Communications Workers Union, on the implementation of a change management programme for the company. The recovery plan presented by the board and management, and which assumed significant changes in work practices, some tariff increases and the payment of wage increases, sets out the way forward for the company.

An Post management and unions have been involved in a detailed negotiation process under the auspices of the LRC since March last year regarding the implementation of the recovery plan. In December 2004, CWU members rejected a proposal on collection and delivery arrangements, which provided for a 5.35% increase over three years, and the process is now being referred to the Labour Court for decision. The hearing in the Labour Court is due to commence in early February next.

An Post stated that unless certain changes were carried out to make An Post more competitive, it would not be in a position to pay the increases due under the Sustaining Progress agreement. In such circumstances, it is open to An Post unions to refer this to the LRC and ultimately the Labour Court where a binding ruling can be made. The rationale for the board's decision was that An Post made losses of €43 million in 2003 and any further payments would have an even more detrimental impact on the company's finances.

The way forward for An Post is the use of the industrial relations machinery of the State by both sides and while some progress has been made, I acknowledge that many more difficult issues remain to be agreed. I am convinced that agreement will only be reached by continuing with the process of negotiating a settlement acceptable to all. I have met both the board and management of An Post and the CWU to discuss the actions needed to secure the future of the company for the benefit of its customers, staff and the community at large. I have urged all parties to continue to resolve issues of disagreement in a spirit of partnership.

Electronic Communications.

395. **Ms McManus** asked the Minister for Communications, Marine and Natural Resources if, in view of the increasing level of unsolicited faxes being received by persons and small companies, he has proposals to curtail and control this kind of nuisance advertising. [34159/04]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Regulation 13 of the European Communities (Electronic Communications Networks and Services) (Data Protection and Privacy) Regulations 2003, SI 535 of 2003, provides for prohibitions and restrictions on the sending of unsolicited faxes for direct marketing purposes to individuals and companies. Responsibility for the enforcement of the regulation rests with the Office of the Data Protection Commissioner. A person found guilty of an offence in regard to a breach of the aforementioned regulation shall be liable on summary conviction to a fine not exceeding €3,000.

I propose to provide for greater penalties for breaches of the aforementioned regulation in the forthcoming Electronic Communications (Miscellaneous Provisions) Bill with a view to strengthening the powers of the Office of the Data Protection Commissioner to control the situation.

Fisheries Protection.

396. **Mr. F. McGrath** asked the Minister for Communications, Marine and Natural Resources the strategies to protect coastal fishing and salmon stocks over the next ten years. [34160/04]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I am aware of the immense importance of the coastal fisheries sector to fishing communities in Ireland. As a first step in bringing effective management and conservation measures to the coastal sector, a scheme for the licensing of traditional pot fishing boats was launched by the previous Minister, Deputy Dermot Ahern, in 2003. The implementation of the licensing scheme is now nearing completion and will facilitate the introduction of the necessary structures to support effective management of this sector.

Bord Iascaigh Mhara, BIM, with the support of the Marine Institute and departmental officials, are working towards bringing forward proposals for a network of inshore fisheries local advisory committees, LACs. The LACs will set the objectives for inshore fisheries in their area and the development of local management plans to deliver these objectives. This will involve inshore fishermen in the decision-making process.

Nationally-based species advisory groups will also be established and will bring together expertise from BIM, the Marine Institute, third level colleges and fishermen to produce scientifically-based management advice to assist the LACs. In

addition, the proposed European fisheries fund, to cover the years 2007 to 2013, places considerable emphasis on the sustainable development of coastal fishing areas, an objective that has my full support.

In regard to salmon, the overriding objective of the Government is to conserve the wild salmon resource in its own right and for the coastal and rural communities it helps to support. The economic goals for a sustainable commercial salmon fishery based on quality and value rather than volume and the development of salmon angling as an important tourism product are both fully compatible with this primary objective.

Since 2002, the Government has accepted the scientific advice that reductions in the overall fishing effort are required in order to sustain and rebuild wild salmon stocks nationally. As a result, the Department has implemented a strategy to ensure, through progressive reductions in catch, that the conservation limits specified by the standing scientific committee of the National Salmon Commission are being reached. This policy of promoting the application of quotas on commercial fishing and bag limits on angling has delivered significant catch reductions aimed at achieving the overall shared objective of restoration of salmon stocks.

It is the Government's belief that the current strategy of developing a sustainable commercial and recreational salmon fishery through aligning catches on the scientific advice holds out the strong prospect of a recovery of stocks and of a long-term sustainable fishery for both sectors.

Marine Safety.

397. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources his plans in view of the recommendation of the Marine Casualty Investigation Board that persons taking to boats on open water be more qualified in navigation, seamanship and survival than at present. [34180/04]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The recommendation referred to by the Deputy relates to a report on the tragic incident involving the capsizing of a 4.6 m angling boat at Fermoy Beach, Brandon Bay, County Kerry on 23 September 2003, with the loss of one crew member's life. I convey my sympathies to the family of the victim on this tragic loss.

This incident was investigated by the Marine Casualty Investigation Board under the Merchant Shipping (Investigation of Marine Casualties) Act 2000. The board published its report on 12 November 2004 following legal vetting and the application of natural justice procedures. A printed copy is available free of charge to anyone who requests a copy. The report will also be available shortly on the MCIB website, www.mcib.ie. The main purpose of an investigation by the board is to establish the cause or causes of a marine casualty with a view to making recommendations to me

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for the avoidance of similar marine casualties. Investigations carried out by the MCIB do not attribute blame or fault.

Five recommendations have been made in the report for follow-up action to prevent a recurrence of similar casualties. A number of actions have already been taken by the Department with regard to highlighting the need for additional safety measures by users of recreational craft. A draft code of safe practice for recreational craft, which covers all the matters raised, was issued for public consultation last year. The maritime safety directorate of the Department is evaluating the comments received with the aim of publishing the code shortly. In addition, the Merchant Shipping (Pleasure Craft) (Lifejackets and Operation) (Safety) Regulations 2004 introduced in June 2004 make it obligatory that lifejackets be worn on vessels of less than 7 m.

As part of my ongoing review of safety issues, I will consider any measures necessary to prevent a recurrence of similar casualties.

398. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources if he will report on the effectiveness of the draft code of safety practices for recreational craft; the persons who are policing it; if the code has been distributed to all small craft owners; and if his Department has a register of all small owners. [34181/04]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The draft code of safe practice for recreational craft was issued for public consultation last year and the maritime safety directorate of the Department is evaluating the comments received with the aim of publishing and launching the code in the near future. At the time of publication, the code will be made available to the public through the Department's website and other sources.

The purpose of the draft code is to assist owners and operators of recreational craft by setting out in one document current legislative requirements relating to recreational craft, in addition to recommended best practice regarding the safe operation of such craft. It covers all types of sailing and motorboats and also craft such as jet skis, canoes and kayaks. The draft code is divided into two parts. Part A of the code outlines existing legislative requirements that apply to recreational craft. Part B provides guidance on best practice for the safe operation of recreational craft.

Policing is already carried out on the legislative requirements outlined in part A of the code, through a combination of the Garda, the Department's marine surveyors and members of the Coast Guard. Part B of the code will not be mandatory but all recreational craft users will be encouraged to follow the guidance on best practice contained in it. If, following publication,

experience indicates that owners and operators are not following the guidance provided in part B then consideration will have to be given to introducing mandatory requirements.

There is currently no specific register of small vessel owners. However, the owners of such craft may voluntarily register under the Mercantile Marine Act 1955. In 2004 the maritime safety directorate undertook a public consultation process on a proposal to establish a small vessel register, SVR, on a voluntary, non-statutory basis. The aim of the proposed SVR would be to provide a simple registration system to enhance maritime safety, security and pollution prevention. As proposed, it is not intended to register "title" or provide proof of nationality of the vessel. The comments received on foot of the consultation process are being assessed with a view to taking the issue of a small vessel register forward.

Fisheries Protection.

399. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the reason Clochmór Achill is not on the list of designated pelagic landing ports. [34183/04]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The EU introduced new arrangements for the control of certain pelagic fisheries — horse mackerel, mackerel and north west herring fisheries — in December 2003 which came into effect during 2004. The rules are set down in annex IV of Council Regulation 2287/2003 and were revised for 2005 in annex III, part C of Council Regulation 27/2005. These arrangements include the weighing in the presence of a controller of all quantities in excess of 10 tonnes landed of each of these species.

During the course of 2004, extensive consultations took place with industry representatives regarding the implementation of the annex. The five designated ports, Killybegs, Rathmullen, Dingle, Rossaveal and Castletownbere, were chosen on the basis of landing patterns for the species concerned and the resources available to comply with the requirements of the annex.

Although I would seek to give the maximum scope for landings into ports, it should be noted that the scope of the 2005 Council regulation in comparison with the 2004 regulation is wider. The EU regulation now provides that pelagic landings will have to be monitored at ports on the southern and eastern coasts in line with the EU rules for weighing all landings. In this context, the provision of the resources needed to meet our obligations under this regulation will be even more challenging.

Broadcasting Policy.

400. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he has been given responsibility for broadcast-

ing policy; and if he will make a statement on the matter. [34195/04]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Under SI 299 of 2002, Broadcasting (Transfer of Departmental Administration and Ministerial Functions), and SI 307 of 2002, Marine and Natural Resources (Alteration of Name of Department and Title of Minister), the departmental administration and ministerial functions in regard to broadcasting transferred to my Department and me, as Minister for Communications, Marine and Natural Resources.

Coastal Protection.

401. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources his proposals to provide finance in 2005 to Waterford County Council for cliff regrading and stabilisation at Helvich Pier, County Waterford at an estimated cost of €500,000; and if he will make a statement on the matter. [34216/04]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Responsibility for coast protection rests with the property owner whether it be a local authority or a private individual. In July 2002, the Department of Communications, Marine and Natural Resources requested all coastal local authorities to submit proposals, in order of priority, for consideration in the context of the 2003 to 2006 national coast protection programmes.

Waterford County Council submitted a proposal for cliff regrading and stabilisation at Helvick at an estimated cost of €500,000 and at number three in its order of priority. I understand the Department of the Environment, Heritage and Local Government provided funding of €842,000 to Waterford County Council in 2003 and 2004 in respect of cliff regrading and stabilisation at Helvick. In 2004 the County Council sought funding of €500,000 from this Department to complete those works. The allocation of funding for coast protection in 2005 is under consideration.

Telecommunications Services.

402. **Mr. Neville** asked the Minister for Communications, Marine and Natural Resources the position regarding his discussions with Eircom on continuing the 999 emergency telephone service, in particular the availability of this service to Samaritan clients. [34290/04]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Discussions are ongoing with Eircom and other telecommunications operators on the funding of the emergency call answering service. These discussions only relate to the funding of the service.

Regarding the connection of emergency calls to the Samaritans, Eircom has advised that it has no

function in providing connections from its call centre and that, where requested, the phone number of the Samaritans will be provided to the caller.

Fisheries Protection.

403. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources his proposals on drift net salmon fishing in order to conserve the stocks, in particular in regard to a buy-out of salmon fishing licences; and if he will make a statement on the matter. [34291/04]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Since 2002, the Government has implemented a strategy to ensure, through progressive reductions in catch, that the conservation limits specified by the standing scientific committee of the National Salmon Commission are being reached. This policy of promoting the application of quotas on commercial fishing, including drift netting and bag limits on angling, has delivered significant catch reductions aimed at achieving the overall shared objective of restoration of salmon stocks.

The Government has consistently ruled out buy-out as an effective means of achieving the restoration of salmon stocks and instead promoted the application of quotas on commercial fishing and bag limits on angling to achieve catch reductions as the best instrument available to achieve this objective. Moreover, no convincing case has been advanced as to the public good that would be acquired by the State in the context of a publicly funded buy-out nor why stakeholders benefiting from increased numbers of salmon entering the rivers should not contribute in whole or in part towards achieving that increase.

As a result, I have no plans to introduce proposals to purchase commercial salmon fishing licences. As I have previously indicated to the House, I am prepared, however, to keep the matter under review and would be open to any relevant proposals whereby stakeholders benefiting from any reduction in commercial catch might fund any compensation that might arise.

Marine Safety.

404. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources his views on the concerns of fishermen in County Waterford regarding the code of practice for fishing vessels under 15 m (details supplied); and if he will make a statement on the matter. [34322/04]

422. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources if, in regard to the prescription drugs list as per the code of practice for small fishing boats, he has satisfied himself regarding the medical safety and the securities issues regarding their use and storage on small fishing boats; and if he will make a statement on the matter. [1601/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I propose to take Questions Nos. 404 and 422 together.

I have noted the Deputy's concerns and confirm that the requirements in the code of practice relating to sea survival courses are statutory requirements set out in the Fishing Vessel (Basic Safety Training) Regulations 2001, SI 587 of 2001. Under these regulations, all crew members of fishing vessels must undertake basic safety training before going to sea in the case of new entrants and in the case of serving crew members in accordance with a timeframe based on age.

The list of prescription drugs contained in the code of practice for fishing vessels of less than 15 m in length is taken from the European Communities (Minimum Safety and Health Requirements for Improved Medical Treatment on Board Vessels) Regulations 1997, SI 506 of 1997. Inadvertently, a table on antidotes was included in the sixth annex of the code. It is acknowledged that this is not an appropriate requirement for fishing vessels.

The majority of fishing vessels covered by the code of practice are only required to carry medical supplies similar to that carried on board a life raft and this list, as such, is not too onerous. The panel of surveyors approved to carry out the surveys on fishing vessels of less than 15 m has been informed of this and is fully aware that the requirement to carry antidotes will not be a prerequisite for compliance with the code. My Department is updating its website, www.DCMNR.ie, with this information.

Inland Fisheries.

405. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources his proposals to reduce the number of fisheries boards; and if he will make a statement on the matter. [34323/04]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I have no proposals at present to reduce the number of fisheries boards. The Deputy may be aware that the report of the independent estimates review committee to the Minister for Finance indicated in respect of the fisheries boards that "there would seem to be scope for rationalising the existing structures of the central and regional fisheries boards" and questioned "whether the existing arrangements represent the most efficient means by which the functions in question can be discharged". The Deputy may also be aware that my predecessor appointed a consortium of expert consultants, led by Farrell Grant Sparks Consulting, to undertake a high-level review of the inland fisheries sector in Ireland.

The review will deliver a root-and-branch examination of the State's role and objectives in the inland fisheries sector. The consultants are required to evaluate the adequacy of the current

model for the governance of the inland fisheries sector; to define the current relationship between the Government, the Department or Departments and the inland fisheries sector and suggest new more effective models; and to recommend a structure which will contribute to the optimum development of the inland fisheries resource in Ireland.

While I appreciate that previous indications were that I expected to receive this report before now, I am advised that the complex review is not yet complete. The process is coming to a close and the consultants expect to present their report to me shortly.

Telecommunications Services.

406. **Ms M. Wallace** asked the Minister for Communications, Marine and Natural Resources if he will provide information regarding the position on the August 2004 proposals to provide advanced broadband networks in 41 towns throughout Ireland, including Dunshaughlin and Ratoath in County Meath, under the broadband action plan; the position regarding the proposal for the remaining 50 locations throughout Ireland which were expected to issue in early 2005, including the County Meath locations of Dunboyne, Laytown and Bettystown; and if he will make a statement on the matter. [1053/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Under the National Development Plan 2000-2006, an indicative €200 million of Government and ERDF funding is being invested, in association with the local and regional authorities, in the creation of high-speed open-access broadband networks and fibre trunks. These facilities will remain in State ownership while allowing the service providers open access at competitive costs.

The first phase of my Department's regional broadband programme, in which metropolitan area networks, MANs, are being built in 26 towns and cities, is nearing completion. In the second phase of the programme, MANs will be built in a further 92 towns of 1,500 population and over, in association with the local authorities.

Navan and Trim are among the first 35 towns to be approved under this second phase. These projects will begin construction this summer. Proposals for Dunshaughlin, Ratoath, Dunboyne, Clonee and Ashbourne were received in December 2004 and are being appraised. Laytown-Bettystown, Kells, Duleek and Athboy will be invited as part of the next call under this programme, due later this year.

For rural communities and smaller towns, my Department's group broadband scheme offers funding assistance for community groups to come together with the service providers and obtain broadband connectivity for their area using the most appropriate delivery system, such as satellite, wireless, digital subscriber line, DSL, or cable. Up to 55% funding is available towards capital costs under the scheme.

Full details of the regional broadband programme and group broadband scheme are on my Department's websites, www.dcmnr.gov.ie and www.gbs.gov.ie.

Marine Safety.

407. **Cecilia Keaveney** asked the Minister for Communications, Marine and Natural Resources when improvements will be carried out to a radio station (details supplied) in County Donegal; and if he will make a statement on the matter. [1184/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Consultants retained by this Department to conduct a study of the future development of the Irish Coastguard recommended that two control centres — as opposed to the existing three centres in Dublin, Malin Head and Valentia — should be operated. Following assessment of the recommendations, it was decided to close the marine rescue co-ordination centre in Dublin and retain two centres. The present position is that the Department is considering detailed proposals as to how the two remaining manned centres will operate and it expects to complete this process shortly.

New medium frequency-high frequency, MF-HF, radio and control systems as well as a new Navtex transmission and control system will be installed at Malin Head marine rescue and co-ordination centre, MRSC, during the year. These improvements are required independently of the reduction from three to two centres.

Fishing Vessel Licences.

408. **Cecilia Keaveney** asked the Minister for Communications, Marine and Natural Resources the position regarding a shell fish licence for a person (details supplied) in County Donegal; and if he will make a statement on the matter. [1185/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Under the Fisheries (Amendment) Act 2003, the functions of sea-fishing boat licensing and registration were transferred from the Minister for Communications, Marine and Natural Resources to the licensing authority for sea-fishing boats which operates on an independent basis subject to criteria set out in that Act. All applications for sea-fishing boat licences are considered by the licensing authority for sea-fishing boats. The head of the licensing authority is the registrar general of fishing boats, a senior official in the Department.

The licensing authority has informed me that it issued a letter of licence offer to the individual concerned in respect of his vessel on 20 December 2004. A non-operative licence to facilitate registration of the vessel will issue as soon as the conditions set out in the letter of offer have been complied with. Upon registration of the ves-

sel, an operative sea-fishing boat licence will be issued by the licensing authority.

Mobile Telephony.

409. **Mr. F. McGrath** asked the Minister for Communications, Marine and Natural Resources the position regarding the safety of mobile phones, especially for children; and if he will make a statement on the matter. [1224/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department maintains a watching scientific brief on health issues relating to electromagnetic energy, including those related to mobile phones. Concerns about the possible sensitivity of children to electromagnetic fields were first raised by a review of the available research related to biological and health effects of electromagnetic fields from mobile telephones. This was carried out by the independent expert group on mobile telephony in the United Kingdom in 2000.

The review did not find any definite adverse health effects due to mobile telephones, but did not conclude that there were none. The group felt that, because of children's developing skills and the likelihood that they would have longer lifetime exposure than adults, they would be more vulnerable than adults to any as yet unknown health effects. The group therefore recommended a precautionary approach on mobile telephone use by children.

In 2002, the health council of the Netherlands, after a separate evaluation of the health effects of mobile telephones, concluded that there was no reason to recommend that mobile telephone use by children should be limited. In 2003, the National Radiological Protection Board of the United Kingdom, NRPB, noted that little had been published on childhood exposure to radio frequency electromagnetic fields.

To examine the question of children's sensitivity to electromagnetic fields the World Health Organisation held an expert workshop in Istanbul, Turkey, in June 2004. The workshop concluded that carefully controlled cognitive performance tests on children with electromagnetic fields at the top of the range of those from current mobile telephones did not show any significant difference in performance between those exposed and those not.

I am satisfied that my Department is in possession of the most up-to-date information available on this subject, that at this time there is no demonstrated adverse health effect and therefore is no reason for me to act to limit the use of mobile phones by children. My Department will continue to monitor the scientific evidence and participate in the relevant international projects and committees. If it is deemed prudent in time to change the guidelines, we will not be slow to respond.

Telecommunications Services.

410. **Mr. Gormley** asked the Minister for Communications, Marine and Natural Resources the reason a company (details supplied) has been given a licence to operate here; his views on whether competition is needed in the areas in which it operates to ensure a better service for customers; and if he will make a statement on the matter. [1295/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The licensing or authorisation of operators in the telecommunications sector is the responsibility of the regulator for the sector, the Commission for Communications Regulation, ComReg. ComReg has statutory independence in the exercise of its functions and the Minister has no function in the matter. NTL, which offers a telephony service, a cable television service and a broadband service was licensed by the former Office of the Director of Telecoms Communications, ODTR, now ComReg.

The EU regulatory framework implemented in 2003 does not provide for the regulation of retail broadcasting but contract law applies equally to telecommunications operators as to all other commercial operators and the enforcement of contractual obligations falls within the remit of the Office of the Director of Consumer Affairs. I am considering proposals to extend ComReg's powers to regulate retail broadcasting services in the interest of consumer protection.

Pension Provisions.

411. **Mr. Gregory** asked the Minister for Communications, Marine and Natural Resources the steps he can take to ensure that An Post pensioners are awarded their due increases; and if he will make a statement on the matter. [1362/05]

427. **Mr. R. Bruton** asked the Minister for Communications, Marine and Natural Resources if An Post or the trustees of its pension trust have made application to his Department to sanction payment of a pay increase due to pensioners; when this application was made; and when it is intended to make a decision on the matter. [1979/05]

429. **Mr. Cregan** asked the Minister for Communications, Marine and Natural Resources the position regarding An Post pensioners whose normal pension increases have not been awarded; if, notwithstanding industrial relations problems with workers, it is legally or morally defensible to withhold pensioners' increases; if the pension fund is totally divorced from An Post current trading; if seconded civil servants in An Post are not immune from such treatment by the management of a semi-State company; and when An Post pensioners will receive their increase. [1997/05]

430. **Mr. Cregan** asked the Minister for Communications, Marine and Natural Resources the position regarding An Post pensioners whose

normal pension increases have not been awarded; if, notwithstanding industrial relations problems with workers, it is legally or morally defensible to withhold pensioners' increases; if the pension fund is totally divorced from An Post current trading; if seconded civil servants in An Post are not immune from such treatment by the management of a semi-State company; and when An Post pensioners will receive their increase. [1998/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 411, 427, 429 and 430 together.

An post pensioners are paid from An Post pension fund which is founded by employer and employee contributions. The authority to implement pension increases was delegated to An Post, subject to certain conditions, as this activity was considered part of the day-to-day operations of the company. In practice, this allowed the company to implement pension increases following pay increases to employees. However, decisions outside the scope of the original delegated authority still require the consent of both the Minister for Communications, Marine and Natural Resources and the Minister for Finance.

Following a proposal from the board of An Post to amend the existing pension increase terms of An Post, in this instance, my Department and the Department of Finance undertook a review of the situation. While I fully empathise with An Post pensioners for the position they find themselves in due to the failure of An Post management and unions to reach agreement on implementation of the recovery strategy, the wider overall policy issues raised by the proposal from An Post also need to be considered.

By way of background and as the Deputy may be aware, the existing terms of the An Post superannuation scheme provide for "pay parity", that is, that pensions are increased in line with the pay of serving staff. This is in accordance with public service defined benefit pension increase policy generally, "pay parity" being an integral and well established practice which is widely applied in public service defined benefit pension schemes.

Unfortunately, following examination of the issue and taking into consideration the implications of providing a precedent which could impact adversely on the cost of pensions in the wider public sector and the existing practice of pay parity, increases to pensioners of An Post, linked to increases under the Sustaining Progress agreement, are not possible at this time. While I understand the frustration of An Post pensioners with the situation, agreement in partnership with An Post unions to the restructuring plan aimed at securing the future of the company and indeed providing sustainable long-term employment for An Post workers is the way forward.

With this in mind, I have urged both the unions and the management of An Post to fully engage with the industrial relations mechanisms of the

State to agree a way forward for the future of the company and all stakeholders.

Public Service Obligations.

412. **Dr. Upton** asked the Minister for Communications, Marine and Natural Resources if the State will fund the public service obligations of An Post; and if he will make a statement on the matter. [1363/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The universal service obligation, which includes nationwide delivery requirements, is enshrined in EU and Irish law and therefore is a statutory requirement for An Post as the designated universal service provider. Furthermore, the European Communities (Postal Services) Regulations 2002 set out the area of the postal market solely reserved for An Post as the universal service provider. Therefore, it is not envisaged that public funding will be provided to An Post to meet its universal service obligations.

Post Office Network.

413. **Mr. P. Breen** asked the Minister for Communications, Marine and Natural Resources if he will address the needs of the Irish Postmasters Union and improve facilities throughout the country for the 1400 post offices. [1364/05]

423. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources his proposals in regard to the Irish Postmasters Union proposal to ensure that the 1400 offices in the post office network continue to operate; and if he will make a statement on the matter. [1602/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 413 and 423 together.

The Government is committed to a viable and sustainable nationwide rural post office network providing a range of services to meet consumer needs. The Government has already made an equity injection of €12.7 million into the network in 2003 to facilitate modernisation measures. Furthermore, the Government has strongly supported An Post initiatives such as the channelling of new utility and banking services through the network.

I am exploring with An Post the bringing forward of further initiatives to continue underpinning our network of rural post offices. In this regard, the company is actively pursuing a number of options in both the public and private sectors. To date, An Post has introduced new service delivery models in order to improve access to post office services. There are 1,000 automated post offices, 475 non-automated post offices, 160 postal agencies and An Post has established 3,000 postpoint outlets in retail premises of which 600 can be used for bill payment.

The automated network accounts for more than 95% of An Post's counter business. This means that the 1,000 automated offices transact 95% of counter business while 475 non-automated offices undertake 5% of business. This figure clearly illustrates the level of business transacted by individual non-automated offices. The current level of automated coverage is considered by An Post to be extremely comprehensive by any objective standard and this level of coverage makes it difficult to justify on either customer-service or economic ground the extension of automation to all offices, regardless of their location or business volumes.

Automation of the post office network was completed in 1997. It is, therefore, only in very exceptional circumstances, such as an existing automated office closing and its equipment being transferred to a suitable neighbouring location which transacts significant volumes of welfare business, that offices are automated today.

A core objective for An Post continues to be the retention of access to post office services in as many locations as possible, in the manner which best meets consumer needs, whether services are provided via post offices, postal agencies or the postpoint network.

Telecommunications Services.

414. **Mr. Boyle** asked the Minister for Communications, Marine and Natural Resources the plans there are for the provision of broadband services to County Kerry, particularly to the larger urban centres in the county. [1413/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Under the National Development Plan 2000-2006, an indicative €200 million of Government and ERDF funding is being invested, in association with the local and regional authorities, in the creation of high-speed open-access broadband networks and fibre trunks. These facilities will remain in State ownership while allowing the service providers open access at competitive costs.

The first phase of my Department's regional broadband programme, in which metropolitan area networks, MANs, are being built in 26 towns and cities is nearing completion. In the second phase of the programme, MANs will be built in a further 92 towns of with a population of 1,500 and over, in association with the local authorities. Of the first 35 towns to be approved under this second phase, six are located in Kerry. They are Castlesland, Dingle, Kenmare, Killarney, Listowel and Tralee. These projects will begin construction this summer.

For rural communities and smaller towns, my Department's group broadband scheme offers funding assistance for community groups to come together with the service providers and obtain broadband connectivity for their area using the most appropriate delivery system, such as satellite, wireless, digital subscriber line, DSL, or

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cable. Up to 55% funding is available towards capital costs under the scheme.

Full details of the regional broadband programme and group broadband scheme are on my Department's websites, *www.dcmnr.gov.ie* and *www.gbs.gov.ie*.

Mobile Telephony.

415. **Mr. Boyle** asked the Minister for Communications, Marine and Natural Resources his plans to encourage the placing of maximum radiation information on each mobile phone handset. [1414/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Mobile telephones are in widespread use on a global basis. The limits for non-ionising radiation are global limits established internationally by the International Commission for Non-Ionising Radiation Protection, ICNIRP. There is no evidence that exposure up to these limits is damaging. Accordingly, I do not propose at this stage to put maximum radiation information on each mobile handset. My Department will continue to liaise with the appropriate international bodies to monitor ongoing research and ensure the standards operating in Ireland comply with the ICNIRP guidelines.

Alternative Energy Projects.

416. **Mr. Sargent** asked the Minister for Communications, Marine and Natural Resources if it is Government policy to support the view of the energy regulator on wind energy development; if he is aware that the largest wind energy company here has decided not to build any more wind farms; if he will allow a situation to develop whereby Ireland is the only country in Europe with no Government support for wind energy projects; the Government's views on the regulator's comments; and if he will make a statement on the matter. [1435/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have put out to consultation the recently expressed view of the Commission for Energy Regulation, which is an independent body under paragraph 9 in the Schedule to the Electricity Regulation Act 1999. I am aware of reports that one company has decided to invest in other locations instead of this country for now. That is a commercial decision for the company.

It is important to optimise the contribution of wind energy based electricity to the national supply on a basis that is fair to all parties, including consumers, and so that it can be integrated safely and easily into the national network. After all, in the medium to longer term, it is important that the State reduces its dependency on non-renewable fuels, the prices of which are subject to the vagaries of the global markets and geopolitical developments which can adversely affect both the

price and availability of supplies. From a national economic perspective, not just an energy policy perspective, increasing the amount of renewable energy in the system could be helpful in reducing costly fuel imports and dealing with the levels of uncertainty in future planning of energy prices.

To that end, the renewable energy development group was established on 6 May of last year. The group is chaired by a representative of my Department and comprises relevant experts from the administrative, industrial and scientific sector, including the Commission for Energy Regulation, Sustainable Energy Ireland, ESB national grid and the Economic and Social Research Institute, among others. The renewable energy industry is represented in the group through participation of members nominated by an industry sub-group.

The group will advise on future options, policies, targets, programmes and support measures to develop the increased use of renewable energy in the electricity market to 2010 and beyond. The group has received a broad range of views in the course of its deliberations, including direct presentations from the main industry representative associations as well as the Commission for Energy Regulation. All these views will be considered in the group's report, which is due shortly, and will form the basis of my future policy decisions on the increased penetration of renewable energy technologies in the electricity market.

Industrial Relations.

417. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources his views on industrial relations at the ESB and his plans to ensure that the ESB's key electricity network and generation infrastructure will continue in public ownership after market opening in February 2005. [1436/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I do not have primary responsibility within the Government for industrial relations issues. However, I am very much aware of the ongoing talks process established by the Labour Court in response to a request by the national implementation body under the Sustaining Progress agreement. These talks are aimed at resolving a number of industrial relations issues in the ESB.

It is public knowledge that the claim of the ESB group of unions includes an increase in the employees' current 5% shareholding in the company to 19.9%, an 18.5% salary pay increase and a resolution of the company's pension deficit. All of this is separate from and additional to increases under Sustaining Progress. Considerations of national competitiveness, the partnership approach to pay in the economy and even the long-term future of the ESB itself raise serious questions about the appropriateness of these claims. Government policy on employee shareholdings is clear and does not allow for a shareholding beyond 5% in the absence of a wider transaction affecting the company.

In regard to the future of the company, I will be engaging independent consultants to undertake a comprehensive and strategic review of the electricity sector, including institutional arrangements and market structures for the electricity sector in Ireland. I want this review to take place as soon as possible and it will include an examination of the ESB's vertically integrated utility structure and its dominance in the sector. It will also present a range of options for Government and the implications of each of these options for the economy and competitiveness of the electricity sector.

The Deputy is aware that I have previously confirmed my opposition to the privatisation of the transmission and distribution systems, which, in my view, are critical national assets that should remain in State ownership. I believe there is strong consensus about this. I have also previously stated my opposition to any privatisation that would result in the creation of a monopoly or near-monopoly in the power generation sector.

Notwithstanding this, I will be asking the consultants to consider all options in regard to the future shape of the company and on how to deal with the company's dominance in power generation. The issue of ESB's dominance is a critical one in terms of developing competition in the market and ensuring the electricity sector contributes fully to national competitiveness. Finding an effective solution to these issues is absolutely critical if we are to deliver good value for money to customers and ensure the security of energy supplies into the future.

Marine Safety.

418. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources if he will report on the Government's plans for the acquisition of an emergency towing vessel or ocean-going tug to protect mariners and coastal communities here. [1437/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The feasibility of deploying emergency towing vessels, ETVs, in Irish waters is under consideration in the Department. In 1998, the then Department of the Marine and Natural Resources commissioned a study to investigate the feasibility of deploying ETVs around the coast. Following an assessment of the study, which was published in 1999, it was decided that Ireland should have access to ETV capacity to protect the coast from the consequences of major oil pollution and vessel stranding; the Department would consult with the Departments of Finance, Defence and Environment and Local Government on cost effectiveness, location, financing, operational aspects, possible other uses and so on; and Ireland and the UK would consult on the possible sharing of an ETV to cover the east coast.

The Department set up an internal working group to manage the consultation process

referred to above and to progress the matter generally. The very significant costs likely to be associated with the provision of ETV capability and complex operational requirements were recognised. The working group concluded that an ETV capacity should be provided to service the west coast via a public private partnership, PPP, process and that an ETV for the east coast should be provided to ensure an acceptable level of cover at minimum cost, including, if possible, on a joint PPP approach with the UK for the Irish Sea.

The Department is examining how these proposals can be pursued, having regard in particular to the very significant costs involved and the cost benefits associated with such a facility.

Electronic Communications Infrastructure.

419. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources the Government's plans for analogue switch-off in the era of digital broadcasting; if a final date has been set; the likely impact of decisions in this regard in the UK; and if he will make a statement on the matter. [1438/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Digital broadcasting is now available in Ireland through a number of cable and satellite networks. The terrestrial broadcasting system is an analogue platform and it will be necessary to upgrade this platform to a digital terrestrial platform over time. I am examining proposals in this regard. Specific analogue switch-off dates will be considered in light of progress in upgrading to a national digital terrestrial platform. Ireland is party to international agreements with regard to spectrum usage, including agreements with the UK, which are revised on an ongoing basis.

Natural Gas Grid.

420. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources the reason it took Bord Gáis one hour and ten minutes to respond to a gas explosion at a location (details supplied) on 2 November, 2003. [1439/05]

421. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources if he will make a statement on the progress of the accelerated programme for cast iron mains promised in the aftermath of the gas explosion at a location (details supplied). [1440/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 420 and 421 together.

In the first instance, it is an operational matter for Bord Gáis Éireann, BGE, under the supervision of the Commission for Energy Regulation, CER, to arrange the safety of its natural gas network and this includes works to upgrade the network or to replace cast iron pipes. I am aware that gas safety is a high priority for BGE.

[Mr. N. Dempsey.]

The report of the independent investigation of the Rathfarnham explosion of 2 November 2003 was published by the Commission for Energy Regulation on 25 November 2003. Regarding the response time, the report states that Bord Gáis's response to the publicly reported escape from No. 22 Glendoher Close was within the one-hour criterion, as set out in Bord Gáis's customer service escape procedure.

Among the recommendations in the report published by the CER, all of which were accepted by the commission was that BGE should put in place a parallel programme of cast iron mains replacement in areas where the ground was known to be liable to subsidence. BGE had been engaged in systematically replacing the older networks over the past 17 years. Two-thirds of the older networks have been replaced with modern polyethylene pipes. Prior to the incident it had been intended to replace the remainder of the system over a ten to fifteen-year period. During 2004, BGE developed a plan in conjunction with the CER to renew the final third of the system over the next five years. Some 112 km of cast iron main was replaced in 2004. Bord Gáis proposes to renew approximately 200 km of cast iron main during 2005 with all remaining cast iron pipes due for renewal by end of 2009.

Question No. 422 answered with Question No. 404.

Question No. 423 answered with Question No. 413.

Television Licence Fee.

424. **Mr. F. McGrath** asked the Minister for Communications, Marine and Natural Resources if a person (details supplied) in Dublin 5 will be afforded the maximum support with regard to their television licence problem; and if he will work with the Department of Social and Family Affairs on this issue. [1603/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): From the details in the question it is not clear to what the Deputy is referring. If the Deputy provides further details to my office I will be happy to have the matter investigated.

Departmental Bodies.

425. **Mr. Bruton** asked the Minister for Communications, Marine and Natural Resources the State, semi-State, State-sponsored and statutory bodies under the aegis of his Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if he envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1706/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The State, semi-State, State-sponsored and statutory bodies under the aegis of my Department, which are not subject to the Freedom of Information, FOI, Acts are: An Post; Broadcasting Complaints Commission; ESB; Eirgrid; Bord Gáis Éireann; Bord na Mona; National Oil Reserves Agency, NORA; National Salmon Commission; Irish Maritime Development Office; Foyle Carlingford and Irish Lights Commission; port companies; harbour authorities; Commissioners of Irish Lights; Marine Casualty Investigation Board; Aquaculture Licences Appeals Board, ALAB; and Mining Board.

Proposals for extending FOI are being developed at present in the Department of Finance in the context of plans to extend FOI to other appropriate bodies by the end of 2005. The question of extending FOI to the bodies mentioned, where appropriate, is being considered in this context.

The Foyle Carlingford and Irish Lights Commission is a North-South Implementation Body established under the British Irish Agreement Act 1999 which states that "the Irish and Northern Ireland Ministers with responsibility for freedom of information will as soon as practicable draw up a code of practice on access to information for approval by NSMC." Preparation of the code of practice is at an advanced stage and it is expected to be implemented during 2005. In addition, the body's sponsoring Department is covered by FOI legislation and any information held by that Department which is common to both the Department and the body is subject to FOI.

Alternative Energy Projects.

426. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources if an allocation of funding will be granted to a company (details supplied) for the provision of eco-friendly heating and a hot water supply system; when a decision will be made; the amount of funding that will be granted; and if he will make a statement on the matter. [1836/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department has no funding or scheme, which would be relevant to this matter. Sustainable Energy Ireland, SEI, which was established as a statutory agency in May 2002, implements initiatives on renewable energy and energy efficiency on behalf of my Department. I received an application for a grant from Banada Development Agency Limited last Thursday, 20 January 2005, which has been forwarded to SEI to consider whether it fits within any of its programmes. Its response will be notified to the applicant in due course.

Question No. 427 answered with Question No. 411.

Pension Provisions.

428. **Mr. Cregan** asked the Minister for Communications, Marine and Natural Resources the situation in relation to public service pensions; the way in which a person with five years service in the Department of Posts and Telegraphs/Telecom, and on a pension for it, can have this pension supplemented for two years Army service between 1942 and 1944; and the way in which an application should be submitted and processed. [1990/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department has responsibility with regard to public service pensions for former employees of the Department of Posts and Telegraphs who retired prior to 1 January 1984, (the vesting day of An Post and Telecom Éireann — now Eircom. If a person retired prior to 1 January 1984, an application should be made to my Department, together with any relevant details of previous service, for consideration of pension reckonability. If a person retired after 1 January 1984 as an employee of Telecom Éireann or Eircom application should be made to Eircom's superannuation section, 53 Merrion Square, Dublin 2.

Questions Nos. 429 and 430 answered with Question No. 411.

Ministerial Appointments.

431. **Mr. Gormley** asked the Minister for Communications, Marine and Natural Resources the public appointments made in his Department since the Cabinet reshuffle in September 2004. [2092/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The following staff appointed by me during my tenure as Minister for Education and Science have been re-appointed by me in the Department of Communications, Marine and Natural Resources: press adviser; personal assistant; and personal secretary. In addition, the special adviser appointed by me during my tenure as Minister for Education and Science has been reassigned to me at the Department of Communications, Marine and Natural Resources with effect from 30 September 2004.

The following staff appointed by the Minister of State at my Department, Deputy Gallagher, during his tenure as Minister of State at the Department of Environment, Heritage and Local Government, have been re-appointed by him in the Department of Communications, Marine and Natural Resources: personal assistant; personal secretary; and two civilian drivers.

The information requested by the Deputy on appointments made to the boards of State-sponsored bodies is set out in the following tables.

Appointments to the Boards of State-sponsored Bodies under the aegis of the Department of Communications, Marine & Natural Resources made since 29 September, 2004

An Post

Board Member (Elected Employees)	Appointment Date	Expiry Date
Mr. Jerry Condon	01.11.2004	31.10.2008
Mr. Patrick Compton	01.11.2004	31.10.2008
Mr. Patrick Davoren	01.11.2004	31.10.2008
Mr. Thomas Devlin	01.11.2004	31.10.2008
Mr. Terry Keller	01.11.2004	31.10.2008

Aquaculture Licence Appeals Board

Board Member	Date of Appointment	Expiry Date
Mr. Sean Murphy*	01.01.05	31.12.07
Mr. Lorcan Ó Cinneide*	01.01.05	31.12.07
Mr. Mario J. Minehane*	01.01.05	31.12.07
Ms Mary McMahon	01.01.05	31.12.06
Ms Karin Dubsky	01.01.05	31.12.06
Mr. Damian McDonald	01.01.05	31.12.06

* re-appointed

Bord Iascaigh Mhara

Board Member	Date of Appointment	Expiry Date
Ms Rose McHugh	29.09.04	23.04.07

Commission for Energy Regulation (CER)

Board Member	Date of Appointment	Expiry Date
Mr. Tom Reeves (Chairman)	14.10.2004	
Mr. Michael Tutty	14.10.2004	
Ms Regina Finn	Commencing on Feb 1st 2005	

Commission for Communications Regulation (ComReg)

Board Member	Date of Appointment	Expiry Date
Mr. Mike Byrne	01.12.2004	30.11.08

The Digital Hub

Board Member	Date of Appointment	Expiry Date
Mr. Joe Murphy	29.09.04	29.09.07

Drogheda Port Company

Board Member	Date of Appointment	Expiry Date
Mr. Cormac Bohan	29.09.04	28.09.09
Mr. Paddy Traynor (Chairman)	20.12.04	19.12.09

New Ross Port Company

Board Member	Date of Appointment	Expiry Date
Cllr. Larry O'Brien	26.11.04	25.11.09

Marine Institute

Board Member	Appointment Date	Expiry Date
Ms Terry Fleming	29.09.04	28.09.09

Southern Regional Fisheries Board

Board Member	Date of Appointment	Expiry Date
Mr. Pat Bowe	14.12.04	31.12.05

Post Office Network.

432. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the plans he has to make grant aid available for 475 non-automated post offices to ensure that

their computerisation includes the provision of Internet availability to the public; his views on whether this would help address the information divide; if his Department has considered the expansion of public services available in post

offices; and if he will make a statement on the matter. [2126/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government is committed to a viable and sustainable nationwide rural post office network providing a range of services to meet consumer needs. The Government has already made an equity injection of €12.7 million into the network in 2003 to facilitate modernisation measures. Furthermore, the Government has strongly supported An Post initiatives such as the channelling of new utility and banking services through the network. I am exploring with An Post the introduction of further initiatives to continue underpinning our network of rural post offices. In this regard, the company is actively pursuing a number of options in both the public and private sectors.

To date, An Post has introduced new service delivery models in order to improve access to post office services. There are 1000 automated post offices, 475 non-automated post offices and 160 postal agencies. An Post has established 3,000 postpoint outlets in retail premises of which 600 can be used for bill payment.

The automated network accounts for more than 95% of An Post's counter business. This means that the 1,000 automated offices transact 95% of counter business while 475 non-automated offices undertake 5% of business. This figure clearly illustrates the level of business transacted by individual non-automated offices. The current level of automated coverage is considered by An Post to be extremely comprehensive by any objective standard and this level of coverage makes it difficult to justify on either customer service or economic grounds the extension of automation to all offices, regardless of their location or business volumes.

Automation of the post office network was completed in 1997. It is, therefore, only in very exceptional circumstances, such as an existing automated office closing and its equipment being transferred to a suitable neighbouring location, which transacts significant volumes of welfare business, that offices are automated today.

An Post has no plans to provide Internet access to the public through the rural post office network. However, with the rollout of e-Government services, the automated element of the post office network is ideally placed to capitalise on opportunities arising in this space, especially in the area of e-payments. A core objective for An Post will continue to be the retention of access to post office services in as many locations as possible, in the manner which best meets consumer needs, whether services are provided via post offices, postal agencies or the postpoint network.

Northern Ireland Issues.

433. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if his attention has been drawn to the fact that none of the armed loyalist groups

(details supplied) associated with a party (details supplied) has ever publicly disbanded, disarmed or called a cessation of armed actions against the nationalist people of Northern Ireland. [34113/04]

Minister for Foreign Affairs (Mr. D. Ahern): My understanding is that the specific organisations mentioned by the Deputy disbanded some time ago. The Deputy will be aware that the Good Friday Agreement is completely unambiguous as a statement of principles regarding paramilitarism. These principles apply to all the political parties in Northern Ireland. In particular, they include an affirmation of a total and absolute commitment to exclusively democratic and peaceful means of resolving differences on political issues, and opposition to any use of force or threat of force for any political purpose, whether in regard to the Good Friday Agreement or any other political matter.

During the course of the different sessions of negotiation leading to the Good Friday Agreement, all the political parties in Northern Ireland, including the DUP, formally accepted the Mitchell principles, which include *inter alia* a commitment to the total disarmament of all paramilitary organisations and a commitment to exclusively peaceful methods of resolving all political differences.

Foreign Conflicts.

434. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he will consider commissioning an investigation into the death toll from the Iraq war to enable the Irish people to more accurately evaluate the consequences of the Government policy of allowing the US military to use Irish airspace and airports in the prosecution of this war; and the number of dead and injured as a result of the Iraq war officially accepted by his Department. [34137/04]

Minister for Foreign Affairs (Mr. D. Ahern): The Government does not have any information on casualty figures in Iraq, other than those estimates by various commentators, which have appeared in the public domain. Nor does the Government have any means of assessing the accuracy of these figures, or of conducting its own investigation of the matter. However the Government's view, which has been expressed clearly since the outset of the conflict, is that the use of force should be kept to a minimum, and that every possible effort must be made to avoid civilian casualties. The presence of the United States military forces in Iraq has been mandated by UN Security Council Resolution 1511 of 16 October 2003 and Resolution 1546 of 8 June 2004.

Overseas Development Aid.

435. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the steps he will take to ensure that all future discussions on overseas development aid and security at the OECD and at the

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Council of Ministers are informed by the human security concept to which the Government is committed by its membership of the Human Security Network. [34138/04]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): Ireland, together with Austria, Canada, Chile, Greece, Jordan, Mali, The Netherlands, Norway, Switzerland, Slovenia and Thailand, is a member of the Human Security Network. South Africa is an observer. The network is an informal group of like-minded countries from all regions of the world, which maintains dialogue on questions of human security. It was established in the context of the consultations which led to the Ottawa Convention outlawing the use of anti-personnel mines.

The network pursues a broad agenda and has strong links to civil society and academia. It aims to bring to international attention new and emerging issues by applying a human security perspective to them. Issues of particular current interest are children in armed conflict, HIV-AIDS, control of small arms and violence against women. Established priorities of the network include support for universal adherence to the Ottawa Convention on anti-personnel mines and the International Criminal Court.

The following principles emerged from the first ministerial meeting of the network in Lysøen, Norway on 20 May 1999. A commitment to human rights and humanitarian law is the foundation for building human security. Human security is advanced in every country by protecting and promoting human rights, the rule of law, democratic governance and structures, a culture of peace and the peaceful resolution of conflicts. The international organisations created by states to build a just and peaceful world order, above all the United Nations in its role to maintain international peace and security as stated in the charter, must serve the security needs of people. Promoting sustainable human development, through the alleviation of absolute poverty, providing basic social services for all and pursuing the goals of people-centred development, is necessary for building human security. Innovative international approaches will be needed to address the sources of insecurity, remedy the symptoms and prevent the recurrence of threats, which affect the daily lives of millions of people.

Ireland will continue to support these principles during all relevant discussions on overseas development assistance and security at the OECD and at the Council of Ministers of the EU.

436. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the position advocated by Ireland in the high level OECD meeting in December 2004 regarding peace, security and development; his position on the DAC April 2003 discussion paper, A Development Co-operation Lens on Terrorism Prevention; his views on whether it is wrong to finance security and counter terrorism measures from already stretched overseas

development aid budget lines; his further views on whether the inclusion of military expenditure in overseas development aid will create a distorted picture by inflating formal overseas development aid levels without strengthening poverty reduction activities in developing countries; and if he will make a statement on the matter. [34139/04]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): The question of overseas development assistance, ODA, eligibility regarding conflict prevention, peace building and security-related activities was on the agenda of the senior level meeting of the OECD Development Assistance Committee, DAC, in Paris, on 8 and 9 December 2004, and was discussed at some length.

The chair concluded at the end of the discussion that no consensus existed on proposals to broaden the coverage of the existing DAC directives in the areas of peacekeeping and on reform and non-military training of military forces. The chair also indicated that he would not now be putting this matter forward for discussion by Ministers at the OECD DAC high-level meeting in 2005, though the broad issue of security and development will continue to be a matter for discussion at the DAC.

Ireland's approach at the senior level meeting with regard to this aspect of ODA eligibility was that the proposals in respect of security system reform, civilian peace-building, conflict prevention and conflict resolution could be endorsed, while the proposals relating to small arms and light weapons, reform and non-military training of military forces and peacekeeping could not be accepted, as the arguments in favour of maintaining the current position outweighed the risks involved in approving such proposals. These risks included diverting the focus of ODA away from poverty reduction and from meeting the Monterrey commitments.

The OECD DAC reference document, A Development Co-operation Lens on Terrorism Prevention: Key Entry Points for Action, was endorsed by the DAC high level meeting in 2003 and complements the DAC Guidelines Helping Conflict Prevention of 2001. I welcome this document, which will act as a reference point for development co-operation actors in this field.

The DAC reference document draws on donor responses to international terrorism. It is intended to guide the international community and governments in their efforts to address linkages between terrorism and development and suggests how donor programmes might be designed or adjusted. It begins with a policy statement in which DAC Ministers and heads of agencies underline key issues, orientations and entry points for action. While the causes of international terrorism are complex, there are connections with development arenas, actors and issues. Consequently the international community, aid organisations, governments, the European

Union, the United Nations system and the OECD have embarked on a series of reflections on how best to support global efforts to combat terrorism.

Ireland's development co-operation programme has a very strong focus on poverty reduction in the poorest developing countries. This will remain our approach.

437. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the progress made since the January 2004 Council conclusions by which the Irish Presidency obtained a commitment from the EU to develop clear and objective criteria for the allocation of EU aid. [34140/04]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): On 26 January 2004, following the fourth annual policy debate on the effectiveness of the European Union's external action at the General Affairs and External Relations Council, the Council adopted conclusions inviting the Commission, in the light of experience and best international practice, to present proposals on extending the use of standard, objective and transparent resource allocation criteria, based on need and performance, to all EC external assistance.

Subsequently, on 22 October 2004, former Commissioners Nielson and Patten wrote to EU Ministers for foreign affairs and development co-operation indicating that, following extensive preparatory work by the Commission, they were transmitting ideas for a common approach for future resource allocation, which should apply to all developing and transition countries to be covered by the future development co-operation and economic co-operation instrument. The Commissioners also indicated that they wished to leave it to the incoming Commission to develop appropriate allocation approaches for the countries to be covered by other relevant instruments. I understand that detailed work on allocation criteria by the Commission is ongoing. Ireland regards this work as a priority and will continue to call for the earliest possible submission of the Commission's proposals.

438. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the steps he will take to ensure that poverty eradication remains the overarching goal of EU development assistance in the period 2007 to 2013. [34141/04]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): Poverty eradication remains the overarching objective of Ireland's development co-operation policy. In this regard, EU development co-operation Ministers from seven member states, including Ireland, stressed the importance of poverty eradication being included specifically in the treaty establishing a constitution for Europe in a joint submission to the Convention on the Future of Europe. As a result, Article III-316 of the treaty provides that "Union development policy shall have as its pri-

mary objective the reduction and, in the long term, the eradication of poverty."

439. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his views on whether the European Commission proposals on EU development spending in the Financial Perspectives 2007-2013 risk undermining the terms of the proposed EU constitutional treaty which recognises development co-operation as a policy area in its own right and defines poverty eradication as the overarching objective of EU development policy; and if he will make a statement on the matter. [34142/04]

440. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his views on the current European Commission proposals on EU development spending in the Financial Perspectives 2007-2013 (details supplied). [34143/04]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): I propose to take Questions Nos. 439 and 440 together.

Development co-operation is included in the Commission's proposals on external relations in the Financial Perspectives 2007-2013. It is the Commission's intention to increase expenditure on external relations in support of the EU's role as a global partner and to simplify structures for the delivery of policy objectives in this area.

The Commission has proposed that €95 billion should be allocated to external relations for the period of the future financial framework. The financial reference amount indicated by the Commission which is proposed for the development co-operation and economic co-operation, DCEC, instrument is approximately €44.2 billion for the period to 2013. This expenditure would be delivered through a streamlined structure in which six instruments would replace the range of existing instruments, including 91 budget lines in the present external relations policy areas. Four new instruments would be created including a DCEC instrument. Approximately 46% of the proposed total expenditure would be committed to this instrument. The development co-operation and economic cooperation instrument will have the aim of supporting development co-operation, economic, financial, scientific and technological co-operation with partner countries and regions and helping developing countries to achieve the millennium development goals.

The other new instruments proposed are: an instrument for pre-accession; a European neighbourhood and partnership, ENPI, instrument; and an instrument for stability. All these instruments contain elements of development co-operation expenditure. The existing instruments for humanitarian aid and macro-financial assistance would remain unchanged. Simplification of the number of instruments will provide for enhanced coherence in the Union's external action and Ireland welcomes this.

Negotiations on the financial perspectives have been under way since February 2004 and will continue under the Luxembourg Presidency. No final

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decisions have been taken with regard to either the overall budget level for the financial perspectives or its components. The member states and the European Parliament will retain their right to exercise oversight with regard to expenditure in this area.

Ireland is concerned to ensure that the Union is adequately resourced to advance its objectives in supporting the least developed countries, deepening relations with its neighbours, promoting stability and responding to short-term crises. In view of the importance of development co-operation assistance for the Union's external relations priorities, we have a particular concern that there should be no dilution of the Union's commitment to poverty reduction. We believe that the overarching objective of the new development co-operation and economic co-operation instrument should be the reduction of poverty, contributing to the achievement of the millennium development goals. These objectives will continue to inform Ireland's approach to discussion on the development co-operation aspects of the negotiations on the Financial Perspectives.

Human Rights Issues.

441. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will raise the issue of the Falun Dafa practitioners with the Chinese Government; and if he will make a statement on the matter. [34164/04]

453. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will raise the internment of a person (details supplied) in Tibet along with other political prisoners imprisoned by the Chinese Government, with the Chinese authorities. [1226/05]

454. **Mr. F. McGrath** asked the Minister for Foreign Affairs if there has been a policy shift on the independence of Tibet and the need to end Chinese occupation; and if he will make a statement on the matter. [1227/05]

462. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the points made by the Irish delegation to the Chinese Prime Minister during the recent trade mission to China; the specific points made on the ongoing occupation of Tibet; and the other human rights concerns raised. [1537/05]

463. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the reason the Government cannot take a tougher line on human rights in China than the big EU countries as stated by the Taoiseach; and if this rule applied only to Irish policy on China or to all foreign policy. [1538/05]

489. **Mr. Gormley** asked the Minister for Foreign Affairs if he raised the persecution of Falun Dafa in China with the Chinese Vice-Premier, Huang Ju, on his recent visit to Dublin, in particular the Vice-Premier's personal endorsement of such persecution; and if he will make a statement on the matter. [1594/05]

490. **Mr. Gormley** asked the Minister for Foreign Affairs if he has made any representation to the Government of China regarding the death sentence imposed on a person (details supplied); if he has sought this person's release or an open retrial of the case; and if he will make a statement on the matter. [1595/05]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 441, 453, 454, 462, 463, 489 and 490 together, and to make a statement on these matters.

As has been stated on many occasions, the Government takes concerns about human rights in China very seriously. Human rights issues are a constant point of discussion with the Chinese authorities at both the national and the European Union level. Dialogue on human rights issues is a constant element of our bilateral exchanges. While recognising that respect for human rights in China is not at the level we would wish, the Government takes the approach of seeking to encourage the Chinese authorities to continue to move in a positive direction. This approach, which situates human rights issues within a broad dialogue on matters of mutual concern is shared by other European and North American governments and is the approach most likely to yield tangible long-term progress on human rights.

In May and again in October 2004, the Taoiseach held constructive bilateral meetings with Premier Wen Jiabao at which human rights issues were raised. At the invitation of Premier Wen, the Taoiseach paid an official visit to China, from 18-22 January 2005. The purpose of the visit was to discuss further the development of political, economic, social and cultural relations with our Chinese counterparts. The Taoiseach was accompanied at different stages of his visit by the Minister for Enterprise, Trade and Employment, the Minister for Communications, Marine and Natural Resources, the Minister for Education and Science, and the Minister for Agriculture and Food.

Official talks took place between Premier Wen Jiabao and the Taoiseach on 18 January, in Beijing. The Taoiseach also paid courtesy calls on Mr. Hu Jintao, President of the People's Republic of China, and Mr. Wu Bangguo, Chairman of the National People's Congress of China. The Taoiseach and Premier Wen discussed a wide range of issues including the issue of human rights. The Taoiseach, while recognising the different historical perspective of Ireland and China regarding the promotion and protection of human rights, stressed the importance that the Government attaches to China's continued progress in this area. The possibility of developing bilateral co-operation on furthering human rights norms was raised with the Chinese side.

The Taoiseach had an interesting exchange with Chairman Wu on the Chinese Government's efforts to promote human rights and the rule of law. Chairman Wu looked forward to Irish and Chinese parliamentarians continuing this dia-

logue at various meetings scheduled to take place during the course of this year.

Discussions on human rights issues also took place at official level during the course of the Taoiseach's visit. The Irish side raised the case of Ms Yang Fang. Ms Yang studied in Ireland some years ago, and it has been alleged that following her return to China, she was placed in detention by the Chinese authorities and has been prevented from resuming her studies in Ireland. We have raised Ms Yang Fang's case with the Chinese authorities through the China-EU Human Rights Dialogue, which is the agreed framework for raising individual human rights cases. On 18 January, the Chinese side reported that Ms Yang Fang was not in detention and that she had left her employment several months ago to care for her ageing mother.

On 16 November 2004, the Tánaiste and Minister for Health and Children, Deputy Harney, and I held official talks with the Chinese Vice-Premier, Mr. Huang Ju, in Dublin Castle. During our discussion on EU-China relations, I raised our concerns over human rights with the Vice-Premier. I also recalled that a number of specific issues were being addressed through the EU-China Human Rights Dialogue and that the Government looked forward to continued progress in this regard.

At that time, the Chinese Vice-Premier informed me of the measures his Government is taking in the field of human rights, which included the addition of an express provision on human rights to China's constitution in 2004. He stated that China wished to continue the regular EU-China Human Rights Dialogues and confirmed that China would attend the next session of that dialogue, due to be held in February 2005. China has recently upgraded its presence in the EU-China Human Rights Dialogue to director-general level.

The EU-China Human Rights Dialogue, established in 1996, is the agreed formal framework through which the EU raises its concerns about individual human rights cases, including those of Falun Dafa practitioners and more general issues, such as the protection of freedom of religion and expression, which have a particular impact on practitioners of Falun Dafa. These issues were raised at the EU-China summit, which took place at The Hague on 8 December 2004.

As stated previously, Ireland established diplomatic relations with the People's Republic of China in 1979 and has, from that time, recognised Tibet as an integral part of China. There has been no change in this position.

I am aware of the case of the individual, Mr. Butuk, to whom Deputy McGrath refers, who, I understand, was arrested in 1990 and charged with "counter-revolutionary activities" and sentenced to 14 years' imprisonment. It is alleged that he has been tortured and consequently suffers ill health. I will ensure that his case is raised with the Chinese authorities.

Tibet regularly features in our discussions within the EU, at EU-China meetings, and in our bilateral meetings. On 16 November 2004, I raised the issue of Tibet and recent developments during the official talks with Vice-Premier Huang Ju, in Dublin. In response, the Vice-Premier said that the channels of communications between the Chinese government and the Dalai Lama were open. Tibetan delegations had visited China since 2002 and met their relatives. China was continuing to work to ensure peace and development in Tibet.

At the EU level, Ireland, together with our EU partners, encourages the continuation of the dialogue between the Chinese authorities and representatives of the Dalai Lama. In this regard, I welcome the statement issued on 10 March 2004 by the Dalai Lama, in which he expressed the hope that there might soon be a significant breakthrough in relations with the Chinese Government, based on his "middle-way-approach," which addresses the issue of Tibet within the framework of the People's Republic of China, and that he has instructed his envoys to continue the process of dialogue with Beijing at an early date.

I am pleased that representatives of the Dalai Lama met the Chinese authorities in Beijing from 12 to 29 September 2004. Previous meetings between China and Tibetan envoys took place in September 2002, and May and June 2003. This third meeting in September 2004 was characterised generally as positive by Mr. Lodi Gyari the special envoy of the Dalai Lama. For the first time there was a substantive discussion between Chinese and Tibetan representatives on major, sometimes fundamental differences, including the issue of the delimitation of Tibet and the scope of autonomy. It is understood that there may be a further round of talks in 2005.

As stated previously, I am aware of the case of Tenzin Deleg Rinpoche, to whom Deputy Gormley refers. At the request of Ireland and a number of other EU partners, his case has been raised on a number of occasions with the Chinese authorities. Most recently, on 21 January, the EU ambassadorial troika carried out a further demarche on the Chinese authorities in Beijing. The troika expressed the EU's opposition to the death penalty and called on the Chinese authorities not to carry out the death sentence imposed on Tenzin Deleg Rinpoche. The troika further called on the Chinese authorities to allow due judicial process to be respected in the exercise of this case.

In response, the Chinese authorities recalled that under Chinese law, if a person sentenced to death with suspension of execution does not intentionally commit a crime in that period, his sentence may be reduced to a term of imprisonment of between 15 and 25 years and that the period of suspension in this case would end on 26 January 2005. It was understood that this provision applies to the case of Tenzin Deleg Rinpoche. However, the relevant legal procedures had

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not yet been completed at the time of the recent demarche. The Chinese authorities undertook to inform the EU as soon as the final judgment issues.

Together with our EU partners, the Government will continue to encourage the Chinese authorities to respect fully the human rights of all citizens, including those of the people of Tibet. For my part, I will continue to avail of my discussions with Chinese representatives to express our position in regard to these matters.

Passport Applications.

442. **Mr. Neville** asked the Minister for Foreign Affairs the projected cost of introducing passports containing biometric information. [34326/04]

Minister for Foreign Affairs (Mr. D. Ahern): Following the decision of the Government on 14 December 2004 to approve the introduction of passports containing biometric information, my Department has launched the procurement process for this project. A notice inviting firms to submit expressions of interest in the project was placed in the *EU Journal* on 17 December 2004. Based on the evaluation of these expressions of interest, a short list of companies will be drawn up to which the request for tender will be issued next month. It will not be possible to give a firm estimate of the cost of the project until the formal proposals from the short-listed companies have been received and considered and the contract has been awarded.

Overseas Development Aid.

443. **Mr. F. McGrath** asked the Minister for Foreign Affairs if all public money given to the tsunami crisis will be distributed to the most needy; and if he will work closely with all the aid organisations on this issue. [34330/04]

445. **Mr. F. McGrath** asked the Minister for Foreign Affairs the position regarding public money spent on the tsunami crisis; and if he will report on the supports which were delivered to persons on the ground. [34579/04]

460. **Mr. Boyle** asked the Minister for Foreign Affairs if money pledged by the Government to assist relief in the aftermath of the South Asian tsunami disaster is part of or in addition to the current year's overseas development aid budget for 2005. [1424/05]

475. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he will reconsider the decision to take the additional €10 million pledged for tsunami disaster relief from the existing emergency humanitarian assistance budget, in view of the fact that the UN has urged countries to use new money and other countries such as Canada, Norway and Germany have done so. [1551/05]

481. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the amount of official tsunami relief aid delivered to date. [1557/05]

483. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the forms of tsunami disaster relief aid pledged by the Government; the amount delivered to date in cash; and the amount promised in cash, which remains outstanding. [1559/05]

484. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the reason he will not commit to matching tsunami disaster relief humanitarian aid funds to that raised independently by people here through voluntary donations to charitable organisations. [1560/05]

486. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his views on Transparency International's call for maximum access to information regarding sources and expenditure in relation to tsunami relief aid; his further views on the call for a tendering system and transparent budgeting in tsunami reconstruction efforts including monitoring for dedicated disaster relief and reconstruction such as the UN Humanitarian Affairs and Emergency Relief Co-ordinator's proposal for a donation tracking scheme; and his further views on whether the military should be subject to the same scrutiny as public bodies and non-governmental organisations in relief delivery and reconstruction. [1562/05]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 443, 445, 460, 475, 481, 483, 484 and 486 together.

The Government has allocated €20 million for the relief of the victims of the tsunami crisis. Some €10 million is additional funding to the budget for overseas aid announced in the Estimates for 2005. The remainder will come from the Government's emergency humanitarian assistance fund, which is specifically designed to be flexible to respond to disasters wherever they occur.

As far as disbursement of funding is concerned, approximately €9.5 million has been approved so far in response to requests from Concern; Goal; Christian Aid Ireland; Christian Children's Fund of Ireland, CCF; Oxfam Ireland; Plan Ireland; Trócaire; World Vision Ireland; the United Nations Children's Fund, UNICEF; the United Nations High Commission for Refugees, UNHCR; the World Health Organisation, WHO; the World Food Programme, WFP; the Red Cross family and the International Organisation for Migration, IOM. Funding is also being provided to the UN for the co-ordination of the aid effort. Contracts are currently being processed and payments made.

Ireland's assistance is targeted at the neediest sectors of the populations in the affected region. The key areas being addressed are food assistance, shelter, livelihood rebuilding, care and protection of children, water and sanitation.

During my recent visit to the tsunami-affected countries I was accompanied by the chief executives of Concern, Goal, the Irish Red Cross and Trócaire. We witnessed at first hand the truly appalling scale of the destruction. The loss of life and destruction of property is immense. There is a clear and acute need for ongoing international assistance for the emergency and the recovery efforts afterwards, particularly in Sri Lanka and Indonesia.

The technical team appointed by the Government to visit Indonesia, Sri Lanka and Thailand to assess the immediate and long-term needs of these countries post tsunami has just returned and has made a number of recommendations. As the region moves away from an emergency response to one oriented towards recovery and reconstruction, further funding will be made available as required. This will take account of the recommendations of the team and will be in line with emerging needs and priorities in the countries concerned. In addition, it is intended that the appointment of an envoy to monitor officially funded relief operations in Asia and to liaise with Irish Aid agencies on the ground will be announced in the very near future.

In response to a request from the United Nations Joint Logistics Centre, four members of the Defence Forces have taken up positions in transport and engineering operations in Colombo, Sri Lanka, to assist with the logistics of the aid operation.

It is essential that all development co-operation activities, including emergency relief, should be delivered, managed, tracked and monitored in the most transparent and accountable way possible. With emergency humanitarian assistance, such as that being delivered to the tsunami affected countries by all organisations, maximum access to information can only help the relief effort by facilitating openness, co-ordination and effectiveness. The involvement of civil society in the process is essential. A people-centred approach, combined with strong oversight by the international donor community and the governments of the affected countries, will provide the optimal basis for effective reconstruction. Ireland fully subscribes to the principles and practice of the Good Humanitarian Donorship Initiative, which aims to ensure best practice in all aspects of emergency relief.

Middle East Peace Process.

444. **Mr. F. McGrath** asked the Minister for Foreign Affairs the position regarding developments in the Middle East between the Palestinians and Israelis; and the role which Ireland is playing in these issues. [34574/04]

Minister for Foreign Affairs (Mr. D. Ahern): Mahmoud Abbas Abu Mazen was elected President of the Palestinian Authority with a solid majority on 9 January. The EU election observation mission reported that the conduct of the election was generally satisfactory considering the

difficult circumstances surrounding it. Abu Mazen's election has been welcomed by the international community. President Bush has invited him to Washington, while Prime Minister Sharon congratulated Abu Mazen on his election and undertook to engage in discussions with him.

The Government continues to be concerned about ongoing violence in the region; both terrorist attacks against Israeli targets and Israeli military action in response. We would encourage both sides to do their utmost to bring a halt to the cycle of violence so that there can be a return to negotiation. The Government, both bilaterally and within the framework of the EU and UN, will continue its efforts to encourage progress in the Middle East Peace Process. The EU has consistently stated its readiness to assist the Palestinian Authority financially, technically and politically. At the UN, Ireland and the EU have repeatedly reaffirmed their support for efforts to resolve the conflict.

The European Council of 16 and 17 December, in its declaration on the Middle East peace process, welcomed efforts by the Palestinian leadership to ensure a democratic transition in the occupied Palestinian Territory. Israelis and Palestinians were encouraged to continue to cooperate closely in the run-up to the Palestinian presidential elections in January 2005. The Council also reiterated its commitment to the achievement of a negotiated two-state solution through the roadmap, and expressed its willingness to support an Israeli withdrawal from the Gaza Strip and part of the West Bank as a first step in the overall process, in accordance with the conditions set out by the March 2004 European Council.

The Taoiseach has congratulated President Abbas on his success in the elections and pledged Ireland's continuing support for efforts to bring an end to the Israeli-Palestinian conflict. He recalled Ireland's long-standing concern for the situation of Palestinian people and the Government's ongoing commitment to supporting international efforts to bring about a lasting peace in which two states, Israel and Palestine, can live side by side in peace and co-operation.

The Taoiseach also indicated the Government's readiness to assist the Palestinian Authority in their efforts to move forward on the basis of the roadmap and he urged Mr. Abbas to work vigorously to ensure that Palestinians meet their obligations under it. He pledged that Ireland, through its membership of the European Union, and its relations with Israel, the United States, Arab and other key partners would strongly support early action, led by the Quartet, to advance the implementation of the roadmap.

I intend to visit the region in the coming period to encourage the parties to pursue the present opportunities for progress and to explore possibilities for Ireland to further assist them along the path to lasting peace.

Question No. 445 answered with Question No. 443.

Human Rights Issues.

446. **Mr. Gormley** asked the Minister for Foreign Affairs if his attention has been drawn to the fact that funding for the UNFPA is assisting China's one child policy; and if he will make a statement on the matter. [34592/04]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): I am aware of the allegations that funding for the United Nations population fund, UNFPA, is assisting China's one-child policy. However, UNFPA has categorically denied that it either supports the Chinese Government's one-child policy or that it takes part in managing the government's programme. A number of independent investigations have taken place into these allegations against UNFPA. All of these investigations have confirmed that UNFPA does not support China's one-child policy and is making an important contribution to encouraging the Chinese authorities away from coercive family planning measures.

My officials will continue to monitor closely the activities of the UNFPA, including allegations relating to UNFPA's programme in China, through bilateral contact at headquarter and field level and through attendance at all of the executive board meetings of the organisation. We served a three-year term on the executive board of UNFPA from 1998 to 2000 and were closely involved in discussions on UNFPA's policies and programmes. We were impressed by the quality of UNFPA's development activities, the commitment of its staff and the support it provides to some of the world's poorest countries. In recent years members of the Government have met with Ms. Thoraya Obaid, the executive director of the fund, on a number of occasions to discuss our contribution and the fund's activities.

We have also recently completed an intensive round of bilateral consultations with the fund during which we again raised the above allegations. On the basis of our assessment of its operations, we have decided to enter into a new round of multi-annual funding commitments with the agency.

I am satisfied that UNFPA is playing an important role in supporting the efforts of developing countries to improve maternal health and welfare and to fight HIV-AIDS. Ireland's funding of UNFPA is, therefore, fully warranted and helps the organisation provide much needed assistance to people living in extreme poverty.

447. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will use all his power to bring back the children of a person (details supplied) and to give this person the maximum support and guidance. [1054/05]

Minister for Foreign Affairs (Mr. D. Ahern): My Department is aware of this case and is in

contact with the representatives of the person to whom the Deputy refers. The Department will assist in any way possible in facilitating the return of the children to Ireland.

Middle East Peace Process.

448. **Mr. O'Connor** asked the Minister for Foreign Affairs if he has made contact with the new President of the Palestinian Authority; his plans to assist that new administration in seeking peace in the Middle East; and if he will make a statement on the matter. [1064/05]

Minister for Foreign Affairs (Mr. D. Ahern): The Taoiseach telephoned President Mahmoud Abbas to congratulate him on his success in the elections. In the course of this call, he assured President Abbas of Ireland's continuing support for efforts to bring an end to the Israeli-Palestinian conflict.

This contact also gave an opportunity for the Taoiseach to re-emphasise Ireland's consistent concern for the situation of the Palestinian people and the Government's ongoing commitment to supporting international efforts to bring about a lasting peace in which two states, Israel and Palestine, can live side by side in peace and co-operation.

We are also in regular and ongoing contact with the Palestinian Authority through diplomatic channels. I intend to visit the Middle East region in the coming weeks when I hope to meet with President Abbas.

It is of the utmost importance, now that the elections have taken place, that political negotiations be renewed at a very early date, with a view to concrete progress. Prospects for this progress will depend on all parties demonstrating a renewed vigour and determination to achieve results.

The Government stands ready, in concert with our EU partners, to assist the Palestinian Authority in their efforts to move forward on the basis of the roadmap. Ireland, through its membership of the European Union, and its relations with Israel, the United States, Arab and other key partners will strongly support early action, led by the Quartet, to advance the implementation of the roadmap.

Northern Ireland Issues.

449. **Mr. O'Connor** asked the Minister for Foreign Affairs if he will report on his recent dealings in respect of the peace process in Northern Ireland; the contacts he has had with political leaders in Northern Ireland; and if he will make a statement on the matter. [1065/05]

Minister for Foreign Affairs (Mr. D. Ahern): On 17 January last I met the Secretary of State for Northern Ireland, Mr. Paul Murphy, at Iveagh House. This meeting was the first with a member of the British Government since the PSNI Chief Constable, Sir Hugh Orde, made public his

assessment that the IRA was responsible for the December raid on the Northern Bank. Clearly, this assessment has very serious repercussions for the peace process. As the Taoiseach stated at the time, “If stable politics in Northern Ireland is to be secured, there can be no doubt or ambiguity about the total commitment of all concerned to exclusively peaceful and democratic engagement, including desisting from involvement in criminality in all its forms.”

Together with the Taoiseach, I had a series of meetings yesterday, 25 January, with representatives from Sinn Féin, the SDLP and the UUP. These meetings provided an opportunity to assess the seriousness of the current situation and to address the political implications of the raid. The Government told Sinn Féin that serious damage had been done to the process and that major steps will be required if trust and confidence is to be restored.

I expect consultations with the parties will continue in the coming days and the Taoiseach and British Prime Minister, Mr. Blair, plan to meet next week to review the situation and discuss possible options for the way forward.

The two Governments will continue to work together to advance the implementation of all aspects of the Good Friday Agreement, including important commitments in the areas of policing, criminal justice and human rights. To give renewed impetus to this process, the Secretary of State and I will co-chair a meeting of the British Irish Intergovernmental Conference next month in Dublin.

All of our ongoing contacts are focussed on the need to rebuild confidence and trust, and to restore engagement and momentum in the peace process. The achievement of inclusive, partnership government in Northern Ireland remains our objective. That is what the people of this island endorsed when they voted in referendums on the Good Friday Agreement. At the same time, it is clear that there can no longer be any vestiges of ambiguity about the commitment of all involved to exclusively peaceful and democratic means, which includes the need for an immediate end to all forms of paramilitary and criminal activity.

Official Engagements.

450. **Mr. O'Connor** asked the Minister for Foreign Affairs the position regarding his contacts in respect of Cyprus; and if he will make a statement on the matter. [1066/05]

Minister for Foreign Affairs (Mr. D. Ahern): The Government has regular contact with the Government of Cyprus, which has been a partner in the EU since 1 May 2004. I have the opportunity to review developments with Foreign Minister George Iacovou at the monthly meetings of the General Affairs and External Relations Council. The Taoiseach and I attended the Euro-

pean Council in Brussels on 16 and 17 December 2004, at which the main subject for decision was the opening of accession negotiations with Turkey. This is an issue on which Cyprus has particular concerns, and President Papadopoulos played an important role in the deliberations of the European Council.

The European Council decided, on the basis of the report and recommendation presented by the Commission, that Turkey sufficiently fulfils the Copenhagen political criteria to enable the opening of accession negotiations. It invited the Commission to begin work on the preparation of a draft framework for negotiations with Turkey, to be agreed by the Council with a view to opening negotiations on 3 October 2005. A crucial issue in this decision was Turkey's attitude to the Republic of Cyprus.

In the early months of 2004, the Turkish Government made a very positive contribution to the efforts of the UN Secretary General to achieve a comprehensive settlement of the Cyprus problem. However, Turkey does not recognise the Republic of Cyprus, an EU member state. Ireland and other member states took the view that, in order to enable agreement on the opening of accession negotiations, Turkey should make a clear political move on a process leading to the normalisation of relations with the Republic of Cyprus. The European Council welcomed Turkey's decision to sign the protocol on the adaptation of the Ankara Agreement of association with the EU to take account of the accession of the ten new member states on 1 May 2004. It also welcomed the declaration by the Turkish Government that it would do so before the start of negotiations.

The United Nations has the lead role in the search for a comprehensive settlement of the Cyprus problem. The EU enlargement process provided the impetus for the most recent efforts, which were undertaken by Secretary General Annan in 2004, during Ireland's EU Presidency. The Government gave its full support to the Secretary General in his mission of good offices, and maintained close contact with him, with his special adviser on Cyprus, and with the various parties concerned. As a result of the referendums in Cyprus on 24 April, the accession to the EU of a united Cyprus on 1 May 2004 was not possible.

On 28 May, the UN Secretary General submitted a comprehensive report to the Security Council on his mission of good offices. He noted that the unsuccessful outcome represented another missed opportunity to resolve the Cyprus problem, and concluded that there was no apparent basis for resuming the good offices effort while the current stalemate continues. At this stage, the process remains under consideration in the UN Security Council.

In the absence of a comprehensive settlement, the Republic of Cyprus acceded to the Union on

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1 May, and the application of the laws and regulations of the Union to the northern part of the island is suspended. The General Affairs and External Relations Council on 26 April 2004 expressed a determination to ensure that the people of Cyprus would soon achieve their shared destiny as citizens of a united Cyprus in the European Union. It agreed on the need to end the isolation of the Turkish Cypriot community and to facilitate the reunification of Cyprus by encouraging its economic development.

The Irish Presidency subsequently achieved the agreement of member states to a Council regulation on the dividing line in Cyprus, including measures to allow trade across the line. At the request of the Council, the Commission brought forward proposals in July aimed at the economic integration of the island and improving contact between the two communities and with the EU. These proposals remain under active consideration by the member states.

Diplomatic Representation.

451. **Mr. O'Connor** asked the Minister for Foreign Affairs his proposals to open new embassies abroad in 2005; and if he will make a statement on the matter. [1067/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The Government has decided to complete our network of resident missions in all of the EU member states and also to establish missions in the countries, which will accede in 2007. We are, in this context, planning to open embassies in Latvia, Lithuania, Bulgaria and Romania as well as a resident mission in Malta, later this year. We expect that these missions will play an important role in developing our political, economic, social and cultural relations with our new and acceding EU partners.

In addition, following the Government's decision to designate Vietnam as a programme country for development co-operation, we plan to open a resident mission in that country later this year.

Irish Emigrants.

452. **Mr. O'Connor** asked the Minister for Foreign Affairs if, as part of the Irish abroad initiative, he can seek information on the number of Irish persons living in the UK who are finding it difficult to exist; his contacts with various groups in the UK helping these persons; the level of funding being made available to these groups; and if he will make a statement on the matter. [1068/05]

Minister for Foreign Affairs (Mr. D. Ahern):

While we have no clear figure for the number of Irish people in Britain who may find it difficult to support themselves, officials of the embassy in

London and the Irish abroad unit of my Department remain in close contact with the voluntary agencies which assist emigrants who find themselves disadvantaged. I met many of the people who work in this field at a recent conference for emigrant service providers in Dublin and again during my visit to the London Irish Centre in December. I was pleased to hear that the establishment of the Irish abroad unit and the significant increase in funding I have secured for emigrant services have been warmly welcomed by those who provide frontline services to our community in Britain. I am convinced that these developments will serve to advance the services that are provided to those who find themselves in a vulnerable situation.

My Department supports these groups through the Díon fund, which is administered by our embassy in London. Since it was established in 1984, more than €22 million has been distributed through the fund. The figure disbursed last year was €4.3 million, a 68% increase on the 2003 figure. In the recent budget I was delighted to secure €8.27 million for emigrant services in 2005, of which I expect some €7 million will go to organisations in Britain.

This very significant rise in funding for emigrant services reflects in the clearest possible way the strength of the Government's firm and sustained commitment to our emigrant communities.

Questions Nos. 453 and 454 answered with Question No. 441.

Foreign Conflicts.

455. **Mr. F. McGrath** asked the Minister for Foreign Affairs the position regarding the Sudan and the Government's efforts to assist that country. [1228/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The political and humanitarian situation in Sudan, particularly the Darfur region, remains a matter of the deepest concern for Ireland and the Government continues to use all avenues open to it to urge action in addressing the humanitarian, security and political challenges which exist there. During 2004, Ireland provided €6 million in humanitarian support to Darfur and we plan to provide additional funding in 2005.

The overall prospects for peace in Sudan have been greatly enhanced by the signing of a comprehensive peace agreement between the Government of Sudan and the Sudan People's Liberation Movement, SPLM, in Nairobi on 9 January. This is an important and welcome commitment by the Sudan Government and the SPLM to finally end 21 years of conflict between north and south in that troubled country, which has killed thousands of people and displaced many others. This agreement paves the way towards establishing peace and promoting

development in all parts of Sudan. It is now vital that the Sudanese Government and the SPLM proceed with rapid and full implementation of the agreement. Ireland, along with the rest of the international community, is ready to play its part in supporting the reconstruction of Sudan following the restoration of peace. The UN Security Council has also declared its readiness to consider establishing a UN peace support operation to assist in implementation of the Naivasha peace agreement.

The comprehensive political agreement signed in Naivasha has highlighted the need for parallel political progress with regard to the Darfur conflict. The most recent report of the UN Secretary General's special representative, Jan Pronk, has provided further, worrying evidence of how both the Sudan Government and the rebels are continuing to violate the ceasefire agreements. Humanitarian delivery continues to be jeopardised by the escalation in security incidents across many parts of Darfur. Sustained international pressure therefore needs to be maintained on all the parties to honour their commitments and work to improve the security situation in Darfur. The Government of Sudan must be pressed to accept its responsibility for security and the protection of its own citizens by disbanding the Janjaweed militia and bringing all those responsible for serious human rights violations to justice. There must also be an end to any attempts at forced relocation of internally displaced persons. The rebels, for their part, must cease all attacks and ceasefire violations. All sides must cooperate fully and constructively with the international presence in Darfur, including the UN, African Union and all engaged in the humanitarian effort.

The need to end impunity and make sure that those guilty of serious human rights violations in Darfur are brought to justice remains imperative. The international commission of inquiry established last October to investigate claims of human rights violations and genocide is due to report shortly. Ireland, with our EU partners, looks forward to receiving the report of the international commission and to considering its recommendations. The report will also be of assistance in determining what further pressures need to be applied on the parties to achieve progress towards a political resolution in Darfur. Sanctions remain an option if the Sudanese Government and the other parties continue to fail to meet their obligations.

The African Union, AU, is performing a crucial role in efforts to resolve the Darfur crisis, both through its ceasefire monitoring mission and its mediation of the peace talks between the government and the rebels taking place in Abuja, Nigeria. Ireland and the EU have welcomed and are supporting financially and logistically the expanded AU observer mission in Darfur, AMIS

II. The EU is providing €92 million from its African peace facility for AMIS II, which will total 3,320 personnel when fully deployed, while Ireland has allocated €500,000 in support of the humanitarian and human rights aspects of the mission. It is hoped that this expanded mission can help to improve the security situation on the ground and to create suitable conditions for the safe and voluntary return of refugees and IDPs. UN special representative Pronk has recently stated that the AU mission has done more than any other outside agent to improve the security situation on the ground, by its presence and its actions to mediate and forestall violent actions. He also expressed the view that the AU, both in its troops on the ground and its leadership of the political process, will remain for the foreseeable future the best mechanism for promoting peace in Darfur.

Ultimately, resolution of the crisis in Darfur requires a political agreement. The AU-mediated peace talks are due to resume in Abuja next month and I would urge the Sudanese Government and the rebel groups to recommit themselves fully to this process and resume negotiations as speedily as possible, with a view to reaching an early and final political agreement. I would hope and urge that the African Union summit, which is taking place in Abuja this week, will send a strong political message to this effect.

Reunification of Cyprus.

456. **Mr. G. Mitchell** asked the Minister for Foreign Affairs if he will address queries posed by a person (details supplied). [1369/05]

Minister for Foreign Affairs (Mr. D. Ahern): The Republic of Cyprus has been a member state of the European Union since 1 May 2004. In the absence of a comprehensive settlement of the Cyprus problem, the application of the laws and regulations of the EU to the northern part of the island is suspended.

Following the referendums in Cyprus on 24 April 2004 on the settlement plan presented by the UN Secretary General, the General Affairs and External Relations Council adopted conclusions expressing a determination to ensure that the people of Cyprus would soon achieve their shared destiny as citizens of a united Cyprus in the European Union. The Council also agreed on the need to end the isolation of the Turkish Cypriot community and to facilitate the reunification of Cyprus by encouraging their economic development.

On 29 April 2004, the Council adopted Regulation (EC) No. 866/2004, which sets out the terms under which the relevant provisions of EU law apply to the dividing line in Cyprus, between the areas in which the *acquis communautaire* applies and in which it is suspended. The regulation provides for the crossing of persons and for

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trade in goods across the so-called “Green Line”. Goods are permitted to cross the line from the northern part of the island “on condition that they are wholly obtained in the areas not under effective control of the Government of the Republic of Cyprus or have undergone their last, substantial, economically justified processing or working in an undertaking equipped for that purpose” in the northern part of the island. The main query posed in the material supplied by the Deputy refers to the purchase of a car in the northern part of Cyprus, which was manufactured in Germany. As the vehicle was not manufactured in the northern part of the island, it would not qualify under the Council regulation for entry into the area under the effective control of the Government of the Republic of Cyprus.

The second query refers to the registration system for non-nationals in Cyprus. I understand that the Republic of Cyprus operates a registration system for all resident non-nationals, as do a number of other EU Member States.

Human Rights Issues.

457. **Mr. Quinn** asked the Minister for Foreign Affairs if he will take all appropriate steps to urge the Zimbabwean authorities to secure the release of a person (details supplied); and if he will make a statement on the matter. [1408/05]

Minister for Foreign Affairs (Mr. D. Ahern): I am aware of and have been closely following the case of Mr. Roy Bennett, the Movement for Democratic Change, MDC, opposition Member of Parliament, who was sentenced by the Zimbabwean Parliament last October to 12 months’ imprisonment with labour. A number of aspects of the case give rise to concern, including the apparently arbitrary procedures employed in Mr. Bennett’s trial and conviction by a committee of the Zimbabwean Parliament rather than by an ordinary court, where the maximum penalty applicable would have been a small fine. While it is not possible to condone the action for which Mr. Bennett was sentenced, it is clear that the sentence imposed was politically motivated and wholly disproportionate to the offence committed.

The imprisonment of Mr. Bennett is one of many incidents in an overall pattern of harassment, intimidation and violence, which opposition politicians and supporters have faced in Zimbabwe for some years now. Regrettably, the overall human rights situation in Zimbabwe continues to deteriorate, with arbitrary arrests and ongoing politically inspired violence. Legislation has just been enacted by the Zimbabwean Parliament which will impose serious restrictions on the activities of human rights NGOs operating in Zimbabwe.

Ireland and its EU partners are continuing to take the lead in highlighting the serious human rights situation in Zimbabwe, including through tabling a resolution on the issue at the recent session of the UN General Assembly. We will continue, through EU ambassadors in Harare, to press for the repeal of repressive legislation and an end to attacks on basic freedoms by the Zimbabwean authorities. Such political reforms are crucial if there is to be any prospect of free and fair parliamentary elections in Zimbabwe next March, carried out in accordance with the Principles and Guidelines on Democratic Elections adopted by the Southern African Development Community Summit in Mauritius last August.

The Government has been active in ensuring that EU ambassadors in Zimbabwe continue to monitor Mr. Bennett’s case closely with a view to the EU intervening on behalf of members of the opposition in Zimbabwe, including Mr. Bennett, who have been unfairly imprisoned.

International Agreements.

458. **Mr. Quinn** asked the Minister for Foreign Affairs if he will outline official practice relating to the laying of international agreements to which the State becomes a party before Dáil Éireann in compliance with Article 29.5.1 of the Constitution; if all treaties, within the meaning of the Vienna Convention on the Law of Treaties, together with all amendments, variations and repeals thereto, are classified as international agreements for the purposes of the article and are required to be so laid; if any secret or unpublished international agreements are in existence, whether described as such or as protocols, declarations, exchanges of notes, agreed minutes, memorandums of agreement or of understanding or the like, the terms of which are accepted as binding on the State in its relations with other states but which have not been laid before Dáil Éireann; and if he will make a statement on the matter. [1409/05]

Minister for Foreign Affairs (Mr. D. Ahern): Article 29.5.1 of the Constitution requires that every international agreement to which the State becomes a party shall be laid before Dáil Éireann. In accordance with this requirement it has long been the practice of my Department to arrange for copies of each international agreement, including any extension, prolongation or amendment of an international agreement, to be sent to the Clerk of the Dáil for presentation to the House after it has entered into force with respect to the State. Article 29.5.1 has been interpreted by successive Ministers for Foreign Affairs as requiring the laying before Dáil Éireann of agreements concluded in writing that create binding obligations upon the State in international law, however constituted, for example in one or more instruments, such as an exchange of notes,

or entitled, for instance “convention”, “treaty”, “exchange of letters” etc. While the requirements of Article 29.5.1 do not apply to agreements of a technical or administrative character, which are exempted under Article 29.5.3, it is the practice for these to be laid before Dáil Éireann also.

In addition to the laying of international agreements before Dáil Éireann under Article 29.5.1, for the convenience of the public, the practice has been that such international agreements have also been published in the *Irish Treaty Series* by my Department. Treaties published in the *Irish Treaty Series*, which at present may be purchased from Government Publications, will shortly be made available on the Department’s website.

Article 102, paragraph 1, of the Charter of the United Nations provides that “(e)very treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.” One of the purposes of this provision and a similar provision of the Covenant of the League of Nations is to prevent the conclusion of secret treaties and agreements. All international agreements to which the State becomes a party are registered with the United Nations in accordance with Article 102 of the Charter and published in the United Nations Treaty Series. The State is not a party to any secret international agreements.

Foreign Conflicts.

459. **Mr. Quinn** asked the Minister for Foreign Affairs if his attention has been drawn to claims (details supplied) relating to a Gulfstream-V jet; if his attention has further been drawn to claims that the plane has flown between Washington DC and destinations that include the Guantanamo Bay prison camp in Cuba and US overseas military bases, as well as Iraq and Afghanistan; that Shannon Airport is used as a refuelling post on such flights and that the flights are for the clandestine transport of enemy combatants to undisclosed locations for extraordinary rendition, that is, flying captured terrorist suspects and prisoners of war from one country to another for detention and interrogation; if he has investigated these claims; if the use of Shannon for such purposes has ever been sought from or notified to the authorities here by the US Government; if such use is compatible with domestic law and the State’s international legal commitments; and if he will make a statement on the matter. [1412/05]

Minister for Foreign Affairs (Mr. D. Ahern): I am aware of various press reports claiming that the aircraft cited in the reports mentioned by the Deputy was used in December 2001 by US authorities for the transportation of Al-Qaeda suspects from Sweden to Egypt. I understand, however, that the articles do not allege that any

stops were made in Shannon on that particular occasion or offer any proof that prisoners have been transported through Shannon by the US authorities.

The aircraft referred to by the Deputy is a civilian-registered aircraft. The regulation of the activities of civilian aircraft is primarily a matter for the Minister for Transport, who has made enquiries in the matter, and outlined his findings to this House in replies to parliamentary questions on 7 October 2004, 19 October 2004, 2 November 2004 and 23 November 2004.

I reiterate my previous statement to the House that the Government has no information to indicate that prisoners are being transported through Irish airports to and from Guantanamo or elsewhere. Furthermore, the US authorities have confirmed that Irish airports are not used for this purpose and that they would not seek to use Irish airports for this purpose in the future without seeking the authorisation of the Irish authorities.

The transport of prisoners through Irish airports under the circumstances referred to by the Deputy would be illegal under Irish law. This has been made clear to the US authorities.

Question No. 460 answered with Question No. 443.

Human Rights Issues.

461. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the contacts he has had with the Israelis over the arrest of a person (details supplied) in Jerusalem. [1536/05]

Minister for Foreign Affairs (Mr. D. Ahern): I am aware of the incident to which the Deputy refers. Although no specific representations were made in respect of this incident, the Israeli authorities were aware of the concerns of the international community concerning the facilitation of the election campaign. The EU’s election observation mission has concluded that the conduct of the election was generally satisfactory, a judgment with which I would concur. Although I would share the concern, which has been expressed about incidents such as this one, I am satisfied that it did not affect the outcome of the election.

Questions Nos. 462 and 463 answered with Question No. 441.

Overseas Development Aid.

464. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the amount of disaster relief moneys promised and delivered by the Government to date in response to each humanitarian disaster since 1997. [1539/05]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): Since 1997 the Govern-

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 ment has delivered approximately €120 million in emergency humanitarian funding to meet the needs of the most vulnerable populations affected by natural and man-made disasters. Assistance included the provision of basic food, shelter, water and sanitation, health care, and other life-saving services. These emergency programmes are delivered through partnerships with UN agencies, international organisations and key non-governmental partners which are operational in the disaster area and which have the necessary expertise and capacity. Funding for emergencies and rehabilitation has been increased to €37.5 million for 2005, up from €24 million last year. Detailed information of individual grants and organisations in receipt of funding are available in Development Cooperation Ireland annual reports, which are laid before the Dáil. The following table outlines annual allocations and outturns in response to humanitarian disasters globally from 1997 to 2004.

Emergency Humanitarian Assistance Fund (EHAF)
 Allocation and Outturn 1997-2004.

Year	Allocation €	Outturn €
1997	7,618,428	7,618,428
1998	7,618,428	7,618,428
1999	7,618,428	7,624,900
2000	11,745,077	11,740,099
2001	19,173,045	18,986,594
2002	20,000,000	19,999,990
2003	23,022,000	23,003,221
2004	24,000,000	23,953,292
Total	€120,795,406	€120,544,952

Foreign Conflicts.

465. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his views on the holding of the Iraqi elections under a state of emergency, which has now been extended to February 2005, and its potential effect on the establishment of democracy in Iraq. [1541/05]

467. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his views on whether the Iraqi elections, scheduled for 30 January 2005, should be delayed and whether, under the circumstances, these elections can be free and fair if they go ahead as planned. [1543/05]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 465 and 467 together.

The holding of elections for a transitional national assembly is the next critical step in the process for the political reconstruction of Iraq laid down in UN Security Council Resolution 1546, which is the basis for the political process in Iraq. The resolution also specifies 31 January as the latest date by which these elections should

be held. All reports and polls indicate that the majority of Iraqis would wish to take part in the elections.

It is clearly a matter of concern that the escalating violence may make it very difficult for people to vote in some areas of Iraq, and also that this has led some parties based in the Sunni community, which predominates in these areas, to state that they will boycott the elections unless these are postponed. However, as much of the violence is apparently aimed at making the elections impossible, it is not clear that postponing them would lead to an improvement in the situation. At the same time, parties representing the Shia community have stressed the great importance to their people of holding the elections as scheduled. This is a judgment, which only the Interim Iraqi Government can make, and it has concluded that the elections should go ahead.

The Government hopes that the elections in Iraq are able to proceed in as peaceful an atmosphere as possible, and that Iraqis take this opportunity to come out and vote in these elections which are crucial to the future of their country. These elections should mark an important step towards the establishment of democracy and the rule of law in Iraq. Hopefully, there will not be long delay before elections in Iraq take place in a peaceful atmosphere, with the full participation of all political parties representing all communities.

Human Rights Issues.

466. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he will report on his most recent representations to the US Government regarding the remaining 550 non-US citizens in custody and incommunicado at Guantanamo Bay for up to three years without trial, 546 of whom continue to be held without charge; and if he has requested regular access for independent human rights monitors. [1542/05]

Minister for Foreign Affairs (Mr. D. Ahern): As the Deputy will be aware, the Government has, on a number of occasions, made known its concerns to the US Government regarding the treatment and status of the detainees held at Guantanamo Bay. I reiterated these concerns at a meeting with the US Ambassador to Ireland in December 2004. The United States is well aware of the Government's view that those detained at Guantanamo Bay should be treated in accordance with the requirements of international human rights and humanitarian law. These concerns are shared by our EU partners.

In expressing these views the Government fully recognises the danger posed by terrorist networks such as al-Qaeda. Together with our EU partners, we are committed to countering all forms of international terrorism. However, it is vital that the highest standards of international human rights and humanitarian law are maintained as we work to counter terrorism.

It is my understanding that the International Committee of the Red Cross has been regularly visiting the US detention facility at Guantanamo Bay since early 2002 for the purpose of monitoring that persons held there are treated in accordance with applicable international laws and standards. I welcome the recent release of a number of detainees from Guantanamo Bay and hope that further releases will follow.

Question No. 467 answered with Question No. 465.

Middle East Peace Process.

468. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if Ireland sent observers to the Palestinian elections to ensure against intimidation and harassment of voters by the Israeli Defence Forces. [1544/05]

Minister for Foreign Affairs (Mr. D. Ahern): Ireland contributed six observers to the European Union's election observation mission for the Palestinian presidential elections. The mission confirmed that the Palestinian presidential elections proceeded in a satisfactory manner given the difficult circumstances. The European Union welcomed the considerable turnout of voters at the first presidential elections since 1996 and noted that by taking part in the elections the Palestinian people seized the opportunity to advance their aspirations to peace and democracy.

469. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he will report on his most recent representations to the Israelis regarding the need to convene peace talks without preconditions. [1545/05]

Minister for Foreign Affairs (Mr. D. Ahern): Ireland has consistently emphasised its commitment to supporting international efforts to bring about a lasting peace in which two states, Israel and Palestine, can live side by side in peace and cooperation. This position is well understood by all parties and is conveyed in the Government's regular contacts with the Israeli government. I set this position out during my most recent discussions with my Israeli counterpart in The Hague on 29 November last year.

It is of the utmost importance now that the Palestinian presidential elections have taken place that political negotiations be renewed at a very early date with a view to concrete progress. Prospects for this progress will depend on all parties demonstrating a renewed vigour and determination to achieve results. The Government stands ready, in concert with our EU partners, to assist the Palestinian Authority in its efforts to move forward on the basis of the roadmap. Ireland, through its membership of the European Union, and its relations with Israel, the United States and Arab and other key partners, will strongly sup-

port early action, led by the quartet, to advance the implementation of the roadmap.

470. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the representations made to Israel on the killing of six Palestinian civilians including five children (details supplied) in Beit Lahiya by an Israeli tank shell fired into a strawberry field. [1546/05]

Minister for Foreign Affairs (Mr. D. Ahern): I am aware of the tragic incident to which the Deputy refers. No specific representations were made to the Israeli authorities about this particular incident, which forms part of a pattern of killings of both Palestinians and Israelis. The Israeli authorities are aware of the Government's views on the use of military force in the occupied Palestinian territories. The Government, in common with its EU partners, has repeatedly called for all parties to bring an end to the cycle of violence. The Government has consistently condemned all attacks aimed at civilians, including the continuing rocket attacks carried out by Hamas against Israelis. Equally, I have condemned the disproportionate and sometimes indiscriminate nature of the Israeli military actions in the Gaza Strip which have claimed the lives of many innocent civilians, including children, and left many injured.

The EU is concerned about the use of civilian areas as staging grounds for attacks against Israelis. These attacks, both through their direct effect and through the fact that they attract Israeli retaliatory action, endanger both Israeli and Palestinian children. The EU has consistently called for an end to all such attacks

471. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he has a meeting scheduled with the new Palestinian President, Mahmoud Abbas. [1547/05]

Minister for Foreign Affairs (Mr. D. Ahern): No meeting has been scheduled as yet between President Abbas and any member of the Government. The Taoiseach telephoned President Abbas to congratulate him on his election victory shortly after the result was formally announced and the Government will maintain contact with President Abbas in the weeks to come. It is my intention to visit the region in the near future and I hope to meet with President Abbas at that time.

Human Rights Issues.

472. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he has written to the US administration to express concern over the nomination as Attorney General of a person who stated in a 2002 memo that in his view a new paradigm in the war on terror renders obsolete the Geneva Convention's strict limitations and that some of its provisions are quaint, and who requested a Justice Department memo on the way in which to evade a legal ban on torture. [1548/05]

Minister for Foreign Affairs (Mr. D. Ahern): It is my understanding that the nomination of Alberto R. Gonzales, the White House counsel, to be Attorney General of the United States is still being debated in the US Congress. It would not be appropriate for me to express an opinion on nominations to positions within the US administration and I have no intention of doing so. The United States is well aware of the Government's concerns about reports of prisoner abuse in Guantanamo Bay and Abu Ghraib and our view that those detained should be treated in accordance with the provisions of international human rights and humanitarian law, including the Geneva Conventions. These concerns have been regularly conveyed to the US authorities.

Civil Crisis Management Force.

473. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his views on the EU External Relations Commissioner's proposal for an EU international civil crisis management force or Eurocorp; and the reason there will be no international cooperation to establish such a force under UN control. [1549/05]

Minister for Foreign Affairs (Mr. D. Ahern): The European Union has been working in recent years to develop the Union's civilian capabilities to respond to crisis situations, both in respect of natural disasters such as the Asian tsunami and in respect of conflict and post-conflict scenarios.

The European Commission have submitted no formal proposal concerning an international crisis management force. However, as part of ongoing follow-up to the Asian tsunami, the General Affairs and External Relations Council will, on 31 January 2005, consider a draft action plan circulated by the Presidency. This action plan proposes that member states should look at how current instruments could be enhanced and examine the possibility of developing a new EU civilian rapid response capability. The draft action plan takes full account of the central role played by the United Nations.

The Government has consistently supported the development of the EU's civilian capabilities to respond to crisis situations. We will continue to play our part in enhancing the EU's civilian capabilities, including through contributing to any new rapid response civilian structures that may be developed. Cooperation between the EU and the UN in the civilian crisis management area remains an important priority for taking forward work in this area.

Irish Immigration Centres.

474. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his views on the report of prevalence of depression and alcohol and drug abuse among Irish emigrants to the US as reported to the annual conference of the Coalition of Irish Immigration Centers; and the measures he has

taken or will take to provide or otherwise secure treatment or other assistance. [1550/05]

Minister for Foreign Affairs (Mr. D. Ahern): I am acutely aware of the concerns expressed, including at the recent annual conference of the National Coalition of Irish Immigration Centers in the United States, regarding the well-being of some Irish emigrants living in the United States. The Irish immigration centres, which are located across the United States, form an integral part of their local Irish community. They provide much needed front line services to meet a wide range of needs. These needs include problems arising from depression, anxiety or substance misuse.

My colleague, the Minister for Social and Family Affairs, was present at the coalition's conference and heard at first hand of the concerns of those in the Irish immigration centres. Officials of my Department were also present at the conference and maintain close contact with the immigration centres and the Irish community. This ongoing engagement and cooperation with the organisations affiliated to the National Coalition of Irish Immigration Centers ensures that they have an effective channel of communication to the Government. They know that we are listening to them, and that we are taking on board their needs.

The Government is strongly committed to supporting these centres in their invaluable work to help vulnerable Irish people living in the United States. A number of these centres are actively developing counselling services to address the needs of the Irish community and we are happy to be supporting them in this critical area.

I am pleased to note that funding to Irish immigration centres in the United States in 2004 increased by 83% on 2003. I intend to see this level of funding grow even further this year and in the period ahead so that we can continue to support the delivery of key services and outreach to Irish people in need in the United States.

Question No. 475 answered with Question No. 443.

Humanitarian Aid.

476. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he will report on the representations he has made to the Indonesian Government to ensure that tsunami disaster relief reaches all populations on the basis of need and is not withheld as a political weapon, that is, on Aceh's southern coast. [1552/05]

Minister for Foreign Affairs (Mr. D. Ahern): On my recent visit to tsunami-affected countries, I visited the province of Aceh on the island of Sumatra, Indonesia. The scale of the destruction in the city of Banda Aceh, which I personally witnessed, is truly appalling. The loss of life and destruction of property are almost beyond words. There is a clear and acute need for ongoing international assistance for the emergency and for

recovery efforts afterwards. The Government is supporting key UN agencies and NGOs in meeting the immediate needs of those most affected.

During my visit to Sumatra, I met with Dr. Alwi Abdurrahman Shihab, Co-ordinating Minister for Peoples' Welfare and the National Task Force, who was visiting the region at this time. I was briefed on the emergency operation and the steps being taken by the Government of Indonesia to coordinate the aid effort, in close consultation with the United Nations. During my meeting with the Indonesian Minister, I made clear the Government's offer to assist in the recovery process in the short and medium term. I also stressed the importance of ensuring that humanitarian aid reaches all populations on the basis of need. I requested that every assistance necessary be given to United Nations agencies and Irish NGOs to operate in the region without hindrance. I have since followed up with a letter to Dr. Alwi Abdurrahman Shihab.

I also discussed all aspects of the relief operation, including the possibility of peace talks in Helsinki between the Government and the Free Aceh Movement with my Swedish and Finnish colleagues on Monday last. In addition, I also intend to discuss the situation with the Secretary General of the United Nations in New York next month.

Debt Relief.

477. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he will report on his latest efforts on debt cancellation and any planned additional efforts in view of the tsunami disaster. [1553/05]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): The Government adopted a policy on developing country debt in July 2002. The policy analysed the effectiveness of the World Bank/IMF enhanced heavily indebted poor countries (HIPC) initiative and called for reforms to the way in which the World Bank and the IMF assessed levels of debt sustainability. It stated the Government's support for debt cancellation under certain circumstances.

Since its launch, the Government has promoted the policy at the World Bank and the IMF and in discussions with other international aid donors. Ireland's concerns on developing country debt were conveyed directly to the president of the World Bank during his visit to Ireland in January 2003. The debt policy and a call for debt cancellation were also highlighted by the Taoiseach in his address to the bank in March 2003. During our Presidency of the EU in 2004, the Taoiseach and other members of the Government availed of every appropriate opportunity to highlight our concerns at the plight of the heavily indebted poor countries. Efforts at ministerial and official levels have continued since then. It is intended to intensify these efforts in the coming months.

Next week, the president of the World Bank, Mr. James Wolfensohn, will be in Dublin for a

series of meetings to discuss a number of development-related issues including the heavily indebted poor country initiative. At the meetings with Government representatives, Ireland's advocacy of debt cancellation will be emphasised.

Ireland supports initiatives aimed at helping to ensure that the debt burdens of the countries affected by the tsunami do not become a serious impediment to their ability to address their immediate emergency and recovery needs. The Paris Club/G7 offer to suspend debt payments is aimed at addressing these immediate needs. Of course, it is for the individual affected country to consider the appropriateness of debt relief to their situation. It is important that funds for the tsunami related debt moratorium should be new and in addition to the funds for other debt relief initiatives.

In seeking to address the short-term debt problems caused by the tsunami, we must ensure that we do not do so at the expense of the other heavily indebted poor countries. Ireland has consistently called for 100% debt cancellation, under certain circumstances, for the heavily indebted poor countries.

Human Rights Issues.

478. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if there are human rights monitors on the deployment of 2,000 additional troops to the Aceh conflict zone. [1554/05]

Minister for Foreign Affairs (Mr. D. Ahern): Deputies will be aware that the epicentre of the earthquake which caused the tsunami was about 155 miles south-southeast of Banda Aceh, the capital of Aceh. Accurate figures for the death toll have been difficult to ascertain, but on 25 January 2005, the Indonesian authorities announced they were lowering the confirmed death toll to 96,000 but raising the number of missing and presumed dead to 132,000. Most of the deaths occurred in the provinces of Aceh and North Sumatra, both directly hit by the tsunami. It is likely that the final death toll may never be known. Approximately 800,000 people were made homeless in these two provinces.

On my recent visit to tsunami affected countries, I visited the province of Aceh. The scale of the destruction in the city of Banda Aceh, which I personally witnessed, is truly appalling. The loss of life and destruction of property are almost beyond words. There is a clear and acute need for ongoing international assistance for the emergency and for recovery efforts afterwards. The Government is supporting key UN agencies and NGOs in meeting the immediate needs of those most affected.

Aceh has in the past been largely inaccessible to foreigners, as it is under a state of civil emergency — declared in May 2004 — resulting from a separatist insurgency there. On 13 January 2005, the Free Aceh Movement, GAM, announced an indefinite ceasefire, and reconfirmed a truce announced on 26 December 2004,

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the day the tsunami struck. GAM's leadership has offered to meet with the Indonesian government and we understand that a meeting between the two sides will take place in Finland this week. In this regard, I discussed all aspects of the relief operation, including the possibility of peace talks in Helsinki between the Indonesian government and GAM, with my Swedish and Finnish colleagues on Monday last. In addition, the tsunami disaster will be under discussion at the General Affairs and External Relations Council on Monday next, 31 January. I also intend to discuss the situation with the Secretary General of the United Nations in New York next month.

EU heads of mission in Indonesia continue to follow the situation in Aceh, and will, in all their contacts with the Indonesian authorities, insist that due regard be given to the human rights of individuals living in areas where the Indonesian army (TNI) operates. However, internal deployment of the Indonesian armed forces is the responsibility of the Indonesian Government and is not monitored on the ground by external human rights monitors.

At the General Affairs and External Relations Council, GAERC, of 11 October 2004, the Council adopted conclusions on Indonesia. The council encouraged the Indonesian Government to seek peaceful solutions in conflict and potential conflict areas and welcomed the statement by President Yudhoyono that he intended to implement special autonomy for Papua and Aceh. The council also asked the authorities to provide normal access to the province of Aceh for international non-governmental organisations as well as the possibility of field visits by diplomats. The Council hoped that the new President would make further advances in all aspects of human rights.

Overseas Development Aid.

479. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if, in view of the setback to the millennium development goals caused by the tsunami disaster, he will consider renewing the Government's commitment to reaching the UN official development aid target of 0.7% of GNP by 2007. [1555/05]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): The Government has allocated €20 million to meet emergency and recovery needs following the tsunami disaster in south Asia. Of this, €10 million is additional to the overall aid budget announced in the Estimates in November 2004. The remaining €10 million will be paid from the emergency humanitarian assistance fund which was set up to respond to disasters of this kind.

The Government remains strongly committed to achieving the UN target for expenditure on ODA. In the coming months, Development Cooperation Ireland will launch a consultative process that will lead to the first ever Govern-

ment White Paper on development assistance. All interested stakeholders will be asked for their views. The issue of how best to meet the UN target, and in what timeframe, will be taken into account in the preparation of the White Paper.

Humanitarian Aid.

480. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he will report on the communications he has had with Burma in the wake of the tsunami disaster and on the known impact of the people of Burma. [1556/05]

Minister for Foreign Affairs (Mr. D. Ahern): I wrote to the Foreign Minister of Burma, Major General Nyan Win, on 7 January 2005, to convey the Government's sympathy for the loss of life sustained in Burma as a result of the tsunami. In my letter, I also outlined the efforts we had been making at the EU and UN levels, and with international agencies and non-governmental organisations, to ensure that assistance is provided to those most in need in the Asia region. I informed the Minister that the effective coordination of aid efforts was due to be discussed that day at an extraordinary meeting of the EU General Affairs and External Relations Council. In my letter, I strongly encouraged the Burmese Government to cooperate with international aid organisations which are ready and willing to assist that country, and its people, in alleviating any suffering the disaster may have caused.

There have been conflicting reports as to the exact impact of the tsunami on Burma. On 5 January 2005, the Burmese Minister of Social Welfare, Relief and Resettlement said that 64 people had been killed in Burma as a result of the tsunami. According to his report, 29 villages were destroyed, leaving an estimated 3,500 people homeless.

On 6 January 2005, the Tsunami Assistance Coordination Group met in Burma to consolidate the findings of the different assessment and verification missions undertaken throughout the affected areas of Burma. The coordination group was set up at the onset of the disaster. It comprises a number of international NGOs and is chaired by the International Federation of Red Cross and Red Crescent Societies, FRC. The group concluded that Burma has been largely spared from the destructive forces of the earthquake and subsequent tsunami and that the initial emergency needs have been met by the Government and by the aid community. The group's assessment of the scale of impact is in line with the findings of the Burmese authorities. The group confirmed a death toll of 60 to 80 and estimated the longer-term population affected is around 10,000 to 15,000, of whom 5,000 to 7,000 are directly affected. Reports indicate that the wave force which reached the coast of Burma was reduced in comparison to that which struck neighbouring countries. The particular topography of the southern and delta coastlines, as well as the rocky nature of the islands, appears to have

provided physical protection for the population. Satellite photographs indicate that there was relatively little structural damage.

Ireland, along with its EU partners, will continue to monitor the situation in Burma and to encourage the Burmese government to accept all assistance necessary to alleviate any suffering caused by the tsunami.

Question No. 481 answered with Question No. 443.

482. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the outcome of the EU Minister's discussions on tsunami relief. [1558/05]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): Together with the Minister for Foreign Affairs, I attended the extraordinary meeting of the General Affairs and External Relations Council on the earthquake and tsunami in the Indian Ocean which was held on 7 January 2005.

The Council adopted conclusions which stressed the unprecedented nature of the disaster, the need for ongoing action, initiatives in the field of humanitarian assistance and aid for rehabilitation and reconstruction, risk prevention, the effectiveness of humanitarian intervention and further support measures.

The Council expressed its sympathy for the populations affected by the earthquake and the tsunami in Asia and the Indian Ocean. It restated the EU's solidarity in support of the states and peoples concerned and mourned the high number of victims of the disaster. The Council welcomed the immense generosity and solidarity shown by European citizens and civil society following the disaster. It recommended that aid should go to the most affected regions and the people in greatest need, especially children. The Council emphasised the responsibility of the national and regional authorities of the countries concerned with regard to the identification of needs as well as the management and distribution of aid. It pointed to the United Nations' central role in the coordination and management of assistance to victims and stressed the particular importance of cooperation with the OCHA (United Nations Office for the Coordination of Humanitarian Affairs).

The Council expressed its gratitude to ASEAN for its rapid action in calling a special extended summit in Jakarta, in which the EU participated at the highest level, and welcomed the meeting's final declaration. The Council pointed to the efforts already deployed by the EU and its member states in the humanitarian, financial and logistical field, as well as the various mechanisms put in place to coordinate the Union's work, in particular the coordination of humanitarian aid, the European Community's civil protection mechanism and consular cooperation. It emphasised the challenges of coordination on the ground and the importance of surmounting

administrative obstacles, particularly those faced by NGOs.

The Council stressed the vital importance of an efficient transition from the humanitarian phase, through the intermediate rehabilitation phase, to the longer-term reconstruction phase. It emphasised that reconstruction efforts must be based on the national priorities of the countries concerned and must respect the principle of ownership. The Council emphasised that, in the field of health, it was essential to anticipate the known risk of epidemic in order to prevent further loss of life by supplying basic foodstuffs, drinking water, medicines and vaccines. The Council recalled that the humanitarian aid response of the EU and its member states and the initial forecasts for rehabilitation and reconstruction stood at over €1.5 billion in official aid on 7 January 2005. The Commission and the European Investment Bank were encouraged to continue preparatory work on the setting up of a concessional finance facility, the Indian Ocean tsunami facility, of up to €1 billion.

The Council urged the Commission to submit proposals for a strategy to strengthen measures on prevention, early warning and readiness for disasters, the need for which had been shown by recent events. The Council adopted an EU position for the Kobe World Conference on Disaster Reduction and supported Germany's initiative of organising an international conference under the auspices of the United Nations later this year.

The Council undertook to examine also all possible ways of improving the European Community's civil protection and humanitarian aid mechanism, including analytical capacity, while taking account of the principles and specific nature of humanitarian aid. It emphasised the need to strengthen the role of the UN in the humanitarian response and for the EU to contribute to it. The Council also asked the appropriate bodies to begin to assess the setting up of a European voluntary humanitarian aid corps.

The Union decided to examine additional ways of assisting citizens, in particular by coordinating the actions of member states in fields such as relief, evacuation, shipment of foodstuffs and the provision of medical care. The Council stated that it believed that it was particularly important to enhance swiftly the efficiency of consular cooperation between member states.

The Council was also willing to examine other support measures such as trade support measures, and also various types of bilateral partnerships. In this context, it urged the competent authorities to set up twinning relationships between regions, towns and public and private establishments such as hospitals and schools.

Finally, the Council noted member states' intentions to reschedule debt-servicing for the countries affected, particularly through a moratorium on the debts of countries wishing to enter discussions to that end with the Paris Club.

At its meeting on 31 January 2005, the Council will return to measures envisaged by the Euro-

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pean Union and its Member States for the medium and long-term with a view to formulating a European Union operation action plan.

Questions Nos. 483 and 484 answered with Question No. 443.

485. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the representations made to the Indian Government regarding the status of the indigenous populations of the Andaman and Nicobar islands following the tsunami. [1561/05]

Minister for Foreign Affairs (Mr. D. Ahern): The Andaman and Nicobar Islands are union territory of India and lie far out in the Bay of Bengal. The islands, which suffered particularly badly from the impact of the tsunami, are populated by a number of indigenous groups, and are difficult to access.

According to the latest estimates, the death toll in India is 10,749. The total number of missing persons is reported to be 5,640, of whom 5,554 are said to be from the Andaman and Nicobar Islands and are feared dead. Katchal Island alone, which is located in the Nicobar Islands, is reported to account for 4,310 of that figure.

As regards outside assistance, India said from the outset that, given the enormous damage suffered by neighbouring countries and Sri Lanka, Thailand and Indonesia in particular, the international assistance effort, in which India has played a considerable part, would be better directed at those countries which needed assistance most. The Indian Prime Minister, Dr. Manmohan Singh, indicated early on that India has adequate resources itself to meet the challenges.

EU heads of mission, HOMs, in New Delhi are reporting regularly on the situation in India, including the situation in the Andaman and Nicobar Islands. On 20 January 2005, at the latest briefing by the Indian Ministry of External Affairs and Ministry of Home Affairs, HOMs were briefed on the ongoing search, evacuation and relief efforts.

As regards the particular situation in the Andaman and Nicobar Islands, it was reported that the situation is stabilising rapidly in various islands in the Andaman district. Local administration in the Islands is reported to have resumed normal functioning as of last week. Procurement of essential items for relief camps is being made locally. Provision shops and schools have started reopening in the capital, Port Blair. Relief camps are continuing to operate and people are being provided with cooked food. Sufficient food, water and medicines are being provided and medical teams are deployed in relief camps. Temporary shelters are being provided and Central Government in India is continuing to provide assistance.

Some tribes, including the Nicobaris, Sentinelese and Shompen were badly hit by the tsunami. Precise figures on how many members of the tribes lost their lives are still being established.

On 14 January 2005, the Indian Tribal Affairs Minister, Mr. P. R. Kyndiah, was reported to say that “all tribes including Onggei, Sentinel and Jarwa in the Andaman and Nicobar Islands are safe. There is no question of extinction of any tribe”. At the request of Ireland, and other EU partners, EU HOMs in Delhi will continue to monitor developments and report regularly on the situation.

Question No. 486 answered with Question No. 443.

Human Rights Issues.

487. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his most recent representations to the Turkish Government regarding the continuing occupation of Cyprus and the status of Kurds in Turkey. [1563/05]

Minister for Foreign Affairs (Mr. D. Ahern): The Government maintain regular contact with the Turkish Government on a wide range of issues, including Turkey’s progress towards accession negotiations, the political reform process and the Cyprus problem.

Last year, during Ireland’s EU Presidency, the Turkish Government made a very positive contribution to the efforts of the UN Secretary General to achieve a comprehensive settlement of the Cyprus problem, and this was recognised by the European Union. The United Nations has the lead role in the search for a comprehensive settlement. However, the issue of Turkey’s attitude to the Republic of Cyprus was an important one in the context of the decision by the European Council in Brussels on 16-17 December 2004 on the opening of accession negotiations with Turkey. Turkey still does not recognise the Republic of Cyprus, an EU member state. In our contacts with the Turkish Government, including discussions between the Taoiseach and Prime Minister Erdogan during the European Council, we made it clear that to enable agreement on accession negotiations, it was important that Turkey move to start a process leading to the normalisation of its relations with Cyprus. The European Council welcomed Turkey’s decision to sign the protocol on the adaptation of the Ankara Agreement of association with the EU to take account of the accession of the ten new member states. It also welcomed the declaration by the Turkish Government that it would do so before the actual start of negotiations on 3 October 2005.

The Government’s concerns about the human rights situation in Turkey, including the situation of the estimated 15 million people of Kurdish ethnic origin, are raised regularly in our official contacts with the Turkish Government and its representatives, and in cooperation with our partners in the EU. Turkey has been a candidate country for membership of the European Union since 1999. It has made very significant progress over the past three years in introducing wide-ranging legislative and constitutional reforms, including

measures to enforce human rights and enhance the cultural rights of all citizens, including those of Kurdish origin. I have already welcomed a number of decisions in recent months on cultural rights and on matters which had been raised directly with the Turkish Government by Ireland during the EU Presidency. These include the implementation of the decision to allow radio and television broadcasts in languages and dialects other than Turkish, notably in a number of Kurdish dialects, and the implementation of a regulation permitting teaching in languages other than Turkish.

The December European Council decided, on the basis of the detailed report and recommendation presented by the Commission, that Turkey sufficiently fulfilled the Copenhagen political criteria to enable the preparation of a negotiating framework with a view to the opening of accession negotiations next October. It also decided that in order to ensure the irreversibility of the political reform process and its full, effective and comprehensive implementation, notably with regard to fundamental freedoms and to full respect of human rights, the process will continue to be closely monitored by the Commission, which will report regularly to the Council on progress. The pace of implementation of the reform process will determine the pace of progress in the accession negotiations. The European Council also decided that, in parallel to the accession negotiations, the Union will engage with Turkey in an intensive political and cultural dialogue, which will fully involve civil society.

The Government welcomed the report on Turkey by the Oireachtas Joint Committee on European Affairs, which was presented on 15 December 2004, and which was drafted on the basis of the visit to Turkey by a delegation from the committee in November. The delegation held meetings with representatives of the Turkish Government, including Foreign Minister Gul, with representatives of NGOs and of civil society and with Kurdish political representatives. The report noted the support of human rights groups for the accession process, on the basis that the prospect of membership of the EU will help guarantee constitutional change and democratic reform.

The decision by the European Council to set the date for the opening of accession negotiations and to set out the main elements for a negotiating framework, will contribute to the further strengthening of the reform process in Turkey and to the continued improvement of the situation of the Kurdish population. The Government will work closely with our partners and with Turkey in the months ahead to ensure that all the elements are in place for the successful opening of accession negotiations in October.

United Nations Reform.

488. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the areas of UN reform which are

considered a priority for the Government; his views on the recently published report of the UN High Level Panel on Threats, Challenges and Change which made over 100 reform recommendations; and if he has plans for public education, consultation and debate on this issue here in advance of Ireland's representation to the UN summit that will deal with the proposals.
[1564/05]

Minister for Foreign Affairs (Mr. D. Ahern): A central element of Ireland's foreign policy has been the promotion of an effective multilateral system and the strengthening of the rules-based international order, with the United Nations at its centre.

The Government believe that it is essential that the member states of the United Nations take action to enhance the effectiveness and the legitimacy of the United Nations, and is committed to ensuring that the UN is endowed with the means necessary to confront today's global threats and challenges. Promoting this reform was a priority of the European Union during Ireland's Presidency in the first half of 2004.

The Taoiseach told the UN General Assembly in 2003 that the UN, to be effective, requires the support of all its members, who must respect its decisions and, if necessary, act to ensure that they are respected. To be fully legitimate, it must be seen to work in the interests of the entire international community.

The Government believes that the Security Council should be reformed to make it more reflective of today's world; its legitimacy, and therefore its effectiveness, would be thereby enhanced. We have been active, including in concert with EU partners, in working to ensure that the General Assembly is also reformed so that important issues are not, as Secretary General Annan put it in 2003, crowded out by repetitive and sterile debates. Progress has been made since then in streamlining the assembly's agenda and its procedures, to bring about a more efficient and less repetitive approach to its work.

Along with its partners in the EU, Ireland has also actively supported Secretary General Annan's efforts to bring about change in the management of the United Nations, including by making the organisation and its secretariat more responsive and effective in fulfilling its purposes and in meeting the needs of the international community.

The High-Level Panel on Threats, Challenges and Change was established in November 2003 by Secretary General Annan to examine how best collective action can meet current and future threats to peace and security. Specifically, the panel was tasked with analysing current and future challenges to international peace and security and assessing how best collective action can meet these challenges. It was asked to recommend changes necessary to ensure effective collective action, including but not limited to a

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review of the principal organs of the United Nations.

The panel's report was issued on 2 December. In publicly welcoming it, I said that it made a compelling case for the multilateral system as the best way for all states, working together, to confront threats and challenges to security and development in today's world.

From Ireland's perspective, the report contains two critically important elements. First, it makes the case — convincingly — for a new, more comprehensive approach to security, making it clear that effective collective security demands that we address poverty, disease and underdevelopment as well as terrorism and weapons of mass destruction. This reflects the central premise of the EU's contribution to the work of the panel — co-ordinated during the Irish Presidency — that there can be no hierarchy of threats.

Second, the report makes a number of specific recommendations for the prevention of threats, including terrorism, poverty, internal conflict and the proliferation of weapons of mass destruction, as well as on the institutional reform of the UN. Many of these are sound and constructive, and worthy of support. A particular emphasis of the panel which I strongly endorse is the need for sustained multilateral support for peace-building in countries emerging from conflict and at risk of sliding back into conflict.

I welcome the report's affirmation of the responsibility to act to prevent gross violations of human rights in states in which the authorities prove unable or unwilling to fulfil these responsibilities themselves. I also welcome the impetus the report has given to reform of UN institutions, including the Security Council and the General Assembly, as well as the proposal for the establishment of a peace building commission.

As regards Security Council reform, which is likely to be a major area of discussion ahead of the September summit, I wish to see a practical and effective outcome that would broaden the representation on the council, including from the developing world. I also wish to emphasise that the maintenance of international peace and security is a shared responsibility. We will therefore make it clear to the UN Secretary General, and to our international partners, that smaller countries, especially those like Ireland that provide strong support to the UN politically, financially and militarily, must continue to have the opportunity to serve on the Security Council at appropriate intervals.

The task now is to work with Secretary General Annan to prepare effectively for next September's summit which, along with reviewing the implementation of the Millennium Summit Declaration and examining progress in achieving the Millennium Development Goals, will also seek agreement on reforms, including institutional reforms, to improve the functioning and effectiveness of the UN system. The next critical stage of

preparation is the report that Secretary General Annan will himself issue at the end of March which will contain some core proposals to act as a basis for a balanced outcome in September.

I am conscious of the deep support that exists in Irish civil society, and among the Irish public generally, for the role of the United Nations in the maintenance of international peace and security. This is reflected in, among other things, strong support for the participation of the Defence Forces and the Garda Síochána in international peace-keeping and for Ireland's work at the UN in support of development, human rights and disarmament.

Given the widespread interest in the current debate on the role and future of the UN, I expect considerable public interest in the progress of discussion in the run-up to the September summit. In view of the importance attached in Ireland to the United Nations, I am fully prepared to engage with the Oireachtas and with the public on the various issues that will arise in the course of this discussion.

Questions Nos. 489 and 490 answered with Question No. 441.

Arms Trade.

491. **Mr. Gormley** asked the Minister for Foreign Affairs the Government's position on the EU embargo on weapons sales to China. [1596/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The Government continues to examine this issue with our EU partners in the context of our overall relationship with China, our ongoing commitment to human rights and the broader regional and international context.

At the EU-China Summit held on 8 December 2004 the EU confirmed its political will to continue to work towards lifting the embargo. The Chinese side welcomed this positive signal and considered it beneficial to the sound development of the comprehensive strategic partnership between China and the EU. The EU reaffirmed that work on strengthening the application of the EU code of conduct on arms exports was continuing.

The European Council at its meeting on 16-17 December 2004 reaffirmed its political will to continue to work towards lifting the embargo. At the same time, the EU underlined that the result of any decision should not be an increase of arms exports from EU member states to China. In this regard, the European Council recalled the importance of the criteria of the EU code of conduct on arms exports, in particular criteria regarding human rights, stability and security in the region and the national security of friendly and allied countries. The European Council also stressed the importance of the early adoption of a revised EU code of conduct on arms exports and the new instrument on measures pertaining

to arms exports to post embargo countries, known as the “toolbox”.

The EU code of conduct on arms exports is a politically binding document which has been in operation since 1998 and contains eight criteria for assessing applications for export licences for military equipment. Included in these criteria is respect for human rights in the country of final destination and the preservation of regional peace, security and stability. Work on revising the code of conduct is currently ongoing and progressing well at technical level within the EU.

During his discussions with Chinese leaders in Beijing last week, the Taoiseach indicated that Ireland was ready to support the lifting of the arms embargo once the revised code of conduct was in place. He recalled the mutual understanding that the lifting of the embargo was not intended to lead to an increase in EU arms exports to China. He also explained the importance to the EU of continued progress in the promotion and protection of human rights in China.

Freedom of Information.

492. **Mr. R. Bruton** asked the Minister for Foreign Affairs the State, semi-State, State-sponsored and statutory bodies under the aegis of his Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if he envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1707/05]

Minister for Foreign Affairs (Mr. D. Ahern): The advisory board for Development Cooperation Ireland, the inaugural meeting of which was held on 30 September 2002, is the only body under the aegis of my Department which has not been made subject to the Freedom of Information Act to date. Proposals to extend the scope of the Freedom of Information Act, to include bodies such as the advisory board for Development Cooperation Ireland, are being considered by the Department of Finance at present.

Human Rights Issues.

493. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs his views on the stated opinion reported on 19 January 2005 regarding the obligations of countries to adhere to internationally agreed human rights norms; and his views on whether human rights are universal and the need for national cohesion is a valid reason to violate human rights norms. [1825/05]

Minister for Foreign Affairs (Mr. D. Ahern): Human rights are and have always been a priority of successive Irish Governments and a central part of our foreign policy. The Irish Government has consistently stated its belief that the protection and promotion of international human rights is vital and that, despite the different approaches to human rights which may exist from one culture to another, international human rights standards

are, as outlined in the Vienna declaration and programme of action adopted by the World Conference on Human Rights in 1993, universal, indivisible, interdependent and inter-related.

States acquire international obligations in relation to human rights, either through ratification of a treaty or through international customary law, and the Irish Government is of the belief that all states must continuously endeavour to better uphold and comply with the human rights obligations which devolve on them.

The universal nature of international human rights standards means that national peculiarities such as history and cultural tradition, are not an excuse for non-compliance with international human rights obligations. However, such factors can help explain why human rights standards have not been respected and can be borne in mind when seeking to identify the most effective way for a state to implement its international human rights obligations.

In terms of how we respond to the human rights situation in other countries there is a menu of options which can be explored, according to the circumstances of the individual country in question. Ireland and the European Union, in deciding which option to engage, among other things, consider the degree to which a country's human rights record is improving over time and its willingness to interact with the international community, especially the United Nations, on human rights questions. Seen in this light, sometimes condemnation on its own, or the isolation of a country in response to human rights violations, is not the most effective means of securing an improvement in the situation.

Engagement and cooperation can often be a better way of moving towards the further promotion and protection of human rights. It is for this reason that Ireland has supported the development and continuance of, for example, the EU-China and EU-Iran human rights dialogues, which allow for structured engagement with those countries on human rights issues.

Ministerial Appointments.

494. **Mr. Gormley** asked the Minister for Foreign Affairs the public appointments made in his Department since the Cabinet reshuffle in September 2004. [2093/05]

Minister for Foreign Affairs (Mr. D. Ahern): I recently appointed the following to the board of the Ireland-United States Commission for Educational Exchange (Fulbright Commission) for a two-year term Dr. Donal Thornhill, former Chairman of the Higher Education Authority; Prof. Joyce O'Connor, President, National College of Ireland and Ms Una Halligan, Government and Public Affairs Director, Hewlett Packard Ireland.

The Fulbright Commission operates the official educational exchange programme between the Governments of Ireland and the United States. The commission consists of eight members, four

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of whom are appointed by the Minister for Foreign Affairs and four by the United States Ambassador to Ireland. I expect to appoint a fourth member shortly.

Sports Funding.

495. **Mr. Deenihan** asked the Minister for Arts, Sport and Tourism the amount of funding provided for the European Year of Education through sport; and if he will make a statement on the matter. [34146/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The overall budget allocated to the EYES 2004 by the European Parliament and the European Council was €11.5 million for projects such as conferences, seminars, workshops or projects which highlighted the importance of education through sport. The EU-wide budget available for co-financed projects was €6.5 million, seven of which involved Irish participation. Funding allocated to these seven projects amounted to almost €136,000. Three of these projects were undertaken in partnership with organisations in other EU countries. The other four projects were at local, regional or national level in Ireland involving exclusively Irish groups.

In addition, the costs of the EYES opening conference in January 2004 and the domestic programme associated with the initiative were met jointly by my Department and the Department of Education and Science. My Department's share amounted to just over €27,000.

National Sports Venue.

496. **Mr. F. McGrath** asked the Minister for Arts, Sport and Tourism if it is possible to designate Tolka Park, Richmond Road, Dublin, as a national sports venue; and if he will further investigate the legal side of this issue. [34595/04]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I have no plans to designate Tolka Park, Richmond Road, Dublin, which is leased at present to Shelbourne Football Club, as a national sports venue. I do not intend, therefore, to investigate the legal side of this issue.

Sports Funding.

497. **Mr. Wall** asked the Minister for Arts, Sport and Tourism the position in regard to a submission (details supplied); if his Department can assist in any way to help the group reach its objectives; and if he will make a statement on the matter. [1036/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The funding available to my Department for expenditure on sport, of which voluntarism is the backbone, comprises funding to the Irish Sports Council, which provides funding of a current nature in respect of programmes and activities and schemes of grants operated by my Department towards the provision of sporting

facilities. Although the exact nature of the activity in respect of which funding is sought is not clear from the documentation submitted by the Deputy, it is unlikely that the project would qualify for funding from my Department.

Sports Capital Funding.

498. **Mr. Quinn** asked the Minister for Arts, Sport and Tourism if he has received an application from a club (details supplied) in Dublin 6 seeking funding from the sports capital grant programme; if his attention has been drawn to the very important role that this long-established club plays in the community and the critical importance of the receipt of the grant to enable it to participate in the upcoming 2005 ICC world cup qualifying tournament set to take place in Dublin in 2005; and if he will make a statement on the matter. [1183/05]

501. **Mr. Gormley** asked the Minister for Arts, Sport and Tourism if support will be given to Leinster Cricket Club's application for the sports capital grant programme (details supplied); and if he will make a statement on the matter. [1567/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 498 and 501 together.

In January 2004 I met with representatives of the Irish Cricket Union, ICU, which is the national governing body for cricket in Ireland. At this meeting the ICU outlined its plans for hosting the prestigious International Cricket Council, ICC, trophy in 2005. This tournament will involve 12 international teams competing for five qualifying places for the 2007 world cup. The ICU submitted details of the ten cricket clubs that it anticipated at that time would be involved in hosting matches and training sessions during the tournament. This list did not include Leinster Cricket Club. I advised the ICC that the clubs in question should make applications under the sports capital programme, which is administered by my Department and allocates funding to sporting and community organisations at local, regional and national level throughout the State.

The programme is advertised on an annual basis. A total of 1,304 applications were received before the closing date for the 2004 sports capital programme, including ten applications from the cricket clubs involved in the ICC trophy. There was no application from Leinster Cricket Club under the programme. Following the assessment of all applications, I announced provisional grant allocations on 7 May 2004, including funding of €264,000 to ten cricket clubs in respect of preparations for hosting the ICC trophy in 2005. It is my hope that the development of these cricket grounds will provide a boost to cricket in this country and will assist in the successful hosting of a major international cricket event. Leinster Cricket Club was not among the clubs originally

identified by the Irish Cricket Union as being involved in hosting the ICC trophy.

The 2005 sports capital programme was advertised on 5 and 6 December 2004. The deadline for receipt in my Department of application forms and all necessary supporting documentation is 5 p.m. on Friday, 4 February 2005. My Department has not received an application from Leinster Cricket Club but should one be received before the deadline it will be assessed, as all applications, in accordance with the criteria detailed in the guidelines, terms and conditions of the programme.

Swimming Pool Projects.

499. **Mr. Neville** asked the Minister for Arts, Sport and Tourism the position regarding the provision of grant aid from his Department for the development of the major upgrade of Askeaton swimming pool. [1290/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Limerick County Council has applied for grant-aid under the local authority swimming pool programme to replace the existing outdoor pool in Askeaton with an indoor swimming pool. This proposal is one of a number of projects that are under consideration in my Department at contract document stage of the programme.

Greyhound Racing Industry.

500. **Mr. Deenihan** asked the Minister for Arts, Sport and Tourism the total integrity costs spent by Bord na gCon for greyhound racing in 2003; the breakdown of the spending of this money; and if he will make a statement on the matter. [1371/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Under the provisions of the Greyhound Industry Act 1958, Bord na gCon is the statutory agency responsible for the promotion and development of greyhound racing in Ireland. Section 16(1)(a) of the Act provides that Bord na gCon may apply its funds for “the payment of expenses incurred by it in the exercise and performance of its powers and duties under the Act”. Integrity costs are included in these expenses. I have been informed by Bord na gCon that the total integrity costs for the year 2003 were €1,822,136. The breakdown of these is:

	€
Regulations and Control Department Costs	900,084
Maintenance & Track Expenses	259,012
Vet Fees	96,880
Laboratory Costs	223,227
Admin/Integrity Grants to private tracks	342,933

Integrity costs is not an accounting term and is not shown as an individual expense in the profit and loss account for the year ended 31 December

2003 as shown in Bord na gCon's annual report for that year.

Question No. 501 answered with Question No. 498.

Swimming Pool Projects.

502. **Mr. S. Ryan** asked the Minister for Arts, Sport and Tourism when funding will be provided for the upgrade of Thurles swimming pool; and when the project will proceed to tender stage. [1568/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The proposal to replace the existing swimming pool in Thurles is one of a number of swimming pool projects within the local authority swimming pool programme under consideration in my Department. There are four stages in the swimming pool development process — preliminary report, contract document, tender approval and construction. The Thurles project is at contract document stage. The question of this project moving on to the next stage of the development process is being considered in the Department in the context of the available funding in the Department's multi-annual capital envelope for the local authority swimming pool programme.

Freedom of Information.

503. **Mr. R. Bruton** asked the Minister for Arts, Sport and Tourism the State, semi-State, State-sponsored and statutory bodies under the aegis of his Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if he envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1708/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The Freedom of Information Act applies to all State, semi-State, State-sponsored and statutory bodies directly under the aegis of my Department.

Tourism Ireland Limited is a North-South co-operation body accountable to the North-South Ministerial Council and, as is the case with the six North-South implementation bodies established under the Good Friday Agreement, the Freedom of Information Act does not apply. With the advent of a statutory freedom of information regime in the UK since the start of the year, the issue of a voluntary code of practice on access to information in respect of the North-South implementation bodies is now being addressed and such a Code may come into effect later in the year. Tourism Ireland Limited is not an implementation body but the issue of whether or how such a code might apply to it is being examined.

Swimming Pool Projects.

504. **Mr. Stagg** asked the Minister for Arts, Sport and Tourism the position in relation to the

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application by Kildare County Council for grant aid towards the cost of replacing the swimming pool at Naas, County Kildare; and if he will make a statement on the matter. [1875/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The proposal to replace Naas swimming pool is one of a number of swimming pool projects within the local authority swimming pool programme under consideration in my Department. There are four stages in the swimming pool development process — preliminary report, contract document, tender approval and construction. The Naas project is at contract document stage. The question of this project moving on to the next stage of the development process is being considered in the Department in the context of the available funding in the Department's multi-annual capital envelope for the local authority swimming pool programme.

505. **Ms Enright** asked the Minister for Arts, Sport and Tourism the position in relation to the refurbishment and upgrade of a swimming pool (details supplied) in County Laois; if funding will be made available to carry out this very necessary work; and if he will make a statement on the matter. [2074/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The proposal to refurbish Portarlinton swimming pool is one of a number of swimming pool projects within the local authority swimming pool programme under consideration in my Department. There are four stages in the swimming pool development process — preliminary report, contract document, tender approval and construction. The Portarlinton project is at contract document stage. The question of this project moving on to the next stage of the development process is being considered in the Department in the context of the available funding in the Department's multi-annual capital envelope for the local authority swimming pool programme.

Ministerial Appointments.

506. **Mr. Gormley** asked the Minister for Arts, Sport and Tourism the public appointments made in his Department since the Cabinet reshuffle in September 2004. [2094/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The following persons were newly appointed to the Irish Film Board with effect from 17 January 2005 until January 2009: Mr. James Morris, Chair, Ms Lesley McKimm, Mr. Kevin Moriarty, Mr. Tristan Orpen Lynch and Ms Kirsten Sheridan. These appointments were made in accordance with the procedures set out in the Irish Film Board Act 1980. The following persons were re-appointed to serve on the Irish Film Board: Mr. Alan Gilsenan and Ms Margaret McCarthy MacIntyre. The following persons were re-appointed to serve on the Irish Manu-

scripts Commission: Dr. Mary Daly, Dr. Anngret Simms, Dr. Mary O'Dowd and Professor Nicholas Canny.

Work Permits .

507. **Aengus Ó Snodaigh** asked the Minister for Enterprise, Trade and Employment if his position in relation to the employment rights of the spouses of migrant workers who have been granted family reunification visas on the condition that the spouse does not work is as stated in his predecessor's reply to Question No. 75 of 17 June 2004, or as stated in the Minister for Justice, Equality and Law Reform's reply to Question No. 183 of 9 December 2004. [34147/04]

Minister for Enterprise, Trade and Employment (Mr. Martin): The position is, as stated in the earlier reply, that the Tánaiste announced in February 2004 new arrangements designed to give greater ease of access to employment for the spouses of certain skilled non-EEA nationals working in the State and decided to waive the fees normally payable. Detailed guidelines on how to apply for work permits as well as the eligibility criteria and procedures relating to the new spouses scheme are available on my Department's website at www.entemp.ie.

The spouses of other persons who do not qualify under the spousal scheme are eligible to seek employment and have that employer apply for a work permit in the same way as for all non-EEA workers. However, where the immigration authorities have granted a spouse visa to permit family reunification my Department is required to take cognisance of any conditions attached to the visa by the Department of Justice, Equality and Law Reform. Any changes to a persons visa status in the State is a matter in the first instance for the Minister for Justice, Equality and Law Reform.

Pension Provisions.

508. **Mr. J. Breen** asked the Minister for Enterprise, Trade and Employment if the recommendation of Justice Finbarr Flood of 8 November 2004, that a mechanism be put in place to address situations between pensioners and former employees, has been accepted by the Government; and if it will be implemented. [34165/04]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): In 2001 the Labour Court made a recommendation to the effect that a mechanism should be put in place to address situations of dispute between retired employees and their former employers. In 2002, the Pensions Act provided for the appointment of a pensions ombudsman with the power to investigate and determine matters regarding the administration and management of pension schemes. Situations may arise, however, where the dispute with a former employer does not relate to pension matters. My

Department is reviewing policy on access to industrial relation machinery where the issue in dispute is not a pensions matter.

FÁS Training Programmes.

509. **Ms McManus** asked the Minister for Enterprise, Trade and Employment if the €5 million provided by FÁS for employment supports for persons with disabilities will be additional to the current scheme of the same name; if not, if it is intended to replace the current scheme; and if he will make a statement on the matter. [34184/04]

Minister for Enterprise, Trade and Employment (Mr. Martin): Additional funding required for the introduction of a new full time employment support scheme, FTESS, on a three-year pilot basis, aimed at increasing the numbers of people with a disability in full-time employment in the open labour market, has been included in the FÁS budget in the 2005 Estimates process for the public services. The FTESS will complement the operation of the existing employment support scheme, ESS. A total budget line of €10 million has been established for these schemes for 2005, comprising the current provision of €5 million for the ESS and the pilot programme for the employment of people with a disability (PEP), and an additional €5 million for the FTESS.

Work Permits.

510. **Mr. Costello** asked the Minister for Enterprise, Trade and Employment if he will reconsider his refusal to grant a permit to a person (details supplied); and if he will make a statement on the matter. [34207/04]

Minister for Enterprise, Trade and Employment (Mr. Martin): A work permit issued recently in this case.

Community Employment Schemes.

511. **Mr. O'Shea** asked the Minister for Enterprise, Trade and Employment his proposals to meet the concerns of a group (details supplied) in County Mayo regarding the community employment scheme; and if he will make a statement on the matter. [34225/04]

514. **Mr. Penrose** asked the Minister for Enterprise, Trade and Employment if the extension which permits persons who are over 55 to serve six years participation on community employment schemes, commences from 2000 or 2004; when this extension was announced; and if he will make a statement on the matter. [1016/05]

515. **Mr. Lowry** asked the Minister for Enterprise, Trade and Employment the number of disabled persons affected by the closure of community employment schemes in north Tipperary and nationally; the number of persons affected by the same closures in total in north Tipperary and nationally; the number of

employers which have employed persons in north Tipperary and nationally on the community employment scheme; and if he will make a statement on the matter. [1056/05]

516. **Mr. Lowry** asked the Minister for Enterprise, Trade and Employment his plans in relation to those affected by the closure of community employment schemes across the country; his plans for disabled persons affected by the closures; and if he will make a statement on the matter. [1057/05]

517. **Mr. Lowry** asked the Minister for Enterprise, Trade and Employment his plans for those in north Tipperary affected by the closure of community employment schemes; his plans for disabled persons in north Tipperary adversely affected by these closures; and if he will make a statement on the matter. [1058/05]

526. **Ms Lynch** asked the Minister for Enterprise, Trade and Employment the instructions which have been laid down by him in respect of the recent changes in the community employment schemes for the over 55s. [1569/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 511, 514 to 517, inclusive, and 526 together.

FÁS employment programmes, which comprise community employment, social economy and job initiative, are being maintained this year at the same level as in 2004 at 25,000 places. Community employment provides work experience and training opportunities for the long-term unemployed and other disadvantaged groups with the aim of assisting participants to progress to a job in the open labour market. There are specific eligibility criteria to facilitate persons with disabilities availing of opportunities on community employment schemes.

I have reviewed current policy on the operation of the FÁS employment schemes and on foot of this review I announced that with effect from 10 November 2004 the three-year cap would be removed for community employment participants aged 55 or over. Such persons are now eligible to participate on community employment for a maximum of six years, with the qualifying period beginning in April 2000. This arrangement will benefit substantially persons with disabilities.

The current ring-fencing and prioritisation for the essential services of child care, health related services and drugs task force clients are being maintained. The continuance of ring-fencing and the extended participation on community employment by older workers will help to secure the continuity of community services generally and will ensure that the existing community service support framework will be maintained.

The allocation of places and renewal of projects are administrative matters for FÁS. I am informed by FÁS that there were no community employment project closures in north Tipperary in 2004. Accordingly, no disabled persons have been affected by such closures.

[Mr. Martin.]

FÁS has also informed me that currently there are 42 community employment projects in County Mayo with 765 participants, including people with disabilities. Finally I should add that last year the number of participants on community employment schemes nationally increased from 19,848 in January to 22,194 at year-end 2004.

Job Creation.

512. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment the measures he has instructed the job creation agencies to undertake to prepare the ground to ensure that workers who lose their jobs at a company (details supplied) are in a strong position to re-enter the workforce in as short a timeframe as possible, in view of the fact that the company has announced that the remaining 630 jobs at its plants in Buncrana and Campsie will be phased out over the next four to five years; if workers at this company will be able to take up courses and training with full FÁS funding and support, even though they are still in employment, in order that the existing workforce at the company has a wide-ranging bases of skills in order to attract sustainable employment to the Inishowen area; and if he will make a statement on the matter. [34242/04]

Minister for Enterprise, Trade and Employment (Mr. Martin): FÁS is in discussions with Fruit of the Loom about proposed job losses in the coming years. The role of FÁS is particularly important in providing training and up-skilling for workers who are currently employed at the company. To date, FÁS has dealt with redundancies and plant closures at Fruit of the Loom plants at Dungloe, Malin Head, Raphoe and Milford, together with three groups of redundancies at the Buncrana plant.

FÁS plans to give a comprehensive service to Fruit of the Loom employees, as the agency has done previously with those declared redundant. Following the company's job loss announcement, FÁS wrote to the company on 20 September 2004 offering to provide a service to those employees being made redundant.

At the meeting with the company in October 2004 FÁS undertook in principle to review the information provided and to prepare a strategy that would help upskill the remaining 361 employees of the company. To get the operation under way, FÁS commissioned a private sector training consultant to carry out a scoping study to assist the company to prepare a fully inclusive training programme. The consultant's report has just been received by FÁS and an initial meeting has taken place with the company. However, further discussion will need to take place with all the parties concerned. The agreed programme could start this year, provided financial arrangements and agreements can be worked out at the time.

IDA Ireland is committed to the development of the north west region and continues to strive to secure new investment for Donegal. Both IDA and Enterprise Ireland are working closely with their existing base of companies in the region. I wish to assure the Deputy that the Government, along with the State development agencies, is committed to balanced regional development, particularly through the implementation of the national spatial strategy and the Government's decentralisation programme. The State development agencies will continue to work together to promote Donegal to attract investment and to foster job creation there.

Work Permits.

513. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment the reason an application for a work permit in County Clare for a non-national person (details supplied) was refused same in view of the fact that they had exhausted all other means of filling the position by a person within the enlarged EU; and if he will make a statement on the matter. [34243/04]

Minister for Enterprise, Trade and Employment (Mr. Martin): There is no record in my Department of a valid work permit application in this case. Work permit applications which are incorrect or incomplete are not regarded as valid applications and are returned to the employer for completion.

Question Nos. 514 to 517, inclusive, answered with Question No. 511.

Job Creation.

518. **Ms B. Moynihan-Cronin** asked the Minister for Enterprise, Trade and Employment the number of IDA Ireland supported jobs created in County Kerry in 2004; the details of these jobs and their locations; and if he will make a statement on the matter. [1062/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): IDA Ireland has statutory responsibility for attracting foreign direct investment to Ireland, including its regions and areas. Data on employment are compiled from the annual Forfás employment survey. County data for 2004 will not be available until mid-2005. Some 609 new IDA Ireland supported jobs were created in Kerry between 2001 and 2003, of which 374 were created in 2001, 153 were created in 2002 and 82 were created in 2003. Some 365 of the new jobs were created in the south Kerry area — Cahirciveen, Kenmare, Killarney and Killorglin — while the other 244 new jobs were created in the northern part of the county — Castleisland, Listowel and Tralee. More precise figures on specific locations are not available.

There were 2,205 people in permanent employment in IDA Ireland-assisted companies in County Kerry at the end of 2003. Employment in IDA Ireland-supported companies in the county

is performing relatively well, when considered in the context of the recent global downturn which has resulted in fewer companies actively seeking to invest overseas and fewer companies visiting Ireland. I am pleased that three IDA Ireland-supported investment projects, all of which are expansion projects, were announced for County Kerry in 2004. I will provide details of the projects.

Dollinger (Ireland) Limited is to be expanded and established by its parent company, SPX Air Treatment, as the global centre for the production of its compressed air products. The company will invest €1.1 million and create more than 70 new jobs over the next four years in production and ancillary areas. Fujisawa, one of the world's top 30 pharmaceutical companies, has announced that it has invested €17 million in the expansion of its Irish operation, Fujisawa Ireland Limited, in Killorglin in County Kerry. The company, which employs 280 people in Killorglin, has constructed a 27,000 sq. ft. extension to provide additional production space for the new operation.

Liebherr International AG, one of the world's largest family-owned businesses and a leading global manufacturer which is best known for its cranes and construction machinery, is to implement a strategic expansion of its research and development activities, with the support of IDA Ireland, at its Irish operation, Liebherr Container Cranes Limited, which was established in Killarney in 1958. The investment will lead to the recruitment of six highly skilled research and development personnel as part of a new specialised research and development team that will develop new products from concept through production to full product launch. The team will manage the ongoing developments and modifications required by customers' changing requirements.

IDA Ireland's strategy for County Kerry has a sectoral focus. It concentrates on achieving developments in the international services, engineering and ICT sectors, focusing particularly on Tralee and Killarney, which are designated as linked hubs under the national spatial strategy. I am confident that the strategies and policies being pursued by IDA Ireland in Kerry, with the ongoing commitment of the Government to regional development, will continue to bear fruit in terms of delivering the maximum possible level of additional jobs for the county.

Job Losses.

519. **Mr. O'Connor** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the recent announcement by a company (details supplied) that they are to close their plant in Tallaght in June 2005 with the loss of 180 jobs; if his attention has further been drawn to the fact that this is a serious blow to the families concerned and the local economy; if he will contact the company to see if the decision

can be changed; and the arrangements that will be made to facilitate the workers. [1070/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): It was with regret that I learnt of the announcement by APW on 6 January 2005 that it plans to cease production at its plant in Tallaght, County Dublin, by June 2005. While IDA Ireland has had discussions with the company, it is understood that its decision about its Tallaght operations is final. The company has stated that it intends to maintain its operations in Galway and Cork. On 7 January, FÁS contacted the company and offered its full range of services to staff in advance of being made redundant. In addition to the services being provided from its Tallaght office, the agency offered to make its staff available on site to give vocational guidance and help. I understand that the company subsequently expressed an interest in having a presentation from FÁS at a mutually convenient date.

The industrial development agencies are continuing to market the Tallaght area for new jobs and investment. Tallaght benefits from having a third level institute, the Tallaght Institute of Technology, and excellent infrastructural facilities at Citywest and Grange Castle in Clondalkin. Following an agreement last year, Enterprise Ireland is supporting the development of business incubation space at the institute. When the facility has been completed, it is expected to generate quality start-up enterprises.

Wyeth Biopharma employs approximately 700 people in Clondalkin, a figure that is expected to rise to 1,300 by the end of 2005. A number of other projects have been approved for the area. I am satisfied that the strong infrastructural support already in place, including the Luas line, will continue to attract companies to Tallaght and its environs.

Work Permits.

520. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment if he will list the various types of work permit processed by his Department for entry into the State; the details of the application form and documentation required in each case; the average waiting time for processing each type of work permit; and if he will make a statement on the matter. [1152/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Department of Enterprise, Trade and Employment is responsible for issuing work permits. With the Department of Foreign Affairs, it has responsibility for issuing work authorisations and working visas. In general, non-EEA nationals are obliged to have a work permit, or a work authorisation or working visa, if they wish to work in this State. Work permits are issued to employers whereas work authorisations and working visas are issued to individuals. Work permit applications take approximately 15 working days to process, assuming they are complete and in order. Sup-

[Mr. Martin.]
 porting details about applications can be found in the work permits page of the website of the Department of Enterprise, Trade and Employment, www.entemp.ie.

Work authorisations and working visas are processed at Irish embassies and consulates. Individuals should contact the relevant embassy or consulate to ascertain how long it will take to process their applications. Further details can be obtained from the website of the Department of Foreign Affairs.

Company Closures.

521. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment if the liquidator of IFI will ensure the payment of outstanding accounts to a creditor (details supplied). [1258/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The determination of payments due to creditors of IFI is a matter solely for the liquidator. The position of unsecured creditors can only be determined by the liquidator when all the assets of the company have been realised and all liabilities established. In this regard, I understand that the liquidator has made considerable progress in realising the assets of the company and establishing the full extent of its liabilities. The plant and machinery from the main production facilities at Arklow and Cork have been sold and are in the process of being dismantled and removed from the sites by the purchasers. The production sites remain the principle assets yet to be realised. It is understood that the liquidator has received an offer for the Cork site and that discussions are ongoing with the prospective buyer. It is a matter solely for the liquidator to determine whether to accept a particular offer. While the Arklow site has also been on the market for some time, it is expected that interest in it will intensify when the plant and machinery have been removed. As the sites are significant, it is difficult to assess the price that might be achieved for them in due course.

Metrology Service.

522. **Mr. Kenny** asked the Minister for Enterprise, Trade and Employment the names of the representative taxi bodies which consented to an increase in the verification fee for taxi meters from €32 to €75, excluding VAT; and if he will make a statement on the matter. [1347/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The legal metrology service of the National Standards Authority of Ireland implements the provisions of the Metrology Acts 1980 to 1998. One of the objectives of the legislation is to ensure fair trade and consumer protection by checking the accuracy of measuring instruments used in trade throughout the economy. The law imposes obligations on traders to ensure that the measuring instruments they use in

trade are of an approved type and have been verified by the legal metrology service.

Section 4 of the Metrology Act 1996, as amended, provides that the National Standards Authority of Ireland may, with the consent of the Minister, charge fees for verification services, *inter alia*. When it considered the basis for a fee increase recently, the board of the authority was of the view that the fee set should be such as to recover fully the costs associated with the verification process. To enable full cost recovery, the board proposed an increase in the verification fee for taxi meters from €32 to €75, excluding VAT. Ministerial consent was granted for the increase on 22 November 2004, following previous increases in 1997 and 2002.

Benchmarking Awards.

523. **Mr. Rabbitte** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the fact that staff at a training centre (details supplied) in Dublin 8 have not been awarded the second phase of benchmarking due in January 2004 or any of the three increases due under Sustaining Progress during 2004; if FÁS will give approval for these overdue increases to be paid; and if he will make a statement on the matter. [1348/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The staff of the training centre in question are employed by a private sector organisation that receives grants from FÁS to meet its operating costs, including staff costs. FÁS is not the employer of the staff. While private sector workers are generally ineligible for benchmarking, it has been accepted that categories of employees of FÁS grant-aided organisations, which have demonstrated an established and agreed linkage to the public service, may receive benchmarking-related increases in return for the introduction of a modernisation programme. CTC managers, instructors and clerical workers have been approved for such benchmarking-related increases.

FÁS has informed me that payments reflecting the first phase of benchmarking were paid to CTC staff in April 2004. In December 2004, FÁS and the union representing CTC staff agreed the terms of the productivity and modernisation agenda required in return for phase 2 of benchmarking-related increases and phase 1 of Sustaining Progress increases. The next stage in the process is for FÁS and the union representing CTC staff to agree the verification process for the monitoring of the productivity and modernisation to be delivered by staff in return for the increases.

Job Losses.

524. **Mr. Ferris** asked the Minister for Enterprise, Trade and Employment his plans with regard to the recent spate of job losses in the

Kerry area; and his investment plans for the county. [1349/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Job creation is a day-to-day operational issue for the industrial development agencies under the remit of the Department of Enterprise, Trade and Employment. As Minister, I do not have any direct involvement in the matter. IDA Ireland, which has responsibility for the attraction of foreign direct investment to Ireland, is focusing on the linked hub towns of Tralee and Killarney as part of its strategy for marketing the county as a location for additional such investment. While there have been job losses in recent years, overall employment in County Kerry in companies which are supported by IDA Ireland is performing relatively well when considered in the context of Ireland being less competitive as a location for low wage manufacturing projects. Similarly, the recent global downturn resulted in fewer companies actively seeking to invest overseas and less companies visiting Ireland.

Enterprise Ireland has commenced working with former employees of companies which recently closed to identify training needs and alternative employment requirements. Enterprise Ireland liaises with other State agencies such as FÁS and the local county enterprise board in providing support in this regard. Enterprise Ireland works with individuals who may wish to start their own businesses and advises them on the supports available for this purpose.

Under its 2002 community enterprise programme, Enterprise Ireland approved funding of €183,487 for the expansion of Killarney technology innovation centre, which supports 66 employees in various companies. Phase 2 of the development, which has been completed, will increase the capacity of the centre by an additional 4,000 sq. ft. to meet the demand for suitable space and thereby provide more high quality jobs to the local economy. Enterprise Ireland has provided over €2 million to build an incubation centre at the new IT Tralee campus, which was completed at the end of 2004, and companies have started to move in.

Shannon Development is responsible for industry in north Kerry. Some 106 jobs were created in 2004 by Shannon Development companies in the region. The principal contributing companies in this regard were Altobridge Limited, Kerry Group, GCX Limited, Cameo Products Limited and Kerryman Limited. Kerry technology park, which is owned and managed by Shannon Development, and was developed in partnership with the Institute of Technology, Tralee, opened for business in July 2001. The park is part of the Shannon Development knowledge network, a network of five such parks. It has been a great success and is virtually full.

In 2003, Shannon Development unveiled plans for a new-style business development centre in Listowel. The 10,500 sq. ft. building, which is

located on a two-acre site at Listowel business park in Clieveragh, will mark a departure in the style of premises available to indigenous start-up businesses in the Listowel area. Shannon Development is investing almost €1.7 million in the building, which will provide a range of lettable units varying in size from approximately 215 sq. ft. to approximately 1,200 sq. ft., the type of space required by the smaller business. The building will shortly be handed over to Shannon Development.

In 2004, Kerry county enterprise board approved €249,433 in grant assistance to 36 micro-enterprise projects at start-up or expansion stage, thereby facilitating the creation of an additional 45 jobs throughout the county. Some €307,694 was paid in grant aid by the board in respect of 43 projects during the course of the year. The board spent a further €139,738 on the provision of a variety of business training programmes in areas such as food production, child care facilities, health and safety, management development and business initiatives. The board is confident that it will continue to be in a position to provide an appropriate level of assistance to quality projects that present over the coming year. The Department's agencies are working to address the employment needs of the Kerry area and to promote the area for suitable investment projects in the future.

Work Permits.

525. **Mr. G. Mitchell** asked the Minister for Enterprise, Trade and Employment if there are programmes in relation to work permits to facilitate a person (details supplied) to undertake work experience as part of their education; and if he will make a statement on the matter. [1350/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): There are no facilities to allow students to undertake a period of work experience. Work permits are issued only if the individual is highly skilled and fully qualified.

Question No. 526 answered with Question No. 511.

Job Losses.

527. **Mr. O'Connor** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the announcement by a company (details supplied) in Dublin 24 of job losses; if everything possible will be done to find new employment in Tallaght; and if he will make a statement on the matter. [1570/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The company in question is implementing a rationalisation programme that involves the loss of 40 jobs. FÁS has been in touch with the company to outline the full range of services which will be available to the relevant staff. Following the rationalisation, the company

[Mr. Martin.] will be revamped as a manufacturing operation specialising in the production of breads for the wholesale specialty bread market and it will retain 24 staff.

The industrial development agencies are continuing to market the Tallaght area for new jobs and investment. Tallaght benefits from having a third level institute, the Tallaght Institute of Technology, and excellent infrastructural facilities at Citywest and Grange Castle in Clondalkin. Following an agreement last year, Enterprise Ireland is supporting the development of business incubation space at the institute. This facility, when completed, is expected to generate quality start-up enterprises.

Wyeth Biopharma employs approximately 700 people in Clondalkin, a figure that is expected to increase to 1,300 by the end of 2005. A number of other projects have also been approved for the area. I am satisfied that the strong infrastructural support in place, including the Luas line, will continue to attract companies to Tallaght and its environs.

Freedom of Information.

528. **Mr. R. Bruton** asked the Minister for Enterprise, Trade and Employment the State, semi-State, State-sponsored and statutory bodies under the aegis of his Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if he envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1709/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Proposals for extending freedom of information are being developed in the Department of Finance in the context of plans to extend it to other appropriate bodies by the end of 2005. The extension of freedom of information to the additional bodies under the aegis of the Department of Enterprise, Trade and Employment is being considered in this context. The organisations in question are the Employment Appeals Tribunal — administrative functions only, Science Foundation Ireland, the company law review group, the Crafts Council, the European Social Fund financial control unit, the 35 county enterprise boards, Skillnets and the Labour Court — administrative functions only.

There are no proposals to bring certain other bodies, which come under the aegis of the Department and are not subject to freedom of information, within its remit. The bodies in this second group are the Personal Injuries Assessment Board, the European Consumer Centre, the Irish Clearing House for the European Extra Judicial Network, Nítrigin Éireann Teoranta and InterTrade Ireland. No formal decision has been made on when freedom of information will apply to PIAB, which was established quite recently. I consider in principle that some of its functions,

such as its administrative functions, should become subject to freedom of information.

It is proposed to review the structure and function of the ECC and EEJ-Net. The extension of freedom of information to such bodies will be considered in the light of the outcome of the review. As NET is simply a shell company that does not engage in any real activity, it is not considered appropriate to extend freedom of information to it. InterTrade Ireland is one of a number of North-South implementation bodies established under the Good Friday Agreement. It is expected that the bodies will shortly become subject to a freedom of information code of practice, which will draw on aspects of Irish and UK freedom of information legislation.

Departmental Bodies.

529. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment if he will investigate and supply details in respect of all moneys paid through his Department or any subsidiary body under his remit, for example FÁS, to an organisation (details supplied); and if he will make a statement on the matter. [1974/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Department of Enterprise, Trade and Employment does not have a record of payments to the organisation mentioned by the Deputy. Any payments made to the organisation by an agency such as FÁS operating under the aegis of the Department would be a day-to-day matter for the relevant agency. The Deputy may wish to make inquiries with any such agency.

Ministerial Appointments.

530. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment the public appointments made in his Department since the Cabinet reshuffle in September 2004. [2095/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I have made the following appointments in the Department of Enterprise, Trade and Employment since the Cabinet reshuffle of September 2004: a special adviser, a policy adviser, a press adviser, two personal assistants and a personal secretary. The Minister of State at the Department of Enterprise, Trade and Employment, Deputy Killeen, has made the following appointments since the Cabinet reshuffle of September 2004: a personal assistant, a personal secretary and two civilian drivers.

Social Welfare Benefits.

531. **Mr. Durkan** asked the Minister for Social and Family Affairs the amount of rent allowance payable in the case of a person (details supplied) in County Kildare. [2161/05]

543. **Mr. Durkan** asked the Minister for Social and Family Affairs the reason rent allowance has been reduced in the case of a person (details

supplied) in County Kildare; and if he will make a statement on the matter. [1176/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 531 and 543 together.

Rent and mortgage interest supplements are provided for under the supplementary welfare allowance scheme, which is administered on my behalf by the community welfare division of the Health Service Executive. Under standard assessment rules, rent supplements are calculated to ensure that an eligible person, after the payment of rent, has an income equal to the rate of supplementary welfare allowance appropriate to his or her family circumstances, less a minimum contribution of €13 that each recipient is required to pay from his or her resources. In addition to the minimum contribution, each recipient is also required to contribute any assessable means he or she has over and above the appropriate supplementary welfare allowance rate.

Supplementary welfare allowance is not normally payable to people engaged in full-time employment. Arrangements have been in place for a number of years, however, which allow people to retain a portion of their rent supplement when they take up employment through approved schemes such as community employment, subject to a weekly household income limit of €317.43. In such cases, the supplement may be retained on a tapered basis, such as 75% in the first year, 50% in the second year and 25% in the third and fourth years. Participants in community employment schemes have the option of being assessed for rent supplement purposes under standard or special retention rules, depending on which option is more favourable in each instance.

The Dublin and mid-Leinster office of the Health Service Executive was contacted about the case in question. It has advised that the amount of rent supplement paid to the relevant person up to the end of January 2004 was based on her income from one-parent family payment. After the woman in question started a community employment scheme, her rent supplement was reviewed to take account of the change in her household income. Her entitlement was assessed under the standard and tapered retention rules. At the time the tapered retention assessment was found to be more beneficial to her and she retained 75% of the supplement that had been paid to her before she started the community employment scheme. On this basis, she received a supplement of €664.40 per month.

The Health Service Executive has further advised that the person concerned will begin the second year of her community employment shortly. Her rent supplement is due to be reviewed accordingly in the coming weeks. The amount of rent supplement payable to her will be determined following this review, taking account of all relevant information including her payment rate, her rent level and any other income she might have.

532. **Mr. Allen** asked the Minister for Social and Family Affairs the reason the Southern Health Board is refusing to pay a rent allowance under the supplementary welfare Act to a person (details supplied) in County Cork. [34271/04]

Minister for Social and Family Affairs (Mr. Brennan): Rent supplements are provided through the supplementary welfare allowance scheme, which is administered on my behalf by the community welfare staff of the Health Service Executive. The southern regional office of the executive was contacted about this case. It has advised that it does not have a record of an application for rent supplement from the person concerned. If she wishes to apply, she should contact the community welfare officer at her local health centre, who will carry out an assessment of her circumstances to determine if she satisfies the conditions for receipt of rent supplement.

Pension Provisions.

533. **Mr. O'Shea** asked the Minister for Social and Family Affairs his proposals to bring the qualified adult rate of contributory old age retirement pension in line with the top rate of non-contributory old age pension; and if he will make a statement on the matter. [34277/04]

545. **Mr. Penrose** asked the Minister for Social and Family Affairs the cost of granting persons who are now classified as qualified adult dependants, a full old age pension in their own right (details supplied); and if he will make a statement on the matter. [1315/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 533 and 545 together.

The Government committed itself in the programme for Government and Sustaining Progress to increasing the pension payment for qualified adults aged 66 or over to the same level as the personal rate of the old age non-contributory pension. The estimated cost of this commitment is €44 million. Considerable progress has already been made in this regard — the qualified adult allowance for the contributory payment stands at €138.50, or 83% of the maximum rate of old age non-contributory pension, which is €166 per week. Overall increases in the qualified adult allowance for the old age contributory pension amount to €56.47 per week since April 2000. The qualified adult allowance for the old age non-contributory pension has increased by €44.05 per week in the same time. It now stands at 66% of the full personal rate.

Since October 2002, new pension claimants have been able to opt to have the allowance paid directly to their spouse or partner, in accordance with the conclusions of a PPF working group on administrative individualisation. Further progress towards Government targets in respect of the qualified adult allowance rate will be made in future budgets.

Social Welfare Benefits.

534. **Mr. Gilmore** asked the Minister for Social and Family Affairs if he has plans to revise the income limit for the rent allowance; if his attention has been drawn to the fact that this outdated limit is causing severe hardship for some households; and if he will make a statement on the matter. [34280/04]

Minister for Social and Family Affairs (Mr. Brennan): Supplementary welfare allowance is not normally payable to people in full-time employment. Arrangements have been in place for a number of years, however, which allow people to retain a portion of their rent supplement when they take up employment through the back to work scheme and other approved schemes. The weekly household income limit in such cases, the ones to which the Deputy refers, is €317.43. While the €317.43 income limit has not changed in recent years, significant changes have been made to the means test.

Back to work allowance and family income supplement, in cases where one or both of them are in payment, are disregarded in the assessment of household income. PRSI and reasonable travelling expenses are also disregarded in the means test. In effect, this means that people who commence employment through a back to work scheme, following a period of unemployment, can have a weekly household income significantly in excess of the €317.43 limit and still qualify to retain 75% of their rent or mortgage interest supplement. For example, in the first year of their participation in the back to work allowance scheme, a single person can have a combined income, from the back to work allowance and wages, of €429, while a couple with two children can have a combined income of €528.25. The thresholds increase each year in the budget.

Other improvements have also been made. The period for which rent supplement may be retained has been extended to four years on a tapered basis, such as 75% in the first year, 50% in the second year and 25% in the third and fourth years. In addition, the maximum payment limit of €317.43 per month on the amount of supplement payable was abolished for people on the approved schemes. As a consequence, many families now retain more of their rent supplement than they did before these changes took place.

A participant in a back to work scheme can opt to be assessed under standard rules or retention rules. He or she will be entitled to receive payment under the more favourable option. Under standard assessment rules, rent supplements are calculated to ensure that an eligible person, after the payment of rent, has an income equal to the rate of supplementary welfare allowance appropriate to his or her family circumstances, less a minimum contribution of €13 which each recipient is required to pay from his or her own resources. Family income supplement is also disregarded in the standard means test. If the employment is part time — less than 30 hours per

week — up to €50, increasing to €60 from the end of January 2005, is disregarded in the means test, ensuring that a person is better off as a result of taking up such an opportunity.

The current eligibility thresholds and disregards, together with improvements in the standard rules of the supplementary welfare allowance scheme, ensure that people have a financial incentive to take up back-to-work opportunities. The effectiveness of the arrangements will be considered further in the context of a review of the supplementary welfare allowance scheme which the Department of Social and Family Affairs is undertaking during 2005.

535. **Ms B. Moynihan-Cronin** asked the Minister for Social and Family Affairs if he will consider raising the rate of the fuel allowance; if he will further consider a reduced or a half rate payment for the months during which the allowance is awarded to cover reduced but significant fuel expenses for many elderly persons, in particular during these months; and if he will make a statement on the matter. [34626/04]

Minister for Social and Family Affairs (Mr. Brennan): The aim of the national fuel scheme is to assist householders in receipt of long-term social welfare or health board payments to meet their additional heating needs during the winter season from October to April. Under the scheme, a fuel allowance of €9 per week is paid to eligible households during the 29-week period, with an additional €3.90 per week being paid in designated smokeless fuel zones, bringing the total amount in such areas to €12.90 per week. Many pensioners and other households qualify for electricity or gas allowances through the household benefits package, payable towards their heating, light and cooking costs throughout the year.

A facility is available through the supplementary welfare allowance scheme to assist people in certain circumstances with special heating needs. An application for heating supplement may be made by contacting a community welfare officer at any local health centre. Significant increases have been provided in recent years in all primary social welfare pension, benefit and assistance rates. The social welfare rate increases have consistently exceeded the growth in the consumer price index, leading to real improvements in the financial ability of social welfare clients to meet their basic living expenses throughout the year.

As an increase in the rate of fuel allowance or the provision of modified allowance rates for an extended period each year would have significant cost implications, it would have to be considered in a budgetary context.

Social Welfare Code.

536. **Mr. Carey** asked the Minister for Social and Family Affairs the reason a recipient of social welfare wishing to transfer from a book base payment to a bank lodgement payment effectively

loses a week's payment; and if he will make a statement on the matter. [1040/05]

Minister for Social and Family Affairs (Mr. Brennan): Pension payment by electronic funds transfer has been made weekly in arrears since November 2004, whereas pension payment by payable order — book voucher — is made weekly in advance. Most people who opt for electronic funds transfer do so when they make their initial claim so there is no interruption to the flow of payments for such claims. When an existing recipient opts to switch from pension book to electronic funds transfer, the different payment cycle may result in a temporary interruption of payment. I assure the Deputy that each person receives the same quantum of payments over the lifetime of his or her claim, regardless of the payment method.

Social Welfare Benefits.

537. **Mr. Ring** asked the Minister for Social and Family Affairs if he will examine the possibility of allowing persons who were in employment and have been made redundant, to qualify immediately for the back to education allowance for third level education, rather than having them wait 15 months;. [1098/05]

Minister for Social and Family Affairs (Mr. Brennan): The back to education allowance is a second chance education opportunities programme designed to encourage and facilitate people on certain social welfare payments to improve their skills and qualifications and, therefore, their prospects of returning to the active work force. To qualify for participation in the programme an applicant must be, *inter alia*, in receipt of a relevant social welfare payment for at least six months if pursuing a second level course of study. The qualifying period for third level courses of study was increased from six months to 15 months for new applicants from September 2004. I ordered a review of the scheme when I became Minister for Social and Family Affairs and subsequently I announced that the qualifying period will be reduced from 15 months to 12 months from September 2005.

The focus of the back to education scheme has always been on those who have been out of employment for some time and find it difficult to get a foothold in the labour market after a lengthy period of unemployment. People who have been recently employed are not in the target group for the scheme. I am satisfied that the current arrangements ensure that the scheme supports those who are most distant from the labour market and whose need is greatest. I have undertaken to the Dáil and the Joint Committee on Social and Family Affairs to continue to keep the qualifying period for this scheme under regular review.

Social Welfare Code.

538. **Mr. Ring** asked the Minister for Social and

Family Affairs if he has sought legal advice on his Department's methods in relation to the assessment of property and the notional income derived from it when assessing a person for social welfare; if the assessment method is legal; and if he will make a statement on the matter. [1107/05]

Minister for Social and Family Affairs (Mr. Brennan): I am satisfied that the current provisions for assessing property are legal and equitable. In assessing means for social assistance purposes, account is taken of any cash income the person may have, along with the value of property, including capital. Property may include stocks and shares of every description, savings certificates, bonds and national instalment savings, money invested in a bank or building society or property owned by the claimant other than a domestic dwelling or a farm or land personally used by the claimant.

Means from capital and property are assessed in accordance with the Third Schedule to the Social Welfare (Consolidation) Act 1993, as amended, which provides, *inter alia*, that the weekly value of property belonging to a person which, though capable of investment or profitable use is not invested or put to profitable use, shall be deemed to constitute the weekly means of the person from the property, such weekly value being calculated in accordance with the prescribed rules. While a person may not at a given point of time have tangible income from a property owned by him or her, the property is nonetheless an asset that is either capable of providing an income or of being sold.

Social Welfare Benefits.

539. **Mr. O'Connor** asked the Minister for Social and Family Affairs his plans to extend the benefits of the free travel pass on an all-Ireland basis; the contacts he has had with Northern Ireland in the matter; and if he will make a statement on the matter. [1111/05]

Minister for Social and Family Affairs (Mr. Brennan): Special cross-Border arrangements have been in place since 1995 under a scheme that allows southern and northern free travel pass holders to undertake cross-Border journeys free of charge. The introduction of free travel on an all-Ireland basis would enhance the existing arrangements by enabling southern pass holders to make free onward journeys within the North. Similarly, Northern Irish pass holders would be able to make internal journeys within the South free of charge. A number of technical and financial issues need to be resolved if we are to implement an enhanced all-Ireland free travel system. Co-operation is needed between the Department of Social and Family Affairs and the northern department with responsibility for transport policy, as well as the relevant transport operator companies on either side of the Border.

[Mr. Brennan.]

In September 2004, my predecessor met the Northern Irish minister of state who is responsible for regional development to explore the potential for further co-operation between the two departments on the proposal. They discussed the options and scope for co-funding the scheme and considered various technical issues that arise. Shortly after taking up this post, I wrote to the Minister indicating my wish to move the issue forward. In his response, the Minister indicated that in view of the resources which would have to be made available this issue is not a priority at this stage. I was disappointed with this response and intend to seek a further meeting with the authorities in Northern Ireland in the near future to examine ways of progressing the issue.

540. **Mr. O'Connor** asked the Minister for Social and Family Affairs his plans in negotiations with his UK counterpart, to ensure that holders of free travel passes from his Department can avail of similar services when they are visiting the UK; and if he will make a statement on the matter. [1112/05]

Minister for Social and Family Affairs (Mr. Brennan): The free travel scheme is available to all people living in the State aged 66 years or over. It is also available to carers and to people with disabilities who are in receipt of certain social welfare payments. It applies to travel within the State and cross-Border journeys between here and Northern Ireland. A variety of travel concessions are granted by most EU member states to retired pensioners. The scope of the concession schemes and the reductions available vary widely from country to country.

While discussions have taken place with the Northern Ireland authorities on the possibility of introducing an all-Ireland free travel scheme, no discussions have taken place with the UK Government or transport companies operating in the UK about them providing transport services to Irish free travel passholders. A report, *Towards a Senior Euro Pass*, was commissioned by the social affairs directorate of the European Commission in 1997. The report recommended that EU member states should move towards having a senior euro pass card which would entitle older people to concessions on various services, including travel, cultural and social activities. The Department of Social and Family Affairs submitted observations on the report's recommendations at the time, as did other Departments and statutory and non-statutory bodies. The introduction of such an initiative would have to be developed at EU level.

541. **Mr. Durkan** asked the Minister for Social and Family Affairs when he expects to reach agreement in respect of recovery of overpayment in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [1172/05]

Minister for Social and Family Affairs (Mr. Brennan): Subject to certain conditions, including a means test, diet supplements are provided for under the supplementary welfare allowance scheme which is administered on my behalf by the community welfare division of the Health Service Executive. As I have outlined to the Deputy in previous questions by him on the matter, a significant overpayment of diet supplement was made to the person concerned arising from his failure to notify the community welfare officer when he commenced employment. The person concerned was advised of the amount of the overpayment involved and asked to submit his proposals for repayment of the substantial sum due. His initial offer of a low weekly amount was deemed not to be sufficient in the light of his aggregate income level. The officer was in further contact with the person last week and it is expected that appropriate repayment arrangements will be finalised shortly.

542. **Mr. Durkan** asked the Minister for Social and Family Affairs the correct rate of unemployment assistance payable in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [1175/05]

Minister for Social and Family Affairs (Mr. Brennan): The information available to the Department of Social and Family Affairs indicates that the person concerned arrived in the State in November 2002 and sought asylum. Her asylum application was refused in May 2004. As a result she is not entitled to seek employment in Ireland and the question of payment of unemployment assistance does not arise in her case. The Government has decided that the most appropriate way to cater for the basic needs of asylum seekers is through the system of direct provision operated by the reception and integration agency of the Department of Justice, Equality and Law Reform. This service provides asylum seekers with full-board accommodation, laundry and other facilities.

In addition, they are entitled to receive a weekly personal allowance in respect of personal requisites, provided at present through the supplementary welfare allowance scheme which is administered by the community welfare staff of the Health Service Executive. The rate of the allowance is €19.10 in respect of an adult and €9.60 in respect of a child. An asylum seeker who refuses or vacates direct provision accommodation without the permission of the Minister for Justice, Equality and Law Reform remains entitled to this reduced rate of personal allowance only.

The person concerned has chosen not to avail of the accommodation services available through direct provision. In the circumstances she is in receipt of her full entitlement of basic supplementary welfare allowance at the reduced rate of €19.10 per week.

Question No. 543 answered with Question No. 531.

544. **Mr. McGuinness** asked the Minister for Social and Family Affairs if the benefit being awarded to a person (details supplied) in County Carlow will be examined to determine the reason a full allowance is not being awarded; if this person is entitled to the disability allowance; and if they are entitled to increased supplementary allowance while waiting for a decision. [1285/05]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme, which is administered on my behalf by the community welfare staff of the Health Service Executive, provides for the payment of a weekly allowance to eligible people whose means are insufficient to meet their basic needs. An assessment of household means and needs is carried out to determine the amount of assistance payable. The southern regional office was contacted about this case and has advised that the person concerned had been in receipt of a basic allowance at a reduced rate to bring the level of household income to the appropriate supplementary welfare allowance rate.

In the course of a recent review it came to light that the wife of the person has additional income from part-time employment. Following a revised assessment, his increased means exceed the statutory limit for supplementary welfare allowance purposes and he is not entitled to payment. He had not notified the HSE of the relevant increase in his household income with the result that he was overpaid supplementary welfare allowance. Arrangements will be made shortly with the person concerned to repay the amount due.

With regard to his claim for disability allowance the person concerned applied to the Department of Social and Family Affairs in June 2004. He was examined by a medical assessor from the Department who advised that he was not eligible on medical grounds for an allowance. Accordingly his application was disallowed. He has appealed against this decision. Arrangements have been made for a medical assessor to review his medical condition shortly. His entitlement to disability allowance will be determined on the basis of the medical re-assessment and his means. He will be notified of the outcome.

Question No. 545 answered with Question No. 533.

Community Employment Schemes.

546. **Mr. Gregory** asked the Minister for Social and Family Affairs if he will increase the income limit for persons on community employment schemes to ensure that participants continue to qualify for rent allowances. [1317/05]

Minister for Social and Family Affairs (Mr. Brennan): The income limit for rent supplement to which the Deputy refers applies to people in

full-time employment. Supplementary welfare allowance is not normally payable to people who are engaged in full-time employment. However, arrangements have been in place for a number of years which allow people to retain a portion of their rent supplement where they take up employment through approved schemes, such as community employment, subject to a weekly household income limit of €317.43. People on community employment may also avail of these arrangements if that gives a more favourable outcome than assessment under the standard rules of the supplementary welfare allowance scheme.

While the €317.43 income limit applicable in these cases has not been increased recently, other improvements have been made. The period for which rent supplement may be retained after commencement of employment has been extended to four years on a tapered basis, such as 75% in the first year, 50% in the second year and 25% in the third and fourth years. In addition, the upper limit of €317.43 per month on the amount of supplement payable was abolished for people on approved employment schemes, including community employment.

Back to work allowance and family income supplement, in cases where one or both are in payment to an applicant for rent supplement, are now disregarded in the assessment of the €317.43 weekly income limit. PRSI and reasonable travelling expenses are also disregarded in the means test. People who take up a community employment place are not automatically disqualified from receiving rent supplement if the household income exceeds the €317.43 limit. Any participant in community employment has the option of being assessed under either standard rules or under retention rules and will be entitled to receive payment under the more favourable option.

Under standard assessment rules, rent supplements are calculated to ensure that an eligible person, after the payment of rent, has an income equal to the rate of supplementary welfare allowance appropriate to his or her family circumstances, less a minimum contribution of €13 which each recipient is required to pay from his or her own resources. Up to €50 — increasing to €60 from the end of January 2005 — in respect of additional income from part-time employment is disregarded in the means test, thus ensuring that a person is better off as a result of taking up such an opportunity. Community employment is regarded as part-time employment for such purposes.

The current eligibility thresholds and disregards, together with improvements in the standard rules of the supplementary welfare allowance scheme, ensure that people have a financial incentive to take up employment opportunities. The effectiveness of the arrangements will be considered further in the context of a review of the supplementary welfare allowance scheme

[Mr. Brennan.]
which the Department of Social and Family Affairs will undertake in 2005.

Social Welfare Benefits.

547. **Mr. P. Breen** asked the Minister for Social and Family Affairs when an application for the carer's allowance will be finalised for a person (details supplied) in County Clare; and if he will make a statement on the matter. [1318/05]

Minister for Social and Family Affairs (Mr. Brennan): Payment of carer's allowance was disallowed by a deciding officer who, having considered the medical evidence furnished in support of the claim and the views of the Department's medical adviser, decided that the care recipient was not in need of full-time care and attention as prescribed in the statutory provisions.

The person appealed this decision to the social welfare appeals office. The appeals officer disallowed the appeal following an oral hearing of the appeal on 12 January 2005 and careful consideration of all the available evidence, including that adduced at the hearing. Notification of the decision has issued to the person concerned. Under social welfare legislation, decisions on claims must be made by deciding officers and appeals officers. The officers are statutorily appointed and I have no role in making such decisions.

Social Welfare Code.

548. **Ms O'Sullivan** asked the Minister for Social and Family Affairs if he will review the qualification scheme for dental benefit whereby a spouse who has not enough contributions in their own right cannot benefit through their qualifying spouse unless their income is below a very low threshold; his views on whether the current situation is unfair to part-time working spouses; and if he will make a statement on the matter. [1320/05]

Minister for Social and Family Affairs (Mr. Brennan): The treatment benefit scheme operated by the Department of Social and Family Affairs provides a range of benefits in dental, optical and aural treatment for qualified PRSI contributors and their dependent spouses. The availability of the benefits are subject to certain PRSI contribution conditions. The PRSI contribution classes which qualify for treatment benefit are classes A, E, H and P. A spouse is entitled to treatment benefit based on the insured person's PRSI record as long as he or she has gross earnings of €76.18 or less per week and is not in receipt of any benefit or allowance from the Department or a health board, other than carer's allowance, disablement pension, supplementary welfare allowance or child benefit.

If the person was dependent on his or her spouse prior to entering or resuming insurable employment at class A, E, H or P, he or she would continue to qualify for treatment benefit

on the spouses PRSI record until he or she qualified for treatment benefit in his or her own right. This special measure particularly benefits lower income spouses. The operation of the dental benefit scheme is subject to ongoing monitoring by the Department of Social and Family Affairs and the question of further improvements is a matter for consideration in a budgetary context and in the light of available resources.

Social Welfare Benefits.

549. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs if the SWAHB will urgently assess the needs of a person (details supplied) in Dublin 12; and if he will make a statement on the matter. [1325/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned is in receipt of her full weekly social welfare entitlements. She is in receipt of one-parent family payment in respect of herself and four dependent children who reside with her, along with monthly child benefit. She is also in receipt of half-rate unemployment benefit. The supplementary welfare allowance scheme, which is administered on my behalf by the community welfare division of the Health Service Executive, provides for exceptional needs payments to help meet essential, once-off expenditure that a person could not reasonably be expected to meet out of his or her weekly income.

The Dublin and mid-Leinster regional office of the Health Service Executive, which was contacted about this case, has advised that it has assisted the person concerned in the past by way of exceptional needs payments. If she finds herself in a position whereby she has insufficient means to cater for a particular need, it is open to her to make an application for an exceptional needs payment by contacting the community welfare officer at her local health centre. If the person concerned is experiencing difficulties budgeting her weekly income or in meeting debt commitments on an ongoing basis, she should contact her nearest money advice and budgeting service office for guidance.

550. **Mr. Ring** asked the Minister for Social and Family Affairs if a person (details supplied) in County Mayo will be approved for, and awarded, the carers allowance. [1476/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned applied for carer's allowance in respect of two persons on 8 November 2004. Following the necessary investigations her application was refused on the grounds that full-time care and attention is not required or being provided as prescribed in regulations. She was notified of the decision, the reason for it and her right to appeal on 17 January 2005. Under social welfare legislation, decisions about claims must be made by deciding officers and appeals officers. The officers are sta-

tutorily appointed and I have no role in making such decisions.

551. **Mr. Ring** asked the Minister for Social and Family Affairs the employment related conditions which the respite care grant extension, as announced in budget 2005, are subject to; and if he will make a statement on the matter. [1477/05]

Minister for Social and Family Affairs (Mr. Brennan): The conditions for receipt of the extended respite care grant will be set out in the forthcoming Social Welfare Bill and regulations. As I set out in my speech at budget time, certain employment related conditions will apply. As is the case with recipients of carer's allowance, a full-time carer must not be engaged in employment for more than ten hours per week. People on unemployment payments will be excluded as they are required to be available for and actively seeking full-time work. It is estimated that the improvements in the conditions applying to the respite care grant will result in an additional 9,200 full-time carers receiving the grant for the first time, giving an estimated total of almost 33,000 full-time carers receiving the respite care grant of €1,000 this year.

552. **Mr. Allen** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Cork has been refused supplementary welfare towards the purchase of a buggy and other items. [1479/05]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme, which is administered on my behalf by the community welfare staff of the Health Service Executive, provides for exceptional needs payments to help meet essential, once-off expenditure which a person could not reasonably be expected to meet out of his or her weekly income. The southern region of the Health Service Executive was contacted about this case and has advised that the application by the person concerned for an exceptional needs payment was refused on the grounds that the level of her household income was considered to be sufficient to provide for the expenses. The determination of eligibility for exceptional needs payments is a matter for the community welfare staff of the Health Service Executive. Neither I nor the Department of Social and Family Affairs have any function in deciding entitlement in individual cases.

Social Welfare Code.

553. **Mr. Lowry** asked the Minister for Social and Family Affairs the alternatives to removing the eligibility of returning Irish missionary priests and nuns which he or his predecessor has considered; if he will report on statistical information which was and is available to support the decision; if he can provide it; and if he will make a statement on the matter. [1566/05]

Minister for Social and Family Affairs (Mr. Brennan): The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes and child benefit with effect from 1 May 2004. The old age non-contributory pension scheme is one of the schemes affected. The basis for the restriction contained in the new rules is the applicant's habitual residence. The restriction is not based on citizenship, nationality, immigration status or any other factor. The effect of the restriction is that a person whose habitual residence is in the United States, Europe, Africa or elsewhere is not paid certain social welfare payments, including old age non-contributory pension, on arrival in Ireland. The question of what is a person's "habitual residence" is decided in accordance with European Court of Justice case law, which sets out the grounds for assessing individual claims.

Each case received for a determination on the habitual residence condition is dealt with in its own right. Decisions are based on the application of the guidelines to the individual circumstances of each case. An applicant who disagrees with the decision of a deciding officer has the right to appeal to the social welfare appeals office. The habitual residence condition does not affect missionaries returning to Ireland on a permanent basis, for example to retire. They still qualify for an old age pension on the same basis as heretofore. However, old age pension claims from 68 missionaries who were returning for holidays or other temporary stays were refused on the grounds that they did not satisfy the habitual residence condition.

The application of the habitual residence condition has to be compatible with EU law and other international and national legal obligations. It is not possible in applying the condition to discriminate in favour of any particular group or nationality. The habitual residence condition is being operated in a careful manner to ensure that Ireland's social welfare system is not open to everyone who is newly arrived in Ireland, while at the same time ensuring that people whose cases are appropriate to the Irish social welfare system have access to the system when they need it.

Freedom of Information.

554. **Mr. R. Bruton** asked the Minister for Social and Family Affairs the State, semi-State, State-sponsored and statutory bodies under the aegis of his Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if he envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1710/05]

Minister for Social and Family Affairs (Mr. Brennan): The Freedom of Information Act has been extended to public bodies on a phased basis since its introduction in April 1998. The Act will

[Mr. Brennan.]
 apply to all appropriate bodies by the end of 2005. The only State, semi-State, State-sponsored and statutory body under the aegis of the Department of Social and Family Affairs which has not been made subject to the Freedom of Information Acts is the Family Support Agency. This agency was established in May 2003 following the passing of the Family Support Agency Act 2001. Proposals are being developed at present for the extension of freedom of information to other appropriate bodies by the end of 2005. The extension of freedom of information to the Family Support Agency is being considered in this context.

Child Care Services.

555. **Mr. F. McGrath** asked the Minister for Social and Family Affairs the plans in place to assist mothers to stay in the workforce in view of the fact that it costs €1,400 per month to keep two children in child care and the steps he is taking to resolve this issue; and if he will make a statement on the matter. [2022/05]

Minister for Social and Family Affairs (Mr. Brennan): The Department of Social and Family Affairs administers a number of child income support measures, including child benefit. Child benefit delivers a standard rate of payment in respect of all children in a family, regardless of income levels or employment status. Child benefit supports all children but delivers proportionately more assistance to those on low incomes and with larger families. It is not intended primarily to meet child care costs. However, the substantial increases in child benefit in recent years can make a significant contribution to meeting those costs. When budget 2005 rate increases are taken into account, monthly child benefit rates will be €141.60 in respect of each of the first two children and €177.30 in respect of the third and subsequent children. Monthly rates of child benefit will have increased by €103.51 at the lower rate and €127.78 at the higher rate since 1997, increases of 272% and 258%, respectively. This level of increase is unprecedented and is in line with the Government's objective of improving income for children generally.

The question of specific support for the costs of child care is a matter for my colleague, the Minister for Justice, Equality and Law Reform. The Department of Justice, Equality and Law Reform administers the equal opportunities child care programme under the national development plan.

Social Welfare Benefits.

556. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be awarded arrears for unemployment benefit. [2027/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned applied for unemployment benefit on 6 October 2004. A

deciding officer disallowed the claim on the grounds that she was not genuinely seeking employment. Based on additional information received, the deciding officer revised her decision and allowed the claim from 23 November 2004 at the maximum weekly rate of €148.80. The person concerned has appealed the decision to disallow her claim for the period between 6 October 2004 and 22 November 2004. Her file has been forwarded to the independent social welfare appeals office for determination. Under social welfare legislation, decisions about claims must be made by deciding officers and appeals officers. The officers are statutorily appointed and I have no role in making such decisions.

557. **Mr. Kehoe** asked the Minister for Social and Family Affairs when a decision will be made on the granting of a non-contributory pension to a person (details supplied) in County Carlow. [2029/05]

Minister for Social and Family Affairs (Mr. Brennan): The Department of Social and Family Affairs received an application from the person concerned for an old age non-contributory pension on 20 January 2005. Her entitlement to this pension will shortly be investigated and she will be notified of the outcome without delay.

558. **Mr. Kehoe** asked the Minister for Social and Family Affairs when the lone parent's allowance will be granted to a person (details supplied) in County Carlow. [2030/05]

Minister for Social and Family Affairs (Mr. Brennan): The person's application for a one-parent family allowance was disallowed by a deciding officer because she is co-habiting. Her appeal against the decision to the independent social welfare appeals office was considered by an appeals officer, who decided that an oral hearing is necessary. It is proposed to hold the oral hearing in the week commencing 7 February 2005. The person concerned is in receipt of supplementary welfare allowance at the weekly rate of €182.40. Under social welfare legislation, decisions about claims must be made by deciding officers and appeals officers. The officers are statutorily appointed and I have no role in making such decisions.

Ministerial Appointments.

559. **Mr. Gormley** asked the Minister for Social and Family Affairs the public appointments made in his Department since the Cabinet reshuffle in September 2004. [2096/05]

Minister for Social and Family Affairs (Mr. Brennan): I have appointed to my office four non-established civil servants on a contract basis for my term of office — Mr. Frank Lahiffe as special adviser, Mr. Tom Rowley as press adviser, Ms Mary Browne as personal secretary and Mr. Bobby Holland as personal assistant. My personal assistant is on secondment from the Department

of Education and Science. The five statutory agencies operating under the aegis of the Department of Social and Family Affairs are the Pensions Board, the Combat Poverty Agency, Comhairle, the Social Welfare Tribunal, and the Family Support Agency. In addition, the pensions ombudsman comes under the remit of the Department of Social and Family Affairs. In relation to the above, I have not made any appointments in the period concerned.

Social Welfare Benefits.

560. **Mr. Naughten** asked the Minister for Social and Family Affairs if, in the context of the Finance Bill 2005, he will increase the household income threshold under the back to work enterprise allowance scheme; and if he will make a statement on the matter. [2111/05]

Minister for Social and Family Affairs (Mr. Brennan): Social welfare programmes aim to be responsive to the needs of those who depend on income maintenance support while providing incentives to assist people to become more independent financially, particularly through employment.

A number of measures have been introduced in recent years to remove disincentives to taking up employment and to assist in the transition from welfare to work. These measures include special means disregards and tapered withdrawal of benefits as earnings increase, and employment support schemes such as the back to work programme. In addition, my Department's facilitators, based in local offices around the country, assist unemployed people and lone parents with the transition to employment.

The income limit referred to by the Deputy applies to people who take up employment under approved employment schemes and relates only to retention of secondary benefits, such as rent supplement. Such people are entitled to retain certain social welfare and other secondary benefits in total or in part for the duration of the employment scheme, subject to certain conditions. There is no income limit on the back to work enterprise allowance scheme itself.

For most people, the most significant secondary benefit is rent or mortgage interest supplement, which is paid under the supplementary welfare allowance scheme. An income limit of €317.43 per week applies to the retention of these supplements. While this income limit has not changed since its introduction, significant other improvements have been made to the means test.

Back to work allowance and family income supplement, in cases where one or both of these are in payment, are now disregarded in the assessment of the income limit of €317.43 per week. PRSI and reasonable travelling expenses are also disregarded in the means test. In effect, this means that people who had been unemployed and who commence employment through the back to work scheme can have a weekly household income significantly in excess of the

€317.43 limit in question and still qualify to retain 75% of their rent or mortgage interest supplement. For example, in the first year of his or her participation in the back to work scheme, a single person can have combined income from the back to work allowance and wages of €429 per week while a couple with two children can have a weekly income of €528.25.

Other improvements have also been made to the retention arrangements. The period for which rent or mortgage interest supplement may be retained has been extended to four years on a tapered basis, that is, 75% in year one, 50% in year two and 25% in years three and four. In addition, the maximum payment limit of €317.43 per month on the amount of supplement payable has been abolished for people on approved schemes.

As a consequence of these improvements, many families retain more of their rent or mortgage interest supplement than they would have done prior to these changes being made. In addition, people availing of an employment support scheme may opt to be assessed under either standard supplementary welfare allowance rules or under the special retention rules, and will be entitled to receive payment under whichever option is the more favourable for them. In that context, I was glad to be able to increase the income disregard in the standard rules of the scheme from €50 per week to €60 per week in this year's budget.

I consider that the current eligibility thresholds and disregards, together with improvements in the standard rules of the supplementary welfare allowance scheme, ensure that people have a financial incentive to take up back-to-work opportunities. The effectiveness of these arrangements will be considered further in the context of a review of the supplementary welfare allowance scheme, which my Department will be undertaking during 2005.

Pension Provisions.

561. **Mr. Naughten** asked the Minister for Social and Family Affairs the exchange rate for assessing the value of UK pensions for each of the past five years; the calculation procedure used; the plans he has to review this situation; and if he will make a statement on the matter. [2113/05]

Minister for Social and Family Affairs (Mr. Brennan): There are presently almost 11,000 people receiving a British retirement pension who also receive an Irish non-contributory old age pension or widowed person's pension. The rate paid in respect of non-contributory pension to recipients of British pensions is adjusted periodically to take account of changes in the rate of their British pension. For non-EMU European states, including the United Kingdom, the Department uses the conversion mechanism provided for under Article 107 of Council Regulation (EEC) No. 574/72 on social security for migrant

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workers. Under this mechanism, the conversion rate used for pension purposes is derived from the average of the daily exchange rates in the first month of a quarter. This rate is then used in all conversions during the course of the succeeding quarter. Alternatively, the conversion rate applicable to the next succeeding quarter is used if it is more beneficial to the pensioner.

The weekly value of the rate of British pension expressed in euro is then included in a revised assessment of means. Where this affects the rate of pension entitlement, a revised decision on entitlement is given by a deciding officer and the pensioner is informed of his or her right to appeal to the Social Welfare Appeals Office. Details of the exchange rate used for assessing the value of UK pensions for the past five years are set out in the following table.

Exchange rates for assessing the value of UK pensions for the period 1 January 2000 to 1 January 2005.

Year 2000	
Quarter 1	€1.54829=1 pound sterling
Quarter 2	€1.62180=1 pound sterling
Quarter 3	€1.67219=1 pound sterling
Quarter 4	€1.60503=1 pound sterling
Year 2001	
Quarter 1	€1.69685=1 pound sterling
Quarter 2	€1.57530=1 pound sterling
Quarter 3	€1.60853=1 pound sterling
Quarter 4	€1.64301=1 pound sterling
Year 2002	
Quarter 1	€1.60273=1 pound sterling
Quarter 2	€1.62180=1 pound sterling
Quarter 3	€1.62848=1 pound sterling
Quarter 4	€1.56568=1 pound sterling
Year 2003	
Quarter 1	€1.58744=1 pound sterling
Quarter 2	€1.52182=1 pound sterling
Quarter 3	€1.45134=1 pound sterling
Quarter 4	€1.42766=1 pound sterling

Year 2004

Quarter 1	€1.43342=1 pound sterling
Quarter 2	€1.44476=1 pound sterling
Quarter 3	€1.50300=1 pound sterling
Quarter 4	€1.50203=1 pound sterling

Year 2005

Quarter 1 (January 2005)	€1.44621=1 pound sterling
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Heavy Goods Vehicles.

562. **Mr. R. Bruton** asked the Minister for Transport if he has introduced a ban on heavy goods vehicles that exceed the height permitted by the Dublin Port tunnel; and the legislative provisions under which this ban is being introduced. [34172/04]

Minister of State at the Department of Transport (Mr. Callely): I have deferred a decision on the introduction of a vehicle height until I have the opportunity to consider the views of all parties with interests or concerns in the matter. In this regard, on 23 December 2004 I published a consultative paper outlining the central issues involved in this matter. Notices in the national newspapers of 23 December 2004 invited interested parties and the public to submit their views on the issues discussed in the consultative paper to my Department by 28 January 2005. The consultative paper and accompanying documentation are available from the Department's website at www.transport.ie.

Parking Regulations.

563. **Mr. O'Shea** asked the Minister for Transport further to Question No. 319 of 17 November 2004, his legislative proposals to amend the Road Traffic (Traffic and Parking) Regulations 1997 for families of persons with an intellectual disability or with children or adult dependents who have mobility problems or whose behaviour in such that it is impossible for them to use public transport or walk for any distances; and if he will make a statement on the matter. [34205/04]

Minister for Transport (Mr. Cullen): As I indicated in my reply to Question No. 319 on 17 November last, the Road Traffic (Traffic and Parking) Regulations 1997 empower local authorities, the Irish Wheelchair Association and the Disabled Drivers Association to grant a disabled person's parking permit where they are satisfied that the applicant is suffering from a disability that prevents him or her from walking or causes undue hardship to that person when walking. The qualifying criterion is therefore a question of personal mobility and no specific medical condition is stipulated in the regulations. I am of the view that the current broad basis of this scheme rep-

resents the optimum approach and I see no gain in limiting its scope to particular medical conditions.

Rural Transport Services.

564. **Mr. O'Shea** asked the Minister for Transport his proposals to provide adequate funding for the rural transport initiative (details supplied); and if he will make a statement on the matter. [34226/04]

565. **Mr. O'Dowd** asked the Minister for Transport the position regarding financial support for a bus service (details supplied) in County Monaghan; and if he will make a statement on the matter. [34293/04]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 564 and 565 together.

The rural transport initiative, RTI, is a pilot project that began in 2002 and was due to finish at the end of 2003. This deadline was initially extended to the end of 2004 and I recently extended it further to the end of 2006. Funding of €3 million was allocated to the RTI for each of the years 2002, 2003 and 2004. I decided that the allocation should be increased this year and €3.45 million is earmarked for the initiative in 2005. This is an increase of 15% over the funding for 2004, or 12% once account is taken of inflationary effects. By the end of this year, more than €12 million will have been provided for the RTI, as compared to the initial sum of €4.4 million earmarked for it in the national development plan.

Area Development Management Limited, ADM, administers the RTI on behalf of my Department and has sole responsibility for making decisions with regard to the specific allocations to RTI groups. Neither I nor my Department have any role in this aspect of the initiative. I understand that the 34 RTI groups have now submitted their business plans to ADM for the period up to the end of 2006. These plans are currently being assessed and decisions will be made by ADM in the coming weeks as regards the specific allocations to the groups.

Toll Agreements.

566. **Mr. F. McGrath** asked the Minister for Transport if, under section 62 of the Roads Act, he is empowered to specify the persons who can be exempted from paying tolls; if he can further assist all disabled drivers who hold a valid disabled driver permit; and if he will investigate this issue further. [34299/04]

Minister for Transport (Mr. Cullen): The making of toll schemes, toll by-laws and toll agreements in relation to national roads is a matter for the NRA. I understand from the NRA that in the toll by-laws for all toll roads, specially adapted vehicles for use by disabled people are exempt from tolls in line with the requirements of section 57(2) of the Roads Act to give special consider-

ation to the question of exempting certain categories of road users and vehicles from tolls.

Road Safety.

567. **Mr. F. McGrath** asked the Minister for Transport his views on whether the penalty points system has failed to save lives on roads and whether this new law is now being used to penalise law-abiding taxpayers for minor driving offences; and if he will make a statement on the matter. [34300/04]

Minister for Transport (Mr. Cullen): The effectiveness of the penalty points system can be judged primarily on the basis of the contribution it has made to road safety since its introduction. Since the introduction of the system in October 2002, the number of deaths as a result of road collisions fell by 116 by comparison to the figure pertaining to the previous two years.

Penalty points now operate in respect of speeding, seat-belt wearing, driving without insurance and careless driving. Since the introduction of the system over 198,500 drivers have incurred penalty points. Overall, the introduction of penalty points has had a very positive effect on road safety and I am confident that the full roll-out of the system will further enhance that effect.

Unfortunately, the number of road deaths in 2004 increased over the previous year, in which we experienced the lowest number of road deaths in 40 years. The increase experienced in 2004 is a cause for concern. To achieve a reduction in road deaths and injuries, an integrated approach involving a range of different measures is required and no one measure alone can achieve the desired result. The new Road Safety Strategy, 2004-2006, outlines a range of issues that it is intended will be pursued over the period in question. Overall, measures will focus on the areas of education, enforcement, engineering and legislation and will target the key areas of speeding, driving while intoxicated and seat-belt wearing. The intended effect of the penalty points system is to instill greater caution and responsibility in motorists in relation to their driving and to change the driving behaviour of those who commit road traffic offences repeatedly.

568. **Mr. F. McGrath** asked the Minister for Transport the amount of public money which was spent on road safety campaigns in 2004; and the reason for the failure of these costly efforts in view of the fact that the road death toll in 2004 shows an increase of 46 over the previous year. [34301/04]

Minister for Transport (Mr. Cullen): The National Safety Council is mandated with responsibility for road safety advertising and education, including the development of a road safety campaign. The council receives an annual allocation from the Department of Transport, which in 2004 amounted to €2.886 million. In addition, just over €1 million was provided to the agency

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specifically for the purpose of developing a public information campaign for the introduction of a revised speed limit structure, expressed in metric values, on 20 January this year. In addition to Exchequer funding, the National Safety Council receives funding from the Irish Insurance Federation, and funding is also received from sponsorship sources.

My Department has provided the financial support necessary for the production and presentation of some of the most effective public awareness campaigns ever mounted in relation to road safety, many of which have received international recognition for their quality and focus.

Unfortunately, there was a higher number of road deaths in 2004 than in the previous year, in which we experienced the lowest number of road deaths in 40 years. The increase experienced in 2004 is a cause for concern. To achieve a reduction in road deaths and injuries, an integrated approach involving a range of different measures is required and no one measure alone can achieve the desired result. The new Road Safety Strategy 2004-2006 outlines a range of issues that it is intended will be pursued over the period in question. In overall terms, measures will focus on the areas of education, enforcement, engineering and legislation and will target the key areas of speeding, driving while intoxicated and seat-belt wearing.

Corporate Governance Issues.

569. **Mr. F. McGrath** asked the Minister for Transport when he last spoke to or met the chief executive of Aer Lingus. [1028/05]

570. **Mr. F. McGrath** asked the Minister for Transport if he has total confidence in the chief executive of Aer Lingus following recent revelations that he is planning a rival airline to Aer Lingus. [1029/05]

571. **Mr. F. McGrath** asked the Minister for Transport his views on whether it is acceptable that senior executives at Aer Lingus are now undermining the valuable national airline by planning a rival company following their departure in May 2005; and if he will make a statement on the matter. [1030/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 569, 570 and 571 together.

I last met the chief executive together with the chief financial officer and chief operations officer on the morning of Tuesday, 16 November 2004. I have had no further contact with the three executives since that date.

Corporate governance issues are a matter for the chairman and the board of the company, as is the appointment of senior management. The acting chairman has assured me that he has been mindful of the possibility of conflicts of interest arising since the notification of the resignations of the three executives in November 2004 which were to take effect from May 2005. He has con-

firmed that at no stage has he been made aware upon due inquiry that a conflict of interest has arisen. Furthermore, he has received assurances in that regard from the three executives and he accepts those assurances.

A sub-committee of the board was set up on 29 November to oversee the appointment of a new chief executive. In addition a new executive management group was established in December to manage the company during the transition period. Meetings of this group are being chaired by the acting chairman. Given the substantial progress on the transition arrangements and in the search for a new chief executive the acting chairman agreed earlier this month with the three senior executives to foreshorten their notice period and, accordingly, it has been agreed that they will relinquish their responsibilities on 28 January 2005. I understand that the board intends to appoint a new chief executive as soon as possible.

Dublin Port Tunnel.

572. **Mr. Carey** asked the Minister for Transport when it is expected that the Dublin Port tunnel will be open for use; and if he will make a statement on the matter. [1031/05]

Minister for Transport (Mr. Cullen): The planning, design and implementation of national road improvement projects, including the Dublin Port tunnel, is a matter for the National Roads Authority, NRA, and the local authorities concerned. In this case, the relevant authority is Dublin City Council. However, I understand from the NRA and Dublin City Council that construction of the port tunnel is expected to be completed in December 2005 and the tunnel will be open to traffic six or eight weeks later following commissioning of the tunnel's operations and safety features.

I am advised by the NRA that operational plans are currently being developed, in consultation with the other authorities involved, to govern all aspects of the tunnel's operations following completion. These operational plans will address such issues as traffic management, planned closure procedures — for maintenance work, for example — as well as emergency and safety procedures. As part of these plans, which will be fully developed and implemented prior to the tunnel's opening, all issues associated with the management of traffic and trucks at the portals of the tunnel will be addressed.

The tunnel has been developed with the primary objective of providing a high-quality access route connecting Dublin Port to the national motorway network. To ensure that the tunnel remains available to fulfil this objective, tolling will be applied to traffic other than heavy goods vehicles as a traffic management measure. As a result, the tunnel will have sufficient capacity to accommodate the traffic predicted to use it and it is not anticipated that significant queuing of trucks will occur. Combined with the operational

plans being developed, it is anticipated that these arrangements will ensure that the tunnel achieves its required level of performance and service.

Air Services.

573. **Ms B. Moynihan-Cronin** asked the Minister for Transport the proposals he intends to bring forward regarding PSO support for regional airports following the DKM review of early 2003; when such proposals will be made; and if he will make a statement on the matter. [1063/05]

Minister for Transport (Mr. Cullen): The review to which the Deputy refers is the Review of Air Services Supported by the Essential Air Services Programme and it makes reference to public service obligation, PSO, routes. DKM Economic Consultants was commissioned by my Department to undertake the review under the Government's expenditure-review initiative. The report was published earlier this year.

Current PSO air service contracts on all six PSO routes expire in July 2005. My Department is putting in place the necessary arrangements for the procurement of a revised programme of regional air services, with effect from 22 July 2005. The revised tender specifications for the new programme, which will be published next month in line with EU regulations, are designed to ensure that an appropriate level of air access to and from the regional airports can be facilitated on a cost-effective basis in the future.

Insurance Industry.

574. **Ms Lynch** asked the Minister for Transport the position with regard to an award (details supplied) made by the Motor Insurance Bureau of Ireland; and if he will make a statement on the matter. [1069/05]

Minister of State at the Department of Transport (Mr. Callely): This matter is currently subject to legal proceedings involving the MIBI and as such it would be inappropriate for me to inter-vene in any way.

Departmental Correspondence.

575. **Mr. Gormley** asked the Minister for Transport if he has had discussions with the developer of a new product of a company (details supplied); the steps he intends to take to encourage the use of this product; and if he will make a statement on the matter. [1148/05]

Minister of State at the Department of Transport (Mr. Callely): There have been no discussions between my Department and the named company. In any event, it would not be appropriate for the Minister or the Department to endorse or encourage the use of any particular product.

Environmental Policy.

576. **Mr. Gormley** asked the Minister for Transport if he will encourage State companies, partic-

ularly transport companies, to use gas, biodiesel or fuel cells to reduce air pollution; and if he will make a statement on the matter [1149/05]

593. **Mr. Sargent** asked the Minister for Transport if his attention has been drawn to the fact that a new hydrogen refuelling plant for buses is being built in Hornchurch, England, as part of an EU initiative for buses; if there are plans for a similar plant here; and if he will make a statement on the matter. [1896/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 576 and 593 together.

I understand that a hydrogen refuelling plant for buses is being built by an energy supply company in England as part of a pilot scheme under the European Union's clean urban transport for Europe, CUTE, initiative, which runs until 2006 and which is aimed at exploring the application of hydrogen cell technology to public transport buses. I am not aware of any current plans to build a similar plant in Ireland.

The Department of Communications, Marine and Natural Resources is responsible for the promotion and development of renewable energy, including biofuels. To facilitate the formulation of a national biofuels policy, that Department has established an interdepartmental biofuels group, in which my Department participates. I understand that the application of new energy technologies, including gas, biodiesel and fuel cells, to public transport vehicles may have potential to reduce air pollution, particularly in terms of greenhouse gas emissions, and merit serious consideration if it represents a viable alternative to fossil fuels. However, particularly in view of the fact that this is an emerging area, a range of issues, including fuel supply and distribution issues, require consideration before a decision is made to adopt such technologies.

I am informed that Dublin Bus continually monitors the progress of hydrogen fuel cell buses and other developments in alternative fuels and emission reduction strategies. My Department will be examining this complex area, in consultation with the relevant public transport companies, in the context of the interdepartmental biofuels group and the wider exploration of ways of reducing emissions of the transport sector.

National Car Test.

577. **Ms Shortall** asked the Minister for Transport the reason a vehicle (details supplied) must undergo an NCT in 2005; if he has satisfied himself that the NCT rules are being appropriately administered in this case; and if he will make a statement on the matter. [1370/05]

Minister of State at the Department of Transport (Mr. Callely): In accordance with EU Directive 96/96/EC, passenger cars are required to undergo a roadworthiness test when they are four years old and every two years thereafter, with test-due dates determined by reference to the date of first registration of the vehicle. Under

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the phased implementation of the NCT, cars first registered between 1992 and 1996 were first liable for the NCT in 2001 by reference to the anniversary of their first registration, with subsequent test-due dates falling every two years after the first test-due date. With a first registration date of 5 June 1996, the test-due schedule for the vehicle in question, a private car, commenced on 5 June 2001, with the subsequent test-due dates every two years thereafter.

The test schedule for taxis is determined by reference to the taxi licence application and renewal dates. Where a taxi reverts to private use the NCT certificate issued in respect of a vehicle continues to be valid until the expiry date specified on the certificate, at which stage a NCT is required. Subsequent tests for the vehicle will then fall due in accordance with the normal criteria applicable to a car taxed as a private vehicle.

It is understood that the vehicle in question was licensed as a taxi for a period but has reverted to private use. The NCT certificate issued in respect of the vehicle as a taxi expired on 27 September 2004. Following a successful NCT on 6 December 2004, a NCT certificate valid until 4 June 2005 was issued for the vehicle. The next test-due date for the vehicle is 5 June 2005. I am satisfied that the relevant statutory requirements are being correctly administered in the case.

Shannon Airport Landings.

578. **Mr. Quinn** asked the Minister for Transport if his attention has been drawn to claims (details supplied) relating to a Gulfstream-V jet; if his attention has further been drawn to claims that the plane has flown between Washington DC and destinations that include the Guantanamo Bay prison camp in Cuba and US overseas military bases, as well as Iraq and Afghanistan; that Shannon Airport is used as a refuelling post on such flights and that the flights are for the clandestine transport of enemy combatants to undisclosed locations for extraordinary rendition, that is, flying captured terrorist suspects and prisoners of war from one country to another for detention and interrogation; if he has investigated these claims; if the use of Shannon for such purposes has ever been sought from or notified to the authorities here by the US Government; if such use is compatible with domestic law and the State's international legal commitments; and if he will make a statement on the matter. [1411/05]

Minister for Transport (Mr. Cullen): As stated in a previous reply to a similar question on 23 November 2004, in accordance with the 1944 Chicago Convention on International Civil Aviation aircraft may come into Ireland for technical stops, such as for refuelling purposes, without notifying the Department of Transport. Under the Air Navigation and Transport Acts, there is no requirement for my Department to be notified

of the transportation of prisoners through Irish airspace.

Furthermore, I understand that the US authorities have confirmed to the Department of Foreign Affairs that the United States has not used Irish airports for the transit of prisoners to or from the detention centre at Guantanamo or elsewhere. I also understand that the US authorities have confirmed that they would transit Irish airspace or use Irish airports for this purpose without seeking the authorisation of the Irish authorities. My Department has never received any application from the US Government to operate this aircraft.

Road Signage.

579. **Mr. Broughan** asked the Minister for Transport his views on the fact that there was not a long lead-in to the adoption of the metric signage system. [1492/05]

Minister for Transport (Mr. Cullen): In order to reflect the scope and complexity of the overall metrication process a significant lead-in period was a feature of the planning for the introduction of metric speed limits on 20 January 2005. A working group carried out a review of speed limit structures and policies from February 2003 to September 2003 against the backdrop of the proposed changeover to the use of metric units of kilometres per hour. The group's report and recommendations were published on the Department's website in early October 2003. The Government decided in February 2004 to proceed with the metrication of speed limits and published the Road Traffic Bill 2004 on 11 June last to provide a legal basis for this policy. The passage of this Bill through the Houses of the Oireachtas took place in the period between 3 November and 15 December 2004 and it was signed into law by the President on 22 December 2004.

The Society of the Irish Motor Industry, SIMI, was represented on the working group and subsequently played an active role on the metrication changeover board that was established to oversee and co-ordinate the implementation of the metrication project country-wide. The technical requirements for speedometer equipment is set down in EU type-approval Directive 75/443/EEC, as amended by Directive 97/39/EC. It is a requirement for the registration and entry into service of new vehicles that their speedometers are type-approved in accordance with Directive 75/443/EEC, as amended. The legal advice available to me is that, under EU single market rules, it is not open to a member state to prohibit the entry into service of motor vehicles on grounds relating to their speedometers where these devices are type-approved in accordance with Directive 75/443/EEC, as amended. We are therefore precluded from insisting that new vehicles entering into service in this State from January 2005 must have metric only, or metric-dominant, speedometers.

SIMI has played a key role in achieving that almost all new vehicles for sale are now fitted with metric only or metric-dominant speedometers.

A particularly successful element of the overall metrication process was the level of consultation with the authorities in Northern Ireland. The metrication changeover board liaised with the authorities in Northern Ireland throughout 2004 and into January 2005 in relation to the introduction of metric speed limits in this jurisdiction. The discussions focused on road safety and, in particular, the provision of traffic signs at Border crossings and initiatives for a public information and awareness campaign in each jurisdiction.

580. **Ms Shortall** asked the Minister for Transport the reason for the delay in issuing guidelines to local authorities regarding the setting of 30 kph speed limits; and when he will do so. [1493/05]

Minister for Transport (Mr. Cullen): The relevant provisions of the Road Traffic Act 2004 that provide the legislative basis for a new basis for a new system of speed limits based on metric values were commenced with effect from 20 January 2004. Section 9 of the Act relates to the making of speed limit by-laws by the elected members of county and city councils and also provided that the Minister for Transport may issue guidelines relating to the making of special speed limit by-laws.

With the commencement of the provisions in the Road Traffic Act 2004 relating to speed limits generally with effect from 20 January 2005 and the completion of the programme for the provision of the traffic signs necessary to support the actual changeover, county and city councils are now free to embark on the process of making new speed special speed limit by-laws. In support of such process, a draft of new guidelines to assist the local authorities is being finalised and forwarded to county and city councils, the National Roads Authority, the Department of the Environment, Heritage and Local Government and the Garda Síochána for their views. The Department will shortly commence a consultation process with local authorities during which their views on the draft by-laws will be sought. Following the completion of that process, I will issue statutory guidelines in the coming weeks to the local authorities on a formal basis.

International Agreements.

581. **Ms Harkin** asked the Minister for Transport the situation regarding bilateral discussions on open skies policy between Ireland and the US; the timeframe for conclusion of these discussions; and the Government's position with regard to dual gateway status at Shannon Airport. [1597/05]

Minister for Transport (Mr. Cullen): In answer to a previous reply on 14 December 2004, I indicated that my officials were in Washington engag-

ing in exploratory discussions with US officials. Since then, both sides have maintained contact.

I have authorised these exploratory discussions against the background where the new board of Shannon Airport is now required to produce a business plan for the airport, and clarity on the open skies issue would be very helpful to that business planning process. I am also conscious that Irish airlines are currently restricted in the routes they can serve under the existing bilateral arrangement, and that expanding scheduled services across the Atlantic is of great importance to the growth of Irish airlines and Irish tourism.

Departmental Correspondence.

582. **Mr. Naughten** asked the Minister for Transport when a reply will be issued to correspondence (details supplied) forwarded to his office; the reason for the delay in replying to same; and if he will make a statement on the matter. [1598/05]

Minister for Transport (Mr. Cullen): I refer the Deputy to my reply to Question No. 397 of Tuesday 5 October 2004. A reply to the correspondence referred to issued on 13 August 2004. There was no undue delay in responding.

Rail Network.

583. **Mr. P. Breen** asked the Minister for Transport if Iarnród Éireann will be investing funds to upgrade the Ennis-Athenry-Galway line in 2005 in order to link up the recently upgraded Ennis-Limerick line. [1599/05]

Minister for Transport (Mr. Cullen): I am not aware of any proposals by Iarnród Éireann to upgrade the Ennis-Athenry-Galway line in 2005. Based on the success of the enhanced Limerick-Ennis line, the company is examining the possibilities of providing additional regional services in areas where the potential demand would justify the required investment. In addition, the western rail corridor working group is currently carrying out a comprehensive examination of all aspects of the proposal to reopen the western rail corridor, which would encompass the Ennis-Athenry-Galway line. I expect to receive a report from this group in the near future.

584. **Mr. Durkan** asked the Minister for Transport if he has proposals to increase the passenger capacity at the various rail stations throughout County Kildare; and if he will make a statement on the matter. [1600/05]

Minister for Transport (Mr. Cullen): Iarnród Éireann has submitted proposals to my Department for the enhancement of the Kildare route. The proposals involve significant track work and the upgrading of many of the stations along the line. The completion of the project would result in an increase in both commuter and intercity train journeys along the corridor. The proposals are being assessed by my Department and a

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response will issue to Iarnród Éireann in the near future.

State Airports.

585. **Mr. Costello** asked the Minister for Transport if a Gulfstream-V jet (details supplied) has been granted permission to land at any airport here since 15 March 2004; if so, the dates of arrival and departure, country of origin and destination of the flights; the number of passengers and crew; and if he will make a statement on the matter. [1650/05]

Minister for Transport (Mr. Cullen): In accordance with the Chicago Convention on International Civil Aviation 1944, aircraft may come into Ireland for technical stops, such as for refuelling purposes, without notifying the Department of Transport. No notification about this aircraft was received by my Department.

Freedom of Information.

586. **Mr. R. Bruton** asked the Minister for Transport the State, semi-State, State-sponsored and statutory bodies under the aegis of his Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if he envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1711/05]

Minister for Transport (Mr. Cullen): The list of bodies under the aegis of the Department of Transport that do not currently come under the remit of the Freedom of Information Acts 1997 and 2003 follows. Proposals to bring these bodies within the scope of the Act are considered from time to time in light of prevailing circumstances.

Transport agencies or bodies not included under Freedom of Information Acts to be included under the Acts later in the year include the Commission for Taxi Regulation and the Medical Bureau of Road Safety. Taking account of commercial, safety, restructuring or competition considerations, transport agencies or bodies not included under the Acts which are not scheduled for inclusion at present include Aer Lingus, Dublin Airport Authority, Shannon Airport Authority, Cork Airport Authority, the Irish Aviation Authority, Bus Átha Cliath, Bus Éireann and Iarnród Éireann.

Driving Tests.

587. **Mr. Perry** asked the Minister for Transport when an appointment will be scheduled for a person (details supplied) in County Sligo; and if he will make a statement on the matter. [1846/05]

Minister for Transport (Mr. Cullen): A driving test will be arranged in due course for the person concerned.

Road Network.

588. **Mr. P. McGrath** asked the Minister for Transport the amount spent in 2004 on national roads projects, including the expenditure by local authorities. [1849/05]

Minister for Transport (Mr. Cullen): Total Exchequer expenditure on national road improvement and maintenance projects in 2004 was €1.23 billion. Details of expenditure broken down by local authority are held by the NRA, which has been asked to forward the information directly to the Deputy.

Driving Tests.

589. **Mr. P. McGrath** asked the Minister for Transport the receipts for 2004 in fees for driver testing and the associated costs with operating this process. [1852/05]

Minister for Transport (Mr. Cullen): In 2004 my Department received €7 million on foot of applications for driving tests. In 2004 my Department spent €9.97 million on staff, accommodation and other services directly involved in the delivery of the driver testing service. However, this sum does not take account of the cost of shared services within my Department, such as human resources and IT, or of services provided by outside bodies such as the Office of Public Works. However, as I indicated in the Second Stage debate on the Driver Testing and Standards Authority Bill last October, the total cost is estimated to be approximately €11 million.

Rail Network.

590. **Mr. Stagg** asked the Minister for Transport if he will approve the business case for the Kildare Arrow route project; if not, when he will respond to Irish Rail; if funding is available to proceed with the project from 2005; and if he will make a statement on the matter. [1870/05]

591. **Mr. Stagg** asked the Minister for Transport if he has considered Irish Rail's plan to provide a DART service on the Maynooth suburban line; and if he will make a statement on the matter. [1873/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 590 and 591 together.

Iarnród Éireann has submitted a business case to my Department for a greater Dublin integrated rail network, aimed at meeting the projected demand for rail services in the area into the future. Included in the business case are proposals to four-track the Kildare line; to electrify the Kildare and Maynooth lines; to provide an interconnector tunnel linking Heuston to the docklands; to provide a spur off the Maynooth line to Dunboyne; and to expand the capacity of the DART. The Iarnród Éireann proposals, which have a projected overall cost of €3 billion, are being assessed by my Department.

The plan is designed so that it can be implemented in stages. The first stage, the expansion of capacity on the existing DART line, is already under way and is due to be completed later this year. Specific proposals on the four-tracking of the Kildare line have also been received and are being assessed in the context of the overall plan. I expect to be in a position to respond to Iarnród Éireann regarding both the integrated plan and the Kildare route proposals in the near future.

Road Traffic Offences.

592. **Ms Shortall** asked the Minister for Transport the penalties attached to the offence of breaking vehicle turning bans such as a no right-turn ban at specified hours; and the statutory instruments under which such penalties may be enforced. [1891/05]

Minister for Transport (Mr. Cullen): The Road Traffic (Traffic and Parking) Regulations 1997 to 2005 and the Road Traffic (Signs) Regulations 1997 to 2005 provide for the prohibition on vehicle turns, such as turns to the right or left, on a public road where the appropriate regulatory traffic sign has been provided by the local authority. A driver who fails to comply with these road traffic regulations commits an offence and, on conviction in court, is liable to a fine not exceeding €800. If an offence is a second or subsequent such offence, he or she is liable to a fine not exceeding €1,500, and if the offence is a third or subsequent such offence committed within 12 months he or she is liable to a fine not exceeding €1,500 or imprisonment for a term not exceeding three months, or both.

Question No. 593 answered with Question No. 576.

Driving Tests.

594. **Mr. Hogan** asked the Minister for Transport when a driving test can be allocated to a person (details supplied) in County Carlow; and if he will make a statement on the matter. [1980/05]

Minister for Transport (Mr. Cullen): There is no record in my Department of an application for a driving test from the person concerned.

Heavy Goods Vehicles.

595. **Mr. Cregan** asked the Minister for Transport the position on the use of mud flaps on the wheels of HGVs; if the regulations are in force here; if so, if there are EU directives on the issue not yet being operated here; if there are statistics on accidents caused by spray from roads; and if he will make a statement on the matter. [1988/05]

Minister of State at the Department of Transport (Mr. Callely): Irish regulations require that, subject to certain exemptions, every vehicle and every trailer attached to a vehicle should be

equipped with wings or other similar devices to catch, so far as practicable, mud or water thrown up by the rotation of the wheels, unless adequate protection is afforded by the body of the vehicle.

Directive 91/226/EEC sets out the technical requirements that a spray suppression system must meet to obtain EC type approval certification for heavy goods vehicles. The purpose of the directive is to ensure that national standards for spray suppression equipment do not constitute barriers to trade. The directive ensures this by setting type approval standards and requiring that the sale of new vehicles fitted with the specified equipment may not be prohibited in any member state.

While the directive does not require member states to make spray suppression systems obligatory, my Department is considering whether it should do so. Statistics relating to road accidents caused by spray from vehicles are not available.

Licensing Requirements.

596. **Mr. Kenny** asked the Minister for Transport the situation regarding a child who gets hurt on a bus that does not hold an operator's licence; and if he will make a statement on the matter. [2084/05]

Minister of State at the Department of Transport (Mr. Callely): An applicant for a road passenger transport operator's licence is required to satisfy the Minister that, before being granted the licence, he or she is of "good repute" and "appropriate financial standing" and satisfies the condition as to "professional competence". In considering whether an applicant is of "good repute", I am required to have regard to any conviction which the applicant is required to disclose. Such convictions include offences under the Road Traffic Acts and Road Transport Acts.

It is an offence to operate bus services involving buses carrying at least nine people without holding a road passenger transport operator's licence. An operator is liable to prosecution for such an offence. Any injury to a passenger on a bus is a matter, in the first instance, concerning the passenger and the owner of the bus.

Public Transport.

597. **Ms Burton** asked the Minister for Transport if he has proposals to allocate funding to Dublin Bus under the national development plan for additional buses to serve the Dublin 15 area, including Clonee; if his attention has been drawn to the severe deficiency of buses serving this rapidly growing area and the incapacity of Dublin Bus to provide additional services due to a lack of buses; and if he will make a statement on the matter. [2087/05]

Minister for Transport (Mr. Cullen): I understand the management of Dublin Bus is currently examining ways of maximising the utilisation of the existing bus fleet in light of the significant investment made to date under the national

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development plan and the ongoing changes in demand patterns for Dublin.

It would be premature to make any decisions on investment in additional capacity until my Department is satisfied that existing resources are being utilised in the most efficient and effective manner.

Appointments to State Boards.

598. **Mr. Gormley** asked the Minister for Transport the public appointments made in his Department since the Cabinet reshuffle in September 2004. [2097/05]

Minister for Transport (Mr. Cullen): The information sought by the Deputy is contained in the following table.

Agency	Name	Date Appointed
Aer Lingus	John Sharman (Acting Chairman)	Appointment Extended on 01/09/04
Dublin Airport Authority	Mr Dermot O'Loughlin	26/10/04 (resigned 03/12/04)
	Ms Linda Tanham	26/10/04
	Mr Arthur Hall	26/10/04
	Mr Michael Landers	26/10/04
Cork Airport Authority	Ms Mary O'Halloran	07/12/04
	Mr Tom O'Neill	07/12/04
	Mr Tony O'Connell	07/12/04
	Mr Seán MacSuibhne	07/12/04
	Mr Garret Lyons	07/12/04
Shannon Airport Authority	Mr. Joe Buckley	07/12/04
	Mr John McCarthy	07/12/04
	Mr Eddie O'Grady	07/12/04
	Mr Paul Dagger	07/12/04
Advisory Council to the Commission for Taxi Regulation	Chief Superintendent John Farrelly	06/10/04
	Mr Douglas Jordan	08/10/04
	Mr Derek Dalrymple	21/10/04
Dublin Transportation Office	Mr William Soffe	24/11/04
	Mr. Pat Mangan	15/12/04
	Mr Niall Bradley	15/12/04
	Mr John Tierney	13/12/04
	Mr Al McHugh	13/12/04

Proposed Legislation.

599. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs when a decision will be reached in regard to whether legislation will be required as part of a national plan on volunteering (details supplied); and if he will make a statement on the matter. [34246/04]

609. **Mr. Wall** asked the Minister for Community, Rural and Gaeltacht Affairs his views in regard to a submission (details supplied); the position of his Department on assisting with the objectives of the submission; and if he will make a statement on the matter. [1051/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): I propose to take Question Nos. 599 and 609 together.

I refer the Deputies to my replies to previous questions on this matter, in particular my reply to Question No. 54 of 14 December 2004. As indicated in that reply, I am not contemplating the introduction of legislation on volunteering.

However, I hope to be in a position over the coming period to announce a number of initiatives in support of volunteering. The organisation referred to by the Deputy and others concerned will be kept informed of such initiatives.

Statutory Instruments.

600. **Mr. Neville** asked the Minister for Community, Rural and Gaeltacht Affairs the costs of implementation of the Placenames Order (Gaeltacht Districts) 2004. [34315/04]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): No additional costs arise from my Department in the implementation of this statutory instrument. My Department consulted the public bodies primarily affected by this order, namely Ordnance Survey Ireland and the Department of the Environment, Heritage and Local Government. I am advised that no significant additional costs arise for Ordnance Survey Ireland. As the Deputy will be aware, the order involves no change in the pre-existing requirements in so far as road traffic signs, including

directional signs, in a Gaeltacht district are concerned. I understand that some costs will arise for local authorities in altering a relatively small number of existing signs located outside the Gaeltacht over the three-month period before the order takes effect. The provision of road traffic signs on non-national roads and the funding of such signs is a matter for individual local authorities.

Rural Development.

601. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals to ensure that enterprise support mechanisms in rural areas allow those areas to compete successfully for enterprise development; and if he will make a statement on the matter. [34316/04]

602. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals to ensure that there are multidimensional policies for rural areas which recognise that a total dependence on agriculture will not sustain the population in rural areas; and if he will make a statement on the matter. [34317/04]

603. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals in regard to rural development policy to serve the needs of broader society in rural areas; and if he will make a statement on the matter. [34318/04]

604. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals regarding rural development policy being implemented in partnership between public and private organisation and civil society in line with the principle of subsidiarity. [34319/04]

605. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs the progress to date regarding the necessary and urgent need for a significant simplification of EU rural development policy in order that delivery is based on one programming, financing and control system tailored to the needs of rural development; and if he will make a statement on the matter. [34320/04]

606. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals to give more responsibility to programme partnerships in rural development; and if he will make a statement on the matter. [34321/04]

613. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals to concentrate rural spending on non-farming investment; and if he will make a statement on the matter. [1360/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I propose to take Questions Nos. 601 to 606, inclusive, and 613 together.

Current policy on rural development is set out in the White Paper on rural development, *Ensuring the Future*, published in 1999. Over five years later, while there has been significant change in

rural areas and indeed throughout the country, the vision of the long-term future of Irish rural society articulated in the White Paper remains the core of rural development policy. The vehicle for delivering the commitments in the White Paper is the national development plan, supplemented by other programmes and measures such as CLÁR and the rural social scheme. Other policy statements and studies, such as the national spatial strategy and the recent *Agri Vision 2015* report, help to refine, update and strengthen rural development policy.

An Agreed Programme for Government of June 2002 contained a commitment to giving a clear priority to the protection and development of rural communities. My appointment as a Minister with responsibility for rural development was, and continues to be, the clearest sign of the Government's intentions in that regard.

We need to continue to focus on the fact that some 40% of the population live in rural areas, the majority of whom are not farmers. Consequently, in view of the time that has elapsed since the publication of the White Paper, I am currently considering the desirability of restating our rural development priorities for the coming period. I am heartened that, at EU level, the Commission's thinking on rural development policy, contained in the proposals in the draft regulation on rural development, reflects a positive and strategic vision on the future of rural areas, including farm and non-farming dimensions. The provisions of that regulation relevant to my Department include measures aimed directly at developing basic services in rural areas, supporting small business creation and providing employment opportunities locally. Simplification is an issue which I will be pursuing in the context of negotiations on the draft regulation.

In my address to the National Rural Development Forum in Athlone on 17 January, I identified the key challenge for Ireland as striking the correct balance between financial on-farm support and off-farm economic opportunity. Therefore, we must ask ourselves some hard questions. For example, we must ask whether rural prosperity can best be promoted through focusing the vast majority of the spend on direct farm investment or whether the development of a diversified rural economy and a consequent increase in spend on non-farming investment is the way forward. Allowing for the significant decline in full-time farming and for enhanced educational attainments of our children, it seems that the development of a diversified rural economy is essential.

The total indicative fund available to support rural development during the period 2007 to 2013, subject to budgetary agreement later this year, is almost €96 billion for the whole EU. Due to the increasing prosperity of the country as a whole it will be very difficult to secure as favourable a financial package for Ireland this time around as was secured in respect of the last rural

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development programme for the period 2000 to 2006. However, together with my colleague the Minister for Agriculture and Food, we will negotiate the best financial deal possible for rural areas.

On enterprise support, the review of enterprise support in rural areas was launched at the recent National Rural Development Forum in Athlone. I, in consultation with my colleagues, the Minister for Enterprise, Trade and Employment and the Minister for Arts, Sport and Tourism, will now consider how best to advance recommendations in the report, as appropriate. The formulation of the current proposals for EU rural development policy was heavily influenced by the need to meet the targets set in the Lisbon Agenda which aims to make the European Union the most competitive, knowledge-based world economy by 2010. Commissioner Fischer Boel has recently reinforced this central truth stating that “a market oriented CAP and a growth oriented rural development policy are potentially central elements in the Commission’s main political priority of promoting the Lisbon Agenda”. Accordingly, the socio-economic rural development axis of the draft EU regulation includes provision for the diversification of the rural economy through, for example, the creation of micro-enterprises and rural tourism. I will of course be paying particular attention to this in the negotiations.

The partnership approach in rural development programmes, principally LEADER, are well-established at this stage. The boards of the groups are tripartite in structure, comprising representatives of the local community and development associations, private sector business interests and the local state agencies, including county council representatives. There are 35 local action groups and three national bodies involved in the delivery of LEADER and they cover all rural areas. The budget for the Leader+ and area-based rural development initiatives is almost €150 million for the period 2000 to 2006.

The CLÁR programme, which I initiated in 2001, is also contributing to the development of the most disadvantaged rural areas. It is targeted at areas which have suffered the greatest population decline. This programme co-ordinates existing sources of public and private finance and provides additional stimulus funding for small scale economic and social infrastructure to help rural communities overcome local difficulties and improve the provision of essential services such as water supply, sewerage disposal, local road access and broadband communication.

The programme has vividly demonstrated that small amounts of public funding, specifically targeted, can have a profound and positive impact in disadvantaged rural areas. Expenditure under the programme amounted to €14.14 million in 2002, €8.613 million in 2003 and €12.116 million in 2004. It is estimated that this levered out a

further €36 million in related public and private expenditure in those three years. The provision in the Estimates for 2005 is €13.2 million, representing a 9% increase over the 2004 outturn.

While much has been achieved since the publication of the White Paper, I am not complacent. The improvement of the economic and social condition of rural communities will continue to be a priority for me, especially in the context of the critical negotiations now in progress at EU level.

Acht na dTeangacha Oifigiúla 2003.

607. D’fhiafraigh **Mr. O’Shea** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an molfaidh sé don Oifig Logainmneacha na liostaí logainmneacha go léir atá acu a chur ar an idirlíon agus an ndéanfaidh sé ráiteas ina leith. [34619/04]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Tá ocht n-ordú logainmneacha déanta agam go dtí seo faoi fhorálacha Acht na dTeangacha Oifigiúla 2003. Clúdaíonn na horduithe sin ainmneacha na n-aonad riaracháin sna ceantair Ghaeltachta móide ainmneacha na n-aonad riaracháin i sé gcontae eile. Tá na horduithe seo go léir ar fáil ar shuíomh idirlín na Roinne Gnóthaí Pobail, Tuaithe agus Gaeltachta (www.pobail.ie). Tugann na horduithe seo na leaganacha Gaeilge de bhreis is 12,000 logainmneacha. Tá sé i gceist go ndéanfar ceithre ordú logainmneacha eile i mbliana a chlúdóidh ainmneacha na n-aonad riaracháin i dtrí chontae eile, móide ainmneacha na n-aonad daonra nach bhfuil clúdaithe faoi orduithe eile. Cuirfidh na horduithe seo breis is 11,000 logainmneacha Gaeilge eile ar fáil ar an suíomh idirlín.

Anuas ar sin, tá mo Roinn ag scrúdú modhanna faoi láthair chun an t-eolas seo agus taighde iomlán an Bhraíne Logainmneacha a chur ar fáil ar bhealaí leictreonacha eile.

Community Support Scheme.

608. **Mr. O’Shea** asked the Minister for Community, Rural and Gaeltacht Affairs his proposals to provide funding for the replacement of obsolete personal alarms for senior citizens (details supplied); and if he will make a statement on the matter. [34620/04]

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 encourage and assist the community’s support for older people by means of a community based grant scheme to improve the security of its older members. Funding under the scheme can be provided for small scale security equipment designed to strengthen points of entry to the dwelling; for security lighting and for the once-off cost of installing socially monitored personal alarm systems.

Where socially monitored alarms, or security equipment, previously installed under this scheme are broken or defective and are outside the guarantee period, a limited amount of funding is available towards the cost of replacement. Applicant groups were requested to supply a separate list of all such cases in their application form indicating when the previous alarm was supplied and the reason for its proposed replacement. The group in question did not supply this information. However, if the required information is supplied, my Department will be happy to reconsider the application.

As outlined in the scheme guidelines, the replacement of alarms which remain fully functioning would not be considered simply because of their age or because of claims of obsolescence by the supplier.

Question No. 609 answered with Question No. 599.

610. **Mr. G. Mitchell** asked the Minister for Community, Rural and Gaeltacht Affairs the organisations that are providing security lights for the elderly under the security for the elderly grant scheme in the Dublin area for a person (details supplied) in Dublin 12; and if he will make a statement on the matter. [1247/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The scheme of community support for older people encourages and assists local support for older people by means of a community-based grant scheme to improve the security of its older members. Funding under the scheme can be provided for small scale security equipment designed to strengthen points of entry to the dwelling; for security lighting and for the once-off cost of installing socially monitored personal alarm systems. In 2004 the scheme was expanded to include smoke alarms.

The scheme is administered by community and voluntary organisations throughout the country with support provided by my Department. Any local voluntary or community-based organisation especially those working with or providing support for older people can apply to the Department for funding under the scheme. Before applying, the applicant organisation should satisfy itself that it has the capacity and is in a position to meet the conditions associated with administration of the scheme as set out in the guidelines.

Following is a list of organisations in the Dublin area which received funding to date under the 2004 scheme. The 2005 scheme will be advertised in the coming months.

Organisation	Address	Telephone Number
Donabate Portrane Senior Citizens	Annolville, The Burrow, Portrane, Co Dublin	01 8436707
Neighbourhood Watch & Edenmore Tenants	137 Edenmore Avenue, Raheny, Dublin 5	01 8484566
Corbawn & Area Neighbourhood Watch	10 Corbawn Court, Shankill, Dublin 18	01 2821817
Passionist Mount Argus	St Pauls Retreat, Mount Argus, Dublin 6W	01 4992000
Inchicore Home Help Service Ltd	Unit 4, Iceland Buildings, Ballyfermot, Dublin 10	01 6239457
Naul Senior Citizens	Hazardstown, Naul, Co Dublin	01 8413699
Clondalkin Senior Citizens Social Club	45 Cappaghmore, Clondalkin, Dublin 22	01 4573334
Carers Association Rathgar	26 Wesley Road, Rathgar, Dublin 6	01 4904554
National Assoc. of Widows in Ireland	29 Gardiner Place, Dublin 1	01 8728814
Carers Association Clondalkin	Unit 3, Dolcan Mall, Tower Road Clondalkin, Dublin 22	01 4670797
Alone	1 Willie Bermingham Place, Kilmainham Lane, Dublin 8	01 6791032
Finglas Cabra Council for Older People	Rosehill House, Finglas Road, Finglas, Dublin 11	01 8361666
Fold Housing Assoc Ireland Ltd	27 Upper Fitzwilliam Street, Dublin 2	01 6328603
Coolock Darndale Home Help Service	Cromcastle Rd, Coolock, Dublin 5	01 8478410
Age Action Ireland Ltd	30/31 Lower Camden St, Dublin 2	01 4756989
Rush Senior Citizens	Kenure Demesne, Rush, Co Dublin	01 8439064
Beaumont Residents Association	101 Coolgreena Road, Beaumont, Dublin 9	01 6390393
Lorcan O'Toole Day Care Centre	Lorcan O'Toole Court, Kimmage Road West, Kimmage, Dublin 12	01 4554532
Ringsend Active Retirement Association	CYMS, St. Patricks Terrace, Ringsend, Dublin 4	
Ballyroan Community Care Group	c/o 203 Ballyroan Road, Rathfarnham, Dublin 16	01 4946675
SVDP Church of The Three Patrons	48 Rathgar Road, Rathgar, Dublin 6	087 2976178
Templeogue District Active Retirement	75 Cypress Grove Road, Templeogue, Dublin 6W	01 4907298
Ballyfermot Home Help Service	Unit 4 Iceland Building, Le Fanu Rd, Ballyfermot, Dublin 10	01 62345555
St. Annes Afternoon Club	The Parish Centre, St. Annes, Strand Road, Portmarnock	01 8462685
Royal Hospital Donnybrook Vol House Ass.	28 Cullenswood, Off Cullenswood Park, Ranelagh, Dublin 6	01 4979600

Organisation	Address	Telephone Number
Blanchardstown Innercity Home Care Assoc.	Roselawn Health Centre, Blanchardstown, Dublin 15	01 8116070
Parish Drumcondra Nth. Strand St. Barnabas	The Rectory, 74 Gracepark Road, Dublin 9	01 8372505
Blanchardstown Carers Resource Centre	Marian House, The Rise, Main Street, Blanchardstown, Dublin 15	01 8119555
Moorefield Environment Group	27 Moorefield Lawns, Clondalkin, Dublin 22	01 4576762
SVDP St. Joseph's Conference Dublin	Berkeley Road Church, Berkeley Road, Dublin 7	
Energy Action Ltd	Unit 14, Newmarket, Dublin 8	014545464
IWA Lucan	Broadmeadows, Newcastle Road, Lucan, Co Dublin	01 6302415
Malahide Active Retirement Assoc.	Avondale, Seamount Road, Malahide, Co Dublin	01 8460007

Dormant Accounts Fund.

611. **Mr. Lowry** asked the Minister for Community, Rural and Gaeltacht Affairs the amount which has been distributed to date under the Dormant Accounts Fund; the amount of this which has been given to agencies or organisations in north Tipperary; the date on which it was given; and if he will make a statement on the matter. [1308/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): Decisions on the disbursement of funds from dormant accounts moneys are a matter for the Dormant Accounts Fund Disbursements Board, an independent body established under the Dormant Accounts Acts. The board engaged Area Development Management Limited to administer the initial round of funding on its behalf. To date the board has approved 420 projects for funding totalling approximately €42 million.

Four applications have been approved for projects in north Tipperary totalling €222,687. Details of these applications are as follows: the Autistic Outreach Unit, Ardcroney — €20,000, approved by the board in June 2004; Borrisokane Area Development Company Limited, Borrisokane — €3,000, approved by the board in August 2004; Borrisokane Area Development Company Limited, Borrisokane — €17,687, approved by the board in August 2004; North Tipperary VEC, Nenagh — €182,000, approved by the board in December 2004.

The drawdown of funding is subject to the satisfactory completion of legal contracts between the individual groups and the board. As part of this process, groups are required to submit necessary documentation such as agreed budgets, tax clearance certificates, evidence of insurance etc. to Area Development Management before payments are made. While contracts have been signed in respect of the first three projects listed above, Area Development Management awaits the receipt of certain documentation before it is in a position to make payments in respect of the approved grants.

612. **Mr. Lowry** asked the Minister for Community, Rural and Gaeltacht Affairs if he will

consider expanding the funding criteria of the dormant accounts fund to include groups and organisations in Area Development Management partnership companies areas; if he will consider some alternative to allow areas which are not CLÁR, RAPID or drugs task force areas to apply for funding; and if he will make a statement on the matter. [1309/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): Decisions on the disbursement of dormant accounts funds are a matter for the Dormant Accounts Fund Disbursements Board, an independent body established under the Dormant Accounts Acts. The board has engaged Area Development Management Limited to administer the initial round of funding on its behalf which will involve the disbursement of up to €60 million from the fund to assist programmes or projects targeting three broad categories of persons, those affected by social and economic disadvantage, those affected by educational disadvantage and persons with a disability.

The bulk of dormant accounts funding is initially targeted at those areas designated as most disadvantaged, namely, RAPID, CLÁR and drugs task force areas. In this regard, all allocations under this round of funding within the social and economic category are in respect of such areas. However, projects which are not in RAPID, CLÁR or drugs task force areas can qualify for assistance under the educational disadvantage and persons with a disability categories.

The Dormant Accounts (Amendment) Bill 2004, which is before the Oireachtas, provides for key changes in decision-making on disbursements. The arrangements applying to any future rounds of funding including eligible areas may fall for consideration in this context.

Question No. 613 answered with Question No. 601.

Rural Social Scheme.

614. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs the reason only 900 persons are taking part in the rural social scheme; the further reason there is a disap-

pointing lack of take-up of the scheme in some areas; and if he will make a statement on the matter. [1361/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The scheme, the details of which were announced in May 2004, accepted its first participants in July 2004 and the numbers have been increasing steadily since then. Substantial progress has been made in this time. There are 1,026 participants on the rural social scheme. I expect the participant numbers will continue to increase and that all 2,500 places will be availed of by early this year.

Departmental Funding.

615. **Mr. R. Bruton** asked the Minister for Community, Rural and Gaeltacht Affairs if his Department has been approached by an organisation (details supplied) seeking assistance in developing its role; and if he will make a statement on the matter. [1588/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): A request for funding from the organisation in question is being considered by my Department.

Freedom of Information.

616. **Mr. R. Bruton** asked the Minister for Community, Rural and Gaeltacht Affairs the State, semi-State, State-sponsored and statutory bodies under the aegis of his Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if he envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1712/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The State, semi-State, State-sponsored and statutory bodies under the aegis of my Department that are not subject to the Freedom of Information Acts are the National Advisory Committee on Drugs, An Foras Teanga, Arramara Teoranta, the Dormant Accounts Fund Disbursement Board and Waterways Ireland.

Proposals are being developed in the Department of Finance in the context of plans to extend the Freedom of Information Acts to other appropriate bodies by the end of 2005. The question of extending the Freedom of Information Acts to the National Advisory Committee on Drugs is being considered in this context. Extension of the Freedom of Information Acts to Arramara Teoranta will also be considered.

The Dormant Accounts (Amendment) Bill 2004, before the Oireachtas, provides for the dissolution of the board and for the establishment of a new Dormant Accounts Disbursement Board. At such time, consideration will be given to whether the new board should be brought

within the scope of the Freedom of Information Acts.

An Foras Teanga and Waterways Ireland are North-South Implementation Bodies established under the British-Irish Agreement Act 1999. Preparation of the code of practice on access to information held by such bodies is at an advanced stage and it is expected to be implemented during 2005. In addition, my Department is covered by freedom of information legislation and any information held by my Department which is common to both the Department and the bodies is subject to this legislation.

Coimisiún Craolacháin na hÉireann.

617. D'fhiafraigh **Mr. O'Shea** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an raibh cainteanna aige leis an Aire Cumarsáide, Mara agus Acmhainní Nádurtha, le Coimisiún Craolacháin na hÉireann, le RTÉ agus le RTÉ Raidió na Gaeltachta faoi Raidió na nÓg a chur ar bun agus an ndéanfaidh sé ráiteas ina leith. [1768/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Rinne Coimisiún Craolacháin na hÉireann suirbhé le déanaí chun leibhéal spéise an aosa óig timpeall na tíre i gclár raidió trí mheán na Gaeilge a thomhais. Bhí an suirbhé comh-mhaoinithe ag an gCoimisiún, ag mo Roinn féin agus ag Foras na Gaeilge.

D'fhoilsigh Coimisiún Craolacháin na hÉireann torthaí an tsuirbhé sin ar 20 Eanáir 2005 agus tá i gceist agam na torthaí sin a phlé leis na páirtithe cuí go luath.

Road Network.

618. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs if funding will be allocated to a road (details supplied) in County Mayo from his Department in 2005. [1826/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The road in question has been examined by officials of my Department. An estimate for repairs to the road has been obtained from Mayo County Council and the application will be taken into consideration with other cases when funding is next being allocated.

Grant Payments.

619. **Mr. Sargent** asked the Minister for Community, Rural and Gaeltacht Affairs if a company (details supplied) that owns a quarry at a location (details supplied), which received grants from Údarás na Gaeltachta despite not being in the Gaeltacht, will be asked to repay the grant money, even if it was granted in error by An tÚdarás, in the same way that social welfare recipients who recently received double payments in error were asked to pay the money back and in view of the fact that no other State body would have granted money due to the fact that it is not

[Mr. Sargent.]
policy to grant money to quarries; and if he will make a statement on the matter. [1908/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): In my response to Question No. 40 on 14 December 2004 and to previous questions in the matter, I set out the facts in regard to the grant paid to this company. The position remains unchanged.

Ministerial Appointments.

620. **Mr. Gormley** asked the Minister for Community, Rural and Gaeltacht Affairs the public appointments made in his Department since the Cabinet reshuffle in September, 2004. [2098/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): No non-Civil Service appointments have been made by me, in my Department, since the Cabinet reshuffle in September 2004.

Milk Quota.

621. **Mr. Deenihan** asked the Minister for Agriculture and Food if a person (details supplied) in County Kerry will be allocated milk quota from the hardship fund; and if she will make a statement on the matter. [34144/04]

Minister for Agriculture and Food (Mary Coughlan): Allocations of milk quota from the milk quota national reserve are granted on the basis of recommendations from the milk quota appeals tribunal. The tribunal is a body established to consider and advise on applications for additional quota from individual producers who have suffered severe hardship in the context of the milk quota system. The named person has submitted an application for additional quota on the grounds of hardship in the current 2004-05 milk quota year. The tribunal will endeavour to examine all applications before the end of the quota year. All applicants will be notified of the outcome as soon as their cases have been considered.

Grant Payments.

622. **Mr. P. Breen** asked the Minister for Agriculture and Food if consideration will be given to an application under the 2004 premium scheme for a person (details supplied) in County Clare; and if she will make a statement on the matter. [34145/04]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted four applications under the 2004 EU special beef premium scheme, one dated 11 August 2004, in respect of one animal, one dated 8 October 2004, in respect of one animal, one dated 29 November 2004, in respect of three animals and one dated 10 December 2004, in respect of one animal. The animal in question, which died two days prior to the end of the retention period, was included on the application dated 11 August 2004.

Under the terms and conditions governing the 2004 EU special beef premium scheme, which derive from EU regulations, premium will not be paid if an animal dies or is lost or removed during the retention period due to natural circumstances for example, death of animal following an accident or disease but not sale, provided the applicant notifies the cattle movement monitoring system database within ten working days of any such event. However, where an applicant fails to so notify such an event, additional penalties are also applied.

In the circumstances therefore, no payment can issue in respect of the animal in question and the animal will, be counted for premium stocking density purposes as required by the EU regulations. Payment in respect of the remaining three applications will issue shortly. The person named had two animals slaughtered under the 2004 slaughter premium scheme. Both of these animals were also eligible for the national envelope top-up on beef breed heifers. The 60% advance payment has issued in respect of both animals.

Milk Quota.

623. **Mr. M. Higgins** asked the Minister for Agriculture and Food if she will take steps to bring to a conclusion matters with which her Department was dealing as far back as 1983, and on which representations were made to her in 2004 in relation to the complex issues that need to be brought to a conclusion to enable the farming practices of a person (details supplied) to be vindicated and to continue; and if she will take on an initiative in this matter to achieve a just and final solution in the interests of all concerned. [34196/04]

Minister for Agriculture and Food (Mary Coughlan): The undertaking referred to relates to a written undertaking given by my Department in 1997 to the named person. This undertaking has been complied with in full. Arising from this undertaking, a comprehensive review of the named person's milk quota related issues took place in 1997. As a result of this review, which included a series of meetings with the named person, my Department granted a substantial allocation of permanent and temporary milk quota to the named person. The amounts concerned far exceeded any allocation ever given from the national reserve. These additional allocations were part of a full and final settlement offer made to the named person in writing by my Department. This offer was accepted in writing by the named person.

Any outstanding issues relating to an alleged reduction in the named person's milk price and loss of winter milk bonus are entirely a matter between the named person and his milk purchaser. Despite receiving the permanent and temporary additional milk quota allocations to which I have referred, the named person issued proceedings against my Department and a third party in 2003. As a result, it would not be correct

of me to comment further on these issues other than to confirm that my Department has dealt very generously with the named party since 1997.

624. **Mr. M. Higgins** asked the Minister for Agriculture and Food if she will make a statement on the implementation of an undertaking given to examine the milk quota situation, possible super levy obligations, compensation for reduced price and non- payment of milk bonuses, to a person (details supplied), and referred to in a letter from an official of hers of 13 March 1997; if such implementation has taken place; and if she has plans to reach a conclusion on this matter. [34197/04]

Minister for Agriculture and Food (Mary Coughlan): The matters referred to in the question relate mainly to litigation undertaken by the person named in the 1980s and specifically to two judgments of the High Court and Supreme Court, delivered in 1985 and 1988 respectively. My Department was not a defendant in this litigation.

Despite the resolution of this litigation in 1988, in favour of the person named, he has continued to pursue certain matters with my Department and indeed other Departments, which he claims are associated with this long concluded litigation. Arising out of the contacts with my Department, substantial allocations of permanent and temporary milk quota were made to the person named. These additional allocations were part of a full

and final settlement offer made to the person named and accepted by him. The recent representations made by the person named in 2004 are in reality an attempt to re-open the litigation, concluded in 1988. It was open to the person named to issue proceedings against my Department concerning these issues within six years after the conclusion of the litigation in 1988, which he failed to do.

Proceedings, which may be statute barred, were issued by the person named in 2003 against my Department and a third party on issues connected with allocations of milk quota and other related matters. My Department is fully defending these proceedings.

National Development Plan.

625. **Mr. Kenny** asked the Minister for Agriculture and Food the amount of capital investment funding which has been allocated to the food and agricultural sector under the national development plan to date; if she will provide a list of the projects funded and the amounts allocated to each to date; and if she will make a statement on the matter. [34286/04]

Minister for Agriculture and Food (Mary Coughlan): My Department is responsible for a number of capital investment measures under the national development plan. The table sets out the details of public expenditure under these measures for the period 1 January 2000 to 31 December 2004.

Operational Programme	Measure: Afforestation	€m
CAP Rural Development Programme	Afforestation	423.18
BMW and S&E Operational Programmes	<i>Measure: General Structural Improvement</i>	
	Installation Aid for Young Farmers	18.58
	Farm Waste Management	46.79
	Improvement of Dairy Hygiene Standards	7.60
	Improvement of Animal Welfare Standards	—
	Animal Carcase Disposal	0.27
	Development of Grain Storage Facilities On Farm	2.42
	Improvement of Cattle Breeding Infrastructures	3.04
	Improvement of Equine Breeding Infrastructure	4.05
	<i>Measure: Alternative Enterprises</i>	
	Development of the Horticulture Sector	8.10
	Development of the Potato Sector	0.91
	Development of the Organic Sector	1.08
	Improvement in Equine Quality	1.97
	Housing/Handling Facilities for Alternative Enterprises	1.81
	<i>Measure: Local Enterprise Development</i>	
	Harvesting	2.12
	Woodland Improvement	20.51
	Forestry Roads	9.53
Productive Sector Operational Programme	<i>Measure: Indigenous Industry</i>	
	Production and operations — food industry	19.50
	Measure: Food Industry	
	Food agricultural products — capital investment	14.78
	Total	586.24

626. **Mr. Kenny** asked the Minister for Agriculture and Food the amount of funding to the food and agricultural sector which has been allocated to the research, technology and innovation measure under the national development plan to date; if she will provide a list of all the projects funded and the amounts allocated to each to date; and if she will make a statement on the matter. [34287/04]

Minister for Agriculture and Food (Mary Coughlan): In the period 1 January 2000 to 31 December 2004, public expenditure of €71.95 million has been allocated in the food and agri-

culture sector under the research, technology and innovation measures of the national development plan. The measures concerned are:

Measure	Amount allocated €m
Food Institutional Research Measure	50.01
In-Company Research in the food sector	17.82
Research Stimulus Fund	4.12
Total	71.95

Details of the projects funded and the amounts allocated are set out in the attached appendices.

Appendix 1: Awards under Food Institutional Research Measure.

Project Title	Institution	Award	Paid to Date
		€	€
Surveillance and epidemiology of antibiotic resistance in campylobacter, salmonella and E coli 0157:H7.	CIT, NUIG, Teagasc/NFC	411,360	320,102
Contribution of stress responses to the virulence potential of listeria monocytogenes in Irish foods.	UCC, UL	545,987	491,389
HACCP implementation in Irish beef abattoirs	FSAI, Teagasc/NFC	426,322	297,130
Phytosterols and Oxyphytosterols in foods.	UCC	253,948	253,948
Detection and survival of Mycobacterium avium subsp Paratuberculosis. (M. ptb).	CVRL, NUIG, Teagasc/DPC, UCC	570,877	510,589
Analysis of the Irish Universities Nutrition Alliance food consumption database for issues relating to food safety and nutrition.	TCD, UCC	888,817	799,935
Dissemination and exploitation of results from the "Food Institutional Research Measure" to the Irish Food Industry.	Teagasc/DPC, UCC	1,714,614	1,335,206
Investigation of factors affecting salmonella control programmes in pork.	CVRL, NUIG, UCD	456,788	399,422
Optimising freeze chill technology for a range of ready to eat meal components.	Teagasc/NFC, UCD	355,526	319,974
BACTOOL: Bacteriocins as biological tools for food improvement	Teagasc/DPC, UCC	634,869	518,783
High pressure processing application for dairy products.	Teagasc/DPC, UCC	379,930	341,936
Development of gluten free cereal based convenience foods.	Teagasc/NFC, UCC	507,895	447,982
BACSAFE: elimination of foodborne pathogens using bacteriocins.	Teagasc/DPC, UCC	634,869	571,382
Evaluation and application of lactic acid bacteria to improve the quality and safety of the malting and brewing process.	UCC	761,843	761,843
Integrated minimal processing and packaging solutions for optimisation of sensory quality of ready-to-use fruits and vegetables.	UCC, UL	256,155	230,540
The association of whey proteins and casein during the development of novel milk proteinate/protein concentrate type ingredients for use in consumer foods.	Teagasc/DPC	417,966	376,169
Fractionation of whey proteins using novel membrane filtration processes and characterisation of their functionality in model and food systems.	Teagasc/DPC, NFC, UCC	469,803	422,822
The use of novel methods and new processing technologies for the development of heat stable dairy ingredients.	Teagasc/DPC, UCD	380,921	240,135
Functionality of dairy ingredients in chocolate.	Teagasc/DPC, UCC	380,922	337,082
Process improvements in cheese manufacture through rapid measurement of moisture, texture and composition.	Teagasc/DPC, NFC, UCC, UCD	627,251	499,788

Project Title	Institution	Award	Paid to Date
		€	€
Role of lipolysis in the biogenesis of cheese flavour.	Teagasc/DPC, UCC	613,283	551,955
Cheese efficiency.	Teagasc/DPC	203,158	141,835
Reduced fat cheese for pizza.	Teagasc/DPC	152,369	137,131
Biodiversity of cheese microflora and its role in cheese flavour development.	Teagasc/DPC, UCC	634,869	571,382
CLA in dairy functional foods.	DCU, Teagasc/DPC, UCC	634,869	571,381
Probiotic functional foods.	Teagasc/DPC, UCC	634,869	571,382
Novel nutritional approaches to salmonella reduction in pigs.	Teagasc/DPC, UCC, UCD	761,843	666,115
Modifications to existing research facilities.	UCC	634,869	501,547
Eating quality and consumer perception of organic and conventionally reared muscle foods.	UCC	266,642	239,978
Sensory specification: providing direction for innovative new product development.	UCC	445,335	400,801
Conjugated linoleic acid: evaluation of health benefits in humans.	TCD, UCC	761,800	761,800
Impact assessment of PSE on pigmeat quality from Irish factories and development of new technologies for the rapid determination of this condition following slaughter.	DCU, Teagasc/DPC, NFC, UCC	381,020	369,666
Application and further development of non-destructive oxygen sensing technology within the Irish food and food packaging industry.	UCC	380,952	380,952
Development of novel functional ingredients for use in the manufacture of convenience type meat / food systems.	Teagasc/NFC, UCC	491,084	441,975
Edible films and coatings for foods	UCC, UCD	711,020	513,342
Screening techniques for authenticity and safety confirmation in raw materials and food products.	Teagasc/NFC, UCD	364,323	311,585
Developing sous vide/freezing systems for ready meals.	Teagasc/NFC, UCC, UL	444,355	431,812
Development of organic breads and confectionery.	DIT, Teagasc/NFC, UCD	380,387	338,271
Adapting the Danish “food related lifestyle consumer model” (FRL) for market segmentation and predicting consumer trends on markets for prepared consumer foods in Ireland.	Bord Bia, Teagasc/NFC, UCC	435,016	386,964
Establishment of functionality and processability of individual muscles from Irish beef carcasses towards development of convenience type beef products from forequarter and some hindquarter beef.	Teagasc/NFC, UCC	469,707	409,287
Rapid methods for beef industry.	Teagasc/NFC	266,110	229,936
New fresh beef processing procedures to ensure consistent eating quality.	Teagasc/NFC, UCC	355,527	311,569
Enhancing healthiness, shelf life and flavour of Irish fresh packaged beef.	Teagasc/NFC, UCC	471,858	412,846
Active packaging systems for enhanced quality safety and shelf life of exported fresh beef retail cuts packed in Ireland.	Teagasc/NFC, UCD	355,527	297,084
Redevelopment of cooked meat facility at the National Food Centre.	Teagasc/NFC	317,435	317,435
Defining the critical limits for the use of chilling as a critical control point in a beef HACCP plan.	Teagasc/NFC, UCD	526,633	461,964
A risk assessment on verocytotoxigenic E coli (including E coli 0157:H7) in processed beef products.	Teagasc/NFC, UCD	685,458	601,752
Automated diagnostic tests for foodborne pathogens.	NUIG, Teagasc/NFC	761,806	619,444
Agri-Food Foresight: forward looking analysis with economic models.	TCD	100,733	96,423
Evaluating the potential of Ohmic and radio frequency heating technologies for the production of high quality meat based consumer foods.	Teagasc/NFC, UCD	554,882	499,394

Project Title	Institution	Award	Paid to Date
		€	€
Development of ingredient technology for a healthy flavoursome snack food.	UCD	304,841	274,357
Efficient cooling of ready meals and ready meal components to improve safety quality and competitiveness.	Teagasc/NFC, UCD	380,919	335,236
Impact of sheep genotype and TSE strain type on development and diagnosis of TSE in sheep: will genetic selection for resistance eliminate PrPsc.	DCU, UCD	368,224	303,964
A combined bioinformatic, molecular and biochemical approach to the identification and analysis of antimicrobial peptides in hen eggs.	TCD, UCD	671,437	557,162
Investigation of the modes of transmission of thermophilic campylobacter in commercially produced broiler flocks and strategies for their prevention and control.	NUIG, UCD	520,274	483,727
Analysis of gene and protein expression for the measurement of beef quality	NUIG, Teagasc/NFC, UCD	543,066	197,562
The development of a National Food Consumption database for children for risk assessment of food-borne chemicals.	TCD, UCC	742,884	606,394
Hemicellulase treatment of flour: a route to innovative bakery products.	NUIG, Teagasc/NFC	337,132	243,873
Optibiotics.	Teagasc/DPC, UCC	500,000	338,967
Temporal and spatial distribution of PrPsc in BSE infected transgenic mice expressing bovine PrP and experimentally infected cattle and its potential for diagnosis.	UCD	798,764	489,054
National food residue database.	Teagasc/NFC	250,000	123,940
Flavour and nutraceutically fortified foods enhanced by modified polysaccharide microgels containing targeted and controlled release materials.	Teagasc/DPC, UCD	514,382	85,731
Novel physical chemical methodologies for the detection of transmissible spongiform encephalopathies.	UCD	399,561	283,174
Verocytotoxigenic E coli 0157:H7V isolates from food animals and humans : DNA profiling and screening of the gene products in human intestinal tissue for assessment of the invasive and toxigenic potential of isolates of different origin.	Teagasc/NFC, UCD	626,778	308,382
Consumer orientated development of new functional drinks:meal replacements and supplements.	UCC, UCD	707,444	420,817
Development of very tender and extremely juicy large cooked meat joints.	UCD	350,000	211,403
Development of innovative raw and cooked cured meat products with enhanced profitability, quality and safety.	Teagasc/NFC, UCC	631,428	381,208
Rapid detection of antibiotic residues in milk using disposable bio-chip sensors.	DCU, UCC	380,734	306,279
Development of highly functional cheese sauce incorporating novel enzyme modified cheese.	Teagasc/DPC	489,247	172,249
Complete genetic makeup of lactobacillus helveticus DPC 4571: A strain for improved cheese flavour.	Teagasc/DPC	365,286	303,187
Functional beverages based on proteolysis of whey.	Teagasc/DPC, UCC	400,000	209,486
A rapid robust DNA assay for detecting prohibited animal materials in feedstuffs.	TCD	132,156	118,037
Development and evaluation of sensitive methods for the detection of human food borne viruses (NLV's and Astrovirus) in human and farm animal foods and faeces.	UCC, UCD	498,006	371,234
Mycotoxigenic fungi and mycotoxins in food.	Teagasc/NFC, UCC	449,940	404,946
A biotechnological system for production of value -added products, bioethanol and methane from non-animal food wastes with emphasis on hygiene aspects.	NUIG	191,472	67,015

Project Title	Institution	Award	Paid to Date
		€	€
Biological approaches to nutrient removal in the Irish food sector.	UCC	350,568	122,699
Assessment of vermicomposting techniques for the treatment of dairy processing WWT sludge.	Glanbia	65,316	22,861
Funding towards the co-ordination of an integrated project in theme area 5 — Food quality and safety of FP6	Teagasc/NFC	20,000	20,000
Funding towards the co-ordination of an integrated project in theme area 5 — Food quality and safety of FP6	UCC	15,000	15,000
Research factors influencing the formation of acrylamide in foods.	Teagasc/NFC, UCD	136,544	45,515
Food labelling research.	Consumer liaison panel	48,671	48,671
Funding towards the co-ordination of an integrated project in theme area 5 — Food quality and safety of FP6	UCD	5,900	5,900
Development of a cost effective, rapid in vitro model to assess bioavailability of health promoting ingredients from functional foods.	UCC	381,297	63,550
Active and intelligent packaging systems for extended shelf-life of soft/semi-soft farm cheeses.	UCC	288,705	48,118
MILK0BAR: applications of high pressure for enhanced processing, safety and functionality of dairy products.	Teagasc/DPC, UCC	676,164	112,694
The milk proteome: a tool for understanding milk quality and functionality.	Teagasc/DPC, UCC	390,700	65,117
Development of healthier meats and meat products.	Teagasc/NFC, UCC	614,246	102,374
Understanding the biochemistry and enzymology of cheese ripening and development of novel strategies to enhance the biogenesis of cheese flavour.	Teagasc/DPC, UCC, UL	1,038,756	173,126
Optimisation of techniques for the development of heat and serve products from lower value beef and lamb cuts.	Teagasc/NFC, UCC	538,664	89,778
Healthy fatty acid-enriched fresh beef: implications for shelf-life, flavour and the health of the consumer.	Teagasc/NFC, UCD, TCD	739,961	123,327
New and rapid methods for evaluating the baking characteristics of Irish grown wheat varieties.	Teagasc/NFC, UCD	434,108	72,351
Development of a technique to determine the influence of aerial contamination on beef, pork and lamb carcasses during slaughter.	Teagasc/NFC	159,400	26,567
Control of blown pack spoilage in vacuum packaged beef.	Teagasc/NFC	159,400	26,567
Analysis of the myofibrillar and connective tissue components of meat tenderness and their interaction with post-slaughter interventions.	Teagasc/NFC	333,608	55,601
Quantification of variation in beef at processor, retailer, consumer level and within certain beef markets to achieve a full palatability assured critical control points (PACCP) system.	Teagasc/NFC, UCC	999,543	166,591
Assessment of DNA markers for meat quality traits in Irish beef and pork	Teagasc/NFC, UCD	238,539	39,756
Technology transfer in the Irish meat sector	Teagasc/NFC	206,824	41,365
Interaction of gene expression pathways, breed and diet on the nutritive and flavour aspects of pigmeat.	Teagasc/NFC, UCD	361,108	60,185
Development of a technology commercialisation toolbox for publicly funded food research.	Teagasc/NFC, DIT	273,829	45,638
Development of cheese syneresis control technology for improved product consistency.	Teagasc/DPC, UCD	517,748	86,291
Novel snack foods containing functional fibre.	UCD	468,463	78,077

Project Title	Institution	Award	Paid to Date
		€	€
The impact on product quality of using high voltage pulsed electric fields in hurdle strategies for the preservation of minimally processed non-alcoholic beverages.	UCD	498,951	83,159
Electroheat applications for meat processing: ohmic pasteurisation and radio frequency defrosting of meat and meat products.	UCD	367,933	61,322
Novel antimicrobial by-products of whey.	UCD	462,313	77,052
Increased diversity and functionality of starter cultures for cheese manufacture.	Teagasc/DPC, UCC	780,000	130,000
Post-genomics of lactobacillus helveticus DPC4571: Milking the genomes sequence of L. helveticus starter cultures for commercially valuable enzymes.	Teagasc/DPC, UCC	580,000	96,667
Exploitation of advances in spray atomisation and agglomeration technologies for the development of novel ingredients for automated beverage vending.	Teagasc/DPC	278,667	46,455
Studies on the microbiology and sensory properties of novel low sodium ethnic ready meals.	Teagasc/NFC, DPC, UL	446,206	55,777
Developing a stakeholders guide on the vulnerability of food and feed chains to dangerous agents and substances.	UCD	7,000	7,000
Occurrence of salmonella on pork on the island of Ireland and an assessment of the risk factors contributing to its transmission.	Teagasc/NFC	300,000	150,000
		50,012,509*	32,085,700

* A further 11 projects with indicative funding of €5.6 million have received preliminary approval and award letters in respect of these are being finalised.

KEY

NFC — National Food Centre, Ashtown, Dublin 15.

DPC — Dairy Products Research Centre, Moorepark, Fermoy, Co.Cork.

UCC — University College Cork.

DIT — Dublin Institute of Technology

UCD — University College Dublin

CVRL — Central Vet.Lab, DAF.

TCD — Trinity College Dublin

DCU — Dublin City University

UL — University of Limerick

FSAI — Food Safety Authority of Ireland.

NUIG — National University of Ireland Galway.

CIT — Cork Institute of Technology

QUB — Queens University Belfast.

Appendix 2 — Details of RTI approvals in the food sector by the development agencies under the NDP

Company Name	Total Approved
Shalveys Poultry Limited	105,236
Golden Vale PLC	152,369
Quest International Ireland Limited	208,804
Green Isle Foods Limited (Roscommon)	324,862
The Roaring Water Bay Spirits Co. Ltd.	36,156
Green Isle Food Limited (Longford)	253,948
Glenisk Limited	39,119
Largo Food Exports Limited	95,992
Kerry Die Products Limited	89,263
The Irish Chocolate Company Ltd.	442,185
Pasta Concepts Limited	98,595
International Meat Ingredients Ltd.	217,633
Robert A Merry & Company Limited	23,173
Swissco Limited	178,874
Coolmore Fresh Foods Ltd.	30,934

Company Name	Total Approved
William Carr & Sons Ltd.	33,089
Cuisine de France Manufacturing Ltd.	360,974
William Connolly and Sons Ltd.	132,942
Rye Valley Foods Ltd.	442,631
Compsey Creamery Society Ltd.	31,796
Allinall Ingredients Limited	25,390
Golden Vale PLC	187,064
Kepak Longford	301,655
Heatherfield Limited	29,775
Manor Foods Ltd.	59,500
Carton Brothers Ltd.	327,846
Silver Hill Foods	42,840
Wexford Creamery Limited	199,984
Lir Chocolates Limited	33,277
Euroflavour Limited	31,535
Galtee Meats (Kilbeggan) Limited	248,950
United Fish Industries Ltd.	301,500
T O'Regan & Sons Limited	19,776
Glanbia Consumer Foods Limited	216,367
UDV Operations Ireland Ltd.	223,240
Lily's Limited	119,285
Ennis Foods Limited	34,549
Coolmore Fresh Foods Ltd.	157,066
J. E. O'Brien & Sons (Manufacturing) Ltd.	33,046
Pasta Concepts Limited	74,140
Allinall Ingredients Limited	11,916
Glenisk Limited	109,058
Diageo Ireland	325,350
The Irish Chocolate Company Ltd.	366,170
Quality Irish Food Limited	52,970
Tayto Limited	435,150
Taltech Engineering Holdings Limited	50,950
Callan Bacon Company Limited	32,926
Largo Food Exports Limited	106,250
Leeway Foods Limited	31,500
Kilkenny Spring Water Co. Limited	143,775
Sunshine Juice Limited	29,400
Rose MFG. Co. Limited	65,700
Rangeland Foods Limited	270,000
H.J. Heinz Frozen and Chilled Foods Ltd.	72,250
The Real Meal Company	143,453
Goldstar Meats	309,600
Lir Chocolates Limited	33,040
Swissco Limited	192,500
Cadbury Ireland Limited	444,250
Nutec	134,897
Pasta Concepts Limited	61,801
Deli Cuisine Limited	40,095
Connacht Gold Co-operative Society Ltd.	14,924
Zed Candy Limited	127,911
Wexford Creamery Limited	154,365
Quest International Ireland Limited	206,000
Glenisk Limited	111,860
Shalveys Poultry Limited	137,295
Bulmers Limited	293,000
Drover Foods Limited	237,615

Company Name	Total Approved
AIBP Limited	101,815
Dawn Fresh Foods Limited	137,130
Glanbia Fresh Pork Limited	169,190
Sheelin Meats Limited	98,190
Duffy Meats Limited	209,175
Green Pastures (Donegal) Limited	354,195
Hermitage Pedigree Pigs Limited	313,075
Green Isle Foods Portumna Limited	444,944
Green Isle Food Limited (Longford)	336,326
Fruitfield Foods Limited	263,332
Foxway Company	96,432
Allinall Ingredients Limited	89,775
Swift Fine Foods Limited	150,674
James Daly & Sons Limited	27,510
Kosy Shack Europe Limited	31,360
Tipperary Co-operative Creamery	275,231
Pasta Concepts Limited	64,164
Castlecool Limited	169,398
Hyde Limited	24,605
Anthony Donnelly & Sons Fruit Limited	192,605
Cuisine de France Manufacturing Ltd.	126,200
Swissco Limited	300,050
Oliver Carty Limited	153,450
Quality Irish Food Limited	217,575
Walsh Family Foods Limited	166,950
Shannon Vale Foods Limited	22,243
Carbery Milk Products Limited	424,855
Lily's Limited	149,120
Leeway Foods Limited	32,323
Coghlan's Bakery Products (Dublin) Ltd.	27,519
Green Isle Foods Limited (Naas)	139,250
Green Isle Foods Limited (Naas)	82,500
Green Isle Foods Limited (Roscommon)	306,423
All -Technology (Ireland) Limited	210,500
Shannon Minerals Limited	33,183
Able Foods Limited	33,318
Arrabawn Co-Operative Society Limited	358,750
M. & M. Walshe Limited	32,775
Leadmore Ireland Limited	33,250
Milne Foods Limited	99,315
Garryvoe Foods Limited	31,553
Martin Quigley (Nenagh) Limited	32,025
National Rusks Limited	33,040
HL Commodity Foods (Manufacturing) Ltd.	33,040
Cill Ide Farm Limited	32,573
Greenacres Foods (Ireland) Limited	87,545
Bia Gaoth Dobhair Teo	158,432
Follain Teoranta	26,250
Faughan Foods Limited	26,433
Cisti Gugan Barra Teoranta	24,150
Bia Gaoth Barra Teoranta	120,505
Total	17,815,552

Appendix 3 : Awards under Research Stimulus Fund.

Project Title	Institutions Involved	Award	Amount Paid 31/12/04
		€	€
Agri-Food Foresight: Forward looking analysis with economic models.	Teagasc, NUI Maynooth	60,000	31,465
Measuring and understanding productivity growth in Irish Agriculture	TCD	53,000	53,000
Landscape Impact of REPS — A quantitative assessment	UCD, QUB, Teagasc, ESRI	225,000	167,022
Parasite resistance in sheep: The genetic basis.	Teagasc, UCD	160,000	113,889
Cereal Pathology: Improving the genetic basis of host resistance to fungal diseases	UCD, N Dakota State University, John Innes Centre, UK	167,500	100,810
Increasing Dairy Cow Fertility.	UCD, Teagasc Athenry	230,000	119,646
Economic restructuring in rural communities: Analysis of responses to new problems and needs.	NUI Maynooth, Teagasc	140,000	70,274
Impact of prion protein genotype on reproductive, growth and carcass traits of sheep.	UCD, Teagasc	250,000	90,201
Development of a Risk Assessment model for the powdery scab/spraing complex of potatoes using the polymerase chain reaction.	UCD	180,000	107,169
Design and development of novel electronic sensors for detecting mastitis.	Teagasc, DCU	110,000	99,000
Control of disease in two integrated strawberry production systems.	NUI Maynooth, Teagasc	220,000	134,068
Action based research and development of a Web-based distance learning programme.	UCD, UCC, UCG, NUI Maynooth	210,000	174,130
An income and viability study of rural households: Income distribution, poverty and economic viability effects of the components of total household incomes.	ESRI, TCD	110,000	99,000
Measurement of the competitiveness of Irelands main agricultural commodities.	NUI Maynooth, Univ. of Missouri, TCD, Teagasc	21,000	21,000
Mechanisms underlying species variation in the absorption of prion protein by mammalian intestinal mucosa.	UCD, Central Veterinary Laboratory (DAF)	65,000	37,315
Sheep A1 using frozen-thawed semen: identifying the best rams.	UCD, Teagasc	180,000	69,504
Reduction of fungicide input in Irish cereal farming: biological control of foliar and head blight fungal pathogens of cereals.	UCD, Letterkenny Institute of Technology, Errigal Eisc Teo. Co. Donegal	180,000	66,480
Maximising the Biodiversity impacts of REPS.	BirdWatch Ireland, UCC	150,000	99,852
Integrated system for biomass fuel production in multiple land use systems based on small-scale willow short rotation and farm-forest production.	UCD, QUB, Rural Generation Ltd. Derry	165,000	88,100
Development of on-farm control measures for the reduction of Salmonellosis in slaughter pigs.	Teagasc, UCD, Central Vet. Lab.	180,000	55,875
Consequences for Irish agriculture and the dairy industry of alternative dairy policy regimes post 2006.	Trinity, UCC, QUB	135,000	19,181
Spatial modelling for rural policy analysis.	Teagasc, NUI Galway, Univ. of Leeds	180,000	51,908
Epidemiological studies on and development of a disease preventative programme for Cryptosporidiosis.	CVL, NI Public Health Lab. Service, Westmeath Co. Council	100,000	62,000
Development of improved formulations for mushroom casing and the use of rapid physical, chemical and microbiological analytical techniques to characterise them.	Teagasc, QUB	160,000	50,925
Gene-flow from cultivated Irish cereals and grasses to wild relatives.	NUI Maynooth, Teagasc	180,000	101,255
Spatial analysis of demographic and socio-economic changes in rural Ireland 1996-2000.	NUI Maynooth, Teagasc	50,000	30,000

Project Title	Institutions Involved	Award	Amount Paid 31/12/04
Rural enterprise development & sustainability.	UCC, NUI Galway, Western Dev. Comm., West Cork LEADER Co-op	€ 130,000	€ 110,634
A GIS baseline survey of habitat types and vegetation composition in the karst region of the Burren, Co. Clare.	UCD, Teagasc, Duchas	125,000	82,176
Total		4,116,500	2,305,880

627. **Mr. Kenny** asked the Minister for Agriculture and Food the amount of funding to the food and agricultural sector which has been allocated to the marketing and promotion measure under the national development plan to date; if she will provide a list of all the projects funded and the amounts allocated to each to date; and if she will make a statement on the matter. [34288/04]

Minister for Agriculture and Food (Mary Coughlan): In the period 1 January 2000 to 31 December 2004, public expenditure of €28.69 million has been allocated and funded in the food and agriculture sector under the marketing and promotion measure of the national development plan.

The measure is administered by Bord Bia and covers grant assistance to companies to improve their individual marketing capabilities and the board's generic market development activities. These activities include marketing promotion and advertising, market research studies and information publications, development of marketing skills, quality and training.

Year	Company Grants	Generic Activities
	€m	€m
2000	Nil	6.167
2001	1.116	5.421
2002	0.813	5.922
2003	0.973	3.572
2004	0.350	4.357
Total	3.252	25.439

A list of companies in receipt of grants from Bord Bia in each of the years 2001 to 2004 is attached.

Company Grants paid in 2001.

Company Name	Amount Paid
	€
Allin All Ingredients Ltd	8,934.47
Ardrahan Dairy Products	12,697.38
Ballyard Foods	2,407.46
Bawnor	12,662.67
Bellingham Blue Cheese	3,887.60
Biscuit Makers	22,589.59
Boru Vodka	41,701.41

Company Name	Amount Paid
	€
Bunalun Organic Limited	25,030.41
Bunratty Mead & Liqueur	19,046.07
Carlow Brewing Co. Ltd	19,046.07
Carrigaline Farmhouse Cheese	1,848.08
Celtic Chocolates	8,800.19
Choc Aid	1,520.00
Choca Mocca	4,258.86
Cisti Guban Barra	3,999.28
Compsey Creamery	12,231.51
Cooleeney Cheese	12,166.71
Cooley Distillery	50,789.52
Coolmore Foods	22,855.28
Corleggy Cheese	2,008.85
CPAC Foods Ltd	11,434.17
Creative Sauces Ltd	8,906.55
Crogeen Ltd	40,631.62
Derryvilla Farm	3,980.75
Dial a Hamper	19,999.64
Dingle Peninsula Cheese Ltd	2,928.86
Druid Chocolates	5,952.83
Durrus Farmhouse Cheese	5,914.77
First Ireland Spirits	24,564.44
Flahavans	17,488.67
Follain	9,374.37
Gallaghers bakery	15,236.86
Gallaghers Chocolates	3,234.02
Gerry Murphy	3,415.19
Glaslough Foods	4,524.71
Glenhaven Foods	27,194.06
Glenisk Ltd	21,370.72
Good Herdsmen	14,091.68
Harney Enterprises	3,172.86
Heatherfield	13,979.74
Hot Irishman	12,697.00
Hyde Ltd	12,688.37
Inagh Farmhouse Cheese	5,361.00
Ina's Kitchen	3,030.99
Infoods	5,000.23
Ingredient Solutions Ltd	14,684.45
Irish Chocolate Co	42,314.02
Irish Food & Drink Exports Ltd	22,853.94
Irish Pub Professionals	12,697.38
Irish Yogurts Ltd	19,046.07
J & L Grubb	11,681.59
Kinsale Brewing Co	8,591.45
Knockanore Farmhouse Cheese	3,500.00

Company Name	Amount Paid
	€
Laragh Stuart	16,852.51
Lily O'Briens	46,201.55
Lir Chocolates	32,698.49
Lisdoon Foods	461.75
Malone Food Products	4,310.16
Marigot Ltd	28,652.55
McCambridge Ltd	759.93
Mileens	2,831.53
Milish Foods	282.72
Morley's Fine Irish Foods	2,856.91
My Own Food Products	4,564.25
Natural Ireland Ltd	3,300.72
Noodle House Pasta	2,666.45
Nore Ingredients Ltd	22,855.29
O'Hara's of Foxford	38,016.00
Prinz Drinks	5,078.95
Quality Irish Food	25,237.61
Radical Fruit Company Ltd	6,349.00
Rock Island Foods	6,672.67
Rudds	15,871.72
Shannon Minerals	38,092.00
Sheridans Cheesemongers	6,121.92
Sunshine Juice	1,992.22
Swissco Ltd	16,995.37
The Great American Cookie Co.	2,500.00
Tipperary Brewing	7,116.95
Tipperary Cuisine	23,894.86
Tipperary Organic Ice Cream	3,952.85
Torc Truffles	4,557.78
Twine Inc	7,618.43
Whelans Ltd	2,299.50
Whites Bakery	11,999.02
Wicklow Fine Foods	2,539.48
Total 2001	1,116,225.54

Company Grants paid in 2002.

Company Name	Amount Paid
	€
Abbey Blue Cheese (ABO)	3,000.00
Allin All Ingredients Ltd	5,034.51
Ardrahan Dairy Products	710.05
Ballybrado Ltd	6,550.00
Bellingham Blue Cheese	4,442.31
Benson Food Products	6,348.00
Blenders Ltd	21,458
Cahill International	4,131.22
Carlow Craft Brewery	19,000.00
Celtic Chocolates	7,348.84
Chivers Ltd	25,000.00
Chocaid Com Ltd	3,000.00
Chocca Mocca	1,650.20
Compsey Creamery Ltd	45,000.00
Cooleeney Cheese	8,986.50
Dansko Foods Ltd	3,498.54

Company Name	Amount Paid
	€
Derryvilla Farm	9,000.00
Dromkeen Food Ingredients	4,988.18
Druid Chocolates	1,651.25
Durrus Farmhouse Cheese	3,610.65
Ennis Foods	38,092.00
Flair Confectionery Ltd	396.25
Foxrock Food Co Ltd	5,136.03
Freshways Ltd	20,000.00
Gallaghers Bakery	15,000.00
Gallweys of Waterford	2,026.96
George Mogerley Ltd	3,840.75
Glaslough Foods	3,571.48
Glenisk Ltd	30,000.00
Gourmet Duck Co	2,648.56
Green Pastures	9,938.87
Heron Quality Foods	9,500.00
Hot Irishman	30,000.00
Inagh Farmhouse Cheese	5,000.00
Ingredient Solutions	31,760.39
Irish Food & Drink Exports	21,000.00
Irish Yogurts Ltd	38,731.50
John O'Sullivan Ltd	1,000.00
Lir Chocolates	14,662.09
M & S Browne Ltd	3,200.00
Marigot	30,000.00
Mileens Cheese	2,856.13
Mileevin Ltd	960.72
Milne Foods Ltd	3,480.03
Missy & 'andy's Ice Cream Ltd	662.32
Mrs Collins Ice Cream	1,589.68
National Food Ingredients	6,474.43
Quality Irish Food	50,750.48
Radical Fruit Company Ltd	10,000.00
Rajdoot	3,196.71
Real Food at Home	6,000.00
Roaring Water Bay Spirits Co	4,213.86
Rock Island Foods	1,294.10
Rose Confectionery	2,000.00
Rosscarbery Oysters Ltd	2,294.62
Shannon Minerals	40,000.00
Sheila's (Mayo) Ltd	6,000.00
Silver Pail Ltd	6,079.21
South Sligo Cheese Co	3,405.45
Stable Diet Ltd	2,903.80
Su Si Foods	1,848.13
Sunshine Juice	8,990.31
Swift fine Foods	10,000.00
Swissco Ltd	29,012.82
The Country Cooking Co Ltd	4,890.76
The Irish Chocolate Company Ltd	34,343.09
Tipperary Organic Ice Cream	10,000.00
Torc Truffles Ltd	3,237.33
Virginia House Trading Co Ltd	18,523.85
Zed Gum	38,297.29
Total 2002	813,218.25

Company Grants paid in 2003.

Company Name	Amount Paid
	€
4e Fulfilment.com Ltd	15,000.00
Allin All Ingredients Ltd	15,474.80
Ardrahan Dairy Products Ltd	14,564.33
Benson Foods	5,000.00
Blenders	12,000.00
Bunratty Mead & Liqueur	22,400.00
Butlers Pantry	14,000.00
Cahill International	3,392.52
Carlow Craft Brewery Ltd	3,200.00
Carrigaline Farmhouse	3,000.00
Celtbury Ltd	20,000.00
Celtic Chocolates Ltd	4,000.00
Chocaid.Com Ltd	1,000.00
Cisti Gugan Barra	18,901.79
Clonakilty Food Co	40,000.00
Cooley Distillery	27,431.21
Coolmore	13,196.00
Country Cooking Ltd	14,000.00
Country Crest	10,000.00
Country Kitchen Cuisine Ltd	8,000.00
CPAC	15,600.00
Cybercolors Ltd	12,178.73
Dave & Teri's Cookies	12,000.00
Derryvilla Farm	5,000.00
Druid Chocolates Ltd	1,552.67
Dundalk Food Products T/A Malones	10,618.71
Durrus Cheese	4,882.42
Eastdale, the Real Irish Food Co	3,250.00
Ennis Foods Ltd	30,000.00
First Ireland Spirits	43,400.00
Flahavans	11,736.07
Flair Confectionery	1,080.00
Follain Teo	12,471.12
Foxrock Food Company Ltd	5,163.00
Fruitfield Foods Ltd (Formerly Nestle Irl)	35,000.00
Gaelic Heritage	1,532.00
Gallwey's of Waterford	757.25
Geogre Mogerley Ltd	4,000.00
Glaslough Foods	15,750.00
Glenboy Goats Products	12,000.00
Glenhaven	40,000.00
Glenilen Farm	2,634.96
Glenisk Ltd	3,000.00
Good Herdsmen Ltd	20,157.92
Green Pastures	6,149.31
Gubbeen Farmhouse Cheese	4,500.00
Harney Enterprises Ltd	922.20
Heatherfield Ltd t/a Seerys	10,959.45
Hot Irishman Ltd	3,400.00
Hyde Ltd	18,000.00
Ingredient Solutions	3,239.61
Irish Bay Tree Traditional	398.93
Irish Food and Drink Exports Ltd	4,000.00
J&L Grubb	15,000.00

Company Name	Amount Paid
	€
John O'Sullivan & Co	6,653.50
Lily O'Briens Chocolates	40,000.00
Lios na Grai Ltd	3,550.00
Lir	33,406.10
M& S Browne Ltd	8,000.00
Marchminder Ltd	7,000.00
Marigot	3,500.00
Mileevin Ltd	3,453.65
Moyle Salads	3,673.00
My Own Food Products Ltd	2,593.47
Nature's Best	35,000.00
Nutrition Supplies & Services Ltd	26,560.11
PG Brogan & Company Ltd	19,033.62
Protocol Food Ingredients Ltd	4,463.61
Quality Irish Foods	3,500.00
Roaring Water Bay (Boru Vodka)	11,893.08
Rock Island Foods	1,520.00
Rosscarbery Oysters Ltd	1,287.50
Sam's Cookies Ltd	2,000.00
Shalvey's Poultry	17,850.00
Shannonside Mushroom Mktg Ltd	5,000.00
Silver Pail Dairy Ltd	9,393.04
Stable Diet	7394.05
SuSi Foods Ltd	787.50
The Butlers Pantry	14,000.00
The Or Organisation Ltd	3,000.00
The Porterhouse	12620.39
Twine Inc	4,557.55
Whelan's/Elliotts	2,154.10
Wildes Irish Chocolates	3,833.47
Zed Candy	40,000.00
Total 2003	972,572.74

Company Grants paid in 2004.

Company Name	Amount Paid
	€
4e Fulfilment.com Ltd	1,000.00
Aine's Chocolates Ltd	5,023.50
Allin All Ingredients Ltd	3,076.89
Ardrahan Dairy Products Ltd	5,466.98
Baking Emporium Ltd	500.00
Ballycotton Seafoods Ltd	424.85
Blenders Ltd	2,900.00
Brids Brown Bread	468.18
Carrigaline Farmhouse Cheese	2,117.70
Carrigbyrne Farmhouse Cheese Ltd	1,906.25
Castle Leslie Gifts & Goodies	4,500.00
Celtbury Ltd	3,400.00
Celtic Chocolates Ltd	2,500.00
Chand Foods Ltd	1,000.00
Chivers Ireland Ltd	3,000.00
Chocaid.Com Ltd	872.50
Cisti Gugan Barra Teo	8,000.00
Clonakilty Food Company Ltd	1,499.95

Company Name	Amount Paid	Company Name	Amount Paid
	€		€
Cocoa Bean Handmade Chocolates	750.00	My Own Food Products	2,745.82
Compsey Creamery Ltd	3,500.00	N.S.S Ltd	2,535.98
Cooleeney Farmhouse Cheese	6,516.41	Natural Ireland Ltd	4,500.00
Cooley Distillery Ltd	3,200.00	Natures Best Ltd	3,500.00
Coolmore Fresh Foods Ltd	3,000.00	Noodle House Organic Pasta	2,606.13
Corleggy Cheese	724.55	Nore Ingredients Ltd	3,000.00
Country Cooking Company Ltd	9,000.00	Olvi Oils Ltd	900.94
Country Crest Ltd	3,200.00	Paganini Ltd	5,000.00
Couverture Ltd	6,500.00	Port Yarrock Smokery	689.25
CPAC Ltd	4,000.00	Protocol Food Ingredients	2,733.13
Creative Sauces Ltd	5,000.00	Quality First Ltd	3,000.00
Crozier Dairy Products Ltd	5,157.81	Radical Fruit Company Ltd	6,000.00
Cybercolors Ltd	3,500.00	Shannon Minerals Ltd	3,000.00
Dansko Foods Ltd	3,200.00	Sheridans Cheesemongers Ltd	2,840.94
Derryvilla Farm	5,000.00	Silverpail Dairy Ireland	3,400.00
Druid Chocolates Ltd	4,352.25	Stable Diet Ltd	4,709.96
Durrus Farmhouse Cheese Ltd	4,300.18	Sunnyside Fruit Farm	2,000.00
Edward Flahavan & Sons Ltd	3,500.00	Sunshine Juice Ltd	3,846.00
Fermoy Natural Cheese Company Ltd	1,366.18	Susi Foods	1,294.20
Flair Confectionery	1,000.00	Swift Fine Foods Ltd	3,200.00
Fruitfield Foods Ltd	3,500.00	Swissco Ltd	3,200.00
Gallaghers Bakery Ltd	2,000.00	The Irish Chocolate Company Ltd	3,000.00
Gallaghers Irish Chocolates Ltd	3,990.00	The Porterhouse	3,000.00
Gallweys of Waterford Ltd	1,511.28	The Scullery Fine Foods Specialists Ltd	2,500.00
Galmere Fresh Foods Ltd	2,000.00	Tipperary Organic Ice Cream Ltd	8,000.00
Garryvoe Foods Ltd	4,460.11	Twine Inc and Organic Herb Company	3,618.61
Glenhaven Foods (Arklow) Ltd	3,200.00		
Glyde Farm Produce	1,270.37	Total 2004	349,992.11
Green Pastures (Donegal) Ltd	3,500.00		
Greenacres Foods Irl Ltd	1,277.76		
Gubbeen Farmhouse Products Ltd	4,383.94		
Harney Enterprises Ltd	1,340.90		
Healy Fine Foods Ltd	1,000.00		
Heatherfield Ltd	2,719.98		
Heron Quality Foods Ltd	4,000.00		
Horgans Delicatessens Supplies Ltd	8,000.00		
Hot Irishman Ltd	3,350.00		
Hyde Ltd	20,000.00		
Inagh Farmhouse Cheese Ltd	10,337.50		
Ina's Kitchen Desserts Ltd	2,720.00		
Ingredients Solutions Ltd	3,200.00		
Irish Flapjack and Muffin Company	3,387.38		
Irish Yogurts Ltd	3,600.00		
Itsa Bagel Ltd	761.55		
J&L Grubb Ltd	7,381.52		
James Daly & Sons Ltd	3,000.00		
Kilfera Food Manufacturers Ltd	1,767.37		
Krawczyk's West Cork Salami	2,000.00		
Laragh Stewart Foods Ltd	5,952.56		
Lily's Ltd	3,000.00		
Lir Chocolates Ltd	3,000.00		
Lundy Foods Ltd	10,175.00		
M.A.P.P Foods Ltd	1,945.08		
Mileeven Ltd	1,707.08		
Milleens Cheese	1,587.91		
Milne Foods Ltd	1,744.00		
Mount Callan Farmhouse Cheese	1,975.68		

628. **Mr. Kenny** asked the Minister for Agriculture and Food the amount of funding to the food and agricultural sector which has been allocated to the human resource development measure under the NDP to date; if she will provide a list of all the projects funded and the amounts allocated to each to date; and if she will make a statement on the matter. [34289/04]

Minister for Agriculture and Food (Mary Coughlan): In the period 1 January 2000 to 31 December 2004, public expenditure of €66.57 million was allocated in the food and agriculture sector under the human resource development measure of the national development plan. The table below sets out the details of the expenditure under the relevant measures.

Measure	€m
Teagasc agricultural training	55.95
International Equine Institute	1.14
In-Company training in the food sector	9.48
Total	66.57

The expenditure under the various measures covers training and human resource development programmes and is therefore not project based. In the case of Teagasc, the training measures

[Mary Coughlan.]

under the national development plan relate to sectoral entry and ongoing training in the agricultural sector. The overall aim of the sectoral entry training is to ensure that entrants to farming acquire the technical and managerial knowledge and skills required to compete in the market place, and that entrants to part-time farming have access to appropriate training in agriculture as well as access to training for other income-generating activities.

The overall aim of the ongoing sectoral training is to update the technical and business knowledge and skills of practising farmers and horticulturists and to meet the specific training needs of rural women and of people engaged in or considering diversified rural enterprises.

The role of the International Equine Institute at the University of Limerick is to support the continued development of the Irish horse industry through its education and training programmes; the provision of in-service and continuing education opportunities for professional and other categories of employees in the industry; the promotion and commissioning of relevant research; the application and dissemination of research information and outcomes and the further development of the industry's international network. This measure provides aid towards the establishment, administrative, teaching and associated costs incurred by the Institute in developing and delivering third level non-degree courses in equine science including taught-on-campus and distance learning courses to certificate or diploma level as well as other information courses, seminars and conferences.

Funding for in-company human resource development in the food industry is administered by Enterprise Ireland. Support is targeted at client firms with the capacity and ambition to significantly grow their sales and exports, within the context of support packages for agreed business plans. Significant funding is also allocated to address transectoral priority areas such as food safety, management development and information technology. The key areas addressed by the programme are: food safety, competitiveness and improved productivity, management development, innovation management, information technology and logistics, food core skills, food marketing skills and micro food companies.

Grant Payments.

629. **Mr. N. O'Keeffe** asked the Minister for Agriculture and Food the reason for the delay in payment of installation aid to a person (details supplied) in County Cork who was approved on 28 August 2003. [34294/04]

Minister for Agriculture and Food (Mary Coughlan): This person is an applicant under the installation aid scheme and submitted an application for payment to my Department on 17 September 2003. However, following an examination of this application, the person concerned appears

not to have fulfilled the educational requirements of the scheme. As no reply has yet been received to a request for further information sent to the applicant concerned in relation to his educational qualifications, the application for payment cannot be progressed at this stage.

Farm Retirement Scheme.

630. **Mr. Murphy** asked the Minister for Agriculture and Food the number of persons who joined the early farm retirement scheme and who now found themselves in a situation in which their assets are seriously devalued; if she will compensate these farmers for their losses; if they will receive a quota from the national reserve; and if she will deal with the fact that the scheme is not indexed. [1032/05]

Minister for Agriculture and Food (Mary Coughlan): A total of 10,300 farmers joined the first scheme of early retirement from farming introduced in 1994. Some 2,600 farmers have applied under the second scheme that was introduced in November 2000.

In general, the new single payment scheme introduced in Ireland from 1 January 2005 is applicable to farmers who actively farmed during the reference years 2000, 2001 and 2002, who were paid livestock premia and/or arable aid in one or more of those years and who will continue to farm in 2005.

Farmers who joined the 1994 early retirement scheme, which closed to new applications in December 1999, did not farm during the reference period and cannot establish entitlements under the single payment scheme. Where they transferred their holdings by lease, it was the transferees who were actively farming during the reference years and it is they who will have entitlements established for them. A fundamental plank of the single payment system is that entitlements are attached to the farmer who was actively farming during the reference period, not to the land.

During the course of negotiations with the European Commission on the single payment scheme, Ireland secured agreement to an arrangement that will benefit family members or others who now take over holdings that were farmed by third parties who had leased them during the reference period. Farmers who take over such holdings, by transfer free of charge or by a lease of five or more years at a nominal amount, may apply to the national reserve for payment entitlements under the single payment scheme.

Participants in the early retirement scheme launched in November 2000, who farmed during part or all of the reference period, will have entitlements in their own right and can, before 15 May 2005, use the private contract clause to lease these entitlements to the young farmer who holds the lease of their land under the early retirement scheme. In such circumstances, the retired farmer must establish the entitlements in 2005 on a special form provided by the Department. The

qualifying young farmer may or may not have entitlements and land in his or her own right.

As regards index linking of payments, the rate of pension payable under the 1994 scheme of early retirement from farming is the maximum provided for by the European Council regulation under which the scheme was introduced. The regulation does not provide for indexation of payments. My Department's proposals for the scheme included provision for annual increases in pension over the period of the plan. The European Commission rejected this proposal and insisted on legal grounds that a fixed rate be set instead.

Grant Payments.

631. **Mr. Naughten** asked the Minister for Agriculture and Food when a person in County Longford (details supplied) will receive a decision regarding a *force majeure* application which was submitted in March 2004; and if she will make a statement on the matter. [1033/05]

Minister for Agriculture and Food (Mary Coughlan): The person named applied for consideration of *force majeure* or exceptional circumstances on 29 January 2004 on the grounds of an outbreak of TB during the reference period.

Having fully examined the circumstances outlined by the person named, my Department is satisfied that *force majeure* circumstances should apply in this case. The year 2002 will be excluded and the years 2000 and 2001 only, will now be used in the calculation of the provisional single payment entitlements in this case.

The person named was notified of this decision on 17 January 2005 and a statement of provisional entitlements reflecting this position will issue shortly.

632. **Mr. Kehoe** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Wexford was penalised under the REP scheme; the options available to that person; and if she will make a statement on the matter. [1034/05]

Minister for Agriculture and Food (Mary Coughlan): A penalty of 100% of her annual payment was imposed on the person named because in the course of a compliance inspection on 19 April 2000, listed habitats were found not to be fenced off as her agri-environment plan had specified.

My Department is obliged to recover, within a reasonable period of time, all overpayments under REPS. However, my officials always attempt to reach arrangements that take account of individual circumstances and they will contact the person named in the near future to discuss her situation.

633. **Mr. P. Breen** asked the Minister for Agriculture and Food, further to Question No. 225 of 10 November 2004, if the application under the new entrant or inheritance measure of the single

payment scheme for a person (details supplied) in County Clare has been processed; when a decision will be made; and if she will make a statement on the matter. [1035/05]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for consideration as a new entrant to farming during the reference years 2000-02 and also an inheritance application in respect of the single payment scheme.

Following processing of his new entrant application it was deemed that the person named did not meet the criteria as a person commencing a farming activity during the reference years as he had submitted area aid application forms and was in receipt of direct payments in all three of the reference years. The inheritance application was also deemed unsuccessful because no entitlements were generated by the transferor during the reference years 2000-02 as he was not in receipt of direct payments in those years. The person named has been given the opportunity to appeal both decisions to the independent single payment appeals committee.

634. **Mr. Ring** asked the Minister for Agriculture and Food if a person (details supplied) in County Mayo has been awarded their full entitlements. [1118/05]

Minister for Agriculture and Food (Mary Coughlan): A certificate of provisional entitlements under the single payment scheme issued to the person named on 7 October 2004. The statement included a detailed breakdown of how the provisional entitlements were calculated. Farmers who are not satisfied with their provisional entitlement statement may seek a review on a form which is available from all local offices of my Department and from my Department's website. To date a review form has not been received from the person named.

635. **Mr. Ring** asked the Minister for Agriculture and Food when an appeal for entitlements due to *force majeure* exceptional circumstances will be finalised for a person (details supplied) in County Mayo. [1119/05]

Minister for Agriculture and Food (Mary Coughlan): The person named has been notified that the circumstances outlined in his single payment scheme application for consideration of *force majeure* or exceptional circumstances did not satisfy the criteria laid down under Article 40 Council Regulation (EC) No. 1782/2003. Following this decision the person named submitted an appeal to the independent single payment appeals committee. This appeal is listed for examination at this week's sitting of the committee. A full review of the circumstances of the case will be carried out by the independent single payment appeals committee and the person named will be notified shortly of the outcome.

636. **Mr. Ring** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Mayo did not receive an extensification payment for 2001; and when this appeal for payment will be dealt with. [1120/05]

Minister for Agriculture and Food (Mary Coughlan): A payable order for €1,511.40 issued to the person named on 21 January 2005 representing his full entitlement to 2001 extensification premium on a total of 22.9 animals that had already qualified for payment of 2001 suckler cow premium and 2001 special beef premium on his holding.

637. **Mr. Ring** asked the Minister for Agriculture and Food when a decision will be made available on the further appeal by persons (details supplied) in County Mayo under the single payment scheme *force majeure* and exceptional circumstances. [1121/05]

Minister for Agriculture and Food (Mary Coughlan): The persons named applied for *force majeure* on the grounds of brucellosis depopulation of their herd during 2000. While epizootic disease is acceptable as *force majeure*, it was not applied in this case, as the exclusion of 2000 from premia entitlements for the persons named during the reference period 2000 to 2002 would have resulted in a significantly lower single payment entitlement.

The persons named appealed this decision to the independent single payment appeals committee and the findings of the appeals committee were that the original decision taken by my Department should be upheld. Further appeals have been received, similar to the initial *force majeure* application, requesting that the single payment entitlement be based on production levels in 2003 and 2004 rather than in the reference period, 2000 to 2002. There are no provisions within the regulations governing the single payment scheme to permit the use of 2003 and 2004 as reference years.

638. **Mr. Ring** asked the Minister for Agriculture and Food the position regarding an appeal under *force majeure* and exceptional circumstances for a person (details supplied) in County Mayo. [1122/05]

Minister for Agriculture and Food (Mary Coughlan): The person named, having been notified that the circumstances outlined by him did not satisfy the criteria for *force majeure* or exceptional circumstances under Article 40 of Council Regulation (EC) No. 1782/2003, submitted an appeal to the independent single payment appeals committee.

Following a full examination of the circumstances outlined in the appeal, the independent single payment appeals committee made a recommendation and a letter issued to the person named on 25 November 2004. The appeals committee found that as the illness suffered by the

person considerably pre-dated the reference period, the original decision taken by my Department should be upheld.

In his application and subsequent appeal the person named had requested my Department to grant him entitlements in respect of stock that he would have kept in the reference period, but was unable to do so because of the circumstances outlined. However, there are no provisions in the *force majeure* regulations whereby additional entitlements can be granted in such circumstances.

Genetically Modified Organisms.

639. **Mr. J. O’Keeffe** asked the Minister for Agriculture and Food her views on the development of genetically modified crops; and if she will make a statement on the matter. [1214/05]

Minister for Agriculture and Food (Mary Coughlan): The Government’s position on genetically modified organisms has been consistent from the outset. This position was adopted arising from the report of the inter-departmental group on modern biotechnology, published in October 2000, which recommended a positive but precautionary approach towards genetically modified organisms and biotechnology in general.

While I acknowledge the potential benefits from the use of modern biotechnology it is critically important that the approval of genetically modified organisms is carried out under the most stringent controls and based on full scientific evidence to ensure that human health and the environment are fully safeguarded. I am satisfied that such safeguards are in place with the adoption by the Council and European Parliament over the past number of years of a raft of regulations on genetically modified organisms which also provide for consumer choice through the labelling provisions.

The genetic modification area of direct relevance to my Department is that dealing with the co-existence of GM crops alongside non-GM crops. The Commission has decided that co-existence should be addressed at member state level and has provided a series of Guidelines to assist in dealing with the issues that arise. All member states, including Ireland, are drawing up strategies and best practices to provide for effective co-existence arrangements and the inter-departmental or interagency working group charged with coming up with recommendations hope to submit a finalised report to my Department in the near future.

Food Industry.

640. **Mr. Hogan** asked the Minister for Agriculture and Food if she will take action to ensure the continuation of production at the Carlow sugar factory of a company (details supplied); and if she will make a statement on the matter. [1259/05]

673. **Mr. Wall** asked the Minister for Agriculture and Food the position regarding her Department's investigation of the proposed closure of the Carlow sugar factory; the position regarding agreements between her Department and the relevant company in relation to the golden shore aspect of such agreement; her plans to meet the relevant concerned bodies; the result of meetings she has had in regard to this closure; and if she will make a statement on the matter. [1959/05]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 640 and 673 together.

The recent decision by Greencore Group plc — Irish Sugar Limited to close its sugar plant in Carlow and to consolidate all of its sugar manufacturing in Mallow was a commercial decision taken by the board. The company made the decision in the light of the increasing competition in the sugar market and taking account of the reality that changes will occur in the industry as a consequence of the reform of the EU sugar regime. The trend towards rationalisation and increased productivity in the sugar sector has been evident throughout the European Union for some time. In the EU 15, for example, the number of sugar plants declined from 240 to 135 between 1990 and 2001, while employment in the sector declined from 37,000 to just over 20,000 over the same period.

Greencore's rationalisation programme involves an investment of €20 million to €25 million which clearly demonstrates a commitment to maintaining an efficient sugar processing industry in Ireland. I am confident that the company and the beet growers will be able to work out satisfactory arrangements to meet the new situation. Meanwhile, I will continue my efforts to ensure that the future shape of the EU sugar regime will be consistent with the continuance of an efficient sugar beet growing and processing industry in this country.

As Minister I hold a special share in Greencore plc. That share has the same monetary value as any other share in the company but has conditions attached which prevent the company from engaging in certain activities without the prior written consent of the Minister. It does not empower me to become involved in operational matters or ordinary business decisions made by the company.

The special share prevents the disposal of the controlling interest in Irish Sugar Limited or the sugar assets and prevents a single shareholder or group of shareholders acting together from gaining control of Greencore plc.

I have had several meetings with stakeholders about the future of sugar beet growing and processing in this country in the context of the forthcoming reform of the EU sugar regime. However, I have had no meetings specifically related to Greencore's rationalisation programme which is a commercial matter for the company.

Grant Payments.

641. **Mr. McGuinness** asked the Minister for Agriculture and Food if a *force majeure* application in the name of a person (details supplied) in County Kilkenny will be reviewed; and if she will make a statement on the matter. [1274/05]

Minister for Agriculture and Food (Mary Coughlan): The person named, having been notified that the circumstances outlined by him did not satisfy the criteria for *force majeure* or exceptional circumstances under Article 40 of Council Regulation (EC) No. 1782/2003, submitted an appeal to the independent single payment appeals committee.

Following a full examination of the circumstances outlined in the appeal, the independent single payment appeals committee made a recommendation and a letter issued to the person named on 6 November 2004. The appeals committee found that the original decision taken by my Department should be upheld.

My Department has re-examined the additional medical evidence submitted on appeal and is now satisfied that *force majeure* can be applied in respect of the serious degeneration of the medical condition of the person named in 2000. Consequently the year 2000 will be excluded and only the years 2001 and 2002 will be used in the calculation of the single payment entitlement. An amended statement of provisional entitlements reflecting this position will issue shortly to the person named.

Milk Quota.

642. **Mr. McGuinness** asked the Minister for Agriculture and Food the progress in relation to an application under the milk quota scheme in the name of a person (details supplied) in County Kilkenny; if a decision will be expedited; and if she will make a statement on the matter. [1275/05]

Minister for Agriculture and Food (Mary Coughlan): Allocations of milk quota from the milk quota national reserve are granted on the basis of recommendations from the milk quota appeals tribunal. The tribunal is a body established to consider and advise on applications for additional quota from individual producers who have suffered severe hardship in the context of the milk quota system. The named person has submitted an application for additional quota on the grounds of hardship in the current 2004-05 milk quota year. The tribunal will endeavour to examine all applications before the end of the quota year. All applicants will be notified of the outcome as soon as their case has been considered.

Grant Payments.

643. **Mr. McGuinness** asked the Minister for Agriculture and Food if an application under *force majeure* in the name of a person (details

[Mr. McGuinness.]
supplied) in County Kilkenny will be reviewed; and if she will make a statement on the matter. [1276/05]

Minister for Agriculture and Food (Mary Coughlan): An application for consideration under the *force majeure* or exceptional circumstances measure of the single payment regulations was submitted by the person named 6 February 2004. The person named has been notified that the circumstances outlined by him do not satisfy the criteria for *force majeure* or exceptional circumstances under Article 40 of Council Regulation (EC) No. 1782/2003. The person named has been advised that he may appeal this decision to the independent single payment appeals committee who will carry out a full review of the circumstances outlined.

644. **Mr. Naughten** asked the Minister for Agriculture and Food the number of farmers who are still awaiting notification of their entitlements under the single farm payment; if she will provide a breakdown of these figures on a county basis and the figures for those still awaiting a decision on their *force majeure* application; if these farmers will still be eligible to submit *force majeure* applications, appeals and applications under the national reserve; and if she will make a statement on the matter. [1288/05]

659. **Mr. Naughten** asked the Minister for Agriculture and Food the number of farmers still awaiting initial formal notification of their entitlement under the single farm payment; and if she will make a statement on the matter. [1574/05]

660. **Mr. Naughten** asked the Minister for Agriculture and Food the number of farmers still awaiting a decision on their *force majeure* application; and if she will make a statement on the matter. [1575/05]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos.644, 659 and 660 together.

To date 131,806 farmers have received notification of their provisional single farm payment entitlement. This leaves a balance of 9,611 farmers who have not yet been notified. These farmers are awaiting processing of applications under various measures of the single payment regulations such as *force majeure*, new entrant and inheritance cases. The break down per county of these 9,611 cases is as follows:

	Number
Carlow	159
Cavan	289
Clare	397
Cork	1,063
Donegal	444
Dublin	54
Galway	854

	Number
Kerry	614
Kildare	191
Kilkenny	306
Laois	308
Leitrim	157
Limerick	459
Longford	137
Louth	142
Mayo	899
Meath	374
Monaghan	310
Offaly	283
Roscommon	349
Sligo	220
Tipperary	715
Waterford	235
Westmeath	184
Wexford	316
Wicklow	152

A total of 1,545 farmers who submitted applications in the first application period are awaiting a decision on their *force majeure* application. The large majority of these relate to cases where my Department sought additional information in support of the application. In excess of 2,500 applications received in the second application period for *force majeure* are being processed. However, the applicants in the second application period have generally already been notified of their provisional single payment entitlements.

All farmers who have not yet received a notification of their single payment entitlements will have a period of four weeks, following receipt of that notification, to request a review of their entitlements and will have a right to appeal to the independent single payment appeals committee if dissatisfied with the outcome of that review. Farmers who wished to submit an application under the *force majeure* or exceptional circumstances measure or to apply to the single payment national reserve could have done so on the basis of being eligible under one or more of the categories specified. It was therefore not necessary to have received a notification of entitlements prior to submitting an application under either of these measures.

Grant Payments.

645. **Mr. Naughten** asked the Minister for Agriculture and Food her plans to provide for oral hearings under the decision process for the allocation of the national reserve; and if she will make a statement on the matter. [1289/05]

Minister for Agriculture and Food (Mary Coughlan): There are no plans to provide for oral hearings under the decision process for the allocation of entitlements from the single payment national reserve. Applicants who are not happy with my Department's decisions on the national

reserve may seek to have the decisions reviewed within the Department and if unhappy with the outcome of the review, they may appeal to the single payment appeals committee, which operates under the independent chairmanship of Mr. John Duggan. The appeals committee has already dealt satisfactorily with appeals on decisions under *force majeure* and I have no doubt it will also deal effectively with any appeals received on decisions made in relation to the 2005 single payment national reserve.

Sugar Quota.

646. **Mr. Naughten** asked the Minister for Agriculture and Food if she will outline the ownership of the Irish sugar quota; and if she will make a statement on the matter. [1294/05]

Minister for Agriculture and Food (Mary Coughlan): Under the EU sugar regime, which runs until 30 June 2006, there is no provision for the buying and selling of sugar quotas and therefore the question of quota ownership does not arise. The EU regulations stipulate that the national sugar quota must be allocated to the sugar manufacturing enterprises in the member state. Accordingly, the entire Irish sugar quota has been used by Irish Sugar Limited, which is the only sugar manufacturer in this country. The company in turn places contracts with farmers to grow sugar beet sufficient to manufacture the sugar quota. There is no specific quota for sugar beet.

The issue of quota ownership has been raised in the context of the Commission's proposals for reform of the EU sugar regime. The proposals envisage the possibility of cross-border mobility of sugar quotas in the future. Several member states, including Ireland, are opposed to this idea. If the proposal for quota mobility is maintained, then the Commission will also propose appropriate rules to deal with that situation. I have already sought the Attorney General's advice on the matter of quota ownership. However, one of my main priorities in the upcoming negotiations is to ensure that mobility of quota is not allowed.

Grant Payments.

647. **Mr. N. O'Keefe** asked the Minister for Agriculture and Food if consideration will be given to an application for the single payment scheme under the *force majeure* and exceptional circumstances in the case of a person (details supplied) in County Cork. [1304/05]

Minister for Agriculture and Food (Mary Coughlan): An application for consideration under the *force majeure* or exceptional circumstances measure of the single payment regulations was submitted by the person named on 22 January 2004.

The person named has been notified that the circumstances outlined by him do not satisfy the criteria for *force majeure* or exceptional circumstances under Article 40 of Council Regulation

(EC) No. 1782/2003. The person named has been advised that he may appeal this decision to the independent single payment appeals committee which will carry out a full review of the circumstances outlined.

648. **Mr. Kehoe** asked the Minister for Agriculture and Food, further to Question No. 359 of 17 November 2004, the status of the appeal for the single payment scheme for a person (details supplied) in County Wexford; when a decision will be made; and if she will make a statement on the matter. [1305/05]

Minister for Agriculture and Food (Mary Coughlan): The person named having been notified that the circumstances outlined in his application did not satisfy the criteria for *force majeure* or exceptional circumstances under Article 40 of Council Regulation (EC) No. 1782/2003, appealed this decision and submitted additional medical evidence in support of his case.

My Department has, following the re-examination of the circumstances outlined, including the additional information submitted on appeal, decided that the reference years 2000, 2001 and 2002 will be excluded from the calculation of the single farm payment entitlements for the person named and the entitlements will be based on the reference years 1997, 1998 and 1999. A statement of provisional entitlements reflecting this position will issue shortly to the person named.

Milk Quota.

649. **Mr. McGuinness** asked the Minister for Agriculture and Food if an application will be expedited for milk quota from the appeals tribunal in the name of a person (details supplied) in County Tipperary. [1351/05]

Minister for Agriculture and Food (Mary Coughlan): Allocations of milk quota from the milk quota national reserve are granted on the basis of recommendations from the milk quota appeals tribunal. The tribunal is a body established to consider and advise on applications for additional quota from individual producers who have suffered severe hardship in the context of the milk quota system.

The named person has submitted an application for additional quota on the grounds of hardship in the current 2004-05 milk quota year. The tribunal will endeavour to examine all applications before the end of the quota year. All applicants will be notified of the outcome as soon as their case has been considered.

Grant Payments.

650. **Mr. P. Breen** asked the Minister for Agriculture and Food, further to Question No. 343 of 23 November 2004, when a person (details supplied) in County Clare will receive headage payment; and if she will make a statement on the matter. [1352/05]

Minister for Agriculture and Food (Mary Coughlan): Since I replied to Question No. 343 of 23 November 2004, payments have issued under both the 2004 suckler cow premium scheme and the 2004 area based compensatory allowance scheme. A 60% advance instalment in respect of three animals applied on under the suckler cow scheme amounting to €403.47 issued on 29 December 2004. Payment of full entitlement under the area based compensatory allowance scheme amounting to €927.91 issued on 29 December 2004. These payments issued to the solicitors acting on behalf of the person named. Balancing payments under the suckler cow scheme will start at the end of March.

651. **Mr. Penrose** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Longford has not been awarded any entitlements under the decoupling proposals; if steps will be taken to ensure that this person is allocated appropriate entitlements; and if she will make a statement on the matter. [1353/05]

Minister for Agriculture and Food (Mary Coughlan): The person named, having been notified that the circumstances outlined by him did not satisfy the criteria for *force majeure* or exceptional circumstances under Article 40 of Council Regulation (EC) No. 1782/2003, submitted an appeal to the independent single payment appeals committee.

Following a full examination of the circumstances outlined in the appeal, the independent single payment appeals committee made a recommendation and a letter issued to the person named on 19 November 2004. The appeals committee found that the original decision taken by my Department should be upheld.

However, following further representations and additional information received, my Department has re-examined the circumstances of this case and is satisfied that *force majeure* should be applied. As a result the single farm payment entitlements will be based on the earlier reference period, 1997, 1998 and 1999 and the reference period 2000 to 2002 will be excluded. An updated statement of provisional single payment entitlements, reflecting this position, will issue shortly to the person named.

Farm Retirement Scheme.

652. **Mr. P. Breen** asked the Minister for Agriculture and Food if her Department will agree that a person (details supplied) in County Clare pay reduced instalments on a refund for an early retirement farm scheme; and if she will make a statement on the matter. [1354/05]

Minister for Agriculture and Food (Mary Coughlan): It is a requirement of EU Council Regulation 1257/1999, under which the early retirement scheme operates, that the early retirement pension may only be paid as a supplement

to any national retirement pension payable. This means that any national retirement pension to which a participant becomes entitled, whether before or after entry to the scheme, must be deducted from the early retirement pension. The overpayment in this case arose because the person named was, for a time, receiving both a national retirement pension from the Department of Social and Family Affairs and the full amount of the early retirement pension.

My Department is obliged to recover, within a reasonable period of time, all overpayments under the scheme. However, my officials always attempt to reach arrangements that take account of individual circumstances and they will contact the person named in the near future to discuss his situation with a view to reaching agreement on an acceptable repayment schedule.

Bovine Disease Controls.

653. **Mr. Naughten** asked the Minister for Agriculture and Food the reason persons who are jointly farming cannot have a herd number registered in both names; her plans to have this matter addressed and the computer system updated; and if she will make a statement on the matter. [1377/05]

Minister for Agriculture and Food (Mary Coughlan): The herd number system is an administrative arrangement under the disease eradication schemes and is designed primarily for the purposes of disease control.

The criteria used in assessing applications for a herd number principally include independent management of the holding, separate housing and fodder, the availability of adequate testing facilities and without the possibility of intermixing with cattle from any other herd. In effect, a herd number is issued in respect of a distinct epidemiological unit.

My Department, as a matter of policy and consistent with Irish and EU legal provisions, when issuing a herd number registers one individual person as the “keeper” of the animals. When a company, institution or multiple persons wish to register an interest in the herd number they are registered as “herdowners” and are asked to nominate the keeper who is to be the initial point of contact in regard to animal inspections, testing, identification, records etc. and who is legally responsible for the day-to-day care and welfare of the animals. The “keeper” is not necessarily the owner of the animals and the role of “keeper” on the computer system is a non-payee role to prevent any payments being made for example, reactor payments under the disease eradication programmes, directly to a keeper who is not also registered as a “herdowner”. In the event that the keeper and owner are one and the same person, she or he is assigned both roles. I have no proposals to change the present system.

The first phase of the new animal health computer system, which involves the replacement and enhancement of the current cattle disease testing

system while at the same time providing functionality in relation to broader veterinary and animal health activities and laying the foundation for future expansion of the system in those areas, is being rolled out at present to all district veterinary offices. Roll-out should be completed by the end of next month. The animal health computer system has been designed to allow veterinary practitioners and the Department electronically to exchange data relating to disease tests. This will provide greater efficiencies for both the Department and veterinary practitioners.

The new system will augment other computer systems developed by the Department in recent years, particularly those relating to cattle traceability, thus providing further consumer assurance in the area of food safety. The system will share data with a number of systems including cattle movement monitoring system and the bovine tagging and registration system thereby providing a complete picture of an animal's life cycle.

Single Payment Scheme.

654. **Mr. Naughten** asked the Minister for Agriculture and Food if a farmer is entitled to stack entitlements granted under the single farm payment *force majeure* scheme; and if she will make a statement on the matter. [1379/05]

Minister for Agriculture and Food (Mary Coughlan): My Department has received confirmation from the European Commission that farmers who have benefited under any of the measures introduced as part of the single payment scheme such as *force majeure* can apply to consolidate their entitlements provided they satisfy the provisions set out in the relevant EU Regulations.

655. **Mr. Naughten** asked the Minister for Agriculture and Food if a farmer is entitled to stack entitlements granted under the single farm payment national reserve scheme; and if she will make a statement on the matter. [1380/05]

Minister for Agriculture and Food (Mary Coughlan): My Department has been in contact with the European Commission with a view to clarifying certain aspects of the single payment

scheme regulation, including the question raised by the Deputy and we are awaiting a reply at present. The Deputy will appreciate that Ireland took the lead in Europe in setting up the single payment scheme and, consequently, certain technical and legal issues were bound to arise which will require ongoing clarification.

Under Articles 13(4) and 18(2) of European Commission Regulation 795/2004 it appears that a farmer who meets the condition for applying under two or more specific provisions under the regulations governing the single payment scheme, may receive the benefit of the most advantageous single provision only. This would indicate that in certain situations a farmer may not be allowed to consolidate — stack — entitlements allocated from the national reserve. For example, if a farmer receives an allocation of entitlements from the national reserve under category B based on the fact that he/she had leased in land on a long-term lease during the reference period, then it would appear that he/she would not be allowed stack his/her entitlements as the benefit of the leased in land has already been received in his/her allocation of entitlements from the reserve.

As soon as remaining issues have been clarified by the European Commission my Department will publish guidelines for farmers who may be thinking about availing of the stacking arrangements for 2005.

Cattle Identification Scheme.

656. **Mr. Crawford** asked the Minister for Agriculture and Food the number of animal tags which have been provided for in each of the past seven years; the number which had to have both tags replaced in each of those years; the number which had to have one tag replaced; if she has satisfied herself that this is the best form of identification available; if there is any research being carried out to improve the system of finding an alternative; and if she will make a statement on the matter. [1482/05]

Minister for Agriculture and Food (Mary Coughlan): The numbers of new and replacement bovine animal identification ear tags issued during the last seven years are set out in the following table.

Calendar Year	No. of New Tags Sets	No. of replacement Pairs of Tags	No. of replacement Single Tags
1998	2,560,891	71,197	283,300
1999	3,181,250	83,753	366,694
2000	2,371,142	83,885	329,594
2001	2,435,235	81,596	275,266
2002	3,070,817	85,249	274,237
2003	2,301,898	93,871	271,514
2004	2,277,262	104,868	272,720

The increase in the number of tags issued in 1999 arose because of a change in the tag numbering format from 1 January 1999. The increase in the number of tags issued in 2002 reflects the initiat-

ive undertaken by my Department in tagging the remaining portion of the national herd that up to that time had been tagged using a single brass tag. The entire bovine population is now tagged with

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double plastic tags and this is reflected in the overall number of replacement tags requested.

I am satisfied that the current system of double tagging bovine animals with plastic tags is the most efficient and practical form of identification available at present. However, my Department is currently researching the possible future use of electronic means of identification for bovine animals.

Animal Numbers.

657. **Mr. Crawford** asked the Minister for Agriculture and Food the number of animals which have been recorded here in each of the past ten years; the average age of breeding cows; and if she will make a statement on the matter. [1571/05]

Minister for Agriculture and Food (Mary Coughlan): I understand that the question from the Deputy relates to bovine animals only. Going back to 1994, which was prior to the introduction to the CMMS system, the most comprehensive data available to the Department on animal numbers are derived from the number of animals tested annually under the bovine tuberculosis testing scheme. According to statistics from this scheme, the number of bovine animals recorded in Ireland in the last ten years is as follows:

Year	Cattle Population
1994	7,137,696
1995	7,174,016
1996	7,412,933
1997	7,725,634
1998	7,946,989
1999	7,569,735
2000	7,032,407
2001	7,097,430
2002	7,025,096
2003	6,936,820

As regards the average age of breeding cows, calf birth recording commenced only in 1996. Thus, there is insufficient information available on the age of some 600,000 pre-1996 born animals to allow the calculation of an accurate figure for the average age of breeding cows.

Grant Payments.

658. **Mr. P. McGrath** asked the Minister for Agriculture and Food the reason a statement concerning the level of decoupling payment to a person (details supplied) in County Westmeath has not yet issued; and if this statement will issue immediately. [1573/05]

Minister for Agriculture and Food (Mary Coughlan): A statement of provisional entitlements has not yet issued to the person named due to a difficulty with an area aid application lodged by the person named during the reference years.

On this area aid application a parcel declared as forage was subsequently identified as forestry. Officials of my Department are in direct contact with the person named with a view to resolving this issue, following which a statement of provisional entitlements will issue.

Questions Nos. 659 and 660 answered with Question No. 644.

Single Payment Scheme.

661. **Mr. Naughten** asked the Minister for Agriculture and Food the number of farmers still awaiting a decision on their appeal of the *force majeure* decision; and if she will make a statement on the matter. [1576/05]

Minister for Agriculture and Food (Mary Coughlan): To date the independent single payment appeals committee has examined 2,375 appeals in respect of decisions taken by my Department under the *force majeure*-exceptional circumstances measure of the single payment regulations. Some 36 of these cases remain open because the appeals committee has requested additional information from the appellants. A further 270 cases, submitted to the appeals committee in the last two weeks, are awaiting decision.

Agricultural Schemes.

662. **Mr. Naughten** asked the Minister for Agriculture and Food the number of applications received under the national reserve scheme; and if she will make a statement on the matter. [1577/05]

669. **Mr. Naughten** asked the Minister for Agriculture and Food the number of applications received under each category of the national reserve scheme; when she hopes to inform applicants of the decision on their application; and if she will make a statement on the matter. [1853/05]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 662 and 669 together.

The total number of applications received in the national reserve section of my Department up to 21 January 2005 was 13,600. However, additional application forms lodged in the local offices of my Department on Friday last are being returned to the national reserve section at Michael Davitt House, Castlebar. A final figure will not therefore be available until next week and I will arrange to have details sent to the Deputy as soon as the information becomes available. The details requested in relation to the number of applications by category are not yet available, but will be sent to the Deputy as soon as the information becomes available.

A farmer must have an eligible hectare of land for each payment entitlement allocated from the national reserve. Therefore, in processing appli-

cations, priority, from a timing point of view, will be given to applications from farmers who may qualify for additional single payment entitlements from the national reserve as distinct from farmers who may qualify for a top-up on existing entitlements. Farmers in the former category will need to know the number of payment entitlements to which they will be entitled before submitting their 2005 single payment application form the closing date for which is likely to be 15 May 2005. Accordingly, I hope to notify such farmers in plenty of time before the closing date for their single payment application. The amounts to be allocated will be notified to all farmers subsequently.

Milk Quota.

663. **Mr. Deenihan** asked the Minister for Agriculture and Food if a person (details supplied) in County Kerry will be granted additional milk quota as a hardship case; and if she will make a statement on the matter. [1579/05]

Minister for Agriculture and Food (Mary Coughlan): Allocations of milk quota from the milk quota national reserve are granted on the basis of recommendations from the milk quota appeals tribunal. The tribunal is a body established to consider and advise on applications for additional quota from individual producers who have suffered severe hardship in the context of the milk quota system.

The named person has submitted an application for additional quota on the grounds of hardship in the current 2004-05 milk quota year. The tribunal will endeavour to examine all applications before the end of the quota year. All applicants will be notified of the outcome as soon as their case has been considered.

Single Payment Scheme.

664. **Mr. Deenihan** asked the Minister for Agriculture and Food when a decision will be made on the appeal by a person (details supplied) in County Kerry to be accepted as a *force majeure* case; and if she will make a statement on the matter. [1580/05]

Minister for Agriculture and Food (Mary Coughlan): The person named, having been notified that the circumstances outlined by her did not satisfy the criteria for *force majeure* — exceptional circumstances under Article 40 of Council Regulation (EC) No. 1782/2003, submitted an appeal to the Independent single payment appeals committee.

Following a full examination of the circumstances outlined in the appeal, the independent single payment appeals committee made a recommendation and a letter issued to the person named on 29 November 2004. The findings of the appeals committee were that the original decision taken by my Department should be upheld. However, following further representations and additional information received, my Department

has re-examined the circumstances of this case and is satisfied that *force majeure* should be applied. As a result the single farm payment entitlements will be based on 2000 only and the years 2001 and 2002 will be excluded. An updated statement of provisional entitlements, reflecting this position, will issue shortly to the person named.

665. **Mr. Naughten** asked the Minister for Agriculture and Food when a decision will be made on an application by a person (details supplied) in County Roscommon under *force majeure*; and if she will make a statement on the matter. [1581/05]

Minister for Agriculture and Food (Mary Coughlan): The person named, having been notified that the circumstances outlined by him did not satisfy the criteria for *force majeure* — exceptional circumstances under Article 40 of Council Regulation (EC) No. 1782/2003, submitted an appeal to the independent single payment appeals committee.

Following a full examination of the circumstances outlined in the appeal, the independent single payment appeals committee made a recommendation and a letter issued to the person named on 21 January 2005. The findings of the appeals committee were that the original decision taken by my Department should be upheld.

The person named had been under the care of his local GP since 1995 and in 1999 applied to participate in the early retirement scheme. Prior to his commencement in the early retirement scheme in 2000, the person named established a number of entitlements during that year. These entitlements may be activated and leased to the transferee in 2005. After the expiration of the lease the entitlements will return to the person named and may then be either leased out or transferred to a family member.

Grant Payments.

666. **Mr. Hayes** asked the Minister for Agriculture and Food when suckler cow premium will be awarded to a person (details supplied) in County Tipperary. [1582/05]

Minister for Agriculture and Food (Mary Coughlan): The person named applied for premium on 29 animals under the 2004 suckler cow premium scheme. The application has been processed and payment of his 60% advance instalment amounting to €3900.21 issued on 20 January 2005. Balancing payments will be made in March or April 2005.

Freedom of Information Act.

667. **Mr. R. Bruton** asked the Minister for Agriculture and Food the State, semi-State, State-sponsored and statutory bodies under the aegis of her Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the

[Mr. R. Bruton.] requirements of the Act; and if she envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1713/05]

Minister for Agriculture and Food (Mary Coughlan): The State, semi-State, State-sponsored and statutory bodies under the aegis of my Department that are not subject to the Freedom of Information Acts are the Veterinary Council and Coillte Teoranta. The extension of the FOI Acts to the above bodies is being considered in the context of proposals being developed in the Department of Finance to extend the coverage of the FOI Acts by the end of 2005.

Single Payment Scheme.

668. **Mr. Perry** asked the Minister for Agriculture and Food if the decoupling payments for the herd of a person (details supplied) will be based on stock levels in 2001; and if she will make a statement on the matter. [1830/05]

Minister for Agriculture and Food (Mary Coughlan): A certificate of provisional entitlement under the single payment scheme issued to the person named on 5 October 2004. The statement included a detailed breakdown of how the provisional entitlements were calculated.

Farmers who are not satisfied with their provisional entitlement statement may seek a review on a form which is available from all local offices of my Department and from my Department's website. To date, the person named has not submitted a request for a review.

Prior to the issue of provisional entitlements, applications were invited from those farmers who considered that their farming activities during the reference years, 2000-02, had been adversely affected by *force majeure* circumstances; however, no such application was received from the person named.

Question No. 669 answered with Question No. 662.

670. **Mr. Naughten** asked the Minister for Agriculture and Food the number of farmers awaiting a decision on their application under the new entrant scheme; and if she will make a statement on the matter. [1854/05]

Minister for Agriculture and Food (Mary Coughlan): My Department has received and is processing 7,288 applications under the new entrants and new entrants with inheritance measures of the single payment scheme. Of this total, 2,295 applications are new entrants only and the balance of 4,993 are new entrants combined with Inheritance.

Some 4,092 applicants have received a decision in respect of their application and a further 2,868 have received correspondence from the single payment unit, Portlaoise requesting additional information in support of their applications. The remaining 328 cases have been processed and

decision letters will issue shortly. A further 88 applications have been received in the last fortnight and processing of these has not yet commenced.

Animal Welfare.

671. **Mr. Gregory** asked the Minister for Agriculture and Food if her Department provides a veterinary inspector to monitor the Ward Union Hunt and coursing meetings; if her Department staff have sufficient resources to continue this work in the interest of animal welfare; and if she will make a statement on the matter. [1956/05]

Minister for Agriculture and Food (Mary Coughlan): Statutory responsibility for the monitoring of the Ward Union Hunt rests with my colleague, the Minister for Environment, Heritage and Local Government, under the provisions of the Wildlife Act 1976. However, officials from my Department, at the request of the Department of Environment, Heritage and Local Government, monitor the welfare of deer hunted by the Ward Union Hunt Club. This is carried out on a spot check basis by checking the compliance with the self-regulating hunting code of practice as drawn up by that Department.

In regard to coursing meetings, statutory responsibility rests with my colleague, the Minister for Arts, Sports and Tourism. At the request of that Department, officials from my Department monitor animal welfare at a number of these meetings on an annual basis.

To date, my Department has had sufficient resources to carry out this monitoring. However, in view of the statutory responsibilities for these areas, my officials have been in discussion with officials from both of the above mentioned Departments regarding the arrangements for the monitoring of welfare aspects in the longer term.

Deer Farms.

672. **Mr. Gregory** asked the Minister for Agriculture and Food the number of deer farms in the State; the number in each county; the purpose of the farms; the number of deer farms which provide venison for home consumption and solely for export; if deer is farmed for any other purpose; and, if so, the person by whom. [1957/05]

Minister for Agriculture and Food (Mary Coughlan): The number of deer farms in the State is estimated at 250. A breakdown by county is not readily available.

Deer farmers are engaged in raising deer for the production of venison with some farmers being involved in breeding animals and selling the calves while others are involved in finishing animals until they are ready for slaughter. Deer farming is geared exclusively to the production of venison.

The main outlet for Irish venison is the export market where 70% of production is sent, mainly to the UK. Development of the sector is affected by the low volumes involved. However, Irish ven-

ison is a specialised, high quality product and markets have been established here and abroad in the retail and catering sectors.

Question No. 673 answered with Question No. 640.

Seed Potato Certification Scheme.

674. **Mr. Naughten** asked the Minister for Agriculture and Food if, in view of significant increases in fees and charges to the seed potato certification scheme 2005, she considered a possible review and reconsideration of these new charges. [1983/05]

Minister for Agriculture and Food (Mary Coughlan): The proposed fees under the seed potato certification scheme form part of the recommendations of the recent expenditure review of programmes in the potato sector. These fees relate to field charges only and will be phased in over five years. They will also be subject to an annual review.

The expenditure review initiative forms an important element of the Government's effort to secure value for money from public expenditure. The intention of such reviews is to provide a basis for decisions on resource allocation as was the case in this instance.

I have already revised the PCN testing element of the fees but do not propose any further changes for this year. I am confident that the fees are both reasonable and necessary and will bring commercial focus to the area of seed production which will ultimately be for the benefit of the industry as a whole.

675. **Mr. Naughten** asked the Minister for Agriculture and Food the preventative means which the Government has introduced to prevent ring rot and brown rot from imported seed potatoes. [1984/05]

Minister for Agriculture and Food (Mary Coughlan): My Department has both statutory measures and contingency plans in place to counter threats from ring rot and brown rot. These measures are integrated with EU measures to prevent the introduction and spread of these diseases. Seed is regarded as the most likely source of introduction of the diseases and therefore is the focus of attention. No seed potatoes are allowed into Ireland from outside the EU. In the case of seed emanating from within the EU, only basic seed or seed from high grade seed areas may be marketed in Ireland. All seed imports are closely monitored by my Department. An inspection, sampling and testing regime based on risk analysis is carried out and to date all samples have proved negative for both ring rot and brown rot. Last year 600 samples were taken under the survey targeted at risk material and involving seed and ware producers, processing plants and imports from the EU and third countries. In

addition, water samples were taken for brown rot detection and again all results were negative.

Growers and traders are regularly advised as to what precautions should be taken to reduce the risks of an outbreak and spread of ring rot or brown rot. Such measures include good rotation and hygiene and the purchase of seed from reliable sources. All movements of potatoes must be accompanied by the relevant registration number to facilitate traceability in the event of a disease outbreak.

676. **Mr. Naughten** asked the Minister for Agriculture and Food the number of seed potato growers in operation in 2004; and the total acreage farmed. [1985/05]

Minister for Agriculture and Food (Mary Coughlan): In 2004 the total number of applicants under the seed potato certification scheme was 231 and the total area classified under the scheme was 1,357 hectares. In addition, 210 growers produced 1,203 hectares of home saved seed. Some growers produced seed potatoes under both categories.

Grant Payments.

677. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason the 2004 suckler cow grant has not been awarded to a person (details supplied) in County Galway; and if she will make a statement on the matter. [2075/05]

Minister for Agriculture and Food (Mary Coughlan): The person named applied for premium on eight animals under the 2004 suckler cow premium scheme. Payment of his 60% advance instalment amounting to €1,075.92 issued on 16 October 2004.

When processing the application for the balance payment it was found that two animals were sold inside the six months retention period and so required replacing. CMMS records showed that there was only one suitable replacement. Correspondence issued to the herdowner on 6 January 2005 informing him that one animal disposed of inside retention and not replaced was to be rejected from his claim with a consequential penalty. He was given the option of seeking a review.

The person named submitted medical evidence with a request to have his case re-examined. Based on this new information it has now been decided that the animal in question will be deleted from his application without penalty. The application is currently being processed for balancing payment on seven eligible animals. Balancing payments are expected to start at the end of March or early April.

Animal Carcase Disposal.

678. **Mr. Naughten** asked the Minister for Agriculture and Food the action she intends to take to address the shortcomings and drop in U grades

[Mr. Naughten.] identified with the mechanical graders; and if she will make a statement on the matter. [2078/05]

Minister for Agriculture and Food (Mary Coughlan): Automated beef carcass classification machines were approved for use in Ireland on the basis of a certification test conducted in 2003 in accordance with the provisions of EU Regulation 1215/2003 that set out the technical standards required of the machines before they could be approved.

The machines were calibrated in the EU supervised trial on the basis of classification carried out on a sample of cattle representative of the national kill, a condition of the aforementioned EU regulation. The data on which the machines were calibrated were derived from the average of the classification results of the five top experts in the EU assembled for this purpose.

It is important to emphasise that machine classification is the preferred option of farmers because it removes any element of subjectivity associated with human classification. Machines were commissioned on a phased basis commencing last October and are currently in use in 22 of the 26 export approved meat plants. Consequently, in the last quarter of 2004, 40% of carcasses were classified using the automated classification system while 60% of carcasses were classified manually.

Based on the limited data available to date I am informed that the machines are working satisfactorily. While selective use was made in recent press reports of deficiencies in returns in certain classification categories, improved returns in other categories were ignored. In relation to U grades in particular, comparison of returns using machines are broadly similar to the quarterly figures for past two years. My officials are continuing to monitor and inspect the output of machine classification and liaise regularly with the machine manufacturer in regard to the prediction model in use.

Grant Payments.

679. **Mr. Perry** asked the Minister for Agriculture and Food if she will waive the penalties on the 2004 suckler cow payment of a person (details supplied) in view of the medical circumstances; and if she will make a statement on the matter. [2077/05]

Minister for Agriculture and Food (Mary Coughlan): The person named applied for premium on 30 animals under the 2004 suckler cow premium scheme. Payment of the 60% advance instalment amounting to €4034.70 issued on 19 October 2004.

When processing the application for balance payment it was found that four animals were sold inside the six months retention period and so required replacing. CMMS records show that no replacements took place within the required 20 days period. Correspondence issued to the her-

downer on 11 January 2005 advising him that the four animals in question were to be rejected from his claim with a resultant penalty to be applied in accordance with clauses 31 and 40 of the terms and conditions of the scheme. He was given the opportunity to seek a review of this decision by contacting his district livestock office.

The person named has submitted a request to have his case re-examined. In light of new information provided by him, the four animals will be deleted from his application now without penalty. He will be paid the balance in respect of 26 animals less advances paid on the four animals deleted, when balancing payments commence in late March or early April.

Farm Retirement Scheme.

680. **Mr. Perry** asked the Minister for Agriculture and Food if her attention has been drawn to the circumstances of a person (details supplied) in County Sligo; if their established entitlements will be activated first; and if she will make a statement on the matter. [2079/05]

Minister for Agriculture and Food (Mary Coughlan): The person named is a participant in the early retirement scheme for farmers since 2002. She was farming during the reference period and drew down livestock premia payments during the three reference years, 2000, 2001 and 2002. Accordingly, there will be entitlements established for her.

Farmers, including early retirement scheme participants, who have leased out or are intending to lease out their lands before the closing date for receipt of forms under the 2005 single payment scheme may also lease out their entitlements with the land to the same farmer. This provision was specifically obtained during negotiations by Ireland to accommodate early retirement scheme participants.

A lease agreement which is in place by the closing date for receipt of applications for the single payment in 2005 may be considered as the lease of the entitlements with land, to the same farmer, if a clause is included in the lease agreement indicating that the farmer intends to lease with the land, the payment entitlements to be established — the number of entitlements may not be higher than the number of hectares leased or being leased; the lessor must apply to establish the entitlements, on a special form to be provided, and attach a copy of the lease agreement; and the lessee is required to apply for the single payment and attach a copy of the lease agreement to the application.

On expiry of the lease contract, the entitlements will revert to the lessor who may use them himself or herself or he or she may renew the existing lease contract or continue to lease them with the land to another farmer. However, since the person named in this case is a participant in the early retirement scheme, she will be precluded from using the entitlements because of her obligations under that scheme but she may con-

tinue to lease them out with the land to another lessee.

Agricultural Schemes.

681. **Mr. Ring** asked the Minister for Agriculture and Food when persons (details supplied) in County Mayo will be notified of their entitlements under the inheritance measure of the single payment scheme. [2080/05]

Minister for Agriculture and Food (Mary Coughlan): The persons named have submitted an application for consideration in respect of the inheritance measure of the single payment scheme. Following initial examination of the documentation submitted, the persons named have been requested to submit additional infor-

Minister Coughlan	Minister of State Smith	Minister of State Browne
1 Press Adviser	1 Personal Assistant	1 Personal Assistant
1 Special Adviser	1 Personal Secretary	1 Temporary Clerical Officer
1 Personal Assistant	2 Civilian Drivers	2 Civilian Drivers
1 Personal Secretary		
1 Temporary Clerical Officer		

Those appointments were made on a contract basis and will terminate when the Minister and Ministers of State cease to hold that office.

Agricultural Schemes.

683. **Mr. Naughten** asked the Minister for Agriculture and Food the reason the 6% reduction in the SFP provisional entitlement does not correspond with a 6% reduction in land mass; if she will review this situation; and if she will make a statement on the matter. [2109/05]

Minister for Agriculture and Food (Mary Coughlan): The reductions reflected in the single payment provisional entitlements are those provided for in the European Council Regulation 1782/2003, which introduced the single payment scheme. There is no provision in the regulations to allow a corresponding reduction in land mass.

However, there are provisions to allow farmers to consolidate their entitlements on fewer hectares than they declared on average during the reference period. These provisions may be applied to the following categories of farmers: farmers who have afforested some of their land since the beginning of the reference period; farmers who have disposed of land to a public authority for non-agricultural use; and farmers who had land leased/rented in during the reference period but the lease/rental agreement has since expired.

The concessions relating to consolidating or stacking entitlements cannot be applied to any farmer who declares fewer hectares than entitlements because s/he disposed of land by way of

mation and documentation in respect of their application. On receipt of this information a decision will be made and a notification of that decision will issue promptly to them.

Ministerial Appointments.

682. **Mr. Gormley** asked the Minister for Agriculture and Food the public appointments made in her Department since the Cabinet reshuffle in September, 2004. [2099/05]

Minister for Agriculture and Food (Mary Coughlan): The Deputy will be aware that the majority of appointments to my Department are made through the Public Appointments Service. However, the following appointments were made since the Cabinet reshuffle in September 2004 to my office and the Ministers of State's offices.

sale or lease other than sale of land to a public authority for non-agricultural use.

Genotype Programme.

684. **Mr. Naughten** asked the Minister for Agriculture and Food if she will define flocks of high genetic merit as described as part of the EU ram genotyping programme; the arrangements she intends to put in place prior to April 2005; and if she will make a statement on the matter. [2125/05]

Minister for Agriculture and Food (Mary Coughlan): The question of defining sheep flocks of high genetic merit for the purpose of the genotype programme is under examination in my Department with a view to introducing, by April, a breeding programme to select for resistance to TSE's in each of our native sheep breeds, and other breeds which form a significant population here.

Registration of Title.

685. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the status of an application (details supplied); and if he will make a statement on the matter. [34127/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for first registration which was lodged on 30 October 2003 dealing No. D2003CR009352H refers.

I understand that due to the complicated nature of these type of cases, which require examination of an applicant's entitlement to the property

[Mr. McDowell.]
concerned, it is not possible to estimate a date of completion at this time. Queries raised by the Land Registry in December 2004 have been responded to and that the matter is receiving attention in the Land Registry and will be completed as soon as possible.

Child Care Services.

686. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the status of the funding application under the equal opportunity child care programme submitted on 29 January 2004 by a company (details supplied) regarding Kids Zone, operating out of a temporary building at The Mall, Ballyshannon, County Donegal; and if this application will be expedited in view of the fact that failure to do so may leave the community without child care facilities in July 2005 when the group is required to vacate its temporary premises. [34128/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): On 10 December 2004, I approved capital grant assistance of €1.3 million in respect of an application from the group in question, subject to the group's being able to comply with a number of conditions in relation to the completion of the project. I understand that my Department's child care directorate advised the group of my decision in early December.

Area Development Management Limited has been engaged to administer the equal opportunities child care programme on behalf of my Department and it will be in contact directly with the group regarding the conclusion of a contractual agreement which is necessary in order to draw down the grant.

Refugee Status.

687. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if the maximum support and assistance will be given to persons (details supplied) in their appeal for refugee status and to the child with a disability. [34129/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): This person, a Nigerian national, arrived in the State on 14 June 2004 and applied for asylum. Her application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal. This person is the parent of an Irish born child.

Subsequently, in accordance with the Immigration Act 1999, as amended, she was informed by letter dated 6 December 2004, that it was proposed to make a deportation order in her case. She was given the options, to be exercised within 15 working days, of making representations to the Minister setting out reasons she should be

allowed to remain temporarily in the State; leaving the State before the deportation order is made or consenting to the making of a deportation order.

In the normal course of events, this person's case file, including all representations submitted, falls to be considered under section 3(6) of the Immigration Act 1999, as amended, and under section 5 of the Refugee Act 1996, as amended — prohibition of *refoulement*. However, this person, as the parent of an Irish born child, may, if she so wishes, apply to have her application considered under the new arrangements introduced by me for the consideration of applications for permission to remain made by the non-national parents of Irish born children born before 1 January 2005. An information notice setting out details of the new arrangements and the appropriate application form is available from the Department's website www.justice.ie. Application forms are also available from Garda district headquarters stations outside Dublin, at all reception and integration agency accommodation centres countrywide and from various non-governmental organisations working with immigrants and asylum seekers.

688. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform if a person (details supplied) in County Louth will be granted permission to remain here. [34149/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question entered the State with her daughter on 25 November 2002 and applied for asylum on the same day. She withdrew her asylum application on 4 January 2003 and applied for residency on the basis of parentage to an Irish born child. She was informed by letter dated 11 February 2004 that the Minister proposed to make a deportation order in respect of her and her child. She was given the options of making representations within 15 working days setting out the reasons she should not be deported, that is, be allowed to remain temporarily in the State; leaving the State before the order was made; or consenting to the making of the deportation order. No representations were received from or on her behalf. She was subsequently informed by letter dated 13 July 2004 that a deportation order had been signed in respect of her and her child.

On 31 July 2004, two of the applicant's children arrived in the State as unaccompanied minors and were reunited with their mother. On 24 August 2004 the applicant made a second application for asylum which then included her three children. Her claim for refugee status was refused on 6 October 2004. The applicant then appealed this decision and her appeal was refused on 7 December 2004.

The applicant was informed on 6 January 2005 that the Minister proposed to make a deportation order in respect of her and her three children. She was given the options of making representations within 15 working days along the lines already stated above.

No representations have been received to date and, ordinarily, I would expect the case file to be submitted to me for a decision in due course, irrespective of whether representations are received. However, as the applicant is the parent of an Irish born child, she may, if she so wishes, apply for permission to remain in the State in accordance with the revised arrangements, publicly announced on 15 January 2005, regarding the granting of permission to remain in the State to non-nationals who are the parents of an Irish born child born in the State before 1 January 2005. If the person concerned does so, and is successful in her application, the issue of deportation will no longer arise.

Visa Applications.

689. **Mr. Noonan** asked the Minister for Justice, Equality and Law Reform if he will reconsider his decision to refuse a visa to a person (details supplied). [34150/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The application in question was received in my Department in October 2004. The visa officer, having considered the application, was not satisfied on the basis of the documentation supplied that the applicant would observe the conditions of a study visa and refused the application. Credibility is central to the visa determination process. Not surprisingly, inconsistencies or omissions on the face of an application can cause the visa officer to conclude that it is not reasonable in all the circumstances to conclude that a visa should be granted. In this regard there was no evidence that the applicant could support herself financially for the duration of her studies, or of her qualifications. The application also contained some inconsistencies.

The application is now over five months out of date. It is open to the applicant to make a fresh application. Any such application should include

up to date supporting documentation, including evidence of the applicant's educational qualifications and financial status along with official evidence of the award of any grant or scholarship and the application will be considered anew.

Irish Prison Service.

690. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the amount of savings that were effected to date by the closure of the Curragh Prison and Fort Mitchell; and if he will make a statement on the matter. [34161/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Overall, overtime expenditure for the Irish Prison Service was reduced from €58.9 million in 2003 to approximately €45.5 million in 2004. This saving can be attributed to a rigorous control of overtime in each institution. The overtime savings arising from the closure of Fort Mitchell and the Curragh places of detention, are also included in this figure.

It is difficult to quantify the precise savings related to the closure of the Curragh and Fort Mitchell. Staff who were redeployed from these prisons remain on the payroll. However, their redeployment has led to a reduction in overtime costs in the prisons to which they were redeployed and has contributed to the overall saving of approx. €13 million overtime in the Prison Service for 2004. In addition, savings were also achieved in the running costs of both institutions amounting to approximately €1.4 million.

691. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the daily average number of prisoners in each of the State prisons and institutions; the capacity of each of these institutions; the number of prison staff in each institution; and if he will make a statement on the matter. [34162/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The latest approved figures relating to the average number of prisoners in each of the State prisons and institutions are contained in the annual report for 2003 which was published recently. For ease of reference, these are set out in the following table:

Institution	Daily Average	Bed Capacity (as at 1 June 2003)
Mountjoy Prison	460	466
Dóchas Centre	81	70
St. Patrick's Institution	188	197
Cork Prison	268	270
Limerick Prison (Male)	169	168
Limerick Prison (Female)	16	16
Castlerea Prison	195	182
Cloverhill Prison	375	406
Wheatfield Prison	375	378
Portlaoise Prison	128	203
Arbour Hill Prison	138	139

Institution	Daily Average	Bed Capacity (as at 1 June 2003)
Fort Mitchel*	94	102
The Training Unit	86	94
The Curragh*	98	94
Midlands Prison	384	515
Loughan House	71	85
Shelton Abbey	50	56
Total	3,176	3,441

*The Deputy will be aware that Fort Mitchel was “mothballed” on 10 February 2004 and the Curragh was “mothballed” on 20 January 2004. A small cohort of staff is assigned to Fort Mitchel and the Curragh for security reasons and the need to carry out essential maintenance.

The second part of the Deputy’s question relates to the number of prison staff serving in each insti-

tution. The following table provides figures as at the end of December 2004.

Institution	Staff
Mountjoy Prison	513.47**
Midlands Prison	393.5**
Cloverhill Prison	372.33**
Wheatfield Prison	316
Portlaoise Prison	310.38**
Cork Prison	263.38**
Limerick Prison	219.42**
St. Patrick’s Institution	178.88**
Castlerea Prison	163.38**
Arbour Hill Prison	116.31**
Dóchas Centre	90.58**
Fort Mitchel	13.50**
The Curragh	11.44**
Training Unit	74.32**
Loughan House	43.42**
Shelton Abbey	37.76**
Total	3,118.07***

**Please note the information supplied reflects the position regarding “whole-time equivalents”, that is, the number of whole-time posts filled in the service. For example, where two staff members are each employed for 50% of the normal working hours, they are counted as one full-time equivalent. One part-time staff member working for 50% of normal working hours, for example, week on, week off, is counted as 0.5 whole-time equivalent. One part-time staff member working for 80% of normal working hours, for example, a four day week, is counted as 0.8 whole-time equivalent. Similarly, staff employed on an hourly basis are counted on a *pro-rata* basis — for example, a doctor employed for 15 hours per week is counted as 0.39 whole-time equivalent.

***This figure includes civilian staff such as chaplains, cooks and doctors who are in the employ of the Prison Service. Psychologists, teachers and the library service are not included in the figures.

692. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the state of negotiations with the Prison Officers Association on the industrial dispute on overtime; and if he will make a statement on the matter. [34163/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Deputy will be aware that following extensive negotiations between the Irish Prison Service and the Prison Officers Association, a limited number of financial issues were the subject of a referral to arbitration, the hearings of which took place on 22 October and 1 November 2004. The arbitrator released his findings on Monday, 24 January 2005 and officials of the Irish Prison Service were engaged in further discussions with the Prison Officers Association at the Labour Relations Commission

yesterday, Tuesday, 25 January 2005. Discussions are not yet concluded.

Citizenship Applications.

693. **Mr. English** asked the Minister for Justice, Equality and Law Reform if the requirement that a person be resident here for five years before he or she can make an application for Irish citizenship applies from the date the person entered Ireland regardless of the number of times he or she may have changed employer (details supplied); and if he will make a statement on the matter. [34185/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Irish Nationality and Citizenship Act 1956, as amended, provides that an applicant for a certificate of naturalisation

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

In determining whether an applicant satisfies this residency requirement, periods for which the permission of the Minister for Justice, Equality and Law Reform was not granted, or where permission was granted for the purposes of study or seeking to be recognised as a refugee, cannot be reckoned. All other periods are reckonable.

It is, therefore, the case that time spent in employment in the circumstances detailed by the Deputy is reckonable for naturalisation purposes, irrespective of any change of employer.

Asylum Applications.

694. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if the safety of a person (details supplied) will be protected by granting him asylum here; if he will be given the maximum support and assistance; and if this humanitarian case will be given priority. [34188/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person referred to by the Deputy made an asylum claim in Ireland on 19 January 2004. Following investigation, it was determined by the Office of the Refugee Applications Commissioner, and later upheld on appeal by the Office of the Refugee Appeals Tribunal by letter of 20 May 2004, that the UK was the appropriate country pursuant to the provisions of the Dublin II Regulation (EC) No. 343/2003 to process his application as he had already made an asylum claim there on 22 July 2003. The person concerned was kept informed of developments throughout the course of his asylum application in Ireland and would have been made aware of it coming under the terms of the regulation.

The UK accepted responsibility for his case on 15 March 2004 and a transfer order was signed on 19 April 2004 in respect of him requiring him to return to the UK.

Judicial review proceedings have been instituted in this case. The matter is, therefore, *sub judice* and I am precluded from making any further comment at this stage.

Proposed Legislation.

695. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if he proposes to change the censorship laws to regulate video games; and if he will make a statement on the matter. [34202/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am considering a review of the law in relation to this matter. Any proposals for changes to the legislation which might result from such a review would be brought before the Government and announced in the usual manner.

Visa Applications.

696. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if he will reconsider his refusal to grant a visa to a person (details supplied); and if he will make a statement on the matter. [34203/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The application in question was to enable the wife of a non-EEA national to come and reside with him in the State. The non-EEA national concerned was granted permission to remain in the State for a three year period from May 2004, following a failed asylum application. It seems he then travelled home and underwent a marriage ceremony in June 2004, resulting in the visa application. Having given full consideration to the application, the visa was refused because the visa officer was not satisfied, on the basis of the documentation supplied, that the applicant could be fully supported by her spouse in the State without the possible need to have recourse to public funds.

An appeal against the refusal of the visa application was received, but the visa appeals officer, having re-examined the visa application and additional information provided, upheld the original decision.

It is open to the applicant to make a fresh application enclosing up to date supporting documentation and the application will of course be considered anew. In this regard, a P60 and current payslips should be submitted as evidence of continuing employment and salary level. Evidence of the husband's travel to his home country with the original of the marriage certificate should also accompany any new application.

Garda Communications.

697. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the arrangements which have been made with mobile phone companies by his Department and the Garda Síochána; the number of masts that have been erected on or at Garda stations, by county; the number of mobile telephones that have been issued to gardaí; and the details of the service supplied, with the value of the package to the Garda Síochána; and if he will make a statement on the matter. [34204/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am advised by the Garda Síochána that there are currently 181 masts in use by O₂. None of these masts is owned by O₂. A breakdown by county is set out in the following table.

I am also advised by the Garda authorities that there are 998 mobile phones on official issue within the Garda Síochána. There are no charges levied against these phones when calling within the 086 network or when calling Garda stations that are attached to the Government VPN.

With regard to the value of the package to the Garda Síochána, it is not possible to provide a

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definitive figure as some of the services provided under the terms of the agreement, such as calls within the 086 network and replacement masts, are provided free of charge to the Garda Síochána. Amounts relating to mobile usage for which charges apply are deducted from the gross fees paid to the Office of Public Works in accordance with the terms of the agreement with O₂. I am advised by the Office of Public Works that since the agreement came into place in June 1997 up to the end of September 2004, an amount of €4.97 million has been offset against gross licences fees of €12.75 million due from O₂ resulting in net receipts of €7.78 million.

County	No. of Masts in use by O ₂
Carlow	2
Cavan	3
Clare	6
Cork	19
Donegal	7
Dublin	45
Galway	9
Kerry	14
Kildare	4
Kilkenny	2
Laois	1
Leitrim	1
Limerick	10
Longford	1
Louth	4
Mayo	5
Meath	6
Monaghan	6
Offaly	1
Roscommon	3
Sligo	4
Tipperary	8
Waterford	3
Westmeath	1
Wexford	9
Wicklow	7

Human Rights Issues.

698. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if he will respond to correspondence (details supplied); and if he will make a statement on the matter. [34214/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I note that this matter has been carefully considered by the Human Rights Commission in accordance with the criteria set out in the Human Rights Commission Act 2000 and the commission's internal guidelines concerning the holding of inquiries and the provision of assistance.

The clear policy underpinning the Human Rights Commission Act 2000 is the establishment

of a national independent human rights institution in line with the provisions of the UN Paris Principles applicable to such bodies. As Minister for Justice, Equality and Law Reform I have no function in this matter, nor would it be appropriate for me to comment further.

Visa Applications.

699. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform when an application for a holiday visa for a person (details supplied) will be processed; and if he will make a statement on the matter. [34217/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application was approved.

Garda Stations.

700. **Mr. Glennon** asked the Minister for Justice, Equality and Law Reform the position regarding the need for the redevelopment of the Garda station in Swords, County Dublin; his plans in respect of same; and if he will make a statement on the matter. [34224/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There are plans to build a new Garda station in Swords, County Dublin. The construction of a new station in Swords will depend on a number of factors, including the availability of financial and other resources and priorities within the Garda building programme. Accordingly, it is not possible at this stage to say when this project will commence. I can say, however, that as an interim measure the Office of Public Works has been requested to provide suitable accommodation on the adjacent site to alleviate the conditions prevailing at the station.

Crime Levels.

701. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the method of compiling statistics on anti-social behaviour; the way in which they are reflected in the annual Garda report; and if he will make a statement on the matter. [34239/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Deputy will be aware from the latest Garda annual report that there were almost 1,100, -22%, fewer serious assaults and over 2,300, -23%, fewer minor assaults in 2003 compared to 2002. There were almost 2,000, -22%, fewer criminal damage cases and 2,400, -4%, fewer public order offences in 2003 compared to 2002.

I am informed by the Garda authorities that there is no specific crime classification of anti-social behaviour and, therefore, statistics are not compiled under such a heading. There are a variety of offences, recorded as intoxicating liquor offences, public order offences, assaults and other offences which may be considered as anti-social

behaviour. These offences may be either headline or non-headline offences.

I understand that the compilation of all offences are subject to the crime counting rules and these rules are published in the Garda annual report for 2003 and previous years. I am further informed that gardaí dealing with public order offences, assaults and other such offences, record them on PULSE and those records are used to produce the statistical data contained in the Garda annual report.

Electoral Abuses.

702. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if there is evidence of criminality in the voting practices of persons in the general election 1982 in the Dublin North Central constituency; and if he will work with the Department of the Environment, Heritage and Local Government on this issue. [34240/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that following a complaint and subsequent Garda investigation into alleged personation at the 1982 general election, two persons were charged with offences contrary to section 3, Prevention of Electoral Abuses Act, 1923. The charges were subsequently dismissed by a judge of the District Court. The Prevention of Electoral Abuses Act, 1923 was subsequently amended by the Prevention of Electoral Abuses Act, 1982, which is within the area of responsibility of the Minister for Environment, Heritage and local Government.

Drug Court Programme.

703. **Mr. English** asked the Minister for Justice, Equality and Law Reform if he intends to roll out the drugs court nationwide; when this is likely to happen; and if he will make a statement on the matter. [34241/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The pilot drug court programme was launched in the Dublin District Court on 9 January 2001. Dublin's north inner city was chosen as the location from which to operate the pilot drug court. The pilot drug court programme marked a major policy initiative in the criminal justice system and was designed as an alternative measure for dealing with less serious and non-violent drug offenders. The project was evaluated by expert consultants at the end of the 18 month period in July 2002. They recommended that the pilot project be extended and the catchment area be widened to include the Dublin 7 area.

I welcomed the recommendations contained in the report and supported the extension of the drug court to the full Dublin 7 catchment area. A further evaluation of the operation of the court in the extended area will be carried out shortly with the Courts Service, after which an informed

decision can be taken in relation to its further expansion.

Land Registry and Registry of Deeds.

704. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform his proposals in regard to turning the Land Registry and the Registry of Deeds into a semi-State body; and if he will make a statement on the matter. [34282/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Registration of Deeds and Title Bill, which is currently before the Seanad, provides for the modernisation of operations and procedures in the Registry of Deeds and amends aspects of the law relating to the registration of title with a view to providing the Land Registry with the means to operate an electronic conveyancing system. As part of the change programme in my Department, I intend to seek Government approval in due course to introduce amendments to the Bill which will have the effect of putting the registries on a new organisational and managerial footing and will underpin the modernisation process.

Garda Investigations.

705. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform his views on the allegations in correspondence from a person (details supplied) in County Donegal; and if he will make a statement on the matter. [34283/04]

744. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform his views on whether the case of a person (details supplied) should be heard at the Morris tribunal; and if he has other alternatives to inquire into the case of this person. [1355/05]

745. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he has satisfied himself that allegations of corruption made by a person (details supplied) in County Donegal were investigated properly; if the Minister misled Dáil Éireann in a previous answer; and if he will make a statement on the matter. [1356/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 705, 744 and 745 together.

I am informed by the Garda authorities that, to date, the complainant has made a number of allegations in relation to various matters and has lodged some documentation with the Garda. However, I am further informed that the complainant has declined to make a written statement to gardaí substantiating his allegations. I am also informed that the documentation lodged with the Garda does not reveal any new evidence or allegations that have not already been investigated by various officers since June 1994. However, I understand that an inspector has now been assigned to re-interview the complainant in relation to the contents of the documents, and to

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obtain a statement from the complainant, if he wishes to make one.

I can inform the Deputies that any specific allegations the complainant makes in relation to Garda or in relation to criminal activity will be fully investigated. However, I am sure the Deputies will appreciate that without his co-operation the Garda is unable to conclude the matter.

In relation to the Morris tribunal, I understand that the complainant has lodged his complaint with the Morris tribunal and that a garda was appointed to investigate three specific complaints made by the complainant to the tribunal. However, I am informed that, when interviewed, the complainant declined to make a statement to gardaí and indicated he would not co-operate with gardaí. However, preparations are being made to afford him another opportunity to do so. Finally, I emphatically reject any allegation that I misled the Dáil in previous answers to questions on this matter.

Closed Circuit Television Systems.

706. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform the progress which has been made regarding the installation of closed circuit television in Waterford city; and if he will make a statement on the matter. [34296/04]

707. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform if there are proposals to install closed circuit television in Dungarvan, County Waterford. [34297/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 706 and 707 together.

As the Deputy is aware, 17 locations throughout the country, including Waterford, are set to receive town centre CCTV systems. This expansion is being implemented on a phased basis as follows: phase 1 — Bray, Dundalk, Dún Laoghaire, Finglas, Galway and Limerick; phase 2 — Athlone, Clondalkin, Tallaght and Waterford; phase 3 — Ballyfermot, Carlow, Castlebar, Clonmel, Ennis, Kilkenny and Sligo. The installation of the phase 1 systems in Bray, Dundalk, Dún Laoghaire and Limerick has been completed and these systems are now fully operational. Some 13 of the 18 cameras in Galway are now fully operational. It is proposed to install the final five cameras in tandem with the major redevelopment works currently being undertaken by Galway City Council in the Eyre Square area.

The issue regarding the provision of suitable space to accommodate the monitoring of CCTV cameras in Finglas Garda station is currently being considered, in conjunction with the Office of Public Works, with regard to the overall accommodation needs of Finglas Garda station. It is hoped that work can proceed to completion in Finglas in 2005.

The second phase of Garda CCTV systems will be installed in Athlone, Clondalkin, Tallaght and

Waterford. Installation of the CCTV systems is of necessity a detailed, complex and lengthy process. The Garda authorities are giving careful consideration to a restructuring of the manner in which these Garda CCTV systems go to tender.

I am anxious to accelerate the implementation of the remaining CCTV programme, and reduce as far as possible the workload of the Garda Síochána in this regard. To that regard I have asked the Commissioner to submit proposals for a revised tender document for the 11 locations in the remaining two phases, with a view to achieving implementation in priority locations by the end of 2006.

I am informed by the Garda authorities that an application for a Garda CCTV system in Dungarvan has been received by the CCTV advisory committee. This committee was established by the Garda Commissioner to advise on all matters relating to CCTV systems. This application is currently under consideration by the advisory committee along with applications from other cities and towns throughout the country.

Judicial Appointments.

708. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he will report on the procedures for appointing judges; if political party affiliations of candidates are a factor in their appointments; and if he will make a statement on the matter. [34622/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Judicial Appointments Advisory Board was established pursuant to the Courts and Court Officers Act 1995. The purpose of the board is to assess applicants for judicial office and inform the Government of their suitability. The board consists of the Chief Justice, the Presidents of the High Court, Circuit Court and District Court, the Attorney General, nominated representatives of the Bar Council and the Law Society and three persons nominated by the Minister for Justice, Equality and Law Reform.

Section 14 of the Act enables the board to adopt such procedures as it thinks fit to carry out its functions. In practice, the board places advertisements for applications for judicial appointments in the national press and requires applicants to complete a detailed application form which includes questions on their practice, their professional qualifications, education, character etc.

Under section 16 of the Act, where a judicial office stands vacant or before a vacancy in a judicial office arises, the board, at the request of the Minister, submits to the Minister the names of all persons who have informed the board of their wish to be considered for appointment to that judicial office and the names of at least seven persons whom it recommends for appointment.

Section 16 also provides that the Government, when advising the President in relation to the appointment of a person to a judicial office, must first consider persons who have been recom-

mended by the board. It is important to note that the board cannot submit nor recommend the name of a person unless that person meets the eligibility requirements set out by law in relation to the post in question. Furthermore, the board cannot recommend the name of any person unless in the opinion of the board the person concerned has displayed in his or her practice as a solicitor or barrister a degree of competence and a degree of probity appropriate to and consistent with the appointment concerned, is suitable on grounds of character and temperament, is otherwise suitable, and complies with section 19 of the Act — this section provides that a person who wishes to be considered for appointment to judicial office must undertake in writing his or her agreement, if appointed to judicial office, to take such training as may be required by the Chief Justice or the President of the court to which the person concerned is appointed.

Section 17 of the Act provides that the procedures do not apply where the Government proposes to advise the President to appoint to judicial office a person who is already a judge or, subject to certain conditions, holds certain European or international judicial offices as set out in section 5 of the Courts (Supplemental Provisions) Act 196, as amended.

The Standards in Public Office Act 2001 requires applicants to certify that their tax affairs are in order. Section 22(1) of the Act prohibits the board from recommending a person for judicial office unless the person has furnished to the board a tax clearance certificate and a statutory declaration that their tax affairs are in order.

In accordance with section 11 of the Court and Court Officers Act 2002, the board is required to make an annual report of its activities. The most recent report — for 2003 — was received last year and laid before both Houses of the Oireachtas.

I am satisfied that the present system for appointing judges — strengthened by the provisions of the Courts and Court Officers Act 1995 and subsequent statutory provisions — is the most practical system that can apply consistent with the requirements of the Constitution.

Asylum Applications.

709. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform the status of a person (details supplied) in County Clare; and if he will make a statement on the matter. [34623/04]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The position is that the person concerned arrived in the State on 30 November 2000 and claimed asylum. His application was refused and he was notified of this recommendation by letter of 6 March 2002. His subsequent appeal was refused and he was notified of this recommendation by letter of 30 September 2002. He was notified of my decision to refuse him refugee status by letter of 27 November 2002 in which he was informed of the three options open

to him at that point, namely, to leave the State before the Minister for Justice, Equality and Law Reform made a deportation in respect of him, to consent to the making of a deportation order in respect of him, or to make written representations, within 15 working days, to the Minister for Justice, Equality and Law Reform setting out reasons as to why he should not be deported, that is, why he should be allowed to remain temporarily in the State.

His case was examined under section 3 of the Immigration Act 1999 and section 5 of the Refugee Act 1996 (Prohibition of Refoulement), including consideration of all representations received on his behalf. On 3 August 2004 a deportation order was made in respect of this person. The order was served on him by registered post and he presented himself as requested to the Garda national immigration bureau on Thursday, 6 January 2005. He is due to present himself again on Thursday, 3 February 2005 when it is envisaged that arrangements can be made to remove him from the State. The enforcement of the deportation order is a matter for the Garda national immigration bureau.

Equality Proofing.

710. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will report on the work to date of the working group on equality proofing established under the Programme for Prosperity and Fairness; and the group's plan of work to the end of 2006. [1017/05]

767. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will report on the work to date of the working group on equality proofing established under the Programme for Prosperity and Fairness; and the group's plan of work to the end of 2006. [1657/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 710 and 767 together.

The working group on equality proofing was established under the social partnership agreement, Programme for Prosperity and Fairness, PPF. It continues its work in the context of the successor agreement, Sustaining Progress. Paragraph 5.5.2 of Sustaining Progress provides for the proofing of policies and services in the public sector to avoid unanticipated negative impact on any of the groups protected under the equality legislation, to ensure policy coherence and best use of resources. The primary task of the working group is to develop tools so that an efficient and effective proofing process can be applied. The working group is building on the experience of gender-proofing under the national development plan, NDP, poverty-proofing and the experience of the Northern Ireland authorities of their analogous processes.

[Mr. McDowell.]

The working group in the period up to end 2002 commenced a number of pilot initiatives, including, first, a joint research project by the Equality Authority and the Combat Poverty Agency to support the focus on inequalities leading to poverty within the poverty-proofing guidelines. Second, the city and county development boards, CDBs, applied a template to enable them to equality-proof their strategy plans. The Equality Authority published a review of the outcomes of this process entitled "Equality Commitments in City/County Development Board Strategy Plans". Third, quality customer service under the strategic management Initiative, SMI, includes an emphasis on equality and diversity. A support pack was developed and circulated to all Departments. The pack focuses on practical approaches to accommodating diversity, to securing accessibility and to putting in place equal status policies. Fourth, the Equality Authority developed a voluntary scheme to conduct equality reviews and action plans in workplaces. Funding was provided by my Department to contribute towards the cost of consultants. Fifth, FÁS commenced piloting an equality proofing exercise focusing on employment services. Sixth, the Community Workers Co-operative was resourced to develop a manual on equality proofing for community and voluntary groups to assist them in engaging in this process.

In the period since 2002, work on these initiatives continued and a further set of activities was commenced. This included piloting an integrated approach to proofing, involving simultaneously poverty, gender and equality proofing. The Department of Social and Family Affairs, the Department of Justice, Equality and Law Reform and the Equality Authority completed an integrated proofing template. Two policies, the national action plan against racism and the back to education allowance expenditure review were used to pilot the template and a report, *Integrated Proofing: Learning from Pilots*, was presented to the working group on equality proofing at the end of 2004.

An equal status review in the North Western Health Board has taken place and the report of the process, including an equal status review template, is expected to become available around mid-2005. Follow-up to the pilot projects on equality proofing in FÁS is ongoing with additional areas now being targeted for equality proofing during 2005. A detailed report on the activities of the working group on equality proofing covering the period 2002 to 2004 is currently being prepared and will be submitted to the steering group on Sustaining Progress shortly.

The 2005 work plan for the working group on equality proofing identified a number of main areas. It recognised that work on equality proofing should now focus on rolling out in the public service the learning process from the equality-integrated proofing exercises already carried out.

During 2005 the working group intends to have carried out a further three to four equality proofing exercises on key policy initiatives. Also the working group is to further test the integrated proofing template. The particular initiatives and policies to be proofed have yet to be identified by the working group.

The working group will continue to monitor research on statute-based proofing systems and is currently examining recent reports on section 75 in Northern Ireland — the Equality Commission for Northern Ireland's report on the implementation of the section 75 statutory duties and an independent report entitled, *The Section 75 Equality Duty — An Operational Review*.

Visa Applications.

711. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform when an appeal decision will be made in the case of a person (details supplied) for a holiday visa; and if he will make a statement on the matter. [1018/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An appeal in this case has not been lodged with my Department. The person in question made a visa application in August 2004 for the stated purpose of a holiday with his aunt and uncle who are resident in the State. The applicant stated on his visa application form that he is a student in his home country, yet no documentation was submitted to support this claim. No evidence of finances was submitted to show how the applicant intended to maintain himself while in the State. The application was supported by an unsigned letter which did not confirm the duration of the proposed journey to the State. The application was refused because the visa officer was unable to conclude, on the basis of the documentation supplied to my Department, that the applicant would observe the conditions of the visa.

Asylum Applications.

712. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform when a decision will be made regarding persons (details supplied) in County Kildare who have applied for permission to remain here for an extended period; and if he will make a statement on the matter. [1019/05]

713. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if persons (details supplied) in County Kildare can apply for residency status; and if he will make a statement on the matter. [1020/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 712 and 713 together.

This Cameroonian couple arrived in the State on 3 February 2003 and applied for asylum. Their application was refused following consideration of their case by the Office of the Refugee Applications Commissioner and, on appeal, by the

Refugee Appeals Tribunal. The couple are the parents of Irish born children. Subsequently, in accordance with the Immigration Act 1999, as amended, they were informed by letter dated 14 January, 2005, that it was proposed to make deportation orders in their case. They were given the options, to be exercised within 15 working days, of making representations to the Minister setting out reasons why they should be allowed to remain temporarily in the State, leaving the State before deportation orders are signed or consenting to the making of deportation orders.

In the normal course of events, the couple's case files, including all representations submitted, would be considered under section 3(6) of the Immigration Act 1999, as amended and under section 5 of the Refugee Act 1996, as amended. However, this couple, as the parents of Irish born children, may, if they so wish, apply to have their application considered under the new arrangements introduced by me for the consideration of applications for permission to remain made by the non-national parents of Irish born children born before 1 January, 2005.

An information notice setting out details of the new arrangements and the appropriate application form is available from the Department's website www.justice.ie. Application forms are also available from Garda district headquarters, stations outside Dublin, at all Reception and Integration Agency accommodation centres countrywide and from various non-governmental organisations working with immigrants and asylum seekers.

Citizenship Applications.

714. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when revised arrangements for the consideration of applications for permission to remain made by parents of Irish born children will commence; and when details of the revised arrangements will be made available. [1071/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The details of the revised arrangements for the consideration of applications for permission to remain in the State made by the non-national parents of Irish born children born before 1 January 2005 were publicly announced on 15 January 2005. Applications should be made on form IBC/05 which is available on the Department of Justice, Equality and Law Reform website at www.justice.ie. Hard copies of the form are available at the Department of Justice, Equality and Law Reform, 13-14 Burgh Quay, Dublin 2, Garda district headquarters, stations outside Dublin and at all Reception and Integration Agency accommodation centres country wide. Forms will also be distributed to various non-governmental organisations working with immigrants and asylum seekers.

Registration of Title.

715. **Mr. Deenihan** asked the Minister for Justice, Equality and Law Reform if a dealing (details supplied) will be expedited; and if he will make a statement on the matter. [1072/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application under section 49, acquisition of title by virtue of long possession, under the Registration of Title Act 1964, which was lodged on 16 September 2004. Dealing Number D2004PS019909H refers. I understand that due to their complicated nature, applications under section 49, which require detailed examination of claims for registration as owners, can take some time to process. Accordingly, it is not possible to estimate a completion date at this stage.

I am further informed that queries issued to the lodging solicitors on 10 January 2005 and that the application cannot proceed until these queries have been satisfactorily resolved. However, on receipt of a satisfactory reply to the queries raised the matter will receive further attention in the Land Registry and will be completed as soon as possible.

Youth Diversion Projects.

716. **Mr. O'Connor** asked the Minister for Justice, Equality and Law Reform if he will approve a project (details supplied) in Dublin 24; his views on the need for this important Garda diversion project; if his attention has been drawn to the fact that a management committee is in place which includes representatives of the local community and the Garda Síochána who are strong supporters of this project; and if he will make a statement on the matter. [1073/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Garda youth diversion projects are a community-based, multi-agency crime prevention initiative which seek to divert young persons from becoming involved — or further involved — in anti-social and/or criminal behaviour by providing suitable activities to facilitate personal development, promote civic responsibility and improve long-term employability prospects. By doing so, the projects also contribute to improving the quality of life within communities and enhancing Garda-community relations. The number of projects has grown from 12 in 1997 to 64 at present, a process made possible, in part, by funding under the National Development Plan 2000-2006. The locations of new projects are decided upon by the Garda authorities in conjunction with my Department. There are currently three Garda youth diversion projects, KEY, JAY and YEW, operating in the Tallaght area, which collectively cater for 134 participants and which received funding of €333,074 in 2004. In addition, there is one sergeant and four garda juvenile liaison officers operating from Tallaght Garda station.

[Mr. McDowell.]

I am committed to the continuing development and, as resources permit, the expansion of Garda youth diversion projects. Proposals made by the Garda Síochána to my Department on establishing further projects are examined within the context of available resources. All applications relating to the establishment of further projects should follow the establishment process as set out in the Garda youth diversion project guidelines which I launched in 2003. The 11 establishment guidelines give a clear structure to the application process from the initial expression of interest to the final submission of the proposal and cover issues such as the pre-establishment phase, consultation, memorandum of understanding, legal structure, coordinator's job description and catchment area.

A budget of €5.471 million has been provided for the Garda youth diversion projects and local drugs task force projects in 2005. It is expected that this amount will be required to meet the funding needs of the projects currently in operation. It is not envisaged that additional youth diversion projects will be established in the short term. However, the possibility of funding further projects in light of prevailing budgetary conditions remains, and in this context the application for the project referred to by the Deputy will be kept under review.

Garda Deployment.

717. **Mr. O'Connor** asked the Minister for Justice, Equality and Law Reform if he will initiate a comprehensive review of the policing needs of Tallaght, Dublin 24; if he will include in that review consideration of the Garda Síochána needs of Tallaght; and if he will make a statement on the matter. [1074/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of Garda personnel, that the personnel strength of Tallaght Garda station as at 18 of January 2005 was 172, all ranks. The personnel strength of Tallaght Garda station as at 1 January 1998 was 133, all ranks. This represents an increase of 39, or 29.3%, in the number of personnel allocated to Tallaght Garda station since that date.

In relation to Garda resources generally, I am, of course, very pleased that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with the An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will significantly strengthen the operational capacity of the force.

I am advised that local Garda management report that a high-profile policing operation is currently in place in Tallaght. This operation is carefully targeting areas of serious anti-social

behaviour, burglaries, robberies, cash in transit and licensed premises. All major shopping centres are closely policed.

During 2004 the public parks policing project met on a number of occasions to discuss serious incidents of anti-social behaviour in public parks and other open spaces. This project involves parks personnel of South Dublin County Council, park rangers, community representatives and gardaí. I am advised that this project has proven to be very successful in reducing the level of incidents in such areas, and that community representatives have endorsed this success at the project meetings. As part of this project, gardaí have targeted specific black spots where large groups have caused trouble for residents and, in particular, the Garda mountain bike unit has proven of huge benefit to the policing of these areas.

I am further informed that Tallaght community gardaí are also committed to the RAPID project which tackles social exclusion in west Tallaght. In addition, Garda clinics are currently in place in Killinarden, Jobstown and Fettercairn-Brookfield, for one hour each week. These clinics are a joint venture between gardaí and South Dublin County Council personnel attached to the housing allocation unit with the four estate management teams. The area is policed with eight community gardaí with full-time responsibility for west Tallaght. They are assisted by other units in policing the area on a 24-hour basis. All communities are kept up to date on general policing, crime and public order issues.

Garda personnel deployments throughout the country, together with overall policing arrangements and operational strategy are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources, and the best possible service is provided to the public. I am advised that local Garda management are satisfied that the current resources available in Tallaght are sufficient to deal with the policing demands of the district. Resources are augmented from within the district-division as required and the area is also patrolled by the district detective unit and divisional traffic unit as required.

However, the situation will be kept under review and the policing needs of Tallaght will continue to be fully considered within the context of the overall needs of Garda districts and divisions throughout the country. The Commissioner will now be drawing up plans on how best to distribute and manage these additional resources. Clearly, of course, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda traffic corps. One thing I have already

promised is that the additional gardaí will not be put on administrative duties. They will be put directly into frontline, operational, high-visibility policing. They will have a real impact.

Citizenship Regulations.

718. **Mr. Bruton** asked the Minister for Justice, Equality and Law Reform if he will report on the arrangements whereby persons who have married an Irish national obtain automatic right to residency and citizenship here; the protections in place to prevent abuses of this arrangement and to advise Irish nationals on the way in which to protect themselves in such a situation; and if he will make a statement on the matter. [1075/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I presume the Deputy is referring to non-EEA spouses of Irish nationals. Marriage to an Irish national does not grant any automatic right to residency in the State solely on that basis. Neither does it grant an automatic right to Irish citizenship following the coming into force of the Immigration and Citizenship Act 2001 which abolished the previous system of post-nuptial citizenship.

The immigration division of my Department has growing experience of marriages being entered into for the sole purpose of enabling the non national in question gain entry to the State. Frequently in these circumstances the Irish national may be totally unaware that this is the intention of the non national and will feel aggrieved by the perception that the immigration authorities are interfering with their private life in refusing to allow their spouse to enter or remain in the State. On occasion the Irish national may be a willing party for their own personal benefit. 'Convenience' marriages for the purpose of circumventing normal immigration controls are experienced by immigration jurisdictions worldwide and, in this regard, holiday and internet romances would feature frequently.

In order to prevent abuses of the system, in so far as is possible and without unduly interfering with the Irish citizen's private circumstances, the immigration division will seek to establish various matters. These include the context in which the marriage took place, the validity of the marriage and whether the couple are residing in a family unit. This may involve requesting supporting documentation as evidence of the relationship or an interview by the immigration authorities of either or both parties.

My Department is not in a position to advise persons as to how to protect themselves in such a situation as suggested by the Deputy. It is open to them to contact a solicitor in this regard.

Deportation Orders.

719. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 1081 of 29 September 2004, if a person (details supplied) in

County Clare can remain here on humanitarian grounds; and if he will make a statement on the matter. [1076/05]

741. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform the reason a person (details supplied) in County Clare will be deported in view of the unstable situation in their country; if he will overturn his decision of 11 January 2005 on humanitarian grounds; and if he will make a statement on the matter. [1291/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 719 and 741 together.

I refer the Deputy to my reply I gave to him to Parliamentary Question No. 1081 on 29 September 2004 in relation to the same person, in which I indicated that a decision was yet to be made in respect of his application for leave to remain in the State. Since then, the person's case was examined under section 3 of the Immigration Act, 1999 and section 5 of the Refugee Act, 1996 (Prohibition of Refoulement) and all representations received on his behalf were considered. On 10 December 2004 a deportation order was made in respect of this person. In coming to this decision, consideration was given to extensive country of origin information drawn from different independent sources, including the UNHCR, in evaluating the safety of making returns to third countries. I am satisfied that in the current case the requirements of section 5 of the Refugee Act, 1996 (Prohibition of Refoulement) have been complied with and that no refoulement matters arise.

The deportation order was served on this person by registered post and he presented himself, as requested, to the Garda national immigration bureau, GNIB, on Thursday, 20 January 2005. He will be required to present himself on further occasions pending the making of arrangements by the GNIB made to remove him from the State. The enforcement of the deportation order is a matter for the GNIB.

Sexual Offences.

720. **Ms McManus** asked the Minister for Justice, Equality and Law Reform the legal age of sexual consent for females and males; if there is a difference for gay and lesbian couples; the position regarding a case in which a minor and another minor is involved; and if he will make a statement on the matter. [1077/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The common age of consent for both heterosexual and homosexual relations under Irish law is 17 years. However, consensual homosexual relations between females is not an offence except where one of the parties is under 15 years of age. Under Section 1(1) of the Criminal Law Amendment Act 1935, unlawful carnal knowledge of a girl under the age of 15 years is an offence punishable with a maximum sentence of life imprisonment. Under Section 2 (1) of the

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Act, unlawful carnal knowledge of a girl aged between 15 and 17 years is an offence punishable in the case of a first conviction by a maximum prison sentence of five years and in the case of a second or any subsequent conviction by a maximum prison sentence of ten years. Consent is not a defence.

Under section 3 of the Criminal Law (Sexual Offences) Act 1993 an act of buggery with a person, male or female, under the age of 15 years is an offence punishable with a maximum sentence of life imprisonment. Where the person against whom the act has been committed is between 15 and 17 years of age the offence is punishable in the case of a first conviction by a maximum prison sentence of five years and in the case of a second or any subsequent offence by a maximum prison sentence of ten years. Again, consent is not a defence.

A discussion paper on the law on sexual offences was published some time ago by my Department. The first legislation to arise from an analysis of the views received on the paper resulted in the Sex Offenders Act 2001. The paper also addressed the matters raised in the Deputy's question. If I consider, following the examination of the responses received to that discussion paper, which is ongoing, that any of these matters require statutory intervention, I will seek the approval of the Cabinet to prepare the necessary legislative proposals.

Visa Applications.

721. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform if he will list the various types of visa processed by his Department for entry into the State; the details of the application form and documentation required in each case; the average waiting time for processing each type of visa; and if he will make a statement on the matter. [1151/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There are two categories of visa, single journey and multi journey. Within both categories there are two types, type one granting the applicant permission to remain in the State for a period up to three months and type two granting the applicant permission to remain for extended periods over three months. Visas to enter the State are sought for a number of reasons: holiday visit, business, conference, employment, exam, interview, join parent or spouse, medical reasons, religious events, sports tournaments, study purposes, training. Information requested on the application form covers in general: personal details including citizenship and travel document information; details of any family members who intend to travel to the State with the applicant or join them thereafter; employment details in country of residence, or study details as appropriate; purpose of journey and proposed entry and departure dates — determines what type of visa is required; details of the

applicant's reference in Ireland; details of any previous applications for Irish visas and the outcome of each. The application form is available free of charge from both the Department of Foreign Affairs visa office and from Irish Embassies and Consulates abroad.

Every effort is being made to process applications as quickly as possible. Decisions on applications are currently taking, on average, four to six weeks to process. This is due to the high volume of applications received.

Registration of Title.

722. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the average waiting time for processing each Land Registry registration on a county basis; and if he will make a statement on the matter. [1153/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is set out below.

County	Average Waiting Time (months)
Carlow	11.2
Cavan	15
Clare	6.7
Cork	3.0
Donegal	14.9
Dublin	3.4
Galway	12.7
Kerry	10.3
Kildare	1.8
Kilkenny	13.2
Laois	11.0
Leitrim	12.9
Limerick	7.6
Longford	11.9
Louth	8.5
Mayo	13.5
Meath	9.1
Monaghan	10.4
Offaly	12.7
Roscommon	7.2
Sligo	7.0
Tipperary	6.0
Waterford	2.2
Westmeath	8.8
Wexford	13.2
Wicklow	2.0

I have been informed by the Registrar of Titles that this information was calculated on the following basis. The total number of dealings on hands in the Land Registry at 31 December 2004 was 163,678. Of these, 41,233 were the subject of queries and cannot be proceeded with until a satisfactory reply is received. The "live" arrear was therefore 122,445. The total number of cases completed during 2004 was 201,308. Therefore

the overall national average waiting time in respect of the “live” arrear is 7.3 months.

I can further inform the Deputy that the length of time taken to complete cases varies depending on a number of factors, including the complexity of the case, investigation of title requirements, the completeness of the documentation presented, mapping requirements, the volume of business being transacted, the level of resources available at any particular time and the time at which the present computerised system was introduced in the Land Registry for each county. Where a case is urgent and this is brought to the attention of the Land Registry, in accordance with its customer service policy, the matter is dealt with expeditiously.

Every effort is being made to process applications as quickly as possible. Decisions on applications are currently taking, on average, four to six weeks to process. This is due to the high volume of applications received.

Garda Deployment.

723. **Ms O. Mitchell** asked the Minister for Justice, Equality and Law Reform the progress to date in establishing a dedicated traffic corps; the predicted timescale for the creation of the full complement of the corps; the way in which this corps will differ in its operation and functions from the existing traffic divisions; and if he will make a statement on the matter. [1157/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In relation to Garda resources generally, I am very pleased that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with the commitment in An Agreed Programme for Government in this regard. I announced the establishment within the Garda Síochána of the traffic corps on 23 November 2004. I am informed by the Garda authorities that the number of gardaí assigned to the traffic corps will increase on a phased basis from the current approved level of 531 to 1,200 by 2008. This will be done in tandem with the recruitment of almost 1,100 recruits in each of the next three years resulting in the net increase in the strength of the force to 14,000.

As each cycle of recruit training is completed, the Garda Commissioner will assign these new members to the areas of greatest need with certain priorities, in particular the traffic corps. The recruitment campaign to take on additional gardaí was launched on 25 November, 2004 and over 10,500 applications were received. In each quarter, for the next three years, around 274 recruits will be taken into the college. Arrangements are in place for the intake of 274 students to the Garda College on 7 February, 005.

The Government has approved the appointment of an additional officer at the rank of assistant commissioner, who will be the head of the traffic corps, and an appointment will be made in the very near future. The traffic corps will have

a dedicated and identifiable budget, and formal arrangements for this within the Garda budget are now being put in place.

The Garda strategic review of traffic policing, which I published also on 23 November, is the blueprint for the activities of the traffic corps. Work is currently under way on the development of proposals for the elaboration and implementation of the traffic corps' strategy, including proposals on the structural aspects of road traffic law enforcement. These proposals will be considered for adoption by the new head of the traffic corps and other senior management of the Garda Síochána. Every effort is being made to process applications as quickly as possible. Decisions on applications are currently taking, on average, four to six weeks to process. This is due to the high volume of applications received.

Registration of Title.

724. **Cecilia Keaveney** asked the Minister for Justice, Equality and Law Reform the position in relation to a Land Registry application by persons (details supplied) in County Donegal; and if he will make a statement on the matter. [1161/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application under section 49, acquisition of title by virtue of long possession, under the Registration of Title Act 1964, which was lodged on 3 March 2004. Dealing Number D2004WS002605V refers. I understand that due to their complicated nature, applications under section 49, which require detailed examination of claims for registration as owners, can take some time to process. Accordingly, it is not possible to estimate a completion date at this stage.

I am however further informed that queries which issued to the lodging solicitors have now been replied to and that the application is receiving attention in the Land Registry and will be completed as soon as possible. Every effort is being made to process applications as quickly as possible. Decisions on applications are currently taking, on average, four to six weeks to process. This is due to the high volume of applications received.

Citizenship Applications.

725. **Mr. Allen** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application made by a person (details supplied) for assistance based on the grounds that they are married to an Irish citizen. [1168/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for permission to remain in the State based on marriage to an Irish national was received from the person concerned in July 2004. Applications of this type are dealt with in chronological order and currently take approximately 16 months to process.

Deportation Orders.

726. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if a person (details supplied) in County Kildare will be given leave to remain here for an extended period; and if he will make a statement on the matter. [1191/05]

781. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if he will grant an extension of residency to a person (details attached) in County Kildare; if his attention has been drawn to the possible dangers to which this person is likely to be exposed if returned to their homeland; and if he will make a statement on the matter. [1673/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 762 and 781 together.

The position is that the person concerned arrived in the State on 23 October, 2002 and claimed asylum. Her application was refused and she was notified of this recommendation by letter of 10 July 2003. Her subsequent appeal was refused and she was notified of this recommendation by letter of 30 September 2003. She was notified of my decision to refuse her refugee status by letter of 14 January 2004 in which she was informed of the three options open to her at that point, i.e., to leave the State before the Minister for Justice, Equality and Law Reform made a deportation in respect of her; to consent to the making of a deportation order in respect of her; or to make written representations, within 15 working days, to the Minister for Justice, Equality and Law Reform setting out reasons as to why she should not be deported, i.e. why she should be allowed to remain temporarily in the State.

Her case was examined under section 3 of the Immigration Act 1999 and Section 5 of the Refugee Act 1996 (Prohibition of Refoulement), including consideration of all representations received on her behalf. On 3 August 2004 a deportation order was made in respect of this person. The order was served on her by registered post and she presented herself as requested to the Garda national immigration bureau on Thursday, 13 January 2005. She is due to present herself again on Thursday, 3 February 2005 when it is envisaged that arrangements can be made to remove her from the State.

My Department uses extensive country of origin information drawn from different independent sources, including the UNHCR, in evaluating the safety of making returns to third countries. I am satisfied that in the current case the requirements of section 5 of the Refugee Act 1996 (Prohibition of Refoulement) have been complied with and that no refoulement matters arise. The enforcement of the deportation order is a matter for the Garda national immigration bureau.

Asylum Applications.

727. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform if an appli-

cation by a person (details supplied) in County Kilkenny to stay here on humanitarian grounds will be expedited. [1210/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): This person arrived in the State on 31 July 2003 and applied for asylum. His application was, in turn, considered by the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal, both of which considered that he did not meet the criteria for recognition as a refugee. The recommendations of both bodies were communicated to the person concerned. In accordance with section 17(1) of the Refugee Act 1996, as amended, my Department will be in contact with this person, by letter, in the coming days to inform him as to his current position in the State.

Child Care Services.

728. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the status of an application for funding by a person (details supplied); when a decision is likely to be made in this case; and if he will make a statement on the matter. [1211/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In December 2004, I considered the appraisal of a capital grant application under the equal opportunities childcare programme, EOCP, 2000-2006, from the group in question. The Deputy may be aware that over €132,500 in capital and staffing grant assistance has already been approved to the group.

The amount of capital funding available under the EOCP is limited and funding is prioritised to those projects which most closely focus on the aims and criteria of the programme, which clearly support the child care needs of parents in employment, education and training and which fill gaps in the availability of child care at local level. Consequently, factors taken into consideration during the appraisal of applications for capital grant assistance include ensuring that there is a regional and local spread of child care services to meet local need; ensuring value for money when considered in relation to the current guidelines on building costs; showing evidence of demand in the area for the level of service being proposed; and avoiding competition between services which would adversely affect their sustainability.

As the application in question has not fulfilled the relevant criteria and in the light of all information currently available, I concurred with the programme appraisal committee of the EOCP and did not make funding available to the project on this occasion. However, should the group wish to offer additional material to substantiate that submitted in its original application, it is open to the group to submit an appeal to my Department which will be appraised by ADM Limited and considered by the programme appraisal committee.

Deportation Orders.

729. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform if an application by a person (details supplied) in County Kilkenny to stay here on humanitarian grounds will be expedited; and if he will make a statement on the matter. [1212/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question arrived in the State on 10 June 2003 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal. Subsequently, in accordance with the Immigration Act 1999, as amended, he was informed by letter dated 11 November 2004, that it was proposed to make a deportation order in his case. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out reasons she should be allowed to remain temporarily in the State, leaving the State before the deportation order is made or consenting to the making of a deportation order.

This person's case file, including all representations submitted, will be considered under section 3(6) of the Immigration Act 1999, as amended, and section 5 of the Refugee Act 1996 — Prohibition of Refoulement. I expect the case file to be passed to me for decision in due course.

Asylum Applications.

730. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform if he will expedite a decision in the case of a person (details supplied) in Dublin 15 who has applied to stay here on humanitarian grounds; if a temporary identification card will be issued given that this person has been here for five years; and if he will make a statement on the matter. [1213/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 27 April, 2000 and applied for asylum on the same day. His wife entered the State on 8 August 2000 and applied for asylum on the same day. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal. Subsequently, in accordance with section 3 of the Immigration Act 1999, as amended, he was informed by letter dated 31 October 2002, that the Minister proposed to make a deportation order in respect of him. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons he should be allowed to remain temporarily in the State, leaving the State before an order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned.

This person's case file, including all representations submitted, will be considered under

section 3(6) of the Immigration Act 1999, as amended, and section 5 of the Refugee Act 1996 (Prohibition of Refoulement). I expect the file to be passed to me for decision in due course. Persons in these circumstances — who have been refused declarations as refugees and are awaiting decisions as to their deportations — are not issued with temporary identification cards.

Registration of Title.

731. **Mr. Ellis** asked the Minister for Justice, Equality and Law Reform if his Department will complete work on a land dealing (details supplied) in County Leitrim. [1229/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application under section 49, acquisition of title by virtue of long possession, under the Registration of Title Act 1964, which was lodged on 11 December 2003. Dealing Number D2003WS012236J refers. I understand that due to their complicated nature, applications under section 49, which require detailed examination of claims for registration as owners, can take some time to process. Accordingly, it is not possible to estimate a completion date at this stage. I am further informed that queries which issued to the lodging solicitors have now been replied to and that the application is receiving attention in the Land Registry and will be completed as soon as possible.

Closed Circuit Television Systems.

732. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform the position regarding the installation of the closed circuit television system in Clondalkin; and when this system will be operational. [1243/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware, 17 locations throughout the country, including Clondalkin, are set to receive town centre CCTV systems. This expansion is being implemented on a phased basis as follows: phase 1 — Bray, Dundalk, Dún Laoghaire, Finglas, Galway and Limerick; phase 2 — Athlone, Clondalkin, Tallaght and Waterford; phase 3 — Ballyfermot, Carlow, Castlebar, Clonmel, Ennis, Kilkenny and Sligo. The installation of the phase 1 systems in Bray, Dundalk, Dún Laoghaire and Limerick has been completed and these systems are now fully operational. Some 13 of the 18 cameras in Galway are now fully operational. It is proposed to install the final five cameras in tandem with the major redevelopment works currently being undertaken by Galway City Council in the Eyre Square area.

The issue regarding the provision of suitable space to accommodate the monitoring of CCTV cameras in Finglas Garda station is currently being considered, in conjunction with the Office of Public Works, with regard to the overall accommodation needs of Finglas Garda station.

[Mr. McDowell.]

It is hoped that work can proceed to completion in Finglas in 2005.

The second phase of Garda CCTV systems will be installed in Athlone, Clondalkin, Tallaght and Waterford. Installation of the CCTV systems is of necessity a detailed, complex and lengthy process. The Garda authorities are giving careful consideration to a restructuring of the manner in which these Garda CCTV systems go to tender.

I am anxious to accelerate the implementation of the remaining CCTV programme, and reduce as far as possible the workload of the Garda Síochána in this regard. I have therefore asked the Commissioner to submit proposals for a revised tender document for the 11 locations in the remaining two phases, with a view to achieving implementation in priority locations by the end of 2006.

Drugs Seizures.

733. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the value of cocaine seized by the State authorities in each of the past ten years; and if he will make a statement on the matter. [1244/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the value of cocaine seizures made in each of the past ten years is as set out as follows. Seizures made by the Customs authorities are a matter for my colleague, the Minister for Finance.

An Garda Síochána Cocaine Seizures.

Year	Value
	€
1994	4,672
1995	2,214,444
1996	65,214,360
1997	1,119,411
1998	33,843,103
1999	8,690,575
2000	1,832,604
2001	540,913
2002	3,225,368
2003	10,915,786
2004*	

*Figures for 2004 are not yet available.

Anti-Racism Measures.

734. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform his views on the findings of the non-governmental organisation response to the Government's first report on the UN Convention on the Elimination of Racial Discrimination in which Amnesty International, the Irish Council for Civil Liberties and the Irish Bishops' Conference asserted that the Government's policies and Ministerial statements

have acted to increase racism; and if he will make a statement on the matter. [1245/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Ireland ratified the UN Convention on the Elimination of all forms of Racial Discrimination, CERD, on 29 December 2000 and the convention entered into force here on 28 January 2001. In line with Article 9 of the Convention, Ireland submitted its first report, which covers the legislative, judicial, administrative and other measures adopted to give effect to the provisions of the Convention, to the UN early in 2004. In accordance with established practice, Ireland's report was drawn up after widespread consultation with the NGO community.

On 2 and 3 of March next, an Irish delegation, led by Minister of State, Deputy Frank Fahey, will be present at the UN in Geneva for a dialogue with the CERD committee on Ireland's first report and on our implementation of the Convention. I understand that the CERD committee procedures allow for civil society groups to submit "shadow" reports in advance of this dialogue which comment on the report of the state party. It is in this context that the NGO alliance have submitted its report. I will make funds available to assist a number of NGOs with their travel costs to attend the session, as observers, in Geneva.

As to the specific criticisms referred to by the Deputy, I cannot agree with them. It is has always been both my and the Government's position that combating racism and accommodating diversity are key priorities of the Government. Tomorrow, along with the Taoiseach and the Minister of State, Deputy Frank Fahey, I will launch the national action plan against racism, NPAR, a commitment which arises from the World Conference Against Racism in South Africa in 2001 and which was reaffirmed in Sustaining Progress. A lengthy consultation phase involving Departments, social partners and NGOs preceded the drafting of the NPAR.

The Deputy will be aware that the recent Know Racism programme completed its three year programme at the end of 2003. Some €4.3 million was spent under the programme including €1.3 million in grants to 450 successful projects involving community groups and organisations for the development of local anti-racism initiatives. The Know Racism programme has been evaluated and the lessons learnt will be incorporated into the national action plan against racism. To assist continuity, an 'end of term report' for Know Racism and an independent evaluation, carried out by Ms Siobhan Lynam, will be published in the same volume as the plan.

There are other developments in Government policy which I would like to draw to the attention of the Deputy. Ireland has one of the most comprehensive anti-discrimination codes in Europe. Discrimination and harassment in relation to and within employment on nine grounds including race, religion and membership of the Traveller

community are outlawed by the Employment Equality Act 1998. Discrimination and harassment on the same grounds in the supply of goods or services, education or accommodation are prohibited by the Equal Status Act, 2000. Independent and effective bodies in the Equality Authority and Equality tribunal ensure effective implementation of our anti-discrimination code. The infrastructure is there and I would urge people to use it.

Also, the Garda Síochána have established a racial and intercultural office responsible for co-ordinating, monitoring and advising on all aspects of policing in the area of racial, ethnic and cultural diversity. The office is a point of contact for a wide range of groups and agencies that represent ethnic communities.

Furthermore, this Government established the Human Rights Commission in 2001. The commission, as the Deputy is well aware is an independent statutory body charged with the task of keeping under review the adequacy and effectiveness of our laws in relation to the protection of human rights in their widest sense.

The NGO report, referred to by the Deputy, makes a number of comments on the asylum determination process and on services available to asylum seekers. I cannot support the general thrust of the report on the issue of asylum which fails to take account of the significant developments which have taken place in this policy area in recent years. This is illustrated by the fact, in particular, that processing of applications is moving more strongly with waiting times for decisions being reduced to months. In addition, the number of applications in the asylum system has been reduced substantially from some 6,500 in September 2001 to some 1,000 at the end of December 2004.

In 2005 my Department alone will provide some €125m for asylum and integration services including some €71 million for provision of accommodation. In 2003 some €353 million was spent across Government Departments on services to asylum seekers and related immigration functions.

As the Deputy is aware, processing is undertaken by independent statutory agencies, namely, the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which are highly resourced and experienced in dealing with cases including those in respect of vulnerable groups. Comprehensive legal advice services are provided by the state funded refugee legal service at all stages of the asylum process. After a fair, transparent and independent asylum determination process — which compares with the best in the world — the fact is, that in the region of 90% of applicants are found not to be refugees.

In relation to services for asylum seekers the Reception and Integration Agency, RIA, is responsible for the accommodation of asylum seekers in direct provision. The system of direct

provision was put in place to ensure that the basic needs of asylum seekers, including food and shelter were met. The agency strives to ensure a high standard of accommodation, food and ancillary services to asylum seekers at each centre. All centres are inspected on a regular basis both by staff of the agency and by an independent contractor which specialises in accommodation standards in the tourism sector. Asylum seekers are provided with health care, including mental health services, on the same basis as the indigenous population.

The Eastern Regional Health Authority, now subsumed into the Health Service Executive, published the regional health strategy for ethnic minorities in 2004. While specific health needs should be addressed in line with the actions proposed in the strategy, I welcome the 'priority service issue recommendations' which include the provision of cultural awareness and anti-discrimination training for staff in the health services.

I have pointed out on a number of occasions that it is not intended to provide asylum seekers with access to employment which, in any event, is prohibited by the Refugee Act, 1996. Such a change in policy would undoubtedly increase asylum applications and undermine all legislative changes and progress in processing times achieved to date and which I have referred to previously in my reply.

On the issue of immigration, also raised in the NGO alliance's response, it is a fact that over recent years this State has operated what is probably the most open system of legal migration in Europe and beyond. The valuable contribution which the many thousands of legal migrants are making to our economy and our society is fully recognised. However, we cannot ignore the abuses of our immigration system which occur because a minority of people choose not to use our legal migration routes but rather attempt to enter the State illegally. As I have said in this House, I am working on proposals for a comprehensive immigration and residence Bill which will provide a fair and sensible legislative framework for dealing with all aspects of the entry and stay in the State of non-nationals, whether as long-term migrants who wish to establish themselves and their families here in employment or enterprise, or as temporary visitors for work, study or recreational purposes.

As regards the NGO alliance's comments on the citizenship referendum, the overwhelming decision of the people in that referendum clearly reaffirmed the Government's view that it was a necessary step in order to address an abuse of our citizenship laws by persons with no link to the State seeking to establish an entitlement to residence by the act of giving birth on the island of Ireland.

Prison Staff.

735. **Mr. Neville** asked the Minister for Justice, Equality and Law Reform the number of prison

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service staff who have reported unfit for duty due to work related stress for 2003 and 2004.
[1256/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am advised by the director general of the Irish Prison Service that 12 prison service staff reported unfit for duty due to work related stress in 2003. The corresponding figure for 2004 is 23 but this may be subject to a slight revision upwards pending reconciliation of year end returns. The director general will arrange for the final figures for 2004 to be forwarded directly to the Deputy once they become available.

Garda Strength.

736. **Mr. Neville** asked the Minister for Justice, Equality and Law Reform the number of gardaí who have reported ill and unfit for duty due to work related stress for 2003 and 2004. [1257/05]

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 Garda personnel, that the total number of Garda personnel — all ranks — who were absent on long-term sick leave suffering from stress during 2003 and 2004 was as set out hereunder:

Year	
2003	19
2004	30

Of those, the number confirmed as suffering from work-related stress was as set out hereunder:

2003	5
2004	4

The number of Garda personnel who reported ill and unfit for duty on a short-term basis due to stress is not available.

International Terrorism.

737. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to any charities registered in the State that are or may be used by terrorist organisations for fund-raising and money laundering; and if he will make a statement on the matter.
[1260/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that there is no evidence that any charity based in this jurisdiction is being used to facilitate the activities of terrorist organisations. I should add that Ireland is fully committed to implementing its international obligations in relation to terrorism and the financing of terrorism, as set out, *inter alia*, in a number of United

Nations Security Council resolutions. In general, these resolutions require UN member states to criminalise the financing of terrorism; to freeze the funds, financial assets or economic resources of terrorists and terrorist entities; and to prohibit the provision of financial services to terrorists and terrorist entities.

Effect has been given to these UN resolutions within the European Union by means of implementing instruments which have direct application in all EU member states, including Ireland.

Missing Persons.

738. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the progress in the search for a missing person (details supplied); if Operation Trace has completed its investigation; if new information was uncovered by this investigation; if the search is ongoing; if so, the guise under which it is so; the number of officers or gardaí trained to date under the Jerry McCabe fellowship, John Jay College, New York; if this training is ongoing; if officers or gardaí have been trained at the international centre for exploited and missing children; if the services of this organisation have been availed of; if a dedicated missing persons unit will be set up based on an American or European model of best practise; and if he will make a statement on the matter.
[1261/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that a review of the investigation into the case of the missing person referred to is taking place at present and that the review is not completed yet. I also understand from the Garda authorities that Operation Trace is ongoing and any new matter coming to light is fully investigated by personnel from the national bureau of criminal investigations.

The McCabe fellowship foundation was established in 1996 and provides for the regular exchange of personnel from the Garda Síochána with the New York police department. To date 45 participants from the Garda Síochána and 22 from the New York police department have completed the exchange programme. The programme is based on a two week period and provides for opportunities to identify best practice in relation to policing requirements for the two organisations. Since its foundation three gardaí have completed an MA in criminology and one completed an MA in forensic psychology at John Jay College, New York.

The Garda missing persons bureau has responsibility for the compilation and updating of data relating to missing persons, along with the administration of the Irish missing children's website — *www.missingkids.ie* — launched in September, 2004 in association with the International Centre for Missing and Exploited Children.

The establishment of a national missing persons unit has been proposed on previous

occasions and the matter is kept under ongoing review by the Garda authorities. At present, local Garda management take direct responsibility for missing person cases. Special investigation teams, for example, the national bureau of criminal investigation or the technical bureau are called upon if deemed necessary.

The Garda authorities have assured me that every effort is made to locate all missing persons and that they consider the current procedures for dealing with missing persons to be adequate.

Garda Operations.

739. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the number of times to date on which section 24 of the Housing (Miscellaneous Provisions) Act 2002 which amends the Criminal (Public Order) Act 1994, has been used by the Garda Síochána; the number of times the legislation has been used and the object referred to it has been a caravan or other temporary dwelling; if it has been used principally to address unauthorised camping by a member of the traveller community as was suggested when the legislation was introduced; the number of times the use of legislation has resulted in court proceedings; the number of times a caravan or caravans have been confiscated and impounded by the Garda under the powers conferred by the legislation; if these figures can be broken down by Garda divisional areas; and if he will make a statement on the matter. [1262/05]

740. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the number of times the powers granted to An Garda Síochána under section 24 of the Housing (Miscellaneous Provisions) Act 2002 has been invoked by a member of the Garda Síochána; the number of times any such invocation has resulted in arrest or charge; the number of times such arrest or charge has resulted in subsequent Court prosecution or conviction; the number of times a caravan or caravans have been impounded under the confiscate and impound legislation; if he will provide the foregoing figures by reference to Garda division; the categories of classification which are used in the statistics and the records maintained regarding the identity of persons against whom section 24 powers have been invoked; if categories of classification referred to in the statistics and the records maintained identify a class of persons affected as Travellers, the number of such Travellers who have been identified in the statistics as affected by the section; if categories of classification referred to in the statistics and the records maintained identify classes of persons as non-traveller, the number of non-Travellers who have been identified in the statistics as affected by the section; if no such categories of classification are apparent from the statistics, if he proposes to direct that such categories be compiled to ascertain the impact of the legislation on the Travelling community; the provisions which have been made

administratively for guidance and oversight for members of the Garda Síochána in the invocation of this provision; the directions, considerations and administrative guidelines which have been put in place either by him or the Garda Commissioner regarding the disposal or storage of property seized on the matter. [1263/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 739 and 740 together.

I wish to advise the Deputy that it has not been possible to compile the information requested in the timeframe allowed. In effect the Deputy's questions require extensive research right across the Garda force and the application of Garda time and resources which are needed for other purposes. I will arrange for the information to be forwarded directly to the Deputy at the earliest possible opportunity.

Question No. 741 answered with Question No. 719.

Visa Applications.

742. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 279 of 7 December 2004, the specific income limits in relation to a person (details supplied) in County Clare in bringing their family here; the reasons for refusal in this case; and if he will make a statement on the matter. [1292/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): At the outset I should say that I fully acknowledge that decisions in these matters should recognise the needs of persons coming to Ireland to work and be in accordance with the broad needs of the Irish economy, including the safeguarding of public resources. The general rule is that the grant of a visa is subject to the worker being able to support the family without recourse to public funds.

When assessing applications of this type, the visa officer will consider, amongst other factors, whether the level of salary of the worker would come within the ambit of qualifying for payment from public funds. In this regard, the criteria set by the Department of Social and Family Affairs for eligibility for family income supplement payment, FIS, is used — the criteria, which may change from time to time, are available on that Department's website www.welfare.ie/publications/sw22.html. If the level of the worker's income as evidenced by his or her payslips or P60 would qualify for FIS payments, the application for a visa is generally refused as it is evident that the family can seek recourse to public funds. The visa officer will expect to see sufficient evidence of the financial status of the applicant, in the form of several payslips, and detailed bank statements covering, at a minimum, a two to three month period. The documentation

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supplied should demonstrate a consistent financial history and evidence of regular income.

In the case of the person referred to by the Deputy, the application was refused for reasons of finances — specifically that insufficient evidence of finances was supplied. In this case the evidence supplied was not sufficient to enable the visa and appeals officers conclude that the individual in question had adequate funds available to enable them live in the State without recourse to public funds. The initial application was accompanied by a single bank statement covering a three month period. No payslips were supplied in support of the application. As part of the subsequent appeal against this refusal decision, the applicant supplied an additional bank statement covering another three month period, however, again, no payslips were supplied.

On the basis of the information supplied, the application was refused as it was deemed that the applicant was unable to support his spouse without recourse to public funds.

Garda Training.

743. **Mr. Lowry** asked the Minister for Justice, Equality and Law Reform the courses which have been transferred from the Garda training college; the dates on which the transfers occurred; the courses which he or the Garda Commissioner plan to transfer out of the college and the dates on which the transfers will take effect; and if he will make a statement on the matter. [1307/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that to date no training courses have been transferred from the Garda college. As part of my proposal to increase the strength of the force to 14,000, in line with the Government's commitment set out in An Agreed Programme for Government, each quarter, for the next three years, around 274 recruits will be taken into the college, amounting to almost 1,100 recruits each year. To facilitate this accelerated recruitment, a significant enhancement of the Garda college facilities is underway.

A new four-storey block will be built which will provide for central administration and free up the teaching blocks for classroom use. New library and gymnasium facilities will also be provided and existing catering and canteen facilities will be expanded. The plans for all of this are being advanced by the Office of Public Works and construction will be completed by the end of this year in time for the peak inflow of new recruits to the college. Work will also be undertaken to relocate the tactical training facility, which will be displaced by the new building.

In addition, the Garda Commissioner is to temporarily move the majority of in-service training out of the Garda college to a new location. This will enable the Garda college to concentrate mainly on training new recruits arising from the accelerated recruitment campaign. The OPW

advertised in October 2004 for expressions of interest in the provision of the new accommodation for in-service training, and is now considering the proposals received. This outsourced facility will provide accommodation for up to 100 gardaí, with classroom and lecture facilities.

I am advised that it is proposed to deliver management, supervisory and continuous professional development programmes outside of the Garda college with effect from 4 April 2005.

Questions Nos. 744 and 745 answered with Question No. 705.

Visa Applications.

746. **Mr. Carey** asked the Minister for Justice, Equality and Law Reform if the case of a person (details supplied) in Dublin 11 will be examined to establish the reason they have been refused permission to re-enter the State; and if he will make a statement on the matter. [1357/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): By way of background, it should be noted that a visa is not itself a guarantee of entry into the State. It is instead only a form of pre-entry clearance issued in order to assist with the immigration process. The decision to grant or refuse permission to enter the State rests with the immigration officer at the port of entry. The dates specified on a visa refer only to the period during which the visa is valid for presentation, and does not refer to the length of time the bearer may remain in the State, which is determined by the Garda national immigration bureau when the bearer presents for registration.

In the case of the person referred to by the Deputy, the person in question was granted a single journey visa on 24 November 2004 by my Department. This visa was for use by the bearer, before 22 June 2005 for a single entry into the State only. A person in possession of a single journey visa, who intends to leave and subsequently re-enter the state at a later date, must apply for a re-entry visa to the visa office of the Department of Foreign Affairs, prior to their departure from the State. Failure to apply for and obtain a valid re-entry visa, as happened in the case referred to by the Deputy, will result in re-entry into the State being refused by the immigration officer at point of entry.

Citizenship Applications.

747. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform the position regarding an application for naturalisation for a person (details supplied) in County Louth; and if he will make a statement on the matter. [1358/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to by the Deputy was received in the citizenship section of my Department on 15 August, 2003. The aver-

age processing time for such applications is currently 24 months. On the basis of the current average processing time, therefore, it is likely that the application of the individual concerned will be finalised around August 2005. I will inform both the applicant and the Deputy as soon as I have reached a decision on the application.

Visa Applications.

748. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform if he will give consideration to an application by a person (details supplied) in County Clare for a dependant visa for a spouse; and if he will make a statement on the matter. [1359/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application in question was received in my Department on 22 December 2004. The application was examined and considered by a Visa Officer who took the decision to refuse a visa. This decision was forwarded to the Department of Foreign Affairs on 19 January 2005 and the applicant will be notified via the Irish Mission in their country of origin at the earliest possible opportunity.

Foreign Conflicts.

749. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to claims (details supplied) relating to a Gulfstream V jet; if his attention has further been drawn to claims that the plane has flown between Washington DC and destinations that include the Guantanamo Bay prison camp in Cuba and US overseas military bases, as well as Iraq and Afghanistan; that Shannon Airport is used as a refuelling post on such flights and that the flights are for the clandestine transport of enemy combatants to undisclosed locations for extraordinary rendition, that is, flying captured terrorist suspects and prisoners of war from one country to another for detention and interrogation; if he has investigated these claims; if the use of Shannon for such purposes has ever been sought from or notified to the authorities here by the US Government; if such use is compatible with domestic law and the State's international legal commitments; and if he will make a statement on the matter. [1410/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my reply to Parliamentary Question No. 78 of 3 November 2004. I am aware of the various reports made in relation to the civilian-registered aircraft in question. The regulation of such aircraft is primarily a matter for my colleague, the Minister for Transport, who has made inquiries in the matter and whose findings have been outlined to this House in replies to Parliamentary Questions Nos. 218 of 7 October 2004; 406 of 19 October 2004; 356 of 2 November 2004; and 312 of 23 November 2004.

Neither the Government nor I have any information to indicate that military prisoners are

being transported through Irish airports. I understand that the US authorities have confirmed to the Department of Foreign Affairs that Irish airports are not used for this purpose and that they would not seek to do so in the future without seeking the authorisation of the Irish authorities.

Moreover, I assure the Deputy that the Garda Síochána would conduct a full investigation in any case in which a credible complaint of criminal activity, such as holding a person in unlawful custody, is made to include, where appropriate, an inspection of an aircraft in this jurisdiction.

Peace Commissioners.

750. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform the number of Peace Commissioners who operate in the State by local authority administrative area. [1425/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The roll of Peace Commissioners is currently maintained by reference to Garda sub-district area, and not by local authority city or county. Consequently, Garda sub-district boundaries are not coterminous with local authority administrative area boundaries in the five cities and 29 counties identified in the Local Government Act 2001.

There are 6,808 serving Peace Commissioners, of which 6,587 are available to the general public and a further 221 were appointed in an *ex officio* capacity, mostly to Prisons and Places of Detention but also to Banc Ceannais na hÉireann, the Revenue Commissioners, the Garda Training College and a number of Departments.

A Peace Commissioner is normally appointed to serve a county and the immediately adjoining counties. Appointments are made in consultation with the Garda Síochána following an assessment of need in respect of an area for which a nomination has been received.

The table details the numbers appointed to each county.

County	Appointments to Serve the General Public	Ex-Officio Appointments	Total
Carlow	62		62
Cavan	143	3	146
Clare	200		200
Cork	950	24	974
Donegal	289		289
Dublin	1,258	154	1,412
Galway	347		347
Kerry	295		295
Kildare	157	2	159
Kilkenny	147	1	148
Laois	114	13	127
Leitrim	75		75
Limerick	417	4	421
Longford	72		72
Louth	134		134
Mayo	331		331

County	Appointments to Serve the General Public	Ex-Officio Appointments	Total
Meath	146		146
Monaghan	83		83
Offaly	96		96
Roscommon	153	7	160
Sligo	110		110
Tipperary	316	10	326
Waterford	157		157
Westmeath	120		120
Wexford	277		277
Wicklow	138	3	141
Total	6,587	221	6,808

Visa Applications.

751. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform the status of the application of a person (details supplied). [1426/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person, a Cameroonian national, arrived in the State on 22 April 2003 and applied for asylum. Her application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal. She is the parent of an Irish born child.

Subsequently, in accordance with the Immigration Act 1999, as amended, she was informed by letter dated 30 June 2004 that it was proposed to make a deportation order in her case. She was given the options, to be exercised within 15 working days, of making representations to the Minister setting out reasons why she should be allowed to remain temporarily in the State, leaving the State before a deportation order is signed or consenting to the making of a deportation order.

In the normal course of events her case file, including all representations submitted, would be considered under section 3(6) of the Immigration Act 1999, as amended and under section 5 of the Refugee Act 1996, as amended (prohibition of refoulement).

However, this person, as the parent of an Irish born child, may, if she so wishes, apply to have her application considered under the new arrangements introduced by me for the consideration of applications for permission to remain made by the non-national parents of Irish born children born before 1 January 2005. An information notice setting out details of the new arrangements and the appropriate application form is available from the Department's website www.justice.ie. Application forms are also available from Garda district headquarters stations outside Dublin, at all Reception and Integration Agency accommodation centres countrywide and from various non-governmental organisations working with immigrants and asylum seekers.

752. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform the status of the application of a person (details supplied). [1427/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It is not the practice to comment in detail on individual asylum applications. As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted. A final decision on this application will be made upon receipt of the decision of the Refugee Appeals Tribunal.

753. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform the status of the application of a person (details supplied). [1428/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question arrived in the State on 1 August 2001 and applied for asylum. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and on appeal by the Refugee Appeals Tribunal.

Subsequently, in accordance with the Immigration Act 1999, as amended, he was informed by letter dated 22 October 2004, that it was proposed to make a deportation order in his case. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out reasons why she should be allowed to remain temporarily in the State, leaving the State before the deportation order is made or consenting to the making of a deportation order.

This person's case file, including all representations submitted, will be considered under section 3(6) of the Immigration Act 1999, as amended, and section 5 of the Refugee Act 1996 (prohibition of refoulement). I expect the case file to be passed to me for decision in due course.

754. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform the status of the application of persons (details supplied). [1429/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): This Cameroonian couple arrived in the State on 19 January 2002 and 21 December 2001 respectively and applied for asylum. Their applications were refused following consideration of their case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal. The couple are the parents of an Irish born child.

Subsequently, in accordance with the Immigration Act 1999, as amended, they were informed by letters dated 12 March 2003 and 28 October 2004 respectively, that it was proposed to make deportation orders in their case. They were given the options, to be exercised within 15

working days, of making representations to the Minister setting out reasons why they should be allowed to remain temporarily in the State, leaving the State before deportation orders are signed or consenting to the making of deportation orders.

In the normal course of events, the couple's case files, including all representations submitted, would be considered under section 3(6) of the Immigration Act 1999, as amended and under section 5 of the Refugee Act 1996, as amended (prohibition of refoulement).

However, this couple, as the parents of an Irish born child may, if they so wish, apply to have their application considered under the new arrangements introduced by me for the consideration of applications for permission to remain made by the non-national parents of Irish born children born before 1 January 2005. An information notice setting out details of the new arrangements and the appropriate application form is available from the Department's website *www.justice.ie*. Application forms are also available from Garda District Headquarters stations outside Dublin, at all Reception and Integration Agency accommodation centres countrywide and from various non-governmental organisations working with immigrants and asylum seekers.

755. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform the status of the application of a person (details supplied). [1430/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for permission to remain in the State based on marriage to an Irish national was received from the person concerned in May 2004. Applications of this type are dealt with in chronological order and currently take approximately 16 months to process.

756. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform the status of the application of a person (details supplied). [1431/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): This person arrived in the State on 8 May 2003 and applied for asylum. His application was in turn considered by the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal, both of whom considered that he did not meet the criteria for recognition as a refugee. The recommendations of both bodies were communicated to the person concerned.

In accordance with section 17(1) of the Refugee Act 1996, as amended, my Department will be in contact with this person by letter in the coming days to inform him as to his current position in the State.

757. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform the status of the application of a person (details supplied). [1432/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that permission to remain in the State was granted to the person in question on 17 January 2005.

758. **Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform the reason for the denial on appeal of a visa to a person (details supplied). [1647/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application in question was to enable the wife of a non-EEA national employed under the work permit scheme to reside with him in the State. A worker employed under the work permit scheme may be joined by their spouse and minor children after a worker has been in the State for one year and has been offered a contract for a further year. The worker must also be able to fully support the family members in question without the need to have recourse to public funds. The application in question was refused as the supporting documentation did not show that the worker in question was in a position to fully support his family. The immigration status of the worker was also taken into account as his work permit and his permission to remain were shortly due to expire.

When assessing applications of this type the visa officer will consider, amongst other factors, whether the level of salary of the worker would come within the ambit of qualifying for payment from public funds. In this regard, the criteria set by the Department of Social and Family Affairs for eligibility for family income supplement payment is used. If the level of the worker's income as evidenced by his or her payslips and P60 would come within the ambit of qualifying for FIS payments, the application for a visa is generally refused.

An appeal was made against the decision to refuse the application. The appeal was supported by additional evidence of finances and evidence that the reference's work permit had been renewed for a further year. The application was re-examined by the appeals officer who was satisfied that the issue of the Immigration status of the worker had been resolved. However, the new payslips, while showing a recent increase in income, demonstrated that the level of income would still come within the ambit of qualifying for FIS payments. For this reason the appeals officer decided to uphold the initial decision to refuse a visa.

It is of course open to the person to make a fresh application supported by current documentation. In this regard, evidence that the recent increase to the worker's salary is ongoing will be taken into account.

Gaming Legislation.

759. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the fact that the Gaming and Lotteries Act 1956 is widely breached; the

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measures taken for enforcing the provisions of the Act; the number of prosecutions in each of the past five years for breaches of the Act; if he has plans to review the Act; and if he will make a statement on the matter. [1648/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An Garda Síochána is responsible for the investigation of complaints of breaches of the Gaming and Lotteries Acts and the provisions of the Acts are part of the general enforcement measures employed by them. I have been informed by the Garda authorities that statistics for 2004 are not yet available. However, the number of proceedings commenced and convictions for the four years up to and including 2003 are as follows:

Year	Proceedings Commenced	Convictions
2000	38	21
2001	120	35
2002	2	1
2003	13	4

An extensive review of the Gaming and Lotteries Acts 1956 — 1986 was carried out in 2000 by an interdepartmental group which made recommendations for legislative amendments in this area. Draft legislation is under consideration in my Department to update key elements of the provisions relating to gaming. These new provisions will focus in particular on the area of gaming stake and prize money limits.

Departmental Funding.

760. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if his Department will fund a project (details supplied); and if he will make a statement on the matter. [1649/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been advised by management of the Probation and Welfare Service that the stated aim of the project, which is the subject of this parliamentary question, is to engage and provide identified young offenders and ex prisoners aged 16 — 24 years from Cabra with a series of interventions relating to information and access to training and employment. The particular target group are persons who are serving or have served a custodial sentence in a prison or place of detention.

While the Probation and Welfare Service does not make referrals to this project, it has supported the project on an informal basis since its inception. One of the local probation and welfare officers attends monthly committee meetings of the project and offers advice and support to the link worker employed by the project.

My Department, through the Probation and Welfare Service, funds the linkage programme

which is a national training and employment initiative which provides a dedicated service to offenders. Its specific remit is to plan and implement training and employment placements for offenders referred by the Probation and Welfare Service. After placement, the Probation and Welfare Service support and liaise with existing agencies.

It is the view of the Probation and Welfare Service management that the service provided by the project being referred to by the Deputy overlaps with that which is provided by the Probation and Welfare Service and other coordinated agencies. It overlaps with and duplicates the work of the training and employment officers in the linkage programme.

My Department through the Probation and Welfare Service fund and work in association with voluntary bodies in the provision of relevant services. As projects already exist, funded by my Department, which provide the services being offered by the project referred to and following advice received from the management of the Probation and Welfare Service, I regret that I cannot in the current economic climate provide funding to this project.

Registration of Title.

761. **Mr. Ellis** asked the Minister for Justice, Equality and Law Reform if his Department will expedite the registration of property in the name of a person (details supplied). [1651/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that this is an application for transfer which was lodged on 11 December 2003. Dealing Number D2003CS012725Y refers.

I am also informed that this application is associated with an application for rectification of boundaries which was lodged on 12 September 2001. Dealing Number D2001CS006822J refers.

I am further informed that a query issued in relation to the 2001 application on 1 December 2004 and that the applications concerned will receive further consideration by the Land Registry as soon as a satisfactory reply to this query has been received.

Departmental Staff.

762. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform if, in relation to the staff employed by the Minister of State, Deputy Fahy, on his constituency duties, Government guidelines were breached concerning the number employed; the period during which these guidelines were breached; the number of personnel involved; the cost to his Department of this error; and if it is intended to recoup this money. [1652/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The guidelines on staffing of ministerial offices allows for the employment of a total of five staff in a Minister of State's con-

stituency office. The total number of staff currently employed in the Minister of State's constituency office is five.

My previous reply to the Deputy's Question No. 204 of 1 December 2004 indicated a total of seven staff employed in the constituency office. Since then one clerical officer who was on maternity leave has availed of a career break and another clerical officer has been transferred to another division of the Department. Both of these staff are employed directly by my Department and were in place when the Minister took up duty. Civil Service staff assigned to constituency office duties may be reassigned between divisions from time to time and therefore the question of recoupment of salary does not arise. One of the staff in question who was on maternity leave never attended for duty in the office in the period since the Minister of State took up duty and the other staff member attended for a period of 14 weeks prior to her reassignment to other duties. The temporary overlap which arose in this case facilitated a smooth transition following a change in personnel in the Minister of State's constituency office.

Residency Permits.

763. **Ms Enright** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 439 of 30 November 2004, the progress which has been made with regard to an application for habitual residency for a person (details supplied) in County Offaly. [1653/05]

795. **Ms Enright** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 439 of 30 November 2004, the progress which has been made on behalf of a person (details supplied) in County Offaly who has applied for habitual residency; when this matter will be progressed; and if he will make a statement on the matter. [2054/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 763 and 795 together.

My Department has recently made a decision on the application in question. The person concerned has been informed of the options now open to her regarding her residency in the State.

Citizenship Applications.

764. **Ms O'Sullivan** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for naturalisation submitted in 2002 by a person (details supplied) in County Limerick; and if he will make a statement on the matter. [1654/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to by the Deputy was received in the citizenship section of my Department in July 2002.

The application concerned is in the final stages of processing and I understand that it will be submitted to me in the very near future. I will inform both the Deputy and the applicant as soon as a decision has been reached in this case.

Visa Applications.

765. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application by a person (details supplied) in County Roscommon for a change of status on their visa; the reason for the delay in replying to same; and if he will make a statement on the matter. [1655/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for permission to remain in the State based on marriage to an Irish national was received from the person concerned in December 2004. Applications of this type are dealt with in chronological order and currently take approximately 16 months to process.

Registration of Title.

766. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform if the Land Registry Office will expedite a dealing for a person (details supplied) in County Mayo. [1656/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that is an application for transfer of part which was lodged on 10 February 2003. Dealing No. D2003SM01242C refers.

I am further informed that this application was completed on 21 January 2005.

Question No. 767 answered with Question No. 710.

Overseas Development Aid.

768. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will report on the findings of the gardaí who participated in the Government technical team that visited the tsunami-affected region, and on the present and future role of the gardaí in the tsunami humanitarian relief effort. [1658/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the Garda evaluation team on duty in the tsunami-affected region is based in Thailand, where investigations are being headed by the national police authorities. Owing to the numbers of fatalities resulting and the large number of nationalities involved, a Disaster Victim Identification Information Management Centre was established, with agreed internationally accepted identification procedures being strictly adopted.

The primary function of the Garda evaluation team is to assist in locating Irish citizens reported missing and feared dead. In attending to this task,

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the evaluation team liaise with and support the efforts of the officials from the Department of Foreign Affairs on location in Thailand, including attendance at daily conferences at the DVIIMC to deal with issues relating to Irish citizens who have been assessed as being at high risk — i.e. reported missing and feared dead — following the tsunami. Following the tsunami, four Irish citizens were assessed as high risk. In such cases all relevant samples-materials have been obtained from families and forwarded to the evaluation team for entry and comparison against records established in the DVIIMC in Thailand. The samples obtained relate to DNA, fingerprints, dental records and full descriptive particulars. To date, the bodies of two of these citizens have been recovered, positively identified and repatriated.

In order to support the efforts of the evaluation team, the Garda Síochána has established an incident room in Dublin to channel all inquiries from the team, to liaise with the Department of Foreign Affairs here and with the family members of Irish citizens in the high risk category. Daily contact is maintained between the evaluation team, the Department of Foreign Affairs on location and in Dublin and the established incident room, and requirements are reviewed daily.

Currently two Irish citizens remain in the high risk category. All relevant information to assist in their identification has been forwarded to the DVIIMC and included in its identification system. The evaluation team, together with the Garda authorities in Dublin and the Department of Foreign Affairs officials at home and on location, will continue to do everything possible to assist in the location of these citizens.

On 17 January 2005, following a formal request received, the Garda Commissioner approved the deployment of a Garda fingerprint expert to the DVIIMC to assist the Thai authorities with the process of identifying tsunami victims. No further requests for additional Garda assistance have been received to date. Should any such further requests be received they will be given the fullest consideration.

Crime Levels.

769. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the number of indictable offences recorded in respect of the years 1994 to date; the number of indictable offences detected in the sense that the Gardaí have satisfied themselves regarding the identity of the culprit; the number of offences detected as having been committed by a person while on court bail; and then number of convictions ultimately recorded, that is, not necessarily in the year in which the offence was committed for those offences in respect of the latter figures.

[1659/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to inform the Deputy that the number of indictable offences recorded

and detected, indictable offences committed by persons on bail and convictions for previous years are published in the annual reports of An Garda Síochána for the years 1994 to 1999. The 1999 annual report only provides indictable offences committed on bail and convictions for previous years for the first nine months of that year, due to the introduction of the PULSE system.

The number of headline offences recorded and detected for the years 2000 to 2003 is published in the respective annual reports. However, I am informed by the Garda authorities that it has not been possible to compile the bail and previous years conviction statistics for the years 2000 to 2003 within the time available. I will arrange for the information to be forwarded directly to the Deputy at the earliest possible opportunity.

Garda Operations.

770. **Mr. Boyle** asked the Minister for Justice, Equality and Law Reform if the Garda Síochána has received complaints regarding the activities of the Dunhallow Hunt in north Cork over the past five years; if so, the nature of the complaints and the measures taken by the Gardaí in response; and if he will make a statement on the matter.

[1660/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that during the period in question there was one complaint of minor criminal damage in relation to the Dunhallow Hunt. However, the Garda could not advance the matter as the complainant did not wish to pursue the complaint.

Sexual Offences.

771. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform his plans to ensure that sexual assault forensic testing is available in every county, in order that no person is required to travel unreasonable distances in order to report and successfully prosecute these crimes. [1661/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that my Department is represented on a working group looking at the question of the treatment services which should be available to victims of sexual violence, including the question of forensic medical examinations. This working group, which is under the auspices of the National Steering Committee on Violence against Women, is being chaired by the Department of Health and Children, which is responsible for the provision of such medical and treatment services.

Garda Operations.

772. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if it is proper that a Garda participate in an interrogation of a person suspected of dealing drugs at a time when

the Garda is acting in a private capacity; if any such instance has been drawn to his attention; if so, if he discussed it with the Garda Commissioner; and if such actions are grounds for disciplinary action to be taken against the Garda in question. [1663/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): While I am always anxious to reply comprehensively to questions from Deputies, I regret that in this instance, without specific details being made available by the Deputy, it is not possible for me to comment in relation to the incident to which he refers.

Garda Investigations.

773. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the status of investigations of the killings of six non nationals in 2004; the cases in which arrests have been made; the cases in which suspects have been charged; and if any of these murders is being treated as a hate crime. [1664/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that investigations are ongoing in the cases of non nationals murdered in 2004. The Deputy will appreciate it is not the practice to indicate whether arrests have been made or to speculate as to what motives may have been involved in the killings.

Drugs in Prisons.

774. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the estimated initial and annual costs of mandatory drug testing in prisons; the type of testing kits to be used; the prison staff that will be responsible for administering the tests; the company providing the testing kits; and the penalties to be imposed for a positive test. [1665/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As envisaged in the Programme for Government, the introduction of mandatory drug testing will be central to supporting future policy on drug supply and demand reduction in prisons. Already prisoners accommodated in the open centres at Shelton Abbey and Loughan House and in the designated drug free areas of the training unit in the Mountjoy Complex, St. Patrick's Institution and Wheatfield Prison are required to undergo frequent drug tests to confirm their drug-free status. Mandatory drug testing will, however, operate across the whole prison system. Provision for mandatory drug testing, and the penalties that may be imposed arising from a 'positive' test, will be made in the proposed new prison rules, which are at an advanced stage of preparation. Precise costings, staff responsibilities and procedures in relation to mandatory drug testing will be determined on finalisation of the new prison rules.

Garda Band.

775. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the changes which have occurred since the 1965 decision to disband the Garda Band on the grounds of opinion of the Minister of Justice that it had outlived its usefulness and that the cost of maintaining it was excessive, wasteful and out of all proportion to any purpose served, and of the opinion of the Minister for Finance that the cost of the Garda Band was totally unjustifiable. [1666/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In 1965, the Minister for Justice announced his decision to dissolve the band which had a total strength at that time of 35. Following a recommendation in the report of the Conroy Commission (1970) the band was re-established by the Minister in 1972, in time for celebrations marking the 50th anniversary of the Force, "because of its significance as a morale booster" for the Force. The Garda Commissioner proposed a total strength of 40 to include three reserves. A total strength of 40 was approved by the Minister and recruitment proceeded on that basis.

On 1 September 1972, Sergeant T. J. Boyle was appointed Bandmaster. He was promoted to Inspector and Superintendent and served until his retirement in October 1988. During his tenure the title of the post was changed to musical director.

In 1978, women were recruited to the Garda Band for the first time.

Prior to abolition of the band in 1965, and before the 40-hour week and duty rosters, members devoted about half their time to ordinary police duties. Since its re-establishment, members are engaged full-time on band duty and — as is the case with all "Regulation 14" gardaí — persons recruited to the band after 26 April 1990 are not entitled to transfer to other duties. Members who have obtained the rank of Sergeant or Inspector while serving in the band are not eligible for transfer in the same rank to any other section or part of the Garda Síochána unless they have passed the Sergeant or Inspector promotion examination, as appropriate.

The terms of Regulation 14 of the Garda Síochána (Admissions and Appointments) Regulations 1988 provide that: "Where the Commissioner is satisfied that a person has special technical qualifications which justify his appointment and enrolment under this Regulation as a member ... the Commissioner may, with the consent of the Minister, duly appoint and enrol the person as a member without regard to the requirements of Regulation 11." Regulation 11 stipulates the necessity for a period of training before appointment.

The band that was disbanded in December 1965 was mainly a marching ensemble — called the Garda Military Band to distinguish it from the Garda Ceili Band — whose services were mainly required during the summer months and as a

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result did not have an opportunity to perform on more than 40 to 50 engagements per annum, mainly of a local nature.

The present band, which is a continuation of the reformed band of 1972, is a reflection of the changes that have taken place in the Garda Síochána over the last number of years. Operations are now on a national basis, with engagements extending to all parts of Ireland. I am informed by the Garda authorities that the band has performed on a number of occasions in Northern Ireland, the UK and Europe. The nature of the engagements vary from official Garda functions, all major sporting events, TV and broadcast media to a schools programme covering primary, secondary and third level establishments. Major music festivals, religious services and community based initiatives are also catered for.

Electronic Tagging.

776. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will report on the new evidence of effectiveness of electronic tagging of offenders with regard to cost saving, reducing the prison population and reducing reoffending that has come to light since his reply to a Parliamentary Question in March 2003 in which he indicated that the evidence was inconclusive. [1668/05]

777. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform his views on the electronic tagging of sex offenders; and if he has plans to introduce such a scheme. [1669/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The use of electronic tagging systems to monitor offenders in other jurisdictions is an issue which my Department has kept under review for some time.

As I have explained in my previous replies to the House on this matter, difficulties have been encountered in other jurisdictions in developing fully effective electronic tagging systems, but recent developments in technology may provide solutions to these.

These developments are now being considered by my Department, in consultation with the Prison and Probation and Welfare Services, with a view to drawing up an enabling provision in the Criminal Justice Bill which will allow me to introduce electronic tagging in appropriate cases when the technology has advanced sufficiently. Details of the provision will be announced in the normal way. I can say at this stage that it will address the use of electronic monitoring as an alternative to custody in certain circumstances as well as the monitoring of suitable offenders released from prison before completion of their full sentences.

Drug Treatment Programme.

778. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform his plans for expanding drug treatment and counselling in

prisons; the number of prisoners who currently avail of these services; if there is a waiting list for these services in prisons; if so, the number of prisoners on this list and the estimated length of wait involved; and the current expenditure on drug treatment and counselling in prisons. [1670/05]

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(Mr. McDowell): Drug treatment services for prisoners involve a significant multidimensional input by a diverse range of general and specialist services provided both by the Irish Prison Service and visiting statutory and non-statutory organisations. Particular initiatives put in place include drug detoxification, substitution therapies, drug free programmes involving one-to-one counselling, accommodation in drug free areas, health interventions, vaccination programmes and treatment for viral illnesses as well as drug misuse awareness programmes. In addition, the Irish Prison Service provides prisoners with a range of opportunities to encourage them to aspire to a substance-free lifestyle, before and after release, thereby reducing demand for illicit substances.

Many staff appointments have been made in this area in recent years and specific new expertise now in place includes the services of a pharmacist; deputy governor with responsibility for drugs-related staff training; co-ordinator of drug treatment services (prisons), appointed by the Eastern Regional Health Authority; three-person probation and welfare service team led by a senior probation and welfare officer; and a consultant psychiatrist in addictions appointed by the Northern Area Health Board to provide sessions at the Mountjoy complex.

Arrangements for a similar appointment by the South Western Area Health Board to provide sessions at Cloverhill and Wheatfield prisons are in the process of being implemented; and co-ordinator of prison nursing and 84 additional professional nurses.

There has been a significant expansion of methadone maintenance in recent years and up to 500 prisoners are in receipt of methadone on any given day, a large number of prisoners undergo detoxification each week, there are nine spaces available on drug detoxification/treatment programme in Mountjoy Prison which is run every seven weeks and over 400 prisoners are accommodated in drug free areas where they cooperate with testing to ensure their continuing drug free status. There is an additional number of prisoners in receipt of addiction counselling. It is not the practice to maintain a central record of the number of prisoners engaged in such counselling or to maintain a waiting list of prisoners for drug treatment. However, it is accepted that the difficulties in appointing particular specialist staffing, for example, certain medical staff, addiction counsellors and psychologists, has impacted on the ability of some prisoners to access treatment and support in a timely manner.

Given the diverse range of general and specialist services providing drug treatment, which are not funded by my Department, it is not possible to readily estimate the exact extent of expenditure on drug treatment services. The compilation of such information would require a disproportionate and inordinate amount of staff time and effort to prepare and could not be justified in current circumstances where there are other significant demands on resources.

As regard current and further planned expansion in drug treatment services, the recent appointment of psychologists, including in the Mountjoy complex, will facilitate expansion of counselling services for prisoners with addictions. In addition, it is anticipated that a number of Addiction Counsellors will be appointed in the near future. I am currently considering further supply and demand reduction measures in context of an overall drugs policy for the Irish Prison Service.

Asylum Support Services.

779. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will reconsider his position on extending to asylum seekers the right to work while their applications are in progress, in view of recent figures showing a sharp drop in asylum seekers over the past two years. [1671/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As I have previously indicated in response to Parliamentary Questions No. 308 of 9 November 2004 and No. 429 of 30 November 2004, it is not proposed to allow asylum applicants to take up paid employment pending a final decision being made on their applications.

I believe that extending the right to work to asylum seekers, which would require legislative change, would have a very negative impact on asylum applications which fell by some 40% in 2004 as compared with 2003 and would impact negatively on the very considerable progress which has been made in terms of the reduction in timescales for processing applications and the number of cases in the asylum determination system for more than six months which are being reduced on an ongoing basis following considerable investment by the State in this area.

By way of illustration, I would refer the Deputy to the fact that a considerable increase in asylum numbers was experienced in the aftermath of the July 1999 decision allow asylum seekers access to the labour market. This led to a three fold increase in the average number of applications per month, rising to 1,217 applications in December 1999 as compared to an average of 364 per month for the period January to July 1999.

Considerable progress has been made in the processing of asylum applications with the number of applications over six months in the Office of the Refugee Applications Commissioner, ORAC, and the Refugee Appeals Tribunal, RAT, standing at 1,144 at the end of

December, 2004, as compared to some 6,500 applications outstanding at the end of September 2001.

Furthermore, the Deputy will also wish to be aware of the new arrangements for the speedier processing of asylum applications which I announced on 24 January 2005 and were implemented with immediate effect from 25 January. The new arrangements apply to nationals of those States which are subject to prioritisation orders for the purposes of asylum processing, namely, Nigeria, Romania, Bulgaria, Croatia and South Africa. These new arrangements include the reduction of processing timescales both at the initial stage in ORAC from the current six weeks to around three weeks, and for appeal determinations in RAT from an average of five weeks down to three weeks.

Any significant increase in asylum applications would also have a negative impact on our capacity to accommodate applicants while they are awaiting a determination of their claims. As things stand at the moment, the ongoing provision of services to meet the reception, health, welfare and accommodation needs of asylum seekers is an enormous challenge for all State agencies involved. The total cost to the State of the provision of asylum and immigration related services was in the region of €353 million in 2003.

I firmly believe that the greatest service we can provide to those who should be recognised as refugees is to ensure that their claims are decided speedily and that nothing is done which undermines this policy priority by attracting large numbers of non-genuine applicants to the detriment of genuine applicants. The structures currently in place provide the State with an asylum system that meets the highest international standards and fulfils our international obligations under the Geneva Convention to those seeking asylum. Overloading the process with large numbers of new applicants who come here under the misguided expectation that they will be able to work would be totally contrary to these obligations and could completely negate the major investment in effort, time and resources which has gone into bringing our overall strategy to its current status.

Age of Criminal Responsibility.

780. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform when the age of criminal responsibility will be increased to 12 as provided for in the Children Act 2001. [1672/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have no plans at present to raise the age of criminal responsibility.

Question No. 781 answered with Question No. 726.

Residency Permits.

782. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if extended residency status will be granted to a person (details supplied) in County Longford; and if he will make a statement on the matter. [1674/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question, a Congolese national arrived in the State on 5 October 1998 and applied for asylum. His wife and two children arrived in the State on 7 March 1999. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal. This person is the parent of Irish-born children.

Subsequently, in accordance with the Immigration Act 1999, as amended, he was informed by letter dated 16 January 2002, that it was proposed to make a deportation order in his case. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out reasons why he should be allowed to remain temporarily in the State, leaving the State before a deportation order is signed or consenting to the making of a deportation order. In the normal course of events, his case file, including all representations submitted, would be considered under section 3(6) of the Immigration Act 1999, as amended and under section 5 of the Refugee Act 1996, as amended, prohibition of refoulement.

However, this person, as the parent of Irish-born children, may, if he so wishes, apply to have his application considered under the new arrangements introduced by me for the consideration of applications for permission to remain made by the non-national parents of Irish-born children born before 1 January 2005. An information notice setting out details of the new arrangements and the appropriate application form is available from the Department's website, www.justice.ie. Application forms are also available from Garda district headquarters stations outside Dublin, at all reception and integration agency accommodation centres countrywide and from various non-governmental organisations working with immigrants and asylum seekers.

Freedom of Information Legislation.

783. **Mr. R. Bruton** asked the Minister for Justice, Equality and Law Reform the State, semi-State, State-sponsored and statutory bodies under the aegis of his Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if he envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1714/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The bodies under the aegis of my Department that are not subject to the Free-

dom of Information (FOI) Acts are Censorship of Films Appeals Board; Censorship of Publications Appeals Board; Criminal Injuries Compensation Tribunal; Human Rights Commission; Registration of Title Rules Committee; the Garda Síochána; Garda Síochána Complaints Board; Garda Síochána Complaints Appeal Board; National Crime Council; District Court Rules Committee; Circuit Court Rules Committee; Superior Court Rules Committee; Committee on Court Practice and Procedure; Judicial Advisory Appointment Board; Forensic Science Laboratory; Office of the State Pathologist; Office of the Director of Equality Investigations; Office of the Refugee Applications Commissioner; and the Office of the Refugee Tribunal.

Proposals for extending FOI are being developed at present in the Department of Finance in the context of plans to extend FOI to other appropriate bodies by the end of 2005. The question of extending FOI to the above bodies is being considered in this context.

Garda Stations.

784. **Mr. Stagg** asked the Minister for Justice, Equality and Law Reform if he intends to carry out a review of the number of 24 hour Garda stations in the State with a view to opening new 24 hour stations to reflect population changes in the State with particular emphasis on the north east Kildare towns of Maynooth, Leixlip and Celbridge; and if he will make a statement on the matter. [1879/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that there are currently no plans to extend the number of Garda Stations open to the public on a 24-hour basis.

Garda Strength.

785. **Mr. Stagg** asked the Minister for Justice, Equality and Law Reform the personnel strength in the Carlow/Kildare division as of 1 January 2005; and the number nationally on the same date. [1887/05]

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 Garda personnel, that the personnel strength of An Garda Síochána as at 1 January 2005 was 12,209 (all ranks). I am further informed that the personnel strength of Carlow/Kildare Division as at the 1st of January 2005 was 323 (all ranks).

In relation to Garda resources generally, I am, of course, very pleased that the Government has approved my proposal to increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with An Agreed Programme for Government commitment in this regard. This is a key commitment in the programme for Government, and its implementation will signifi-

cantly strengthen the operational capacity of the force.

The Commissioner will now be drawing up plans on how best to distribute and manage these additional resources. Clearly, of course, the additional resources will be targeted at the areas of greatest need, as is envisaged in the programme for Government. The programme identifies in particular areas with a significant drugs problem and a large number of public order offences, but it will be possible to address other priorities as well, such as the need to very significantly increase the number of gardaí allocated to traffic duties as part of the new Garda Traffic Corps. One thing I have already promised is that the additional gardaí will not be put on administrative duties. They will be put directly into front-line, operational, high-visibility policing. They will have a real impact.

Sexual Offences.

786. **Ms B. Moynihan-Cronin** asked the Minister for Justice, Equality and Law Reform the role of his Department in coordination of rape crisis and sexual assault centres around the country; the support which is provided by his Department to these services; and if he will make a statement on the matter. [1893/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that my Department has no role in relation to the co-ordination of rape crisis and sexual assault centres. This role is performed by the Rape Crisis Network Ireland which is funded through the Department of Health and Children.

As regards the support which my Department gives to rape and sexual assault victims I can inform the Deputy that my Department has recently provided joint funding for comprehensive research into attrition rates in rape cases. The research, entitled, *The Understanding of Attrition, Early Withdrawal, the Trial Process and Identifying Possible Changes to Support Complainants in Rape Cases*, is being carried out by the Department of Law at the National University of Ireland, Galway and the Rape Crisis Network Ireland. This research should provide a greater understanding as to why some victims choose not to report cases to the Garda, what can be done about underreporting and why, of the cases that are reported, only a relatively small percentage result in a court hearing.

I can also inform the Deputy that my Department is represented on a working group looking at the question of the treatment services which should be available to victims of sexual violence, including the question of forensic medical examinations. This working group, which is under the auspices of the National Steering Committee on Violence against Women, is being chaired by the Department of Health and Children, which is responsible for the provision of such treatment services.

The question of other support services for victims of rape and sexual assault appropriate to the responsibilities of my Department are also under consideration at present.

Child Abduction.

787. **Mr. Noonan** asked the Minister for Justice, Equality and Law Reform if he will discuss with the Garda Commissioner the setting up of an early warning and communications system on child abduction along the lines of Amber Alert in the United States; and if he will make a statement on the matter. [1909/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that while the AMBER alert system is used very effectively in the United States of America, its effectiveness is due to the fact that it is designed to work towards achieving a uniform information/publicity plan across different states and to minimize potential delays due to confusion among varying jurisdictions.

The Garda Síochána differs in that it is a national police force operating in one jurisdiction. I understand that the Garda authorities are satisfied that Irish cases of missing persons that would meet the AMBER alert plan's criteria are all investigated fully.

Asylum Applications.

788. **Mr. Haughey** asked the Minister for Justice, Equality and Law Reform the details of his recent announcement to allow parents of Irish born children remain in the State; if an application form will be sent to a person (details supplied) in Dublin 5; and if he will make a statement on the matter. [1962/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The details of the revised arrangements for the consideration of applications for permission to remain in the State made by the non-national parents of Irish born children born before 1 January 2005 was publicly announced on 15 January 2005.

Applications should be made on form IBC/05 which is available on the Department of Justice, Equality & Law Reform website www.justice.ie. Hard copies of the form are available at the Department of Justice, Equality and Law Reform, 13-14 Burgh Quay, Dublin 2, Garda District Headquarters stations outside Dublin and at all Reception and Integration Agency accommodation centres country wide. Forms have also been distributed to various non-governmental organisations working with immigrants and asylum seekers.

Dublin-Monaghan Bombings.

789. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if all victims of the Dublin and Monaghan bombings of 1972, 1973 and 1974 will be treated in a caring and flex-

[Mr. F. McGrath.]
ible manner in relation to compensation and other support. [1965/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As I have stated on many occasions, the bombings which took place in Dublin and Monaghan on Friday, 17 May 1974 were among the most tragic occurrences in the history of this island. Once again, I would like to express my deepest sympathies to those injured, their families and the families of those killed.

As the Deputy will be aware, the Government has established the Remembrance Commission and fund. The commission administers the fund under the terms of the Scheme of Acknowledgement, Remembrance and Assistance for Victims in this Jurisdiction of the Conflict in Northern Ireland. The fund has a total budget of €9 million over three years. The scheme makes assistance available to persons injured, or to survivors of persons fatally injured, since 1969, as a direct result of the conflict in Northern Ireland, where the injury or death occurred in this jurisdiction or where the victim was normally resident in this jurisdiction at the time of their injury or death.

Survivors of the Dublin and Monaghan bombings are eligible to apply for assistance under this scheme. I am confident that all applicants are treated in a caring, fair and equitable manner. I have been advised that since the commencement of the scheme in excess of €450,000 has been paid to victims or surviving family members of these bombings. Furthermore, in 2004, €226,650 in funding was made available to victim support groups to assist those trying to come to terms with their loss and or bereavement. A donation of €1.25 million has also been paid to the Northern Ireland memorial fund.

At all times, my officials ensure that all persons are treated in a caring and respectful manner. I am assured that all applicants for assistance from the remembrance fund are being given the maximum support, assistance and flexibility, within the confines of the above-named Scheme, and are being treated with all due respect, sensitivity and care.

Human Rights Issues.

790. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he still believes in due process and respect for human rights while managing the justice system; and if there have been changes in relation to these important legal issues. [1966/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In so far as I can understand the import of the Deputy's question, let me say that due process or trial in due course of law in the sense that the term describes the regular application of the criminal law through the courts, is a constitutional principle.

Apart from constitutional rights, I remind the Deputy that as Minister for Justice, Equality and

Law Reform I piloted the European Convention on Human Rights Act 2003, which incorporated the Convention into Irish law, through the Oireachtas. I might also remind the Deputy that, in so far as my areas of responsibility are concerned, I have made full use of the provisions of the Human Rights Commission Act 2000 to refer all legislative proposals emanating from my Department with human rights implications to the Human Rights Commission for its consideration.

Crime Levels.

791. **Mr. Stanton** asked the Minister for Justice, Equality and Law Reform the number of offenders in respect of whom a community service order was made in 2003; the number across each probation and welfare area; the number of males and females in each area; the number and type of offences for which community service orders were imposed; the estimated average weekly cost of each community service order; his further plans in relation to community service orders; and if he will make a statement on the matter. [2049/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Community Service is a valuable sanction available to the courts as an alternative to imprisonment. It is used mainly in the District Courts, which of course deal with minor offences, but it has been used in a small number of cases in higher Courts and is administered by the Probation and Welfare Service.

The aim of Community Service is to re-integrate the offender into the community through positive and demanding unpaid work for between 40 and 240 hours.

I wish to advise the Deputy that I have no further plans in relation to Community Service orders at this time.

The estimated average cost of a Community Service order, based on 2001 figures, which is the most recent figures available, is €1,500. This estimate includes the cost to the Service of staff time associated with supervising an offender (with appropriate overheads) and an estimate of the cost to the Probation and Welfare Service of an offender's participation.

The other statistics requested by the Deputy are set out in tabular form.

Number of Offenders in respect of whom a Community Service Order was made in 2003.

Region	Male	Female	Total
Eastern	314	34	348
Southern	287	20	307
Western	229	9	238
Total	830	63	893

Number and type of offence for which Community Service Orders were imposed in 2003.

Type of Offence	Number of Community Service Orders
Assault	136
Sexual Offences	2
Arson	3
Burglary	33
Malicious Damage	55
Robbery	15
Embezzlement, Fraud and Extortion	18
Forgery	10
Larceny	108
Receiving Stolen Goods	15
Shoplifting	7
Driving Offences	134
Interfere with mechanism of MPV	2
Passenger in a stolen car	9
Unauthorised taking of MPV	18
Breach of Barring/Protection Order	1
Breach of Peace	116
Drugs offences	52
Drunkenness Offences	37
Failure to Appear after remand on bail	6
Possession of an offensive weapon	11
Possession of firearms	1
Possession of h/b implements	3
Miscellaneous	101
Total	893

Asylum Applications.

792. **Ms Enright** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 290 of 7 July 2004, if he will consider the appeal of a person (details supplied) in County Offaly to remain here with their family; and if he will make a statement on the matter. [2050/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned was informed on 23 June 2004, in accordance with section 3 of the Immigration Act 1999 as amended, that it was proposed to make a deportation order in his case. He was given the options of making representations within 15 working days to the Minister for Justice, Equality and Law Reform setting out reasons why he should be allowed to remain in the State, to voluntarily leave the State or to consent to the making of a deportation order.

In the normal course of events, the person's file including all representations submitted, would be considered under Section 3(6) of the Immigration Act, 1999, as amended and under section 5 of the Refugee Act 1996, as amended, prohibition of refoulement.

However, as the parent of Irish born children, he may, if he so wishes, apply to have his appli-

cation considered under the new arrangements introduced by me for the consideration of applications for permission to remain made by the non-national parents of Irish born children born before 1 January, 2005. An information notice setting out details of the new arrangements and the appropriate application form is available from the Department's website, *www.justice.ie*. Application forms are also available from Garda District Headquarters stations outside Dublin, at all Reception and Integration Agency accommodation centres countrywide and from various non-governmental organisations working with immigrants and asylum seekers.

Garda Communications.

793. **Mr. Connaughton** asked the Minister for Justice, Equality and Law Reform the type of communication there is between the Garda headquarters at Tuam, County Galway and the outlying stations, particularly when there is no Garda on duty in the outlying areas; and if he will make a statement on the matter. [2052/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that communication between Tuam district headquarters station and its sub-district stations is provided via radio and telephone.

In the event that a member of the public telephones a sub-district station that is not manned, the phones in the sub-district station will be call diverted to the district headquarters station where the calls will be answered. In addition, personal callers to an unmanned sub-district station have access to a public access call box service otherwise known as the "Green man". This device allows the caller to make direct voice contact with Garda personnel at the district headquarters.

Departmental Correspondence.

794. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform the progress made in regard to correspondence (details supplied); and if he will make a statement on the matter. [2053/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am happy to inform the Deputy that I appointed the individual concerned as a Peace Commissioner in the last week. Correspondence to that effect issued recently to both the Deputy and to the individual in question.

Question No. 795 answered with Question No. 763.

Firearms Offences.

796. **Mr. J. O'Keeffe** asked the Minister for Justice, Equality and Law Reform the number of prosecutions in recent years under the firearms legislation for not having a licence or other breaches of legislation. [2055/05]

797. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the average age profile of licensed firearms holders here. [2056/05]

798. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the number of cases of stolen firearms in 2002, 2003 and 2004; the type or category of firearm that was stolen in each case; and the location from which the firearm in each case was stolen. [2057/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 796 to 798, inclusive, together.

The number of prosecutions for possession of a firearm, which includes possession, use or carriage of a firearm or ammunition which is not authorised by a firearm certificate, and the discharge of a firearm are outlined in the following table.

Firearms Offences where Proceedings Commenced.

Year	Possession of firearms	Discharge of a firearm
2001	123	20
2002	187	37
2003	148	41
2004*	179	38

*Figures for 2004 are provisional/operational and liable to change.

Division	Age of Vehicle	Duty	Make and Model	Average age of cars in Division
Carlow — Kildare	7.67	Drugs	Seat Cordoba 1.4	2.46
Cavan — Monaghan	4.95	Patrol	Nissan Almera 1.4	2.34
Clare	5.57	Drugs	Renault Megane 1.0	2.40
Cork City	8.21	Drugs	Hyundai Lantra 1.0	2.38
Cork North	6.43	Telecoms	Toyota Corolla 1.0	1.93
Cork West	6.43	Escorts	Toyota Corolla 1.0	2.05
Donegal	10.25	n/a	n/a	2.34
DMR East	6.34	Drugs	Toyota Corolla 1.0	2.73
DMR N.C.	8.44	Detective Branch	Citroen Xantia 1.0	3.56
DMR North	7.83	n/a	n/a	3.03
DMR South	7.91	Drugs	Mazda 323 1.5GLX	2.82
DMR S.C.	8.22	Warrants / Summons	Volkswagen Vento 1.9D	3.33
DMR West	7.92	Drugs	Opel Astra 1.4	3.02
DMR Traffic	7.91	Escorts	Opel Astra 1.4	3.82
Galway West	5.95	n/a	n/a	3.09
Kerry	4.89	Patrol	Nissan Almera 1.4	1.75
Louth-Meath	6.51	Patrol	Toyota Corolla 1	2.74
Laois-Offaly	6.13	Telecoms	Volkswagen Polo 1.4	2.57
Longford-Westmeath	4.43	Drugs	Seat Cordoba 1.4	2.00
Limerick	5.45	Community Police	Fiat Punto 60 1.3	2.34
Mayo	6.47	Patrol	Toyota Corolla 1.0	2.50
Roscommon-Galway East	4.43	Detective Branch	Toyota Avensis 1.0	2.04
Sligo-Leitrim	7.91	Warrants / Summons	Opel Astra 1.4	2.56
Tipperary	6.59	Drugs	Seat Cordoba 1.4	2.33
Waterford-Kilkenny	6.43	Telecoms	Toyota Corolla 1.0	2.24
Wexford	6.26	Drugs	Toyota Corolla 1.0	2.18

The Garda authorities inform me that the average age of a licensed firearm holder is 49 years.

A breakdown of the number of firearms stolen by type or category and by location is not readily available. However, I am informed by the Garda authorities that they are compiling the figures and they will be forwarded to the Deputy as soon as they are available.

Garda Transport.

799. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 292 of 7 December 2004, the reason he has failed to furnish the information sought; and if he will make a statement on the matter. [2058/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The delay in submitting a reply to the Deputy’s original question, No. 292 of 7 December 2004, arose as a result of the time required to ensure the accuracy of the information requested. I regret any inconvenience that this delay may have caused.

I am informed by the Garda authorities that the available information as to age, make and model of the oldest Garda car in each Garda divisional unit is as set out in the following table, which also details the average age of all cars in each division. The average age of the cars in the Garda fleet is 2.59 years.

As can be clearly seen from the table, only five (5) of these cars are being used as patrol vehicles. I am further informed that these vehicles will be replaced over the coming year.

Legal Fees.

800. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question Nos. 445 of 30 November 2004 and 208 of 15 December 2004, the reasons he has failed to furnish the information sought; and if he will make a statement on the matter. [2059/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy in Parliamentary Question No. 445 of 30 November, 2004 and 208 of 15 December, 2004 concerning the amounts paid to lawyers issued to him in my letter of 19 January, 2005.

Criminal Proceedings.

801. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 287 of 7 December 2004, the reason he has failed to furnish the information sought; and if he will make a statement on the matter. [2060/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Deputy will recall that it was not possible to compile the information requested by him in his Parliamentary Question No. 287 of Tuesday, 7 December, 2004 in the time frame available, and I undertook to contact him again when the information was to hand. I understand that it was necessary for the Garda authorities to contact each Garda district in order to obtain the information requested.

Section 4 of the Intoxicating Liquor Act 2003 provides that a licensee shall not, on the licensed premises (a) supply, or permit any person to supply, intoxicating liquor — (i) to a drunken person, or (ii) to any person for consumption by a drunken person; (b) permit a drunken person to

consume intoxicating liquor; (c) permit drunkenness to take place in the bar, or (d) admit any drunken person to the bar.

The following tables give details of the number of offences under section 4 of the Intoxicating Liquor Act 2003 in 2003 and 2004. I am informed by the Garda authorities that the breakdown of prosecutions under the Act in the manner requested by the Deputy is not readily available and could only be provided by the disproportionate expenditure of Garda time and resources.

Table 1 2003.

	Prosecutions	Convictions	Pending	Dismissed/ Struct out
Total	1	1	0	0

Table 2 2004.

	Prosecutions	Convictions	Pending	Dismissed/ Struct out
Total	25	9	12	4

Figures for 2004 are provisional/operational and liable to change.

The new provisions were explained to holders of licensed premises by local Garda officers in the series of seminars organised for that purpose.

I have asked the Garda Commissioner to ensure that the provisions of Section 4 will be uniformly enforced throughout the State.

Departmental Appointments.

802. **Mr. Gormley** asked the Minister for Justice, Equality and Law Reform the public appointments made in his Department since the Cabinet reshuffle in September, 2004. [2100/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Information requested by the Deputy is set out as follows:

Appointed to	Name	Date of Appointment
National Disability Authority Equality Authority Refugee Appeals Tribunal	Mr. James Martin	21 October, 2004
	Ms. Sally Ann Kinahan	7 October, 2004
	Mr. Declan McHugh BL	10 October, 2004*
	Ms. Judy Blake BL	20 October, 2004
	Mr. Sean Deegan BL	20 December, 2004
	Mr. Noel Whelan BL	20 December, 2004
	Mr. Joseph Barnes BL	17 January, 2005 *
	Mr. David Goldberg SC	20 January, 2005
	Mr. Paul A. McGarry BL	21 January, 2005 *
Castlerea Prison Visiting Committee	Ms. Mary Hoade	9 November, 2004
	Ms. Eileen Morris	17 December, 2004
	Ms. Marie Cleary	17 December, 2004
	Mr. Michael Geraghty	17 December, 2004
Cork Prison Visiting Committee	Mr. Oliver Cleary	6 December, 2004
Limerick Prison Visiting Committee	Mr. Pat Driscoll	15 November, 2004

Appointed to	Name	Date of Appointment	
Loughan House Place of Detention Visiting Committee	Mr. Michael O'Shea	15 November, 2004	
	Mr. Eugene Delaney	20 December, 2004	
Midlands Prison Visiting Committee	Ms. Rita Delahunty	20 December, 2004	
	Ms. Jody Gunning	15 November, 2004	
Mountjoy Prison Visiting Committee	Mr. John Sheehy	6 January, 2005	
	Mr. Jim Casey	6 January, 2005	
	Mr. Liam Hogan	6 January, 2005	
Portlaoise Prison Visiting Committee	Mr. Stephen Langton	6 January, 2005	
	Mr. Walter Lacey	20 December, 2004	
	Ms. Eithne Reddy	6 January, 2005	
St. Patrick's Institution Visiting Committee	Mr. Anthony Gavin	17 December, 2004	
	Mr. John O'Neill	8 November, 2004	
Wheatfield Prison Visiting Committee	Mr. Stephen O'Neill	8 November, 2004	
	Mr. Gerry Hannon	17 December, 2004	
	Ms. Elva MacKay	17 December, 2004	
	Ms. Teresa Clarke	17 December, 2004	
	Ms. Nicola Byrne	22 November, 2004	
	Films Appeal Board	Mr. Mark Brennan	October 2004
		Ms. Patricia Murphy	October 2004
		Ms. Dani McCafferty	October 2004
		Mr. P. J. Sheridan	October 2004
		Ms. Alison Foley	November 2004
Part-Time Assistant Censors	Ms. Michele Doyle (Chairperson)	28 October, 2004	
	Mr. Kevin McMahon	28 October, 2004	
	Mr. Liam O'Dubin	28 October, 2004	
	Ms. Catherine Byrne	28 October, 2004	
	Mr. Ray Guinan	28 October, 2004	
	Mr. Bill Brown	28 October, 2004	
	Ms. Margaret Lovett	28 October, 2004	
	Ms. Mary C. Barrett	28 October, 2004	
	Ms. Esther Lynch	6 January, 2005	
	Asst Garda Commissioner Pat Crummey	28 October, 2004	

* Reappointments.

** Following an open competition held by the Public Appointments Service, Ms Geraldine Larkin is to be appointed to the post of Chief Executive of the Private Security Authority.

I have also asked Professor Finbarr McAuley, Chairperson, Jean Monnet Professor of European Criminal Justice, UCD and Law Reform Commissioner to chair the proposed Criminal Law Advisory Committee on Codification. This committee has not yet been formed.

In addition to the what I have outlined, 15 peace commissioners have been appointed by my Department during the period specified by the Deputy. Peace commissioners are appointed under Section 88 of the Courts of Justice Act, 1924. The office of peace commissioner is an honorary appointment and peace commissioners receive no remuneration or compensation by way of fees or expenses for their services.

Asylum Applications.

803. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the position in relation to the case of persons (details supplied) in County Wicklow; if they need to reapply under the revised arrangements for residency for permission to remain in the State on the basis of

parentage of an Irish child born before 1 January, 2005; if this can be examined; and if he will make a statement on the matter. [2107/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): This Nigerian couple arrived separately in the State on 23 April 2002 and 09 October 2002 whereupon they applied for asylum. They withdrew from the asylum process and sought residency on the basis of their parentage of an child born in Ireland in 2002.

Subsequently, in accordance with the Immigration Act, 1999, as amended, they were informed by letter dated 3 September 2004 that it was proposed to make deportation orders in their case. They were given the options, to be exercised within 15 working days, of making representations to the Minister setting out reasons why they should be allowed to remain temporarily in the State, leaving the State before deportation orders are signed or consenting to the making of deportation orders.

In the normal course of events, the couple's case files, including all representations submitted,

would be considered under Section 3(6) of the Immigration Act, 1999, as amended and under Section 5 of the Refugee Act, 1996, as amended (Prohibition of Refoulement).

However, this couple, as the parents of Irish born children, may, if they so wish, apply to have their application considered under the new arrangements introduced by me for the consideration of applications for permission to remain made by the non-national parents of Irish born children born before 1 January 2005. An information notice setting out details of the new arrangements and the appropriate application form is available from the Department's website *www.justice.ie*. Application forms are also available from Garda District Headquarters stations outside Dublin, at all Reception and Integration Agency accommodation centres country-wide and from various non-governmental organisations working with immigrants and asylum seekers.

804. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the position in relation to the case of persons (details supplied) in County Wicklow; if they need to reapply under the revised arrangements for residency for permission to remain in the State on the basis of parentage of an Irish child born before 1 January, 2005; if this can be examined; and if he will make a statement on the matter. [2108/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The persons concerned already have status in the State on the basis of their parentage of an Irish born child. There is no requirement for them to apply again under the revised arrangements, announced publically on 15 January 2005, for the consideration of applications for permission to remain in the State made by the non-national parents of Irish born children born before 1 January 2005.

Teaching Qualifications.

805. **Mr. F. McGrath** asked the Minister for Education and Science the position regarding the on-line teacher training course run by a college (details supplied) and other developments in this area. [34122/04]

1129. **Mr. J. Higgins** asked the Minister for Education and Science if consideration will be given to suspending the on-line H.Dip course for primary teachers run by a company (details supplied) in order that a comprehensive debate regarding teacher training involving student teachers, teacher's unions and the general public can take place. [1483/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 805 and 1129 together.

The college referred to by the Deputies is a privately-owned institution providing a privately-run course which has been accredited by the Higher Education and Training Awards Council.

In order for the course to secure HETAC accreditation, the college complied with HETAC's quality assurance and validation requirements. The graduate diploma conferred at the end of this course is recognised by my Department for the purposes of primary teaching.

I would like to assure the Deputy that my Department's inspectorate monitors 10% of the final teaching practice students from the college in question, as is the case for the students of the five colleges of education at undergraduate and post-graduate levels. This process aims to assess the quality of the teaching practice dimension of pre-service education in individual colleges and throughout the system. It also strives to provide information on teaching practice to the Department and the individual colleges.

In the case of the college which is the subject of the Deputies' questions, this evaluation process has just been completed by the inspectorate for the first cohort of the college's students who are due to graduate in June 2005.

Analysis and assessment of this work in currently under way and the outcome of this work will be provided to the college covered by the Deputies' questions as well as the five colleges of education in a series of meetings with the Department's inspectorate. The provision of feedback to the colleges is a normal practice and it is a valuable means of improving the quality of teaching provided to students.

Special Educational Needs.

806. **Mr. Wall** asked the Minister for Education and Science her views on the concerns of the parents of a person (details supplied) in County Laois; the options which are available to the family to assist them to overcome these problems; and if she will make a statement on the matter. [34123/04]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that my Department is proposing a new system for the allocation of resource teaching supports to pupils with special educational needs. This system will involve a general teaching allocation for all primary schools to cater for pupils with higher incidence special educational need, i.e., those with borderline mild and mild general learning disability, specific learning disability, and those with learning support needs. An additional 350 teacher posts are being provided to facilitate the introduction of the new system.

I am conscious of difficulties that could arise in relation to this model, particularly for children in small and rural schools, if it were implemented as currently proposed. Accordingly, I am having the proposed model reviewed to ensure that it provides an automatic response for pupils with common mild learning disabilities, without the need for cumbersome individual applications, while at the same time ensuring that pupils currently in receipt of service continue to receive the level of service appropriate to their needs. The review

[Ms Hanafin.]

will involve consultation with representative interests and the National Council for Special Education before it is implemented in the next school year.

I should emphasise that individual applications may continue to be made for specific resource teacher allocations in respect of pupils with lower-incidence special educational needs.

This pupil's special educational needs appear to be within the high incidence category. Therefore, it would be expected that these needs can be met from within the current resource and learning support teaching allocation available to the school. The school currently has the services of one learning support post, and 12.5 hours part-time resource teaching. It is a matter for the school to deploy these resources to meet the special educational needs of the pupils in the school.

807. **Mr. Kehoe** asked the Minister for Education and Science the status of the application for a special needs assistant for a person (details supplied) in County Wexford; when a decision will be made available to the school; and if she will make a statement on the matter. [34152/04]

Minister for Education and Science (Ms Hanafin): My Department has no record of an application for special needs assistant support being received for the pupil in question. My officials have also confirmed with the National Council for Special Education that no such application has been received by the local special education needs organiser. Any application for special needs assistant support should be submitted by the school to the local special education needs organiser.

Schools Refurbishment.

808. **Mr. Kenny** asked the Minister for Education and Science if the proposed necessary extension and repairs will be made to a school (details supplied) in County Donegal; and if she will make a statement on the matter. [34190/04]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners and is considered suitable for consideration for funding under one of the devolved initiatives.

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include:

details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; schools that will be authorised to commence architectural planning.

Special Educational Needs.

809. **Mr. F. McGrath** asked the Minister for Education and Science if a proper educational plan will be put in place for a person (details supplied) in Dublin 9 and the maximum support and advice given in the case. [34208/04]

Minister for Education and Science (Ms Hanafin): I can confirm that no application for special educational needs support has been received either by my Department or the National Council for Special Education for the pupil concerned. If it is the case that the school authorities want to discuss issues in connection with an educational plan or the supports that are available, it should make contact with its local special educational needs organiser. Schools have been notified by the National Council for Special Education of the contact details for the SENO attached to each school.

Third Level Education.

810. **Ms O. Mitchell** asked the Minister for Education and Science if the cap imposed in 2002 on numbers enrolling in colleges of further education is permanent; and if such colleges should plan accordingly. [34212/04]

Minister for Education and Science (Ms Hanafin): I assume the Deputy is referring to the number of places approved annually for post-leaving certificate courses. Information relating to the uptake of PLC places in 2004-05 by vocational education committees and individual schools and colleges outside the VEC system is currently being analysed by my Department. The approval process for PLC places for the academic year 2005-06 will take account of enrolment trends, applications from VECs, schools and colleges for course approval and the totality of demands for courses and teaching resources across the system.

Capitation Grants.

811. **Mr. P. McGrath** asked the Minister for Education and Science the current rate of capitation payments to voluntary secondary schools; and if he will compare this to the rate payable for students in schools operating under the VEC system. [34213/04]

1101. **Mr. Costello** asked the Minister for Education and Science the capitation grant for both a VEC and a voluntary secondary school for each

of the years 2000-2005; the difference for each year since the differential policy began; the reason the capitation grant to the voluntary sector exceeds that to the VEC sector; if she intends to retain the present capitation differential between the two sectors or restore parity; and if she will make a statement on the matter. [1246/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 811 and 1101 together.

As the Deputies will be aware differing funding arrangements have evolved for the different school types at second level. At the core of all arrangements is a reliance upon capitation as the principle determinant of funding. There are however significant differences in the approaches to the funding of back-up services such as for secretaries and caretakers.

Voluntary secondary schools, in the free education scheme, which are privately owned and managed, are funded by way of *per capita* grants towards recurrent costs, with additional financial assistance towards services such as care taking and secretarial. Financial allocations for vocational schools and community colleges are made to the VECs as part of a block grant that in addition to specific provision for teacher, clerical-administrative and maintenance staffing pay costs also covers VEC overheads and other activities other than the second level programme. As VECs are given a high level of autonomy in the management and appropriation of their budgets, I am not in a position to provide details of funding allocated by VECs to its schools in the VEC sector on a *per capita* basis as requested by the Deputies.

There have been significant improvements in the level of funding for schools. The standard *per capita* grant which stood at €233.60 per pupil in September 1999, was increased to €233.60 per pupil in September 2000, to €256.50 per pupil in September 2001, to €266 per pupil in September 2002, to €274 per pupil in January 2004, and has been increased by a further €12 to €286 per pupil from 1 January 2005. In addition, schools have also benefited significantly by the introduction of grants in September 2000 under the school services support initiative. The initial grant of €25 per pupil was increased to €63.49 per pupil in September 2001, to €88.88 per pupil in September 2002, to €99 per pupil in January 2003 and has been increased by a further €4 to €103 per pupil from 1 January 2005. VECs have benefited in their overall budgets from equivalent funding increases.

Funding for voluntary secondary schools has been further enhanced by the introduction of a range of equalisation measures designed to reduce the historic anomalies in the funding arrangements between secondary schools and the other second level school sectors. Under the schools services support initiative, secondary schools have benefited from further significant

increases that have brought the grant in the case of such schools to €131 per pupil from 1 January 2004 and to €145 from 1 January 2005. These increases are in addition to the range of equalisation grants of up to €15,554 per school or, €44.44 per pupil, per annum that was approved for secondary schools in December 2001. As the funding provided under the schools support services fund is flexible, schools are permitted discretion as to the manner in which support services are provided. In particular it allows schools experiencing difficulties in the provision of secretarial, care taking and maintenance services to make an impact in those areas.

I am committed to improving further the funding position of secondary schools in the light of available resources and to address the issue of equity highlighted by the voluntary school sector.

Special Educational Needs.

812. **Mr. Aylward** asked the Minister for Education and Science the reason no response has yet issued to the school of a person (details supplied) in County Kilkenny, with regard to an application for resource teaching. [34230/04]

Minister for Education and Science (Ms Hanafin): I can confirm that my Department has no record of receiving a recent application for resource teaching support for the pupil in question. My Department sanctioned four hours resource teaching support for the pupil on 14 July 2003 and this is the maximum support available for the pupil's disability category. The pupil also has the services of a full time special needs assistant.

813. **Ms O. Mitchell** asked the Minister for Education and Science if a decision will be made in the case of the home tuition grant application for a person (details supplied) in Dublin 16. [34231/04]

Minister for Education and Science (Ms Hanafin): The home tuition scheme is primarily intended to provide compensatory instruction for pupils who have a medical ailment that is likely to cause major disruption of their attendance at school. The scheme may also apply to pupils who cannot attend school at all, or are absent for a significant proportion of the school year.

I understand that the pupil in question is enrolled in a mainstream school with the support of five hours per week resource teaching.

The Deputy will be aware that my Department is currently undertaking a review of the home tuition scheme and my officials are endeavouring to have this completed as quickly as possible. A response to the application for home tuition for the pupil in question will be conveyed to the parents as soon as the review has been completed.

814. **Ms O. Mitchell** asked the Minister for Education and Science when it is envisaged that the review of the home tuition grant scheme will

[Ms O. Mitchell.]

be completed; and when new applications will be processed. [34232/04]

Minister for Education and Science (Ms Hanafin): The home tuition scheme is primarily intended to provide compensatory instruction for pupils who have a medical ailment likely to cause major disruption of their attendance at school. My Department continues to provide home tuition grants to pupils who cannot attend school at all, or are absent for a significant proportion of the school year.

My Department is endeavouring to have the review completed as quickly as possible. In the meantime, existing home tuition grants have been extended until the end of the current school year or earlier, if a school placement has been sourced in the intervening period.

Weight of Schoolbags.

815. **Mr. O'Shea** asked the Minister for Education and Science her urgent proposals regarding the weight of students' school bags at first and second level (details supplied). [34233/04]

Minister for Education and Science (Ms Hanafin): Arrangements are being made by my Department to issue a further circular letter to all primary and post-primary schools highlighting the importance of schools' and parents' awareness of problems posed by the weight of pupils' schoolbags and drawing the attention of schools in particular to the recommendations contained in the report of the Working Group on the Weight of Schoolbags.

Arrangements are also in train to have a copy of the report of the working group published on my Department's website.

Schools Refurbishment.

816. **Mr. F. McGrath** asked the Minister for Education and Science if urgent assistance and the maximum support will be given to a school (details supplied) in Dublin 9 for roof repairs. [34234/04]

1066. **Mr. F. McGrath** asked the Minister for Education and Science if action will be taken to repair the roof at a school (details supplied) in Dublin 9 and if the maximum support and assistance will be given. [34576/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 816 and 1066 together.

The school to which the Deputy refers has submitted an application for grant aid under the summer works scheme 2005 for roof repairs and mechanical works. All SWS applications are currently being assessed in the school planning section of my Department. I intend to publish the list of successful applicants in the near future.

Special Educational Needs.

817. **Mr. Stagg** asked the Minister for Education and Science the reason a person (details supplied) is to lose her one hour per day resource teaching hours; her views on whether putting this person in group resource with children who have dyslexia is totally unsuitable; if the decision will be rescinded; and if she will make a statement on the matter. [34265/04]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that my Department is proposing a new system for the allocation of resource teaching supports to pupils with special educational needs. This system will involve a general teaching allocation for all primary schools to cater for pupils with higher incidence SEN, i.e., those with borderline mild and mild general learning disability, specific learning disability, and also those with learning support needs. This pupil's SEN appear to be within the high incidence category. Therefore, it would be expected that these needs can be met from within the current resource-learning support teaching allocation available to the school. The school currently has the services of three full-time resource teaching posts, one shared resource teaching post, two full-time learning support posts and one shared learning support post.

It is a matter for the school to deploy these resources to meet the SEN of the pupils in the school. I emphasise that individual applications may continue to be made for specific resource teacher allocations in respect of pupils with lower-incidence special educational needs.

818. **Mr. Gilmore** asked the Minister for Education and Science the number of psychologists and other staff assigned to the assessment and processing of applications for special needs assistance; the average length of time taken from the submission of a request for a special needs assistant to the date on which the school is given approval; and if she will make a statement on the matter. [34266/04]

Minister for Education and Science (Ms Hanafin): The Deputy may be aware that the National Council for Special Education assumed responsibility for processing applications for special needs assistant support from 1 January 2005.

I am satisfied that the establishment of the NCSE will greatly enhance the provision of services for children with special educational needs and result in a timely response to schools which have made application for SEN supports. The local service delivery aspect of the council's operation will be the responsibility of special educational needs organisers. Up to 70 SENOs have been employed, all of whom have a qualification and previous work experience relating to service delivery to children with disabilities. The SENOs will be responsible for co-ordinating and facilitating delivery of educational services to children

with disabilities at local level. In particular, the SENOs will be a focal point of contact for parents or guardians and schools, and will process applications for resources for children with disabilities who have special educational needs. This will also involve regular and detailed engagement with organisations such as health authorities, the Department, including administrative divisions, the Inspectorate and the National Educational Psychological Service.

School Accommodation.

819. **Mr. Durkan** asked the Minister for Education and Science if and when funding will be offered to a school (details supplied) in County Kildare to facilitate relocation of students currently using the physical education hall as a classroom to a portakabin, in view of the fact that all students will be precluded from using the hall for its intended use over the winter period for physical education classes; and if she will make a statement on the matter. [34267/04]

Minister for Education and Science (Ms Hanafin): An application for temporary accommodation has been received from the school authority to which the Deputy refers. All applications for temporary accommodation for the 2005-06 school year are currently being assessed in the school planning section of my Department. I intend to publish a list of the successful applicants shortly.

School Placement.

820. **Mr. Kehoe** asked the Minister for Education and Science the assistance which is being made available to a person (details supplied) in County Wexford to help them enter the secondary school of choice; and if she will make a statement on the matter. [34268/04]

Minister for Education and Science (Ms Hanafin): The school to which the Deputy refers is heavily oversubscribed as a result of a significant number of pupils enrolling from outside its catchment area. The development of this type of situation can impact negatively on pupils who reside within the catchment area and who are entitled, as of right, to a place in a particular school. It also invariably impacts negatively on the school or schools to which these pupils should rightly attend and in which considerable capital investment has been made for this purpose. It is a matter for all school authorities, in the context of their enrolment policies, to limit enrolment to within their catchment areas to ensure that such situations do not arise. A school authority may offer places to pupils from outside the catchment area only if it does not have negative repercussions for additional accommodation and or transport costs. However, where a school refuses to enrol a pupil, the school is obliged to inform parents of their right under section 29 of Education Act 1998 to appeal that decision to the Secretary General of my Department.

Section 29 of the Education Act 1998, provides parents with an appeal process where a board of management of a school or a person acting on behalf of the board refuses enrolment of a student. An appeal will generally not be admitted unless it is made within 42 calendar days from the date the decision of the board of management was notified to the parent or student concerned. However, a longer period for making appeals may be allowed as an exception where it is accepted that circumstances did not permit the making of an appeal within the 42 day limit.

Where an appeal under section 29 is upheld, the Secretary General of my Department may direct a school to enrol a pupil.

Special Educational Needs.

821. **Mr. Murphy** asked the Minister for Education and Science if a classroom assistant will be provided immediately for a person (details supplied) in County Cork. [34269/04]

Minister for Education and Science (Ms Hanafin): My Department is currently considering an application for special needs assistant support for the pupil in question and my officials are liaising with my Department's inspectorate in this regard. The application will be considered in the context of the pupil's care needs and the deployment of the existing level of SNA support available in the school. I understand that the school currently has the services of three SNAs. A decision will be conveyed to the school authorities as quickly as possible.

Capitation Grants.

822. **Mr. Sargent** asked the Minister for Education and Science if she will reconsider the financial burden being put on schools which are now required to pay for collection of bins by local authorities; and if this cost will be offset by making it refundable from her Department to avoid adding to the financial burden which requires extensive fund raising on behalf of many schools in the country. [34307/04]

Minister for Education and Science (Ms Hanafin): Schools' running costs are met by my Department's scheme of capitation grants. These grants are intended to contribute towards the general operating costs of national schools which would include heating, lighting, cleaning, insurance, painting, teaching aids and other miscellaneous charges.

The capitation grant for primary schools has been increased substantially in recent years. Since 1997 the standard rate of capitation grant has been increased from £45, €57.14, per pupil to €121.58 with effect from 1 January 2004, an increase of almost 113% in the period. Provision has been made for a further increase of €12 per pupil in the capitation grant with effect from 1 January 2005 bringing the standard rate to €133.58.

[Ms Hanafin.]

There have also been significant improvements in the level of funding for second level schools. The standard *per capita* grant now amounts to €286 as against the rate of €224.74 that applied in 1997. This increase will bring the *per capita* grant in the case of disadvantaged schools to €324 per pupil. In addition, under the school services support fund initiative, secondary schools have benefited from further significant increases in the support grant. This grant which was introduced in September 2000 has been increased from €25 per pupil to the current rate of €103 from 1 January 2005.

Funding for voluntary secondary schools has been further enhanced by the introduction of a range of equalisation measures that are designed to reduce the historic anomalies in the funding arrangements for the different school types at second level. Under the terms of recent equalisation measures, the support grant has in the case of voluntary secondary schools been significantly enhanced to €145 per pupil from 1 January 2005. These increases are in addition to the range of equalisation grants of up to €15,554 per school per annum that have also been approved for voluntary secondary schools.

Local authority service and other charges payable to the various local authorities do not come within the remit of my Department. It would be a matter for the local authorities to decide whether schools are liable to pay such charges. Where it is decided that schools are liable for such charges, the cost would form part of the normal running costs of schools and would fall to be met from the capitation funding which schools have received from my Department.

It would not be feasible for my Department to introduce specific schemes whereby grant assistance would be provided to schools in respect of individual charges such as bin collections.

Schools Building Projects.

823. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34331/04]

839. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34347/04]

866. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34374/04]

871. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34379/04]

914. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34422/04]

985. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34493/04]

1054. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34562/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 823, 839, 866, 871, 914, 985 and 1054 together.

The projects referred to by the Deputy were listed to proceed to tender and construction as part of the 2004 school building programme. These projects did not proceed as quickly as envisaged due mainly to issues relating to planning permission, design teams being slower than anticipated in progressing projects and the need to revise briefs with reference to special needs

requirements. It is envisaged that these projects will proceed as quickly as possible in 2005.

The day-to-day management of projects is a matter for each school and their design teams. The specific information requested by the Deputy is not readily available in my Department in the format requested by him.

824. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34332/04]

829. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34337/04]

830. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34338/04]

853. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34361/04]

855. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34363/04]

858. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective

dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34366/04]

860. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34368/04]

873. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34381/04]

874. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34382/04]

875. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34383/04]

885. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34393/04]

886. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if

[Mr. P. McGrath.]
behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34394/04]

887. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34395/04]

890. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34398/04]

891. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34399/04]

892. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34400/04]

893. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34401/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 824, 829, 830, 853, 855, 858, 860, 873 to 875, inclusive, 885 to 887, inclusive, 890 to 893, inclusive, together.

Construction is under way on the projects referred to by the Deputy. It is envisaged that

many of these projects will be completed in the latter half of 2005.

The day-to-day management on projects is a matter for each school authority and their design teams. The specific information requested by the Deputy in relation to each project is not readily available in my Department in the format requested by him.

825. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34333/04]

834. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34342/04]

838. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34346/04]

845. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34353/04]

846. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34354/04]

847. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project;

[Mr. P. McGrath.]
she will make a statement on the matter.
[34443/04]

950. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34458/04]

954. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34462/04]

957. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34465/04]

958. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34466/04]

961. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34469/04]

967. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if

she will make a statement on the matter.
[34475/04]

984. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34492/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 825, 834, 838, 845 to 849 inclusive, 863, 864, 880, 911, 917, 925, 927 to 929 inclusive, 935, 950, 954, 957, 958, 961, 967 and 984 together.

As part of the expansion of the devolved schemes initiatives for primary school building works the schools referred to by the Deputy were allocated a predetermined grant to enable the school management authorities to provide additional accommodation and/or improvements works.

The initiatives facilitate the boards of management by allowing them to address their accommodation and building priorities. It also provides a guaranteed amount of funding and gives boards of management control and responsibility for the building project.

As the initiatives are devolved it is the responsibility of each school management authority to determine the date the project proceeds to tender, the date the tender is accepted, the duration of the contract period and most importantly to manage the post contract control in respect of both costs and provision.

826. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34334/04]

827. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34335/04]

828. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective

[Mr. P. McGrath.]
she will make a statement on the matter.
[34378/04]

877. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34385/04]

878. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34386/04]

879. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34387/04]

881. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34389/04]

883. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34391/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 826 to 828, inclusive, 831, 832, 835, 841 to 844, inclusive, 862, 867 to 870, inclusive, 877 to 879, inclusive, 881 and 883 together.

Construction is well under way on the projects referred to by the Deputy. It is envisaged that

these projects will be completed in the latter half of 2005.

The day-to-day management of projects is a matter for each school and their design teams. The specific information requested by the Deputy in relation to each project is not readily available in my Department in the format requested by him.

Questions Nos 829 and 830 answered with Question No. 824.

Questions Nos. 831 and 832 answered with Question No. 826.

833. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34341/04]

851. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34359/04]

852. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34360/04]

854. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34362/04]

859. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if

[Mr. P. McGrath.]

ders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34567/04]

1060. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34568/04]

1062. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34570/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 833, 851, 852, 854, 859, 872, 888, 889, 903, 905, 910, 946, 997, 1016, 1030, 1042, 1052, 1059, 1060 and 1062 together.

Construction is completed on all of the projects referred to by the Deputy. All of these projects commenced construction prior to 2004.

Question No. 834 answered with Question No. 825.

Question No. 835 answered with Question No. 826.

836. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34344/04]

840. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if

she will make a statement on the matter.
[34348/04]

882. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34390/04]

899. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34407/04]

915. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34423/04]

916. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34424/04]

936. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34444/04]

937. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34445/04]

1031. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement in the matter. [34539/04]

1063. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34571/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 836, 840, 882, 899, 915, 916, 936, 937, 1031 and 1063 together.

The projects referred to by the Deputy were listed to proceed to tender and construction as part of the 2004 school building programme. The tendering process is either under way or completed on these projects and it is envisaged that they will proceed to construction as early as possible in 2005.

The day to day management of projects is a matter for each school and their design teams. The specific information requested by the Deputy in relation to each project is not readily available in my Department in the format requested by him. In broad terms there are many reasons which can cause unexpected delays in the pace at which some projects advance. These include an appeal of planning permission by third parties to An Bord Pleanála, contractors withdrawing tenders and design teams being slower than anticipated in getting projects tendered.

837. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34345/04]

850. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if

she will make a statement on the matter. [34358/04]

865. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34373/04]

908. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34416/04]

938. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34446/04]

943. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34451/04]

962. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34470/04]

966. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34474/04]

the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34564/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 837, 850, 865, 908, 938, 943, 962, 966, 970, 972, 977, 981, 996, 1003, 1015, 1022, 1024, 1025, 1036, 1041 and 1056 together.

Construction is completed on all of the projects referred to by the Deputy. Most of these projects commenced construction prior to 2004.

Question No. 838 answered with Question No. 825.

Question No. 839 answered with Question No. 823.

Question No. 840 answered with Question No. 836.

Questions Nos. 841 to 844, inclusive, answered with Question No. 826.

Questions Nos. 845 to 849, inclusive, answered with Question No. 825.

Question No. 850 answered with Question No. 837.

Questions Nos. 851 and 852 answered with Question No. 833.

Question No. 853 answered with Question No. 824.

Question No. 854 answered with Question No. 833.

Question No. 855 answered with Question No. 824.

Schools Building Projects.

856. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34364/04]

Minister for Education and Science (Ms Hanafin): The current position relating to proposed works at the school referred to by the Deputy is that the school applied for and was successful in securing funding under the 2004 summer works scheme, SWS, for the first phase of the replacement of the roof. This was completed in 2004. An application under the 2005 SWS has

been received from the school management for the second phase of roof replacement. As I outlined in early December, when setting out details of schools building and modernisation programme, I will announce in February details of the schools that will receive funding based on the applications being processed by my officials.

857. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34365/04]

Minister for Education and Science (Ms Hanafin): My Department is in consultation with the school authority referred to by the Deputy regarding the delivery of this project. Documentation received in December from the school's design team is being reviewed. Officials in the school building section of my Department will communicate with the school authority shortly.

Question No. 858 answered with Question No. 824.

Question No. 859 answered with Question No. 833.

Question No. 860 answered with Question No. 824.

861. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34369/04]

Minister for Education and Science (Ms Hanafin): Tenders for the project to which the Deputy refers were not agreed and, therefore, work did not start. The original plan was to locate this project on a greenfield site. Since then other options have been considered. When a decision is made on the most appropriate delivery method for this project, I will inform the parties concerned.

Question No. 862 answered with Question No. 826.

Questions Nos. 863 and 864 answered with Question No. 825.

Question No. 865 answered with Question No. 837.

Question No. 866 answered with Question No. 823.

Question No. 867 to 870, inclusive, answered with Question No. 826.

Question No. 871 answered with Question No. 823.

Question No. 872 answered with Question No. 833.

Questions Nos. 873 to 875, inclusive, answered with Question No. 824.

876. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34384/04]

901. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34409/04]

904. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34412/04]

906. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34414/04]

923. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the

project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34431/04]

932. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34440/04]

960. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34468/04]

975. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34483/04]

976. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34484/04]

983. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34491/04]

1005. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if

she will make a statement on the matter.
[34513/04]

1008. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34516/04]

1061. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34569/04]

1065. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34573/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 876, 901, 904, 906, 923, 932, 960, 975, 976, 983, 1005, 1008, 1061 and 1065 together.

The projects referred to by the Deputy were listed to proceed to tender and construction as part of the 2004 school building programme. These projects did not proceed as quickly as envisaged due mainly to issues relating to planning permission, sites or design teams being slower than anticipated in progressing projects. It is envisaged that these projects will proceed as quickly as possible in 2005. The day-to-day management of projects is a matter for each school authority and their design teams. The specific information requested by the Deputy is not readily available in my Department in the format requested by him.

Questions Nos. 877 to 879, inclusive, answered with Question No. 826.

Question No. 880 answered with Question No. 825.

Question No. 881 answered with Question No. 826.

Question No. 882 answered with Question No. 836.

Question No. 883 answered with Question No. 826.

884. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34392/04]

895. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34403/04]

896. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34404/04]

897. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34405/04]

898. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34406/04]

907. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34415/04]

the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34448/04]

941. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34449/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 884, 895 to 898, inclusive, 907, 909, 912, 913, 918, 919, 921, 924, 926, 930, 933, 934, 939, 940 and 941 together.

Construction on the projects referred to by the Deputy commenced in 2004. It is envisaged that most of these projects will be completed in the latter half of 2005. The day-to-day management of projects is a matter for each school and its design team. The specific information requested by the Deputy regarding each project is not available in my Department in the format requested by him.

Questions Nos. 885 to 887, inclusive, answered with Question No. 824.

Questions Nos. 888 and 889 answered with Question No. 833.

Questions Nos. 890 to 893, inclusive, answered with Question No. 824.

894. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34402/04]

900. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34408/04]

902. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed;

the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34410/04]

922. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34430/04]

931. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if the project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34439/04]

947. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34455/04]

948. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34456/04]

951. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34459/04]

952. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective

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 dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
 [34460/04]

953. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
 [34461/04]

956. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
 [34464/04]

974. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
 [34482/04]

1006. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
 [34514/04]

1007. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
 [34515/04]

1037. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this

project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
 [34545/04]

1038. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
 [34546/04]

1051. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
 [34559/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 894, 900, 902, 922, 931, 947, 948, 951, 952, 953, 956, 974, 1006, 1007, 1037, 1038 and 1051 together.

Construction is under way on the projects referred to by the Deputy. It is envisaged that many of these projects will be completed in the latter half of 2005.

The day-to-day management of projects is a matter for each school authority and their design teams. The specific information requested by the Deputy with regard to each project is not readily available in my Department in the format requested by him.

Questions Nos. 895 to 898, inclusive, answered with Question No. 884.

Question No. 899 answered with Question No. 836.

Question No. 900 answered with Question No. 894.

Question No. 901 answered with Question No. 876.

Question No. 902 answered with Question No. 894.

Question No. 903 answered with Question No. 833.

Question No. 904 answered with Question No. 876.

Question No. 905 answered with Question No. 833.

Question No. 906 answered with Question No. 876.

Question No. 907 answered with Question No. 884.

Question No. 908 answered with Question No. 837.

Question No. 909 answered with Question No. 884.

Question No. 910 answered with Question No. 833.

Question No. 911 answered with Question No. 825.

Questions Nos. 912 and 913 answered with Question No. 884.

Question No. 914 answered with Question No. 823.

Questions Nos. 915 and 916 answered with Question No. 836.

Question No. 917 answered with Question No. 825.

Questions Nos. 918 and 919 answered with Question No. 884.

920. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34428/04]

986. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34494/04]

988. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34496/04]

990. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the ten-

ders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34498/04]

992. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34500/04]

994. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34502/04]

1000. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34508/04]

1017. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34525/04]

1021. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34529/04]

1023. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project;

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the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34531/04]

1032. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34540/04]

1033. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34541/04]

1039. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34547/04]

1040. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34548/04]

1058. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34566/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 920, 986, 988, 990, 992, 994, 1000, 1017, 1021, 1023, 1032, 1033, 1039, 1040 and 1058 together.

As part of the expansion of the devolved schemes initiatives for primary school building works, the schools referred to by the Deputy were allocated a predetermined grant to enable the school management authorities to provide additional accommodation and-or improvements works. The initiatives facilitate the boards of managements by allowing them to address their accommodation and building priorities. It also provides a guaranteed amount of funding and gives boards of management control and responsibility for the building project.

As the initiatives are devolved, it is the responsibility of each school management authority to determine the date the project proceeds to tender, the date the tender is accepted, the duration of the contract period and most importantly to manage the post contract control in respect of both costs and provision.

Question No. 921 answered with Question No. 884.

Question No. 922 answered with Question No. 894.

Question No. 923 answered with Question No. 876.

Question No. 924 answered with Question No. 884.

Question No. 925 answered with Question No. 825.

Questions Nos. 926 answered with Question No. 884.

Questions Nos. 927 to 929, inclusive, answered with Question No. 825.

Question No. 930 answered with Question No. 884.

Question No. 931 answered with Question No. 894.

Question No. 932 answered with Question No. 876.

Questions Nos. 933 and 934 answered with Question No. 884.

Question No. 935 answered with Question No. 825.

Questions Nos. 936 and 937 answered with Question No. 836.

Question No. 938 answered with Question No. 837.

Questions Nos. 939 to 941, inclusive, answered with Question No. 884.

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the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34481/04]

978. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34486/04]

979. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34487/04]

982. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34490/04]

987. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34495/04]

989. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34497/04]

991. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective

dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34499/04]

993. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.

[34501/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 942, 944, 945, 949, 955, 959, 963, 964, 965, 968, 969, 971, 973, 978, 979, 982, 987, 989, 991 and 993 together.

Construction on the projects referred to by the Deputy commenced in 2004 and it is envisaged that these projects will be completed in the latter half of 2005. The day to day management of projects is a matter for each school and their design teams. The specific information requested by the Deputy on each project is not readily available in my Department in the format requested by him.

Question No. 943 answered with Question No. 837.

Questions Nos. 944 and 945 answered with Question No. 942.

Question No. 946 answered with Question No. 833.

Questions Nos. 947 and 948 answered with Question No. 894.

Question No. 949 answered with Question No. 942.

Question No. 950 answered with Question No. 825.

Questions Nos. 951 to 953, inclusive, answered with Question No. 894.

Question No. 954 answered with Question No. 825.

Question No. 955 answered with Question No. 942.

Question No. 956 answered with Question No. 894.

Questions Nos. 957 and 958 answered with Question No. 825.

Question No. 959 answered with Question No. 942.

Question No. 960 answered with Question No. 876.

Question No. 961 answered with Question No. 825.

Question No. 962 answered with Question No. 837.

Questions Nos. 963 to 965, inclusive, answered with Question No. 942.

Question No. 966 answered with Question No. 837.

Question No. 967 answered with Question No. 825.

Questions Nos. 968 and 969 answered with Question No. 942.

Question No. 970 answered with Question No. 837.

Question No. 971 answered with Question No. 942.

Question No. 972 answered with Question No. 837.

Question No. 973 answered with Question No. 942.

Question No. 974 answered with Question No. 894.

Questions Nos. 975 and 976 answered with Question No. 876.

Question No. 977 answered with Question No. 837.

Questions Nos. 978 and 979 answered with Question No. 942.

980. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34488/04]

Minister for Education and Science (Ms Hanafin): The authorities of the school in question were offered grant aid under the 2004 devolved permanent accommodation initiative to provide additional permanent classroom accommodation but declined to take part in the scheme.

The level of accommodation required at the school is currently being reassessed by the planning section of my Department. The school auth-

orities will be contacted on the matter in due course.

Question No. 981 answered with Question No. 837.

Question No. 982 answered with Question No. 942.

Question No. 983 answered with Question No. 876.

Question No. 984 answered with Question No. 825.

Question No. 985 answered with Question No. 823.

Question No. 986 answered with Question No. 920.

Question No. 987 answered with Question No. 942.

Question No. 988 answered with Question No. 920.

Question No. 989 answered with Question No. 942.

Question No. 990 answered with Question No. 920.

Question No. 991 answered with Question No. 942.

Question No. 992 answered with Question No. 920.

Question No. 993 answered with Question No. 942.

Question No. 994 answered with Question No. 920.

Schools Building Projects.

995. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34503/04]

998. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if

1020. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34528/04]

1026. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34534/04]

1027. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34535/04]

1028. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34536/04]

1029. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter. [34537/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 995, 998, 999, 1001, 1002, 1004, 1009 to 1014, inclusive, 1018 to 1020, inclusive, and 1026 to 1029, inclusive, together.

Construction is well under way on the projects referred to by the Deputy. It is envisaged that these projects will be completed in the latter half of 2005.

The day-to-day management of projects is a matter for each school and their design teams. The specific information requested by the Deputy

in regard to each project is not readily available in my Department in the format requested by him.

Question No. 996 answered with Question No. 837.

Question No. 997 answered with Question No. 833.

Questions Nos. 998 and 999 answered with Question No. 995.

Question No. 1000 answered with Question No. 920.

Questions Nos. 1001 and 1002 answered with Question No. 995.

Question No. 1003 answered with Question No. 837.

Question No. 1004 answered with Question No. 995.

Question No. 1005 answered with Question No. 876.

Questions Nos. 1006 and 1007 answered with Question No. 894.

Question No. 1008 answered with Question No. 876.

Questions Nos. 1009 to 1014, inclusive, answered with Question No. 995.

Question No. 1015 answered with Question No. 837.

Question No. 1016 answered with Question No. 833.

Question No. 1017 answered with Question No. 920.

Questions Nos. 1018 to 1020, inclusive, answered with Question No. 995.

Question No. 1021 answered with Question No. 920.

Question No. 1022 answered with Question No. 837.

Question No. 1023 answered with Question No. 920.

Questions Nos. 1024 and 1025 answered with Question No. 837.

Questions Nos. 1026 to 1029, inclusive, answered with Question No. 995.

Question No. 1030 answered with Question No. 833.

she will make a statement on the matter.
[34565/04]

1064. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34572/04]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1034, 1035, 1043 to 1050, inclusive, 1055, 1057 and 1064 together.

Construction on the projects referred to by the Deputy commenced in 2004 and it is envisaged that these projects will be completed in the latter half of 2005.

The day to day management of projects is a matter for each school and its design team. The specific information requested by the Deputy in regard to each project is not readily available in my Department in the format requested by him.

Question No. 1036 answered with Question No. 837.

Questions Nos. 1037 and 1038 answered with Question No. 894.

Questions Nos. 1039 and 1040 answered with Question No. 920.

Question No. 1041 answered with Question No. 837.

Question No. 1042 answered with Question No. 833.

Questions Nos. 1043 to 1050, inclusive, answered with Question No. 1034.

Question No. 1051 answered with Question No. 894.

Question No. 1052 answered with Question No. 833.

1053. **Mr. P. McGrath** asked the Minister for Education and Science the date on which the tenders for a project (details supplied) were agreed; the date on which work started on the project; the reason for delays between these respective dates; the estimated construction period; if this project is on schedule; if it is behind schedule; if behind schedule, the reason for the delays; and if she will make a statement on the matter.
[34561/04]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy was listed as a refurbishment-extension project

for proceeding to tender and construction as part of the 2004 school building programme. Following discussions and correspondence with the Department, the board of management has advised the Department that it will purchase a site for a new school provided the project is changed to a new school. The Department has agreed to facilitate this request being explored provided it can be achieved within the existing budget set for the project.

The Department has made it clear to the board of management that the onus is on it to explore the new school option within an indicative timescale set by the Department. It is envisaged that interaction with the Department will be kept to a minimum. However, in the event of it not proving possible to progress the new school option for reasons such as site acquisition, budget issues etc., the project will revert back to a refurbishment-extension of the existing school. The board of management has accepted this and is currently working on the acquisition of a site following which they have been authorised to engage a design team to commence design work on the school.

Question No. 1054 answered with Question No. 823.

Question No. 1055 answered with Question No. 1034.

Question No. 1056 answered with Question No. 837.

Question No. 1057 answered with Question No. 1034.

Question No. 1058 answered with Question No. 920.

Questions Nos. 1059 and 1060 answered with Question No. 833.

Question No. 1061 answered with Question No. 876.

Question No. 1062 answered with Question No. 833.

Question No. 1063 answered with Question No. 836.

Question No. 1064 answered with Question No. 1034.

Question No. 1065 answered with Question No. 876.

Question No. 1066 answered with Question No. 816.

1067. **Mr. Hogan** asked the Minister for Education and Science the names of all primary and post primary schools that are the subject of an application for financial resources to extend,

[Mr. Hogan.]
amalgamate or construct a new school for Counties Carlow and Kilkenny; and if she will make a statement on the matter. [1043/05]

Minister for Education and Science (Ms Hanafin): The information sought by the Deputy is not readily available in my Department. However, if the Deputy has a query about any specific school, I would be happy to provide the information for him.

Special Educational Needs.

1068. **Mr. Hayes** asked the Minister for Education and Science when a full-time resource teacher will be allocated to a school (details supplied) in County Tipperary. [1044/05]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, the allocation of teaching resources for special needs comprises two elements, a general allocation based on overall pupil numbers in respect of high incidence disability categories and learning support needs and individual specific allocations in respect of specified low incidence disability categories.

Any applications for individual allocations made by this school should, since 1 January 2005, be sent to the special educational needs organiser for the school who will process it in accordance with the relevant criteria.

The school has also been notified of its provisional entitlement under the general allocation system. However, my Department is currently reviewing that system with a view to easing any difficulties that may have been caused for small or rural schools under the original proposals.

The school in question currently has an enrolment of 60 pupils and has the services of one full-time, shared learning support teacher post — not based in the school — and five hours per week resource teacher support. There will be no diminution in the level of these services pending the outcome of the review.

Schools Building Projects.

1069. **Mr. Hayes** asked the Minister for Education and Science when a school (details supplied) in County Tipperary will be relocated to a new site. [1045/05]

Minister for Education and Science (Ms Hanafin): My Department has acquired a site for the relocation of the school to which the Deputy refers and the provision of a new school building has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme and the Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide

which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

The school in question has also made an application for grant-aid under the temporary accommodation scheme for 2005. Applications under this scheme are currently being assessed in school planning section. Successful applicants will also be announced shortly.

Special Educational Needs.

1070. **Mr. P. Breen** asked the Minister for Education and Science further to Parliamentary Question No. 213 of 24 November 2004, if the application for a person (details supplied) in County Clare has been examined; if so, when the person can attend the autistic unit at a national school in County Clare; and if she will make a statement on the matter. [1046/05]

Minister for Education and Science (Ms Hanafin): I am aware of the case referred to by the Deputy. An application for special needs assistant support for the person in question was received in my Department on 28 October 2004. My officials are liaising with my Department's inspectorate and the National Educational Psychological Service, NEPS, regarding the application. A decision will be conveyed to the school as soon as this process has been completed.

Higher Education Grants.

1071. **Mr. F. McGrath** asked the Minister for Education and Science the number of places reserved for disadvantaged students at UCD and TCD; and if she will make a statement on the low number of poor students attending third level institutions. [1047/05]

Minister for Education and Science (Ms Hanafin): The special rates of maintenance grant for disadvantaged students, usually referred to as top-up grants, were introduced with effect from the 2000-01 academic year. The latest data indicates that more than 11,500 benefited in 2003-04. This is a significant achievement and means that we are well ahead of the target in the report of the action group on access to third level education which proposed that at least 9,000 students should qualify by 2006-07.

In order to qualify for the special rate of maintenance grant a candidate must meet a number of

conditions, including the following: He or she must already qualify for one of my Department's ordinary maintenance grants; total reckonable income must not exceed the specified limit for the academic year in question; and on the operative date the income into the household must include one of the specified long-term social welfare payments.

To be eligible under the special rates of maintenance grants scheme for the 2004-05 academic year, the total reckonable income limit, which is based on the 2003 tax year, must not exceed €14,693 net of standard exclusions, as set out in the maintenance grants scheme 2004 and, where applicable, net of child dependant allowance. Figures provided by third level institutions on an entry scheme to six of the universities and the Dublin Institute of Technology from designated disadvantaged schools indicate that access programmes being funded by the Department of Education and Science and the Higher Education Authority are having a positive impact on higher education entry by students from those schools. Numbers of entrants to the seven institutions participating in this scheme have more than doubled from 300 in 2001 to 700 in the current academic year, 2004-05, with in the region of 117 of those entering UCD and 86 entering TCD. It should be noted that these figures do not include many other students from linked schools, further education colleges and communities entering both these and all other third level institutions through the CAO.

The HEA is undertaking a full national survey of participation in higher education. This survey will provide up to date information on the trends of participation by students from the various socio-economic groups and provide a backdrop to the review of the effectiveness and efficiency of the existing funding programmes for access which I have asked the national office to undertake.

The Deputy will be aware that on 6 December last the national office for equity of access to higher education of the HEA published an action plan 2005-07, the objective of which is to progress a number of important goals over the next three years towards ensuring the continued and increased participation of students from all under-represented groups, including those from disadvantaged areas. Priority areas for action identified by the plan include the development of a national framework of equity of access policies and initiatives towards the linking of all disadvantaged regions, schools and communities, with at least one higher education institution, in tandem with improved systems for the ongoing monitoring of progress in achieving equity of access to higher education. The plan was drawn up by the national office with the assistance of an advisory group and in consultation with a range of education and social partners.

Physical Education Facilities.

1072. **Mr. Deenihan** asked the Minister for

Education and Science when physical education facilities will be provided at a school (details supplied) in County Dublin; and if she will make a statement on the matter. [1048/05]

Minister for Education and Science (Ms Hanafin): An extension project, including the provision of a PE hall, at the school to which the Deputy refers has been included on the recently announced list of projects to proceed to tender and construction in the next 12 to 15 months.

My Department's building unit has arranged a general information meeting in order to guide schools that are on this list through the process involved in moving projects to tender and construction. The meeting will take place on 31 January 2005 and the school referred to by the Deputy has been invited to attend.

Capitation Grants.

1073. **Mr. F. McGrath** asked the Minister for Education and Science if a school (details supplied) in Dublin 3 will be given the maximum support in 2005 in relation to staffing and resources. [1049/05]

Minister for Education and Science (Ms Hanafin): Teacher allocations to second level schools are approved annually by my Department in accordance with established rules based on recognised pupil enrolment. Each school management authority is required to organise its timetable and subject options having regard to pupils needs within the limit of its approved teacher allocation. Apart from meeting the requirements in respect of the provision of the core subjects, the curriculum offered in individual second level schools is a matter for the authorities of the school concerned, having regard to its approved teacher allocation.

The rules for allocating teaching resources provide that where a school management authority is unable to meet its curricular commitments, my Department will consider applications for additional short-term support, namely curricular concessions. An independent appeals mechanism is available to school authorities who wish to appeal the adequacy of their teacher allocation.

The funding arrangements for voluntary secondary schools, including the school referred to by the Deputy, are structured mainly on the basis of capitation grants with additional grants for secretarial and caretaking services. There have been significant improvements in the level of funding for voluntary secondary schools. I was particularly pleased to announce an aggregate increase of €26 per pupil from 1 January 2005 in the standard *per capita* grant and support services grant for voluntary secondary schools.

For a secondary school with 500 pupils, this amounts to additional funding since 1997 of up to €119,000 per annum and annual grants of €255,761 — or €275,000 in the case of disadvantaged schools — towards general expenses and support services. Schools are

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afforded considerable flexibility in the use of resources to cater for the needs of their pupils. These significant increases in the funding of secondary schools are a clear demonstration of my commitment to prioritise available resources to address the needs of schools.

Special Educational Needs.

1074. **Mr. Stagg** asked the Minister for Education and Science the reason for the delay in providing a national school place for a person (details supplied) when the NEP service is available; and if she will make a statement on the matter. [1050/05]

Minister for Education and Science (Ms Hanafin): The correspondence referred to concerns an application from parents in November 2004, to enrol their child in a mainstream national school. I understand that a response to this application is awaited. I wish to inform the Deputy that the enrolment of a pupil in a national school is a matter for the school's board of management.

I further understand that the National Educational Psychological Service, NEPS, carried out a full educational assessment of this child recently. A copy of the assessment, which includes advice on the most appropriate educational provision was made available to the parents. It is a matter for the parents to consider the contents of the assessment report. NEPS will continue to offer support in this case. The National Educational Welfare Board is also liaising with the family.

1075. **Mr. Ring** asked the Minister for Education and Science the reason the special needs assistance hours for a person (details supplied) in County Mayo are being reduced; and if this help can be restored. [1131/05]

Minister for Education and Science (Ms Hanafin): I can confirm that my Department received an application from the school to increase the level of special needs assistant, SNA, support from part-time to full-time for the pupil concerned as he has progressed to first class and will be in attendance for the full school day. Based on the information submitted by the school, my Department's professionals concluded that the appropriate level of SNA support warranted by the pupil was a lesser allocation than that originally sanctioned.

As the Deputy will be aware, special needs assistants may be approved to support pupils who have a significant medical need for such assistance, a significant impairment of physical or sensory function or where their behaviour is such that they are a danger to themselves or other pupils. The criteria used for the assessment of the need for such support is outlined in my Department's circular 07/02.

A review of SNA provision in primary schools commenced in September 2004 and is continuing.

The review is concerned with the level and deployment of SNA posts in mainstream classes. The intention is to ensure that the level of approved SNA support in schools and the manner in which that support is being allocated, are such as to ensure that the special care needs of pupils are being appropriately met. The school in question will be visited shortly as part of this review. My officials have been in contact with the school and have explained that the pupil concerned may retain the existing level of SNA support until the above review has been completed.

1076. **Mr. Ring** asked the Minister for Education and Science the reason for the refusal of a special needs assistant to a person (details supplied) in County Mayo. [1132/05]

Minister for Education and Science (Ms Hanafin): I can confirm that my Department has considered an application for a special needs assistant, SNA, for the pupil in question. As outlined in my Department's circulars, special needs assistant, SNA, support may be approved for a pupil who has a significant medical need for such assistance, a significant impairment of physical or sensory function or where his or her behaviour is such that he or she is a danger to himself or herself or other pupils. Taking the above criteria into consideration and based on the information that was submitted to my Department, the pupil referred to by the Deputy did not qualify for SNA support.

Teachers' Remuneration.

1077. **Mr. Ring** asked the Minister for Education and Science the reason the qualifications of a person (details supplied) in County Mayo were deemed sufficient, then insufficient, due to a technicality; her views on whether not giving this person an increment for a full year teaching is undermining the profession; the way in which this person can check the authenticity of the payments received in view of the fact that her Department could not provide a breakdown of the amount owed for January 2002 to May 2003; the reason there was no reference to increment entitlement under the aforementioned agreement; and if she will make a statement on the matter. [1133/05]

Minister for Education and Science (Ms Hanafin): In accordance with standard practice, a person appointed to a publicly advertised teaching post in a community school and who does not meet the qualification requirements for that post is paid at the unqualified rate. My Department agreed with teacher union representatives a change to the standard of qualification required for appointment to special needs teaching posts. These arrangements are set out in circular letter PPT 06/04 and came into effect from 1 September 2003. They provide for preference to be given in the selection process to recognised teachers who hold a relevant postgraduate qualification in the

area of special needs education. They also provide also that, with effect from 1 September 2003, a recognised teacher lacking only such a specialist qualification may be appointed at the qualified rate of pay to a special needs post provided no other more suitably qualified candidate is available and that the teacher is suitable in all other respects.

The person concerned has been dealt with in accordance with the terms of that agreement which is of general application to all teachers. This agreement does not extend to service prior to 1 September 2003. The person concerned has been paid at the appropriate rate of incremental salary since 1 September 2003 in accordance with the terms of circular letter PPT 06/04 and the agreed scheme for the award of incremental credit as set out in circular letter PPT 09/02. The remuneration of the person concerned has been issued through my Department's payroll service since September 2002. I am arranging for a breakdown of the moneys issued by my Department to be forwarded to the person concerned as soon as possible.

1078. **Mr. Ring** asked the Minister for Education and Science her views on whether it is fair that a certain minority of teachers received nothing for supervision work carried out between September 2001 and March 2003 for part-time and substitute teachers. [1134/05]

Minister for Education and Science (Ms Hanafin): An agreement was reached between the managerial authorities of second level schools, my Department and the teachers' unions for the provision of funding for supervision and substitution duties in post-primary schools in 2002 and a circular to this effect was issued in July 2002. Permanent, temporary wholetime and eligible part-time teachers who served in a voluntary secondary or community/comprehensive school during the 2001-02 school year were eligible to claim payment for that school year and the agreed scheme for payment of supervision and substitution duties was implemented in full in the 2002-03 school year and has been in operation since then. Under the agreed scheme, schools are given an allocation of hours for substitution and supervision each year, based on the number of whole time equivalent teachers in the school. Where teachers do not take up the total hours allocated for supervision/substitution, a grant for the balance of hours is issued to the management authority. The school management may offer the balance of hours available to substitute and/or part-time staff, and pay them out of this grant.

Higher Education Grants.

1079. **Mr. G. Mitchell** asked the Minister for Education and Science the ways in which a person (details supplied) in Dublin 12 can be assisted by the State or State agencies to further their education under certain circumstances; and if she will make a statement on the matter. [1135/05]

Minister for Education and Science (Ms Hanafin): Under the free fees initiative, my Department meets the tuition fees of eligible students who are attending full-time undergraduate courses, which must be of at least two years duration, at approved colleges. Eligible students are those who are first time undergraduates, who hold EU nationality or official refugee status or have been ordinarily resident in an EU member state for at least three of the five years preceding their entry to an approved course.

My Department funds three means-tested maintenance grant schemes for third level education students in respect of attendance on approved courses in approved third level institutions and one grant scheme in respect of post leaving certificate courses. These include the higher education grants scheme; the vocational education committees' scholarship scheme; the third level maintenance grants scheme for trainees; maintenance grants scheme for students attending post leaving certificate courses. The statutory framework for the higher education grants schemes is set out in the Local Authorities (Higher Education Grants) Acts, 1968 to 1992. It is the local authorities which, on behalf of my Department, administer this scheme. The vocational education committees' scholarship scheme, the third level maintenance grants scheme for trainees and the scheme for post leaving certificate students are administered, on behalf of my Department, by the vocational education committees.

All four schemes have similar provisions which govern the award of a grant. Students who are entering approved courses for the first time are eligible for grants where they satisfy the relevant conditions as to age, residence, means, nationality and previous academic attainment. An application for a grant must be made to the relevant local authority or vocational education committee. Decisions on applications are taken by these bodies based on the terms of the schemes which issue from my Department.

The national development plan, with assistance from the European social fund, provides for a third level access fund aimed at tackling under-representation by disadvantaged students in third-level education. The third level access fund includes initiatives such as the special rates of maintenance grant; the European social fund aided fund for students with disabilities; the European social fund aided student assistance fund; the European social fund aided partnership fund. Eligibility to the special rates of maintenance grant is determined by reference to an income threshold and receipt of an approved long-term social welfare payment. To be eligible, applicants must first qualify for the ordinary maintenance grant. The fund for students with disabilities aims to assist students with disabilities in third level institutions and post leaving certificate colleges to participate in further and higher education. The purpose of the fund is to provide

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students with serious physical and/or sensory disabilities with grant assistance towards the cost of special equipment, special materials and technological aids, targeted transport services, personal assistants and sign language interpreters. The fund operates on a discretionary basis. Applications for funding should be made by the disability/access officer in the institution, or by the principal in a post leaving certificate college. Students should discuss their particular disability, and equipment or services required, with their institution or post leaving certificate college.

In publicly funded third level institutions there is a student assistance fund. The objective of the fund is to assist students in a sensitive and compassionate manner who might otherwise, because of financial reasons, suffer severe hardship or be unable to continue their third level studies. Applications for funding should be made by the individual student to the access officer in their institution. The fund is administered on a confidential, discretionary basis.

The final initiative under the third level access fund is the millennium partnership fund for disadvantage. The objective of this fund is to support students from disadvantaged areas with regard to retention and participation in further or higher education courses. Partnership companies and community groups manage the fund locally. Area Development Management manages the fund for the Department of Education and Science. Under the fund, eligible actions may include, although will be dependent on the individual partnership or community group financial supports to meet student participation costs; provision of information, such as guidance and mentoring; study supports including tuition, study skills.

From correspondence supplied, the candidate referred to by the Deputy was unsuccessful in his application to his local partnership company for assistance under the millennium partnership fund to his local partnership company. Decisions on eligibility for assistance under the fund are taken at a local level by the community groups and partnership companies administering the fund, based on the allocation that they have available to them in any given year, and the criteria governing the fund. My Department has no involvement with the local application/decision making process.

Section 473A of the Taxes Consolidation Act 1997 provides for tax relief on tuition fees, at the standard rate in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in EU and non-EU member states. The maximum level of qualifying fee for tax relief purposes in the current academic year 2004-05 is €3,175. The maximum level on such qualifying fees will be increased from €3,175 to €5,000 per year for the academic year 2005-06. Further details and application forms to claim tax relief

on tuition fees are available from the Revenue Commissioners.

Schools Building Projects.

1080. **Mr. O'Connor** asked the Minister for Education and Science the contacts made with a school (details supplied) in Dublin 24 in respect of her announcements in January 2005 regarding the primary schools tendering and construction list; the works at the school which will be sanctioned in that regard; the information now required to be provided by the school to allow the works to proceed; and if she will make a statement on the matter. [1136/05]

1082. **Mr. O'Connor** asked the Minister for Education and Science the contacts made with schools (details supplied) in respect of her announcements in January 2005 regarding the primary schools tendering and construction list; the works at the schools which will be sanctioned in that regard; the information now required to be provided by the schools to allow the works to proceed; and if she will make a statement on the matter. [1138/05]

1083. **Mr. O'Connor** asked the Minister for Education and Science the contacts made with a school (details supplied) in Dublin 24 in respect of her announcements in January 2005 regarding the primary schools tendering and construction list; the works at the school which will be sanctioned in that regard; the information now required to be provided by the school to allow the work to proceed; and if she will make a statement on the matter. [1139/05]

1084. **Mr. O'Connor** asked the Minister for Education and Science the contacts made with a school (details supplied) in Dublin 24 in respect of her announcements in January 2005 regarding the primary schools tendering and construction list; the works at the school which will be sanctioned in that regard; the information now required to be provided by the school to allow the works to proceed; and if she will make a statement on the matter. [1140/05]

1085. **Mr. O'Connor** asked the Minister for Education and Science the contacts made with a school (details supplied) in Dublin 24 in respect of her announcements in January 2005 regarding the primary schools tendering and construction list; the works at the school which will be sanctioned in that regard; the information now required to be provided by the school to allow the works to proceed; and if she will make a statement on the matter. [1141/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1080 and 1082 to 1085, inclusive, together.

The projects are listed for proceeding to tender and construction over the next 12 to 15 months. My Department's building unit has arranged a general information meeting for all such schools to guide them through the process involved in

moving projects to tender and construction. The meeting will take place on 1 February in Tullamore and the schools have been invited to attend.

Institutes of Technology.

1081. **Mr. O'Connor** asked the Minister for Education and Science her plans to fund the major development plans in respect of the Institute of Technology, Tallaght; and if she will make a statement on the matter. [1137/05]

Minister for Education and Science (Ms Hanafin): In November 2004, I announced the end to the freeze on third level capital funding following the report of the review group on the prioritisation of all capital projects in the third level sector, the Kelly report when I gave immediate approval for key projects in the sector. The projects selected were identified as being of a high national priority and include a number of new facilities to support the provision of additional health skills places and the expansion of teacher training places. I also announced the re-introduction of a devolved grant scheme for minor capital works in the institutes of technology sector. The Institute of Technology, Tallaght received funding under this scheme.

These announcements are the first steps in the process of addressing the infrastructural deficit in the third level sector. There are many further higher education projects recommended for funding in the Kelly report, including the projects at the Tallaght institute. I will be shortly considering how best to advance a number of these projects in the context of the capital envelope of funding available to me.

Question Nos. 1082 to 1085, inclusive, answered with Question No. 1080.

Special Educational Needs.

1086. **Mr. P. Breen** asked the Minister for Education and Science if two full time special needs assistants will be sanctioned for a primary school in County Clare (details supplied); and if she will make a statement on the matter. [1142/05]

Minister for Education and Science (Ms Hanafin): My Department has received an application for special needs assistant support for the pupil in question. A decision on the application will be conveyed to the school authorities as soon as possible.

School Accommodation.

1087. **Ms McManus** asked the Minister for Education and Science the position with regard to necessary renovations to Marine House and sanction of this accommodation until 2008 for a school (details supplied) in County Wicklow; and if she will make a statement on the matter. [1143/05]

Minister for Education and Science (Ms Hanafin): An application has been received from

the school towards the cost of renting and renovating the premises which it occupies. This application is under consideration in the school planning section of my Department. A decision will be taken in the matter as quickly as possible.

Educational Projects.

1088. **Mr. O'Connor** asked the Minister for Education and Science her views on the accessing college education project (details supplied) in Tallaght West, Dublin 24; and if she will make a statement on the matter. [1144/05]

Minister for Education and Science (Ms Hanafin): I am familiar with the project and attended the project's annual awards ceremony on 15 December last. The accessing college education programme since its foundation in 1998 as a pilot project, has demonstrated that, by working closely together, schools, students, their families and third level colleges can build confidence in young people to fulfil their true potential. The programme has proved to be of great benefit to participants from St. Aidan's Community School, Jobstown Community College and Killinarden Community School.

The programme receives funding from my Department, with over €250,000 being provided since 1998. In 2004 my Department provided a grant of €80,800 to the programme to encourage more young people to take the next step towards staying in education. It is imperative that locally-based innovations like the accessing college education programme are encouraged and promoted. I am delighted that my Department has been able to support the project through the provision of grants over the last number of years. More importantly, I am determined that wider national policy initiatives for improving access to higher education will support and compliment the efforts of projects like the accessing college education programme in the future.

Pupil-Teacher Ratio.

1089. **Mr. P. Power** asked the Minister for Education and Science the pupil-teacher ratio across the primary school sector; the trends in pupil-teacher ratio and class sizes; and if she will make a statement on the matter. [1158/05]

Minister for Education and Science (Ms Hanafin): Significant improvements have been made in the pupil-teacher ratio at primary level in recent years. The ratio has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. Figures for the current school year are not yet available. In line with Government policy, my Department will continue to provide further reductions in the pupil-teacher ratio within available resources and subject to spending priorities within the education sector. Priority will be given to pupils with special needs and those from disadvantaged areas and junior classes.

Residential Institutions Redress Board.

1090. **Mr. Rabbitte** asked the Minister for Education and Science the reason, contrary to expectations, that psychiatric hospitals such as St. Ita's, Portrane and St. Luke's, Clonmel were not included in the list of additional institutions to fall within the remit of the Residential Institutions Redress Board under the Residential Institutions Redress Act 2002 (Additional Institutions) Order 2004; if she proposes to include such institutions at some future date; and if she will make a statement on the matter. [1181/05]

Minister for Education and Science (Ms Hanafin): Section 4 of the Residential Institutions Redress Act 2002 provides a mechanism whereby additional institutions may be considered for inclusion in the Schedule to the Act. Since the enactment of the legislation my Department has received correspondence from both individuals and survivor groups identifying a number of additional institutions that may be eligible for inclusion. Consultations have taken place between my Department and other Departments which may have provided a regulatory function in the operation of these facilities in order to ascertain the case for their inclusion under the Act.

As a result of those consultations and following consideration of the matter, I signed an order on 9 November 2004 which provided for the inclusion of 13 additional institutions to the Schedule. Further consultations are taking place concerning other institutions, including St. Ita's, Portrane and St. Luke's, Clonmel, and I will consider the position of these institutions when this process has been completed.

Schools Amalgamation.

1091. **Ms McManus** asked the Minister for Education and Science when the plan to amalgamate two schools (details supplied) in County Wicklow will receive sanction to proceed; if land will be provided for this purpose in view of any proposal to site another school on this site; and if she will make a statement on the matter. [1182/05]

Minister for Education and Science (Ms Hanafin): My Department welcomes the proposal from the boards of management of the schools in question to amalgamate. To progress the matter, a technical examination of the existing school buildings was carried out to ascertain if either would be suitable to act as a host for the newly emerging school. Unfortunately, neither was deemed suitable and my Department now intends to proceed by way of acquisition of a greenfield site. As soon as a suitable site is acquired, delivery of the building will be considered in the context of the school building programme.

In addition, my Department recently assessed the broader long-term needs at primary and post-primary level in the area in question. It is now planning for the provision of suitable cost-effective solutions to meet the needs identified.

Schools Building Projects.

1092. **Mr. McGuinness** asked the Minister for Education and Science the reason an application for a new school (details supplied) made in 1985 has not been progressed; if the submission made by the school dated 9 December 2004 has been considered; if so, the progress it has made; if she will expedite the plans for this school; and if she will make a statement on the matter. [1207/05]

Minister for Education and Science (Ms Hanafin): The project at the school has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. The assessment made by the school in December last was taken into consideration in this procedure. The project will be considered under the 2005 school building programme.

I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005. This announcement is the first in a series I plan to make in the coming period on the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; schools that will be authorised to commence architectural planning.

1093. **Mr. O'Connor** asked the Minister for Education and Science if her Department will fund required works at a school (details supplied) in Dublin 24; if her attention has been drawn to the needs of the school; and if she will make a statement on the matter. [1208/05]

Minister for Education and Science (Ms Hanafin): The school submitted an application for grant aid under the summer works scheme 2005 for alteration works to the school entrance, secretary's office and general purpose hall. All summer works scheme applications are being assessed in the school planning section of my Department. I intend to publish the list of successful applicants shortly.

1094. **Mr. O'Connor** asked the Minister for Education and Science if her Department will deal with the application from a school (details supplied) in Dublin 24 in respect of security works to protect the school from vandalism; and if she will make a statement on the matter. [1209/05]

Minister for Education and Science (Ms Hanafin): The school submitted an application for grant aid under the summer works scheme

2005 for security works to the school building. All summer works scheme applications are being assessed in the school planning section of my Department. I intend to publish the list of successful applicants shortly.

Special Educational Needs.

1095. **Mr. Gogarty** asked the Minister for Education and Science the studies that have been carried out into the applied behaviour analysis method of teaching autistic children; if any pilot schemes are in place; if so, when they began; and if she will make a statement on the matter. [1216/05]

Minister for Education and Science (Ms Hanafin): My Department has not conducted any specific studies into the applied behaviour analysis method of teaching children with autism. However, my inspectorate has conducted an evaluation of provision for pupils with autism, using a sample of schools across various settings. Centres supported by my Department and using an applied behaviour analysis approach, but generally not exclusively so, were among the settings evaluated. Provision for children with autism was the focus of the evaluation rather than any particular approach. Individual reports were furnished to each centre and school evaluated. A composite report on the overall evaluation is being prepared at present and will be available later this year.

My Department has acknowledged the demand by parents of autistic children for educational provision with an applied behaviour analysis component. To this end, my Department is funding six applied behaviour analysis pilot schemes that have been subject to evaluation under the current review of education provision for children on the autistic spectrum. These units were established on a pilot basis as they were set up outside of the normal mainstream educational structures and continue to operate on that basis. In addition to the review referred to above, and as the structures that have been put in place to support the applied behaviour analysis units have only been developed in recent years, the Department is exploring how the resourcing of this type of provision can be put on a more systematic basis. As this process is ongoing, the Department will continue to support the units in question so that provision is available for the children involved.

Schools Building Projects.

1096. **Mr. Neville** asked the Minister for Education and Science the position regarding construction of a school (details supplied) in County Limerick. [1217/05]

Minister for Education and Science (Ms Hanafin): Construction work is recently underway on the new school and it is envisaged that it will be completed in the latter half of 2005.

Teaching Qualifications.

1097. **Mr. Kehoe** asked the Minister for Education and Science if new guidelines have been introduced for UK qualified primary school teachers regarding religious education training; and if she will make a statement on the matter. [1218/05]

Minister for Education and Science (Ms Hanafin): I am not aware of any proposal being developed within my Department to introduce guidelines for UK qualified primary school teachers in regard to religious education training. The position regarding religious education in primary schools is governed by paragraphs 68 and 69 in the rules and regulations for primary schools. A deed of variation was agreed between the education partners in 1997 covering religious education in all primary schools. In addition, as provided by the 1998 Education Act, my Department recognises the rights of the different church authorities to design curricula in religious education at primary level as well as supervising their teaching and implementation. Consequently, although religious education is part of the curriculum for primary schools and schools are obliged to allocate 30 minutes per day for religious instruction, the content of the religion programme is determined by the patron of a particular school.

The position regarding suitable and appropriate qualification in religious education is generally a matter for the various religious denominations. In Roman Catholic primary schools there are English-trained teachers working in primary schools who have an appropriate qualification in religious education. For those UK qualified teachers who require a qualification in religious education, an on-line training course, leading to the award of a Catholic certificate in religious education is available in Northern Ireland and England. One college of education in the State is exploring the development of an appropriate accredited programme in this area and this would be open to UK qualified teachers.

School management authorities in other Christian primary schools do not require a qualification in religious education. Most of these schools follow a religious education programme titled, Follow Me. This programme has an in-service component to assist teachers in the teaching of religion and it is available to Church of Ireland, Methodist, and Presbyterian schools. Teaching materials are available for these primary schools and in-service is given to all teachers, including UK qualified teachers. No further training is planned in this area.

The Muslim, Jewish and Educate Together schools have their own arrangements in place with regard to qualification and training requirements for the teaching of religion in their schools.

1098. **Mr. Kehoe** asked the Minister for Education and Science the reason for the delay in processing the provisional recognition for a pri-

[Mr. Kehoe.]
 mary school teacher qualified in the UK (details supplied); the person who is dealing with the case; when the provisional recognition will be granted; and if she will make a statement on the matter. [1219/05]

Minister for Education and Science (Ms Hanafin): The application for provisional recognition referred to by the Deputy was submitted to my Department in November, 2004 and received consideration within the primary administration section and the inspectorate. The documentation required of applicants, as outlined in circular 25/00, includes a request for detailed information on course content, normally provided by the teacher education institution concerned. The applicant, who was awarded qualified teacher status in July, 2004 following completion of an employment-based graduate training programme, did not provide sufficient details of course content. As a result, further information has been requested. On receipt of this information, the application will receive further consideration.

Employment Appeals Tribunal.

1099. **Ms O. Mitchell** asked the Minister for Education and Science if she will take action to resolve the tragic situation surrounding the case of a person (details supplied) in Dublin 16. [1231/05]

Minister for Education and Science (Ms Hanafin): These matters are the subject of proceedings brought by the person concerned before the Employment Appeals Tribunal in which the school authority and my Department have been named. They are being dealt with through the legal representatives engaged by both sides. The hearing into his claim is continuing and it would be inappropriate for me to comment further on the matters before the tribunal.

Third Level Fees.

1100. **Dr. Cowley** asked the Minister for Education and Science the reason a person (details supplied) in County Mayo cannot obtain grant assistance; and if she will make a statement on the matter. [1232/05]

Minister for Education and Science (Ms Hanafin): Under the terms of the third level student support schemes — clause 7.6 of the higher education grants scheme — maintenance grants are not payable to candidates who already hold an undergraduate degree and are pursuing a second undergraduate degree. Similarly tuition fees are not payable in respect of a second period of college attendance at the same level. As the student referred to by the Deputy already holds a Bachelor of Religious Science degree, she is ineligible for a higher education grant or to benefit under the free fees initiative in respect of her nursing studies. As the rules governing the

schemes are of general application, exceptions cannot be made in individual instances.

Tax relief, however, is available in respect of undergraduate fees paid in publicly funded colleges here and in other EU member states, as well as in private colleges in the State. This relief applies at the standard rate of tax and is available to full-time and part-time postgraduate students. Further details and conditions of this tax relief are available from local tax offices.

Question No. 1101 answered with Question No. 811.

Higher Education Grants.

1102. **Ms O'Sullivan** asked the Minister for Education and Science if she will take action to an e-mail she received from persons (details supplied) in County Galway; and if she will make a statement on the matter. [1248/05]

Minister for Education and Science (Ms Hanafin): The decision on eligibility for third level grants is a matter for the relevant local authority or vocational education committee who administer the terms of the various student maintenance grant schemes under the aegis of my Department. These bodies do not refer individual applications to my Department except, in exceptional cases, where, for example, advice or instruction regarding a particular clause in the relevant scheme is desired.

My Department understands from officials at County Galway vocational education committee, the body responsible for assessing the application in this instance, that they had been in communication with the candidate's mother with regard to the documents required to accompany the official grant application. A letter has issued to the candidate confirming his eligibility to the maintenance grant under the provisions of the vocational education committee scholarship scheme.

Special Educational Needs.

1103. **Ms O'Sullivan** asked the Minister for Education and Science if she will provide in tabular form on a county basis, the number of children for whom a completed application form for learning support awaits a decision in her Department; and if she will make a statement on the matter. [1249/05]

Minister for Education and Science (Ms Hanafin): Learning support is not allocated on the basis of applications in respect of individual pupils. Accordingly the information sought by the Deputy is not available. In general, schools are advised to consult the learning support guidelines which have issued from my Department. The Deputy will be aware of the new system for resource teacher allocation which involves a general allocation for all primary schools to cater for pupils with higher incidence special educational needs, such as borderline mild and mild general learning disability and specific learning disability.

This system also applies to those with learning support needs such as functioning at or below the tenth percentile on a standardised test of reading and mathematics.

National Educational Psychological Service.

1104. **Ms O'Sullivan** asked the Minister for Education and Science if she will provide in tabular form the number of children on a county basis, who are waiting for assessment by the national educational psychological service psychologists; and if she will make a statement on the matter. [1250/05]

Minister for Education and Science (Ms Hanafin): Provision of individual psychological assessments is part of the work of the educational psychologists in the national educational psychological service. The psychologists do not keep waiting lists of children requiring assessment in the sense of lists of names that are dealt with in chronological order. School authorities refer children for assessment and discuss the relative urgency of each case during the psychologist's visits. This allows the psychologists to give early attention to urgent cases and such children will be seen or referred on in a matter of weeks, if not days. In order to respond to non-urgent needs and to add value to the psychological service, the national educational psychological service is pursuing a policy of enhancing the skills of teachers in the areas of group and individual testing, programme development and behavioural management. This means that many children's needs can be speedily met without the necessity for individual psychological assessment, although the psychologists are available as consultants to teachers and parents, therefore helping the children in an indirect way. This helps to reduce waiting times for individual assessment.

The national educational psychological service is being developed on a phased basis over a number of years and has not yet reached its full staffing complement. Pending expansion of its service to all schools, my Department has allocated funding to the national educational psychological service to allow for the commissioning of psychological assessments from private practitioners. The national educational psychological service has issued details of how to avail of the scheme for commissioning psychological assessments to all schools and these also appear on my Department's website.

The national educational psychological service is conducting a review of the operation of the scheme. According to the figures available for the school year 2003-2004, 1,237 schools availed of the scheme. Of these, approximately 600 did not use their full entitlement of two assessments per 100 pupils. In addition, close to 400 schools that are eligible to avail of the scheme have never used it. This seems to indicate that the demand for assessments is being met. The review of the scheme will examine ways in which it may be

used more flexibly to respond to any unmet needs for assessment.

1105. **Ms O'Sullivan** asked the Minister for Education and Science if her Department has received a business plan from the Union of Secondary Students; when the plan will be considered; when, in the context of the plan and the request of the union for core funding, a decision will be made on providing funding for the running of the union; and if she will make a statement on the matter. [1251/05]

Minister for Education and Science (Ms Hanafin): My Department has received a business plan from the Union of Secondary Students. This is being considered in the context of a request from the Union of Secondary Students for my Department to fund its operation. A response will be issued to the union in due course.

Departmental Investigations.

1106. **Mr. McGuinness** asked the Minister for Education and Science if a copy of the report drawn up by her officials regarding a vocational school (details supplied) in Kilkenny is available; the actions she intends to take arising from the report; and if she will make a statement on the matter. [1252/05]

Minister for Education and Science (Ms Hanafin): A whole school evaluation was conducted by my Department's inspectorate on Kilkenny city vocational school during the last school term. Following an oral presentation of the findings to the chief executive officer of the vocational education committee, boards of management in the school and the staff a written report was sent to the chief executive, the boards of management of the school and the principal towards the end of December 2004. Following allegations that payments were made to students for attendance at the school, I requested County Kilkenny vocational education committee to conduct an investigation into that matter.

The chief executive officer of County Waterford vocational education committee undertook that investigation on behalf of County Kilkenny vocational education committee. That report has been provided to the vocational education committee and I am informed that it has established a sub-committee to consider all aspects of the reports and to advance the matter. My Department has received the report from County Kilkenny vocational education committee and is studying the recommendations of both reports with a view to taking actions as appropriate.

Special Educational Needs.

1107. **Mr. McGuinness** asked the Minister for Education and Science the progress for an application made for a special needs assistant and a teacher for a school (details supplied) in County Kilkenny; and if she will make a statement on the matter. [1253/05]

Minister for Education and Science (Ms Hanafin): My Department has approved an additional teaching post and three special needs assistant posts at the school concerned to support the additional pupil intake. The school authorities were notified on 10 January 2005.

Schools Building Projects.

1108. **Ms O. Mitchell** asked the Minister for Education and Science the status of the application for a capital grant for additional classrooms for a school (details supplied) in Dublin 16 which was submitted in January 2002. [1254/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department does not have an active application for additional classrooms from the school to which the Deputy refers. However, it is understood that an extension comprising classrooms was recently built at the school which is a private, fee-paying facility.

1109. **Ms O. Mitchell** asked the Minister for Education and Science when the long promised and urgently required sports hall for a school (details supplied) in Dundrum will be provided. [1255/05]

Minister for Education and Science (Ms Hanafin): The provision of a PE hall at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme.

The first phase of the 2005 school building programme was recently announced, providing details of 122 major school building projects which will prepare tenders and move to construction during 2005. This announcement is the first in a series I plan to make in the coming period on the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; schools that will be authorised to commence architectural planning.

1110. **Mr. Naughten** asked the Minister for Education and Science the action she is taking to upgrade and equip post-primary science laboratories; and if she will make a statement on the matter. [1293/05]

Minister for Education and Science (Ms Hanafin): Capital funding is provided from the annual second level capital allocation for the refurbishment of science laboratories undertaken

as part of an overall refurbishment programme of a second level school, for the upgrading of science facilities exclusively or by provision of new facilities in the case of new or extended schools. I have also provided for class materials, basic general equipment and chemicals for practical work for the sciences. My Department spent in excess of €13 million in 2004 to facilitate the introduction of a revised junior science syllabus. Schools received a basic grant of €3500 per science laboratory to enable them to provide the new curriculum. Additional funding was made available to schools where other specified equipment was required. In addition, certain schools identified as needing new or refurbished science laboratories as a result of a 1998 national survey received funding.

Schools may apply under the summer works scheme for funding to refurbish science laboratories. Four schools received funding for this purpose under the scheme in 2004.

Boards of Management.

1111. **Mr. N. O'Keeffe** asked the Minister for Education and Science the names of the members of the board of management of a school (details supplied) in County Cork. [1302/05]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is not available in my Department. My Department maintains a record of the names of trustees or owners of all second level schools. However, information concerning the members of boards of management of second level schools is not kept.

Special Educational Needs.

1112. **Mr. Kehoe** asked the Minister for Education and Science the status of the appeal against the decision to refuse resource hours for a person (details supplied) in County Wexford; when a decision will be made available; and if she will make a statement on the matter. [1303/05]

Minister for Education and Science (Ms Hanafin): An application for four hours resource teaching support was received by my Department for the pupil referred to by the Deputy. As the National Council for Special Education has taken over responsibility for such matters with effect from 1 January 2005, the application has been referred to the council. My officials have been informed by the council that the matter has been referred to the local special education needs organiser who will make direct contact with the school authorities regarding the matter.

1113. **Mr. O'Shea** asked the Minister for Education and Science if an application by a school in County Waterford for a special needs assistant for a person (details supplied) will be expedited; and if she will make a statement on the matter. [1330/05]

Minister for Education and Science (Ms Hanafin): An application has been received for special needs assistant support for the pupil concerned and is with the national council for special education. The matter has been referred to the local special educational needs organiser who will make contact with the school authorities regarding the matter.

Schools Building Project.

1114. **Mr. Deenihan** asked the Minister for Education and Science if she will authorise the board of management of a school (details supplied) in County Kerry to extend and refurbish the school itself under the pilot scheme introduced in 2003; and if she will make a statement on the matter. [1337/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners and is considered suitable for consideration for funding under one of the devolved initiatives.

I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects which will prepare tenders and move to construction during 2005. This announcement is the first in a series I plan to make in the coming period on the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; schools that will be authorised to commence architectural planning.

School Accommodation.

1115. **Mr. Connaughton** asked the Minister for Education and Science the reason approval has not been given to the building of a new school as a result of the amalgamation of schools (details supplied) in County Galway; if her attention has been drawn to the fact that negotiations have been ongoing for eight years and that there is a severe structural defect concerning the roof in one of the schools; the plans she has to progress the amalgamation; and if she will make a statement on the matter. [1338/05]

Minister for Education and Science (Ms Hanafin): The provision of accommodation for the amalgamated school in County Galway referred to has been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners. Progress on this project is being con-

sidered in the context of the schools building programme.

I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects which will prepare tenders and move to construction during 2005. This announcement is the first in a series I plan to make in the coming period on the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; schools that will be authorised to commence architectural planning.

Teachers' Remuneration.

1116. **Mr. Ring** asked the Minister for Education and Science the mechanisms she intends to put in place for disenfranchised teachers to approach boards of management for moneys owed to them for unpaid supervision and substitution in view of the fact that she will not make a token allocation available to substitute teachers left out of the initial agreement and has not included such hours' service under the part-time work legislation of 2001 (details supplied). [1339/05]

Minister for Education and Science (Ms Hanafin): Prior to the introduction of the supervision and substitution scheme in 2002, supervision was carried out on a voluntary basis in schools under local arrangements between the school authorities and the teachers. An agreement was reached between the managerial authorities of second level schools, my Department and the teachers' unions for the provision of funding for supervision and substitution duties in post-primary schools in 2002 and a circular to this effect was issued in July 2002. The agreed scheme for payment of supervision and substitution duties was implemented in full in the 2002-03 school year and has been in operation since then.

Under the terms of the agreement, permanent, temporary wholetime and eligible part-time teachers who served in a voluntary secondary or community/comprehensive school during the 2001-02 school year were eligible to claim payment for that school year. There is no provision for payment for supervision duties performed on a voluntary basis to staff in any other category of employment in second level schools during the 2001-02 school year.

Capitation Grants.

1117. **Mr. Gregory** asked the Minister for Education and Science if part-payments of capitation grants will be considered for schools in which

[Mr. Gregory.]
pupils may only attend for part of the school year. [1340/05]

Minister for Education and Science (Ms Hanafin): The amount of capitation grant paid to a particular primary school is determined by the number of pupils validly enrolled in the school at the 30 September of the school year in question, subject to a minimum grant being paid to schools with enrolments of less than 60 pupils. In the case of schools with enrolments of 60 or more pupils, partial grants are paid in respect of pupils enrolled after 30 September, provided the pupils concerned were not enrolled and included for capitation purposes in another school in that school year.

School Placement.

1118. **Mr. Carey** asked the Minister for Education and Science the appropriate provision her Department will make for the education of a person (details supplied) in Dublin 15 in view of the fact that they have failed to gain admission to a school on appeal under section 29 of the Education Act 1998; and if she will make a statement on the matter. [1341/05]

Minister for Education and Science (Ms Hanafin): As an interim measure my Department has sanctioned ten hours per week home tuition for the pupil referred to by the Deputy. I have asked my officials to liaise with the national education welfare board with a view to sourcing a suitable educational placement for the pupil concerned.

Teachers' Remuneration.

1119. **Mr. Ring** asked the Minister for Education and Science the reason the services of qualified teachers in fixed EPT contracts who took up resource posts in 2002 are deemed unworthy of recognition in view of the fact that their pension, years of service and standard of living are affected by the anomaly of the recognition of the rights of part-time teachers, teachers in other related areas with teaching qualifications and teachers in fixed-term contracts being deemed worthy of back payments and often incremental credit; and her plans to address and remedy this matter. [1342/05]

Minister for Education and Science (Ms Hanafin): In accordance with standard practice, a person appointed to a publicly advertised teaching post in a community, comprehensive or vocational school and who does not meet the qualification requirements for that post is paid at the unqualified rate. Teaching service that is given in an unqualified capacity is not reckonable for incremental credit purposes. It is also not reckonable for the purposes of the secondary teachers' pension scheme.

The terms and conditions of employment of teachers are agreed at the teachers conciliation

council. This council is comprised of representatives of teachers' unions, school management organisations and of the Departments of Finance and of Education and Science. Agreements reached at the teachers conciliation council are of general application to all teachers and can be amended only by further agreement of the council.

My Department agreed with teacher union representatives a change in the standard of qualification required for appointment to special needs teaching posts. These arrangements are set out in circular letter PPT 06/04 and came into effect from 1 September 2003. They provide for preference to be given in the selection process to recognised teachers who hold a relevant postgraduate qualification in the area of special needs education. They also provide that, with effect from 1 September 2003, a recognised teacher lacking only such a specialist qualification may be appointed at the qualified rate of pay to a special needs post provided no other more suitably qualified candidate is available and that the teacher is suitable in all other respects.

Tax Code.

1120. **Ms Shortall** asked the Minister for Education and Science if she will report on the operation of section 50 of the Finance Act 1999 in respect of tax relief for student accommodation; if she will outline the role of the certifying third level institution in respect of determining the adequacy of supply of student accommodation within a local catchment area; her views on whether any conflict of interest arises for such an institution which has its own student residences; the body which arbitrates on a situation in which an institution and a developer are in conflict regarding the adequacy of supply of accommodation; and if she will make a statement on the matter. [1343/05]

Minister for Education and Science (Ms Hanafin): In recognition of the difficulties students can experience in obtaining suitable accommodation and following consultation with third level colleges, a special tax incentive was introduced to encourage the provision of student-rented residential accommodation in section 50 of the Finance Act, 1999. The tax relief gives 100% deduction of construction, conversion or refurbishment expenditure, which can be offset against all rental income whether derived from the premises in question or other lettings. The requirements of the section 50 tax incentive scheme apply for ten years from the date the property is first let to students. The scheme is available for expenditure up to 31 July 2006 where an application for planning permission has been lodged with a planning authority by 31 December 2004. The scheme is intended to increase the availability of dedicated student housing and represents a targeted response to the underlying issue of an accommodation shortage.

Crucial to the smooth operation of the scheme is the need to achieve equilibrium between supply of adequate student accommodation and demand for such accommodation particularly as oversupply would mean that a targeted measure involving tax expenditure was not meeting the effectiveness test within the requirements of securing value for money. Third level institutions are best placed to assess the extent of demand based on student numbers, need for rented accommodation, existing supply issues and related factors. Accordingly, the guidelines that underpin the workings of the scheme require that there should be early consultation with educational institutions for any proposed development. Institutions that have satisfied themselves that the supply and demand equation is in balance in respect of their students cannot reasonably be required to certify a demand that does not exist given that the legislation imposes on them a role in ensuring that the scheme meets its purpose.

For these reasons and to protect the interests of all parties including prospective developers, it is critical that before planning of a development commences for which tax relief may be sought, that there is dialogue and consultation between the developer and the relevant institution.

Special Educational Needs.

1121. **Ms O'Sullivan** asked the Minister for Education and Science her plans with regard to the proposed weighted scheme for special needs resources in schools; if the proposed allocations on the basis of number of pupils, gender and so on will go ahead; and if she will make a statement on the matter. [1344/05]

Minister for Education and Science (Ms Hanafin): The proposed new system of teacher allocation involves a general allocation to all primary schools to cater for pupils with higher-incidence special educational needs, that is, pupils with borderline mild and mild general learning disability and specific learning disability. The allocation is also intended to support those with learning support needs, that is, those functioning at or below the tenth percentile on a standardised test of reading and/or mathematics. An additional 350 teacher posts are being provided to facilitate the introduction of the new system. Individual applications may continue to be made for specific resource teacher allocations in respect of pupils with lower-incidence special educational needs.

I am conscious of difficulties that could arise with this model, particularly for children in small and rural schools, if it were implemented as proposed. Accordingly, I am having the proposed model reviewed to ensure that it provides an automatic response for pupils with common mild learning disabilities, without the need for cumbersome individual applications, while at the same time ensuring that pupils in receipt of service continue to receive the level of service appropriate to their needs. The review will involve consultation with representative interests and the

national council for special education before it is implemented in the next school year.

Schools Building Projects.

1122. **Mr. Ferris** asked the Minister for Education and Science when her Department intends to purchase a site for a new national school (details supplied). [1345/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department for site acquisitions, is continuing to explore the possibility of acquiring a site for a new national school at Blennerville, Tralee, County Kerry. Due to the commercial sensitivities of site acquisitions, it is not proposed at this stage to identify specific sites to be acquired. However, this information will be placed on my Department's website when the relevant acquisitions have been completed.

Special Educational Needs.

1123. **Mr. Naughten** asked the Minister for Education and Science the resource entitlements of a school (details supplied) in County Roscommon; and if she will make a statement on the matter. [1346/05]

Minister for Education and Science (Ms Hanafin): The proposed new system of resource teacher allocation to pupils with special educational needs. The proposed new system of teacher allocation involves a general allocation to all primary schools to cater for pupils with higher-incidence special educational needs, that is, pupils with borderline mild and mild general learning disability and specific learning disability. The allocation is also intended to support those with learning support needs, that is, those functioning at or below the tenth percentile on a standardised test of reading and/or mathematics. An additional 350 teacher posts are being provided to facilitate the introduction of the new system.

Individual applications may continue to be made for specific resource teacher allocations in respect of pupils with lower-incidence special educational needs. I am conscious of difficulties that could arise with this model, particularly for children in small and rural schools, if it were implemented as proposed. Accordingly, I am having the proposed model reviewed to ensure that it provides an automatic response for pupils with common mild learning disabilities, without the need for cumbersome individual applications, while at the same time ensuring that pupils in receipt of service continue to receive the level of service appropriate to their needs. The review will involve consultation with representative interests and the National Council for Special Education before it is implemented in the next school year.

Education Schemes.

1124. **Mr. Naughten** asked the Minister for Education and Science the number of outstanding applications for home tuition with her Department; the average time taken to process each application; the reason for the delay in approving these applications; and if she will make a statement on the matter. [1373/05]

Minister for Education and Science (Ms Hanafin): The home tuition scheme is primarily intended to provide compensatory instruction for pupils who have a medical ailment that is likely to cause major disruption of their attendance at school. My Department continues to provide home tuition grants to pupils who cannot attend school at all, or are absent for a significant proportion of the school year.

My officials are currently undertaking a review of the home tuition scheme. One of the matters being considered is the extent to which home tuition grants should be paid to children who are also enrolled in schools. Pending the outcome of the review, existing home tuition grants have been approved until the end of the current school year.

There are currently some 200 applications for home tuition in my Department. Approximately 150 of these are not affected by the review and will be processed in the normal manner over the coming four to six weeks. The remaining approximate 50 applications are being examined as part of the review.

1125. **Mr. Naughten** asked the Minister for Education and Science if an application will be approved for home tuition for a person (details supplied) in County Roscommon; the reason for the delay in approving the application; and if she will make a statement on the matter. [1374/05]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that my Department is currently undertaking a review of the home tuition scheme and my officials are endeavouring to have this completed as quickly as possible. A response to the application for home tuition for the child in question will be conveyed to the parents as soon as the review has been completed.

I understand from my officials that the pupil in question is currently receiving 12 hours per week pre-school service from the Brothers of Charity Services. Any other interventions being provided for the pupil in question will be taken into consideration when determining the appropriate level of home tuition provision.

Schools Building Projects.

1126. **Mr. Ring** asked the Minister for Education and Science her plans to provide a permanent site for a school (details supplied) in County Mayo; the reason this school was not included in the multi-annual funding programme for major school building projects announced recently; the

length of time her Department has been looking for a site for this school; the progress which has been made on this matter; the sites which have been looked at; and when she expects to obtain a site for this school. [1375/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, is currently exploring the possibility of acquiring a site for the school referred to by the Deputy.

Due to the commercial sensitivities of site acquisitions, the information requested by the Deputy is not available for release at present. The question of the provision of new accommodation for the school will be considered further when a site has been acquired.

1127. **Mr. Boyle** asked the Minister for Education and Science the prospect of additional school space being provided at a school (details supplied) in County Cork. [1415/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners, and is considered suitable for consideration for funding under one of the devolved initiatives.

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1128. **Mr. Boyle** asked the Minister for Education and Science the progress made towards providing improved school facilities in Ballygarvan, County Cork. [1416/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, is continuing with negotiations for the purchase of a site for a new school in Ballygarvan, County Cork.

Due to the commercial sensitivities of site acquisitions, it is not proposed at this stage to identify specific sites to be acquired. However, this information will be placed on my Department's website when the relevant acquisitions have been completed. The question of the provision of new accommodation for the school will be considered further when a site has been acquired.

Question No. 1129 answered with Question No. 805.

Higher Education Grants.

1130. **Mr. J. Higgins** asked the Minister for Education and Science if she will fund the essential resources for teaching practice needed by student teachers. [1484/05]

Minister for Education and Science (Ms Hanafin): The position is that teaching practice is an integral part of the curriculum for the training of both primary and post-primary teachers. It is not a paid activity because it is viewed as training rather than employment. On that basis, my Department does not provide special financial assistance for students towards costs associated with teaching practice.

The Deputy will be aware that teacher education programmes provided in approved third level institutions are, however, approved courses for the purposes of the higher education grants scheme. Under the terms of the scheme, grant holders who are required to participate in off-campus placement as part of their course of study may have their grant entitlement paid in the normal manner. Accordingly, student teachers who are eligible for grant assistance continue to receive their entitlements while undertaking teaching practice.

In addition, my Department allocates funding each year to third level institutions under the student assistance fund. This fund is available in order to assist students who may be experiencing difficulties in continuing their studies because of financial hardship. The disbursement of this funding is a matter for individual institutions in line with guidelines issued by my Department. My Department has no plans at present to introduce a scheme of financial assistance, over and above the current provision, for trainee teachers to cover costs associated with teaching practice.

Schools Building Projects.

1131. **Ms O'Sullivan** asked the Minister for Education and Science when she expects to be able to release funding for the construction of an extension to a school (details supplied) in County Clare; and if she will make a statement on the matter. [1485/05]

Minister for Education and Science (Ms Hanafin): The project referred to by the Deputy is listed for proceeding to tender and construction over the next 12 to 15 months.

My Department's building unit has arranged a general information meeting for all such schools to guide them through the process involved in moving projects to tender and construction. The meeting will take place on 1 February in Tullamore and the school in question has been invited to attend.

School Transport.

1132. **Mr. Naughten** asked the Minister for Education and Science the reason for the delay in replying to correspondence (details supplied); and if she will make a statement on the matter. [1486/05]

Minister for Education and Science (Ms Hanafin): On the basis of the information received from Bus Éireann, my Department is not in a position to approve a service in this case as the minimum number of eligible children required from a distinct locality has not been met. A school transport service may be established where there are seven or more eligible pupils from a distinct locality offering for transport to school. In order to be eligible pupils must live 3.2 km. or more from their nearest school and be attending that school. Bus Éireann has confirmed that the distance to the school is measured taking the shortest vehicular route. The families of eligible children have been offered grant aid towards the cost of private transport arrangements.

Schools Building Projects.

1133. **Mr. Crowe** asked the Minister for Education and Science if her attention has been drawn to the cold and damp conditions being experienced by staff and pupils in a chalet by a school (details supplied) in Dublin 5; and the length of time these unsatisfactory conditions will prevail. [1487/05]

Minister for Education and Science (Ms Hanafin): An application for temporary accommodation has been received from the school authority to which the Deputy refers. All applications for temporary accommodation for the 2005-06 school year are currently being assessed in the school planning section of my Department. I intend to publish a list of the successful applicants shortly.

1134. **Mr. Costello** asked the Minister for Education and Science if she will provide sufficient funding in the summer works scheme to enable a school (details supplied) to mend the school roof; and if she will make a statement on the matter. [1490/05]

Minister for Education and Science (Ms Hanafin): A key feature in the modernisation of school buildings is the summer works scheme, SWS, which was widely welcomed when introduced earlier this year. In the current year €31 million was allocated to that scheme, covering 448

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projects in 291 primary schools and 157 post-primary schools.

For 2005, I am planning to increase the SWS allocation to €60 million. This will allow me to both increase the number of projects funded and extend the scope of the works covered by funding some more substantial projects than was possible under last year's programme. This level of funding will make a significant impact in upgrading and modernising school buildings.

Applications under the 2005 scheme, including that from the school in question, are currently being assessed in my Department and I intend to publish a list of successful applicants shortly.

Education Welfare Service.

1135. **Mr. P. McGrath** asked the Minister for Education and Science if there is an education welfare service operational in each county; and the contact address for this service in each county. [1491/05]

Minister for Education and Science (Ms Hanafin): Since its formal launch in December 2003, the aim of the National Educational Welfare Board has been to provide a service to the most disadvantaged areas and most at-risk groups. Five regional teams have been established with bases in Dublin, Cork, Limerick, Galway and Waterford and staff have been deployed in areas of greatest disadvantage and in areas designated under the Government's RAPID programme. Some 13 towns with significant school going populations, 12 of which are designated under the Government's RAPID programme, also now have an educational welfare officer allocated to them. In addition, the board will follow up on urgent cases nationally where children are not currently receiving an education.

In response to a request from the board, my Department approved the recruitment of an additional ten staff in November 2004 to meet identified needs. Decisions relating to the assignment of the additional staff to specific areas are a matter for the board which is an independent statutory agency.

My Department has asked the board to convey contact details to the Deputy directly.

Schools Building Projects.

1136. **Mr. Aylward** asked the Minister for Education and Science if her attention has been drawn to the fact that planning permission for a project has been granted to the board of management of a national school (details supplied) in County Kilkenny; and if she will give approval for the project to proceed without further delay. [1692/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published

prioritisation criteria, which were revised following consultation with the education partners and will be considered under the 2005 school building programme. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

Special Educational Needs.

1137. **Dr. Cowley** asked the Minister for Education and Science if she will take immediate steps to resolve the situation whereby persons are left without special needs teachers, as in the case of a person (details supplied) in County Mayo; and if she will make a statement on the matter. [1693/05]

Minister for Education and Science (Ms Hanafin): I can confirm that my Department has received an application for special education supports for the pupil in question. My officials will investigate the matter and a decision will be conveyed to the school authorities as soon as possible.

Schools Building Projects.

1138. **Ms Enright** asked the Minister for Education and Science when the list of 122 school building projects announced for 2005 will be reviewed to ascertain the progress being made across all building works to be undertaken; and if she will make a statement on the matter. [1694/05]

1139. **Ms Enright** asked the Minister for Education and Science the stage in the building process of each of the 122 projects announced for 2005 which are as yet without planning permission; the number of the 122 projects which are for new school buildings and the number for school extensions to existing structures; and if she will make a statement on the matter. [1695/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1138 and 1139 together.

The 122 projects are listed to go to tender and construction over the next 12 to 15 months. The projects will proceed on a rolling basis when the

schools concerned and their design teams are in a position to advise my Department that their project has advanced to the point where tenders can be sought. The 122 projects are made up of 22 new schools and 100 extension-refurbishment projects.

My Department's building unit has arranged general information meetings for schools to guide them through the process involved in moving projects to tender and construction. These meetings will take place on 31 January and 1 February in Tullamore and the schools have been invited to attend.

1140. **Mr. Sherlock** asked the Minister for Education and Science if a school (details supplied) in County Cork will be included in the schools building programme 2005. [1696/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners and is considered suitable for consideration for funding under one of the devolved initiatives. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1141. **Mr. Sherlock** asked the Minister for Education and Science if a school (details supplied) in County Cork will be included in the schools building programme 2005. [1697/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming

period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1142. **Mr. Sherlock** asked the Minister for Education and Science if a school (details supplied) in County Cork will be included in the schools building programme 2005. [1698/05]

Minister for Education and Science (Ms Hanafin): The building project for the school referred to by the Deputy is at an early stage of architectural planning. I recently announced details of 122 major school building projects that will progress to tender and construction phase over the next 12 to 15 months under the €3.4 billion multi-annual funding secured for the years 2005-09.

I am anxious to ensure that a consistent flow of projects to tender and construction can be sustained into the future. I plan to make a number of announcements in the near future in relation to the schools building and modernisation programme including details of those school projects which will further progress through the design process.

All projects in architectural planning, including the school in question, will be considered as part of this process.

1143. **Mr. Sherlock** asked the Minister for Education and Science if a school (details supplied) in County Cork will be included in the schools building programme 2005. [1699/05]

Minister for Education and Science (Ms Hanafin): The project referred to by the Deputy is listed for proceeding to tender and construction over the next 12 to 15 months.

My Department's building unit has arranged a general information meeting for all such schools to guide them through the process involved in moving projects to tender and construction. The meeting will take place on 1 February in Tullamore and the school in question has been invited to attend.

1144. **Mr. Sherlock** asked the Minister for Education and Science if a school (details supplied) in County Cork will be included in the schools building programme 2005. [1700/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which was revised following

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consultation with the education partners. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1145. **Mr. Sherlock** asked the Minister for Education and Science if a school (details supplied) in County Cork will be included in the schools building programme 2005. [1701/05]

Minister for Education and Science (Ms Hanafin): The application for a new school building for the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1146. **Mr. Sherlock** asked the Minister for Education and Science if a school (details supplied) in County Cork will be included in the schools building programme 2005. [1702/05]

Minister for Education and Science (Ms Hanafin): My Department's planning and building unit is not in receipt of an application for the provision of an extension-major refurbishment at the school referred to by the Deputy.

1147. **Mr. Sherlock** asked the Minister for Education and Science if a school (details supplied) in County Cork will be included in the schools building programme 2005. [1703/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

Freedom of Information.

1148. **Mr. Bruton** asked the Minister for Education and Science the State, semi-State, State-sponsored and statutory bodies under the aegis of her Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if she envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1715/05]

Minister for Education and Science (Ms Hanafin): The State, semi-State, State sponsored and statutory bodies under the aegis of my Department that are not currently subject to the Freedom of Information Acts are as follows:

Education Support Centres

Further Education and Training Council

Gaisce

Higher Education and Training Council

National Centre for Guidance in Education (Offshoot of Léargas)

National Qualifications Authority of Ireland

An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta

Advisory Council for English Language Schools

Dublin Institute for Advanced Studies
 Integrate Ireland and Training Ltd
 International Education Board of Ireland
 Irish Research Council for Science Engineering and Technology
 Irish Research Council for Humanities and Social Sciences
 Royal Irish Academy of Music
 Royal Irish Academy
 Vocational Educational Committees (33)
 Centre for Early Childhood Development and Education
 Léargas
 National Council for Technology in Education
 National Council for Special Education
 National Education Welfare Board
 National University of Ireland
 State Exams Commission
 Commission to inquire into Child Abuse Residential Institutions Redress Board
 Residential Institutions Redress Review Committee
 Child Detention Centres

Proposals for extending FOI are being developed in the Department of Finance in the context of plans to extend FOI to other appropriate bodies by the end of 2005. The question of extending FOI to some of the bodies listed is being considered in this context.

Schools Building Projects.

1149. **Mr. Hayes** asked the Minister for Education and Science the progress made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1718/05]

Minister for Education and Science (Ms Hanafin): The extension project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme. The school has also submitted an application for grant-aid under the summer works scheme 2005. Applications under this scheme are currently being assessed. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process and schools that will be authorised to commence architectural planning.

1150. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1719/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme and the Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process and schools that will be authorised to commence architectural planning.

1151. **Mr. Sherlock** asked the Minister for Education and Science if a school (details supplied) in County Cork will be included in the schools building programme 2005. [1720/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners and is considered suitable for consideration for funding under one of the devolved initiatives. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school build-

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ing projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process and schools that will be authorised to commence architectural planning.

1152. **Mr. Sherlock** asked the Minister for Education and Science if a school (details supplied) in County Cork will be included in the schools building programme 2005. [1721/05]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that a grant of €275,000 was sanctioned in 2004 to enable the management authorities of the school in question to provide additional accommodation. To date planning permission and the fire safety certificate have been received from the local authority, tenders have been sought and a builder is expected to commence works on site shortly.

Special Educational Needs.

1153. **Mr. Deasy** asked the Minister for Education and Science if the hours of special needs assistants in schools have been reduced; and if she will make a statement on the matter. [1722/05]

Minister for Education and Science (Ms Hanafin): Special needs assistants may be approved to support pupils who have a significant medical need for such assistance, a significant impairment of physical or sensory function or where their behaviour is such that they are a danger to themselves or other pupils. The criteria used for the assessment of the need for such support are outlined in my Department's circular 07/02. The hours of special needs assistants in schools are not being reduced. However a review of SNA provision in primary schools commenced in September 2004 and is continuing. The review is concerned with the level and deployment of SNA posts in mainstream classes. The intention is to ensure that the level of approved SNA support in schools, and the manner in which that support is being allocated, are such as to ensure that the special care needs of pupils are being appropriately met.

1154. **Mr. Deenihan** asked the Minister for Education and Science if nine special needs assistants will be provided for schools (details supplied) in County Kerry; and if she will make a statement on the matter. [1723/05]

Minister for Education and Science (Ms Hanafin): My Department is currently considering an application for special needs assistant support for eight pupils in the school referred to by the Deputy. My officials are liaising with my Department's inspectorate in this regard. The application will be considered in the context of the pupils' care needs and the deployment of the existing level of SNA support available in the school. I understand that the school currently has the services of six SNAs. A decision will be conveyed to the school authorities as quickly as possible.

Schools Building Projects.

1155. **Mr. Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 139 of 14 October, 2004, if she will approve funding for this project; and if she will make a statement on the matter. [1724/05]

Minister for Education and Science (Ms Hanafin): The building project for the school referred to by the Deputy is at an early stage of architectural planning. I recently announced details of 122 major school building projects that will progress to tender and construction phase over the next 12-15 months under the €3.4 billion multi annual funding secured for the years 2005-9.

I am anxious to ensure that a consistent flow of projects to tender and construction can be sustained into the future. I plan to make a number of announcements in the near future in relation to the schools building and modernisation programme including details of those school projects which will further progress through the design process. All projects in architectural planning, including the school in question, will be considered as part of this process.

School Staffing.

1156. **Mr. Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 132 of 14 October, 2004, the date on which this review will be completed; and if she will make a statement on the matter. [1725/05]

Minister for Education and Science (Ms Hanafin): The review referred to by the Deputy is ongoing. However, I am pleased to inform the Deputy, that as an interim measure, I have decided to fill the four vacancies in question. These posts will be advertised in the national papers in the coming week.

Schools Building Projects.

1157. **Mr. Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 395 of 29 September, 2004, when a decision will be made on the application to approve funding for an extension to a school (details supplied) in County Galway; and if she will make a statement on the matter. [1726/05]

Minister for Education and Science (Ms Hanafin): The extension project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners and is considered suitable for consideration for funding under one of the devolved initiatives. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process and schools that will be authorised to commence architectural planning.

School Placement.

1158. **Mr. Penrose** asked the Minister for Education and Science if her attention has been drawn to the severe difficulties being experienced by parents in the Mullingar area in trying to secure a school place for children commencing school, and the urgent necessity to provide additional schools to cope with the significant increase in population and the projected increase over the next decade; if an appropriate survey has been carried out to determine the actual requirements for school space thereby arising; if, in this context, contact has been made with Westmeath County Council which has rezoned lands for educational infrastructural purposes; and if she will make a statement on the matter. [1727/05]

Minister for Education and Science (Ms Hanafin): The Mullingar catchment area is currently served by 21 primary schools including a gaelscoil and a new multi-denominational school which commenced operation last September.

Excluding the gaelscoil, which has developed to an eight teacher school, as expected, and the new multi-denominational school which is currently developing, the total number of extra primary school pupils which came on stream in the Mullingar catchment area between the school years 1999-2000 and 2003-04 is 190. At current pupil-teacher ratios, this equates to approximately an extra 6.5 class groups. While this would have a significant impact on a single school, it is not unreasonable to expect that 19 schools could, between them, cater for this number.

In recent years my Department has provided temporary accommodation in a number of primary schools in the area to ease pressure. This

includes extra provision at two schools which, between them, are catering for almost 100 of the 190 extra pupils referred to earlier. Two other schools received funding under the new devolved initiatives to improve accommodation. It is important to understand that many parents, when enrolling pupils, do so in a number of schools. This can have the effect of distorting pre-enrolment lists and creating the impression that there is a shortage of places. In addition some parents may be disappointed in not obtaining a school of first choice. This can also be interpreted as representing a shortage of places. However, my Department's role in any given area is to ensure that schools can between them cater for the number of pupils presenting and I am satisfied that this is the case currently in Mullingar. In this regard, while I note that there is pressure on some schools for places, the enrolment in one school, in particular, in the town centre has declined by 50 pupils in the past five years. Furthermore, in the Mullingar Town Plan for 2002-2008, the local authority specifically states "the existing school infrastructure is considered to be of a capacity to meet the needs of the school-going population over the period of the plan".

Notwithstanding this, I accept that Mullingar is a developing town and a considerable population increase is projected in the coming years. I am taking a number of steps to ensure its future needs are met in a timely fashion. First, a number of extension projects at both primary and post primary level will progress under the school building programme from 2005 onwards. Second, the possible extension of the gaelscoil to 16 classrooms to provide an extra 240 pupil places is under consideration together with the development of the new multi-denominational school to 16 classrooms providing yet another 480 pupil places. Third, a senior Department inspector recently visited all primary schools in the area and his findings will form part of an in depth analysis of both primary and post primary infrastructural provision in Mullingar which will be carried out early in the new year. This analysis will include discussions with the local authority.

Special Educational Needs.

1159. **Mr. Ring** asked the Minister for Education and Science the educational support which will be provided to a person (details supplied) in County Mayo; if her Department has received an application for special education resources for this person following his NEPS assessment in April 2004; the decision which has been made on the application; when this matter will be finalised; and when this child will be helped. [1728/05]

Minister for Education and Science (Ms Hanafin): My Department has received an application for resource teaching support for the pupil in question.

The school referred to by the Deputy currently has the services of a shared learning support teacher. It would be expected that the pupil's

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SEN can be met from within the current learning support teaching allocation available to the school.

1160. **Mr. Ring** asked the Minister for Education and Science the reason resource teaching hours approved for a person (details supplied) in County Mayo two years ago were never received by same; if the immediate reassessment of this person's educational needs will be arranged; and if special needs assistance and resource teaching hours will be provided to this person. [1729/05]

Minister for Education and Science (Ms Hanafin): My Department has no record of receiving an application for special needs assistant (SNA) support for the child concerned.

My officials will contact the school shortly concerning the application for resource teaching support.

Schools Building Projects.

1161. **Mr. Stagg** asked the Minister for Education and Science the position in relation to the application for a permanent school building for a school (details supplied) in County Kildare; and if she will make a statement on the matter. [1730/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme and the Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period on the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process and schools that will be authorised to commence architectural planning.

School Accommodation.

1162. **Mr. Stagg** asked the Minister for Education and Science if she will sanction the provision of additional temporary accommodation for a school (details supplied) in County Kildare; and if she will make a statement on the matter. [1731/05]

Minister for Education and Science (Ms Hanafin): An application for temporary accommodation has been received from the school authority to which the Deputy refers. All applications for temporary accommodation for the 2005-06 school year are currently being assessed in the school planning section of my Department. I intend to publish a list of the successful applicants shortly.

State Examinations.

1163. **Mr. Connolly** asked the Minister for Education and Science her views on the extent to which continual assessment of students work will become a feature of the leaving certificate examination; and if she will make a statement on the matter. [1732/05]

Minister for Education and Science (Ms Hanafin): The approved subjects in the leaving certificate curriculum are currently assessed in a variety of ways. While all subjects are assessed by means of a terminal written examination, the use of additional modes of assessment which are completed in advance of the June examinations is increasing.

In the case of the languages Irish, French, German, Spanish, Italian, Russian and Japanese there is a combination of a terminal written examination, oral and aural examinations. In agricultural science and agricultural economics there is a written examination paper and a project while, in the case of engineering and construction studies there are three components, written, practical and project. Art has a written paper and separate practical components. Music has a written paper, an aural test and a practical performance test and, in some cases, depending on the elective chosen an additional written paper or portfolio. There are course work elements also in home economics, religious education and link modules of the leaving certificate vocational programme (LCVP). In the revised history and geography syllabi, which will be examined for the first time in 2006, 20% of total marks will be allocated to a research study and a geographical investigation, respectively, which candidates will be complete in advance of the terminal written examination.

In the leaving certificate applied programme, assessment takes place over two years and credits are awarded for the satisfactory completion of modules, the performance of student tasks and performance in the written terminal examinations. Final examinations count for 34% of the overall mark. As leaving certificate syllabi are revised by the National Council for Curriculum and Assessment, assessment components in addition to written terminal examination are being introduced where appropriate. I am conscious that the feedback in the consultation process on the future of senior cycle indicated that while the established leaving certificate is seen to attract high levels of public confidence, respondents overwhelmingly considered that the transition year, the LCA and the LCVP programmes

offer greater relevance to the life experiences of learners, provide better for the development of personal and social skills and for a balance between academic and practical skills, and use more appropriate teaching and learning and assessment methods. The responses also show a clear demand for greater focus on practical work in assessment, for more flexibility, and for assessment to be spread more evenly throughout programmes.

These viewpoints need to be balanced against the concerns expressed in various fora regarding local assessment of the leaving certificate by class teachers and the fact that trends internationally in high stakes examinations are towards external assessment. There is also a high level of public belief and confidence that a centrally driven externally examined system suits the Irish context. The feasibility of any large scale move towards more frequent continuous assessment for the leaving certificate must be considered in the light of these factors.

I am aware that the NCCA proposals for future reform of the senior cycle stress the importance of providing for an increased emphasis on a wider range of modes of assessment such as practical-portfolio-project work and continuous assessment, with assessment events spread out during courses of study and available at a number of points during the two or three year cycle. The proposals envisage that assessment would continue to be carried out externally in the vast majority of cases. While I have some concerns about the logistics, feasibility and cost of such an approach across the extensive range of subject options and programmes proposed for senior cycle, I look forward to further consideration of the matter when I receive the next stage of the NCCA advice on the proposals shortly. This will enable my Department to assess the implications of the proposals.

It must be acknowledged that the leaving certificate is an independent objective assessment which is highly regarded internationally. We must ensure that, as our education system continues to evolve in the knowledge society, reforms build on the existing strengths of the system while addressing its weaknesses. We need reforms that are designed to ensure that our system has integrity, relevance and quality for all our students, including those that are currently served well and those that have needs that are not being met as well as they could.

1164. **Mr. Connolly** asked the Minister for Education and Science the nature of the new national testing system for primary schools agreed before Christmas 2004 with the INTO; if it differs substantially from the scheme proposed by her predecessor, Deputy Dempsey; and if she will make a statement on the matter. [1733/05]

Minister for Education and Science (Ms Hanafin): No agreement has been concluded as yet in regard to the implementation of standard-

ised testing. I do not intend to make any decisions with regard to introducing standardised testing in primary schools until I have carried out a thorough exploration of all the issues relating to the announcement made by my predecessor last July. I am currently awaiting advice on the matter which the National Council for Curriculum and Assessment (NCCA) is preparing, through its usual consultative and partnership processes. I expect this in the early part of this year. Then, I will be in a position to engage in further consultations, as appropriate, with the relevant partners including teachers and parents.

The judicious use of standardised test results has high value, as one of a range of modes of assessment, in helping teachers make more informed decisions in relation to the instruction of pupils, in informing parents of pupils' progress and in providing information essential to the identification of pupils that may require additional support. At classroom level, information from standardised tests can be particularly useful in informing individual and group teaching. The fact that more than 95% of our primary schools currently use such tests in some way is testimony to the value that our teachers ascribe to them. Standardised test results also have an important role to play at the level of the whole school as they provide valuable information for teachers, principals and boards of management when engaging in self-evaluation, a vitally important stage in planning the development and improvement of the individual school. On a national level, there is need for more regular information than is currently available on trends in pupil progress and on levels of achievement within our education system.

We now have an opportunity to explore the potential of systematised standardised testing in this regard. A considered and balanced policy on standardised testing will benefit pupils, teachers, parents and the system.

I am pleased to hear the Irish National Teachers' Association (INTO) statement that it supports the development of an agreed national assessment policy for primary schools and that it will work positively with me to introduce forms of assessment that are appropriate to the learning needs of pupils and the information needs of the system. I look forward to engaging with them as one of the key partners in my exploration of standardised testing after the NCCA advice is received.

Schools Building Projects.

1165. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1734/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction recently commenced on a new four

[Ms Hanafin.]
classroom school building for the school referred to by the Deputy.

It is envisaged the new school will be completed in the latter half of 2005.

1166. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1735/05]

Minister for Education and Science (Ms Hanafin): The large scale project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners and will be considered under the 2005 school building programme. The school has also made an application for funding under the summer works scheme 2005 (SWS). Applications under this scheme are currently being assessed in my Department. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process and schools that will be authorised to commence architectural planning.

1167. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1736/05]

Minister for Education and Science (Ms Hanafin): In 2003 a grant of €250,000 was sanctioned to enable the management authorities of the school in question to provide additional accommodation.

The plans for the additional accommodation were appealed by a third party to An Bord Pleanála but planning permission was recently granted for the project. The board of management now needs to arrange for tenders to be obtained. Construction is expected to commence later this year.

1168. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of

management of a school (details supplied) in County Tipperary. [1737/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners and will be considered under the 2005 school building programme. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process and schools that will be authorised to commence architectural planning.

1169. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1738/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme and the Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process and schools that will be authorised to commence architectural planning.

The school in question has also submitted an application for grant-aid under the summer works scheme 2005. Applications under this scheme are currently being assessed and I intend to publish a list of successful applicants shortly.

1170. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1739/05]

Minister for Education and Science (Ms Hanafin): The extension project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme and the Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process and schools that will be authorised to commence architectural planning.

The school in question has also submitted an application for grant-aid under the summer works scheme 2005. Applications under this scheme are currently being assessed. I intend to publish a list of successful applicants shortly.

Schools Building Projects.

1171. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary; and if she will make a statement on the matter. [1740/05]

1173. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1742/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1171 and 1173 together.

The large-scale project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with

the education partners. The project has been assigned a band rating and its progress is being considered in the context of the school building programme from 2005 onwards. Progress on this project is being considered in the context of the school building programme.

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building programme and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

The school in question has also made an application for grant aid under the temporary accommodation scheme for 2005. Applications under this scheme are currently being assessed in the school planning section. Successful applicants will also be announced shortly.

1172. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1741/05]

1174. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1743/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1172 and 1174 together.

The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme.

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be

[Ms Hanafin.] invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

Question No. 1173 answered with Question No. 1171.

Question No. 1174 answered with Question No. 1172.

1175. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1744/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners and will be considered under the 2005 school building programme.

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1176. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1745/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners and will be considered under the 2005 school building programme.

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construc-

tion during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1177. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1746/05]

Minister for Education and Science (Ms Hanafin): My Department has no record of an application for capital works from the school to which the Deputy refers.

1178. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1747/05]

Minister for Education and Science (Ms Hanafin): The school to which the Deputy refers has submitted an application for grant aid under the summer works scheme 2005, SWS. All SWS applications are currently being assessed in the school planning section of my Department and I intend to publish the list of successful applicants shortly.

1179. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1748/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners and will be considered under the 2005 school building programme.

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building programme and modernisation programme that will include details of schools identified as suitable for construction under public private

partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

The school in question has also made an application for grant aid under the temporary accommodation scheme for 2005. Applications under this scheme are currently being assessed in the school planning section. I will be announcing the successful applicants shortly.

1180. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1749/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners and will be considered under the 2005 school building programme. Progress on this project is being considered in the context of the school building programme.

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building programme and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1181. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1750/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme.

The Deputy will be aware that I recently announced the first phase of the 2005 school

building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building programme and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1182. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1751/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme.

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building programme and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1183. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1752/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme.

[Ms Hanafin.]

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building programme and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

School Staffing.

1184. **Mr. McCormack** asked the Minister for Education and Science if the position of a national school teacher at a school (details supplied) in County Mayo will be reinstated due to rising pupil numbers; and if she will make a statement on the matter. [1753/05]

Minister for Education and Science (Ms Hanafin): The staffing of a primary school is determined by reference to the enrolment of the school on 30 September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule and is finalised for a particular year following discussions with the education partners.

The mainstream staffing of the school referred to by the Deputy for the current school year is a principal and two mainstream class teachers based on the enrolment of 77 pupils on 30 September 2003. According to data submitted to my Department by the board of management, the enrolment on 30 September 2004 was 85 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure in accordance with the agreed staffing schedule which is expected to be notified to boards of management in February-March 2005.

Schools Building Projects.

1185. **Mr. Hogan** asked the Minister for Education and Science if she will review the decision in respect of the need to provide a building that will accommodate a school (details supplied) in County Kilkenny as well as the establishment of a second level facility for those pupils; and if she will make a statement on the matter. [1754/05]

Minister for Education and Science (Ms Hanafin): The building project for the school referred to by the Deputy is at an early stage of architectural planning. My officials are currently examining the current and future enrolment levels for the school in consultation with my Depart-

ment's inspectorate with a view to finalising deliberations on the matter. Further contact will be made with the school authorities when this process is complete.

I recently announced details of 122 major school building projects that will progress to tender and construction phase over the next 12-15 months under the €3.4 billion multi annual funding secured for the years 2005-09. I am anxious to ensure that a consistent flow of projects to tender and construction can be sustained into the future. I plan to make a number of announcements in the near future in relation to the schools' building and modernisation programme, including details of those school projects which will further progress through the design process. All projects in architectural planning, including the school in question, will be considered as part of this process.

1186. **Mr. Durkan** asked the Minister for Education and Science the position in regard to the provision of the extra facilities at a school (details supplied) in County Kildare; the extent to which these facilities will be adequate to meet requirements in the future; her proposals in this regard; and if she will make a statement on the matter. [1755/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction work is well under way on the new school referred to by the Deputy. It is envisaged that the school will be completed in the latter half of 2005. My Department's school planning section has no request for any additional facilities for this school.

1187. **Mr. Durkan** asked the Minister for Education and Science the extent to which the project for the provision of extra facilities at a school (details supplied) has advanced; if she intends further initiatives in this regard in the current year; and if she will make a statement on the matter. [1756/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction work is well under way on the extension at the school referred to by the Deputy. It is envisaged that the extension will be completed in the latter half of 2005. My Department's school planning section has no request for any additional facilities for this school.

1188. **Mr. Durkan** asked the Minister for Education and Science the extent of the progress in relation to the provision of the extra facilities required at a school (details supplied) in County Kildare; if the current project is likely to meet in full the likely requirements; if not, the way in which she will respond; and if she will make a statement on the matter. [1757/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that

construction is well under way on a seven classroom extension at the school in question. It is envisaged that the extension will be completed in the latter half of 2005. The need for further accommodation in the area referred to by the Deputy is currently under consideration by the officials in the planning unit of my Department.

1189. **Mr. Durkan** asked the Minister for Education and Science the outcome of the evaluation of primary and second level school requirements in the Naas, Sallins and Kill areas of County Kildare; the likely impact of discussions arising therefrom; and if she will make a statement on the matter. [1758/05]

Minister for Education and Science (Ms Hanafin): I am aware that Naas, Sallins and Kill, like many areas located within close proximity to Dublin, continue to experience population growth, a position that almost inevitably places some strain on existing educational provision. However, a range of significant measures have been undertaken by my Department to address the current and future need for pupil places in these areas.

At primary level an entire new school has been provided at Killashee while temporary accommodation has been provided at Scoil Corbain, St. Conleth's and St. Mary's National School and St. Conleth's Naofa in Naas. Temporary accommodation has also been provided at one of the two nearby national schools at Caragh.

At Sallins national school, a seven classroom extension is under construction. When completed, this extension will increase capacity from nine to 16 classrooms. Further expansion at this school is being considered. A brand new state of the art 16-classroom school together with a double autistic unit is under construction in Naas town. This project in particular will assist in easing any difficulties for primary pupil places in Naas.

Additionally, there are proposals to improve accommodation at St. David's national school, at Kill national school and at Two Mile House national school. The accommodation needs of the national schools at Ballycane, Caragh and Convent of Mercy in Naas are also currently being assessed.

At post-primary level, the management authority of St. Patrick's post-primary school, County Kildare VEC, is currently progressing plans to relocate the school and extend capacity to 1000 pupils. Additionally, an extension project is under construction at St. Mary's College, which will increase capacity at the school to 900 pupils. A similar extension is under construction at Meán-scoil Iognáid Rís and further accommodation needs at the school are currently in planning.

All of these initiatives represent huge capital investment and demonstrate my commitment to meeting the needs of the areas concerned. The school planning section of my Department will keep the position under review to ensure that any

additional emerging needs are met as expeditiously as possible.

1190. **Mr. Durkan** asked the Minister for Education and Science the extent to which she has met or intends to so do the requirements as set out by the school authorities at a school (details supplied) in County Kildare; if she intends to take any initiatives in this regard in the current year; and if she will make a statement on the matter. [1759/05]

Minister for Education and Science (Ms Hanafin): The building project for the school referred to by the Deputy is at an early stage of architectural planning. Department officials are currently examining an amended stage three submission and the school authorities will be kept advised of developments.

I recently announced details of 122 major school building projects that will progress to tender and construction phase over the next 12 to 15 months under the €3.4 billion multi annual funding secured for the years 2005-09.

I am anxious to ensure that a consistent flow of projects to tender and construction can be sustained into the future. I plan to make a number of announcements in the near future in relation to the schools' building and modernisation programme, including details of those school projects which will further progress through the design process. All projects in architectural planning, including the school in question, will be considered as part of this process.

Special Educational Needs.

1191. **Mr. Durkan** asked the Minister for Education and Science the extent to which she expects to meet the special needs or other teaching requirements for all primary and second level schools throughout County Kildare in the current year; and if she will make a statement on the matter. [1760/05]

Minister for Education and Science (Ms Hanafin): Significant improvements have been made in the pupil-teacher ratio at primary level in recent years. The ratio has fallen from 22.2:1 in the 1996-97 school year to 17.44:1 in the 2003-04 school year. Arising from these improvements, class sizes have reduced in the same period. I am committed to reducing class sizes still further. This, however, can only be done on a phased basis and the priority will be given to pupils with special needs and those from disadvantaged areas and junior classes.

Regarding teaching supports for pupils with special needs, the Deputy will be aware that my Department has recently developed a new system for the allocation of teaching support in all primary schools. The proposed new system for resource teacher allocation involves a general allocation for all primary schools to cater for pupils with higher incidence special educational needs — borderline mild and mild general learn-

[Ms Hanafin.]
ing disability and specific learning disability — and those with learning support needs, i.e. functioning at or below the tenth percentile on a standardised test of reading and/or mathematics. An additional 350 teacher posts are being provided to facilitate the introduction of the new system.

I am conscious of difficulties that could arise in relation to the proposed new model, particularly for children in small and rural schools, if it were implemented as currently proposed. Accordingly I will be reviewing the proposal to ensure that it provides an automatic response for pupils with common higher incidence special educational needs. The review will involve consultation with educational interests and the National Council for Special Education, NCSE, before it is implemented in September 2005. In addition, all schools may continue to apply for separate specific allocations in respect of pupils with lower incidence disabilities.

The NCSE which was established recently and which has become operational from 1 January 2005 will be responsible for processing applications for special educational needs, SEN, based on the assessed needs of pupils in primary schools generally, including County Kildare. Some 70 special educational needs organisers have been recruited throughout the country and will be a focal point of contact for schools and parents.

I can confirm also that the following special needs provision at primary level in County Kildare has been sanctioned by my Department to cater for the special educational needs, SEN, of pupils: nine special classes for pupils with autism at a pupil-teacher ratio of 6:1; six special classes for pupils with mild general learning disabilities at a pupil-teacher ratio of 11:1; and one special class for pupils with moderate general learning disabilities at a pupil-teacher ratio of 8:1. In addition to these special classes, there are three special schools in operation in the Kildare area catering for approximately 157 pupils with special needs with a pupil-teacher ratio ranging from 6:1 to 11:1.

My Department also provides funding for the Saplings project, a facility sanctioned on a pilot basis which uses applied behavioural analysis methodologies for children with autism. There are approximately 30 children enrolled in the facility.

With regard to post-primary education, teacher allocations to second level schools are approved annually by my Department in accordance with established rules based on recognised pupil enrolment. Each school management authority is required to organise its timetable and subject options having regard to pupils needs within the limit of its approved teacher allocation. Apart from meeting the requirements in relation to the provision of the “core subjects”, the curriculum offered in individual second level schools is a

matter for the authorities of the school concerned having regard to its approved teacher allocation.

My Department allocates resource teacher support and special needs assistant support to second level schools and VECs to cater for students with special educational needs. The nature and level of support provided in each case is based on the professionally assessed needs of the individual student.

Schools Accommodation.

1192. **Mr. Durkan** asked the Minister for Education and Science her proposals for the future of a school (details supplied) in County Kildare; if extra improvements or facilities are likely in the current year; and if she will make a statement on the matter. [1761/05]

Minister for Education and Science (Ms Hanafin): My Department has not received an application for additional facilities from the school to which the Deputy refers.

Schools Building Projects.

1193. **Mr. Durkan** asked the Minister for Education and Science the extent to which the full requirement in terms of extra facilities, teaching staff or other needs are currently met at a school (details supplied) in County Kildare; if she has proposals in this regard in the current year; and if she will make a statement on the matter. [1762/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction is well under way on a six classroom extension at the school in question. It is envisaged that the extension will be completed in the latter half of 2005.

Regarding teaching staff, the staffing of a primary school is determined by reference to the enrolment of the school on 30 September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule and is finalised for a particular year following discussions with the education partners.

The mainstream staffing for the school referred to by the Deputy for the current school year is a principal and 21 mainstream class teachers based on the enrolment of 593 pupils on 30 September 2003. According to data submitted to my Department by the board of management the enrolment on 30 September 2004 was 586 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure in accordance with the agreed staffing schedule which is expected to be notified to boards of management in February-March 2005.

In relation to teaching supports for pupils with special needs at this school, the Deputy will be aware that my Department has recently developed a new system for the allocation of teaching support in all primary schools. The proposed new system for resource teacher allocation

involves a general allocation for all primary schools to cater for pupils with higher incidence special educational needs — borderline mild and mild general learning disability and specific learning disability — and those with learning support needs, i.e. functioning at or below the tenth percentile on a standardised test of reading and/or mathematics. An additional 350 teacher posts are being provided to facilitate the introduction of the new system.

I am conscious of difficulties that could arise in relation to the proposed new model, particularly for children in small and rural schools, if it were implemented as currently proposed. Accordingly I will be reviewing the proposal to ensure that it provides an automatic response for pupils with common higher incidence special educational needs. The review will involve consultation with educational interests and the National Council for Special Education, NCSE, before it is implemented in September 2005. In addition, all schools may continue to apply for separate specific allocations in respect of pupils with lower incidence disabilities. The school currently has the service of seven full-time resource teaching posts and two full-time learning support teaching posts. The NCSE which was established recently, and which has become operational from 1 January 2005, will be responsible for processing applications for special educational needs, SEN, based on the assessed needs of pupils in primary schools generally. Some 70 special educational needs organisers have been recruited throughout the country and will be a focal point of contact for schools and parents.

1194. **Mr. Durkan** asked the Minister for Education and Science the extent to which the full requirement in terms of extra facilities, teaching staff or other needs are currently met at a school (details supplied) in County Kildare; if she has proposals in this regard in the current year; and if she will make a statement on the matter. [1808/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction is well under way on a seven classroom extension at the school in question. It is envisaged that the extension will be completed in the latter half of 2005.

Regarding teaching staff, the staffing of a primary school is determined by reference to the enrolment of the school on 30 September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule and is finalised for a particular year following discussions with the education partners.

The mainstream staffing for the school referred to by the Deputy for the current school year is a principal and 21 mainstream class teachers based on the enrolment of 599 pupils on 30 September 2003. According to data submitted to my Department by the board of management, the enrolment

on 30 September 2004 was 597 pupils. The staffing for the 2005-06 school year will be determined on the basis of this figure in accordance with the agreed staffing schedule which is expected to be notified to boards of management in February-March 2005.

Regarding teaching supports for pupils with special needs, the Deputy will be aware that my Department has recently developed a new system for the allocation of teaching support in all primary schools. The proposed new system for resource teacher allocation involves a general allocation for all primary schools to cater for pupils with higher incidence special educational needs — borderline mild and mild general learning disability and specific learning disability — and those with learning support needs, i.e. functioning at or below the tenth percentile on a standardised test of reading and/or mathematics. An additional 350 teacher posts are being provided to facilitate the introduction of the new system.

I am conscious of difficulties that could arise in relation to the proposed new model, particularly for children in small and rural schools, if it were implemented as currently proposed. Accordingly I will be reviewing the proposal to ensure that it provides an automatic response for pupils with common higher incidence special educational needs. The review will involve consultation with educational interests and the National Council for Special Education, NCSE, before it is implemented in September 2005. In addition, all schools may continue to apply for separate specific allocations in respect of pupils with lower incidence disabilities. The school currently has the service of four full-time resource teaching posts and two full-time learning support teaching posts.

The NCSE which was established recently and which has become operational from 1 January 2005 will be responsible for processing applications for special educational needs, SEN, based on the assessed needs of pupils in primary schools generally. Some 70 special educational needs organisers have been recruited throughout the country and will be a focal point of contact for schools and parents.

Schools Refurbishment.

1195. **Mr. Durkan** asked the Minister for Education and Science the position in regard to the provision of further facilities at a school (details supplied) in County Kildare; if she expects to be in a position to augment the project in the current year; and if she will make a statement on the matter. [1809/05]

Minister for Education and Science (Ms Hanafin): The refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of

[Ms Hanafin.]
the school building programme. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building programme and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

Site Acquisitions.

1196. **Mr. Durkan** asked the Minister for Education and Science her proposals in conjunction with the Kildare VEC for the replacement of facilities at a school (details supplied) in County Kildare; if agreement has been reached on the location of the required facilities; and if she will make a statement on the matter. [1810/05]

Minister for Education and Science (Ms Hanafin): A proposal for the relocation of the school in question to an alternative site was put to my Department and accepted in principle, subject to the resolution of a number of issues regarding cost, location etc. Discussions have been held with the County Kildare Vocational Education Committee, the local authority and representatives of a developer on the matter. The vocational education committee is progressing the architectural planning of a new school building at present.

Schools Building Projects.

1197. **Mr. Durkan** asked the Minister for Education and Science the full extent of extra facilities required at a school (details supplied) in County Kildare; if she expects to be in a position to approve the project in the current year; and if she will make a statement on the matter. [1811/05]

Minister for Education and Science (Ms Hanafin): That construction has commenced on an extension project at the school to which the Deputy refers. The project is due to be completed in early 2005.

1198. **Mr. Durkan** asked the Minister for Education and Science the position in regard to the provision of the extra facilities required at a school (details supplied) in County Kildare; when the project will advance to construction stage; and

if she will make a statement on the matter. [1812/05]

1200. **Mr. Durkan** asked the Minister for Education and Science the position in regard to the provision of the extra facilities required at a school (details supplied) in County Kildare; when the project will advance to construction stage; and if she will make a statement on the matter. [1814/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1198 and 1200 together.

Extension projects at the schools to which the Deputy refers have been included on the recently announced list of projects to proceed to tender and construction in the next 12 to 15 months. My Department's building unit has arranged a general information meeting in order to guide schools that are on this list through the process involved in moving projects to tender and construction. The meeting will take place on 31 January 2005 and the schools in question have been invited to attend.

1199. **Mr. Durkan** asked the Minister for Education and Science the position in regard to the provision of the extra facilities required at a school (details supplied) in County Kildare; when the project will advance to construction stage; and if she will make a statement on the matter. [1813/05]

Minister for Education and Science (Ms Hanafin): The project referred to by the Deputy is listed for proceeding to tender and construction over the next 12 to 15 months. My Department's building unit has arranged a general information meeting for all such schools to guide them through the process involved in moving projects to tender and construction. The meeting will take place on 1 February in Tullamore and the school in question has been invited to attend.

Question No. 1200 answered with Question No. 1198.

School Staffing.

1201. **Mr. Durkan** asked the Minister for Education and Science the number and location of primary schools throughout County Kildare in respect of which approval has been given for the provision of extra or replacement facilities or extra teachers in the past 12 months; the number likely to receive such approval in the current year; and if she will make a statement on the matter. [1815/05]

1202. **Mr. Durkan** asked the Minister for Education and Science the number and location of second level schools throughout County Kildare in respect of which approval has been given for the provision of extra or replacement facilities or extra teachers in the past 12 months; the number likely to receive such approval in the current

year; and if she will make a statement on the matter. [1816/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1201 and 1202 together.

The information sought by the Deputy is not readily available in the format requested. However, if the Deputy has a query about any specific school, I would be happy to provide the information for him.

Site Acquisitions.

1203. **Mr. Durkan** asked the Minister for Education and Science the position in regard to the acquisition of a site for a new national school at Kill, County Kildare; if her attention has been drawn to the need to expedite the process in view of the proximity of the present school to a major road works project and a consequent safety concern arising therefrom; if she expects to achieve progress in this regard in the current year; and if she will make a statement on the matter. [1817/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, is continuing to explore the possibilities of acquiring a site for a new national school at Kill, County Kildare. Due to the commercial sensitivities of site acquisitions, it is not proposed at this stage to identify specific sites to be acquired. However, this information will be placed on my Department's website when the relevant acquisitions have been completed. My Department is aware of the urgency of the case and every effort is being made to acquire a site as soon as possible.

Schools Building Projects.

1204. **Mr. Durkan** asked the Minister for Education and Science the extent to which she expects the project for the extra facilities required at a school (details supplied) in County Kildare to proceed in the current year; the number of pupils attending the school; the extra places required; and if she will make a statement on the matter. [1818/05]

Minister for Education and Science (Ms Hanafin): There are currently 242 pupils attending the school to which the Deputy refers. The projected long-term accommodation requirement is for a principal plus 11 classroom assistants. The project at the school has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners.

Progress on this project is being considered in the context of the school building programme. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide

which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building programme and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1205. **Mr. Durkan** asked the Minister for Education and Science the position in regard to the extra facilities required at a school (details supplied) in County Kildare; if she expects the project to advance in the current year; and if she will make a statement on the matter. [1819/05]

Minister for Education and Science (Ms Hanafin): The extension project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners.

Progress on this project is being considered in the context of the school building programme. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building programme and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1206. **Mr. Durkan** asked the Minister for Education and Science when it is likely that the provision of the permanent buildings required at a school (details supplied) in County Kildare will receive approval; if it will happen in the current year; and if she will make a statement on the matter. [1820/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners.

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Progress on this project is being considered in the context of the school building programme. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building programme and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

School Accommodation.

1207. **Mr. Durkan** asked the Minister for Education and Science the full extent of the extra facilities required at a school (details supplied) in County Kildare; if she expects to be in a position to meet this requirement in full in the current year; and if she will make a statement on the matter. [1821/05]

Minister for Education and Science (Ms Hanafin): An application for temporary accommodation has been received from the school authority to which the Deputy refers. All applications for temporary accommodation for the 2005-2006 school year are currently being assessed in the school planning section of my Department. I intend to publish a list of the successful applicants shortly.

Schools Building Projects.

1208. **Mr. Durkan** asked the Minister for Education and Science the full extent of the extra places and facilities required at a school (details supplied) in County Kildare; if she expects to be in a position to advance this project in the current year; and if she will make a statement on the matter. [1822/05]

Minister for Education and Science (Ms Hanafin): Phase two of the extension project at the school to which the Deputy refers, which will increase capacity at the school to 900 pupil places, has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners.

Progress on this project is being considered in the context of the school building programme. The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide

which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building programme and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1209. **Mr. Hayes** asked the Minister for Education and Science the progress which has been made in regard to applications from the board of management of a school (details supplied) in County Tipperary. [1823/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners and will be considered under the 2005 school building programme.

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005. This announcement is the first in a series of announcements I plan to make in the coming period in relation to the school building programme and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

Site Acquisitions.

1210. **Mr. Gilmore** asked the Minister for Education and Science if her attention has been drawn to a planning application which comprises a site which had been earmarked for a primary school (details supplied) in Dublin 18; if her Department has made observations on the planning application either to Dún Laoghaire Rathdown County Council or to An Bord Pleanála; her plans to meet the anticipated primary school needs for the planned population in this general area; and if she will make a statement on the matter. [1824/05]

Minister for Education and Science (Ms Hanafin): My Department has been in communi-

cation with the planning department of Dún Laoghaire Rathdown County Council regarding future school requirements in the Cherrywood local area plan. The exact location of reserved sites for schools will be the subject of further discussions with the local authority which is in the process of preparing a draft plan for public consultation.

The site referred to by the Deputy was a reserved school site in the previous Cherrywood draft area plan which was not adopted by the local authority. The development of the Cherrywood area, including the reservation of sites for future school use, is now being dealt with under the new local area plan.

Higher Education Grants.

1211. **Mr. Perry** asked the Minister for Education and Science if persons (details supplied) in County Sligo will be granted the maintenance grant top-up in view of their financial difficulties; and if she will make a statement on the matter. [1833/05]

Minister for Education and Science (Ms Hanafin): The report of the action group on access to third level education makes detailed recommendations concerning the introduction of special rates of maintenance grants for disadvantaged students, usually referred to as “top-up” grants. The target group of “those most in need” has been defined in terms of the dependents of people receiving long-term welfare payments, where the necessary conditions are fulfilled. The special rates of grant are also available to mature students who meet the prescribed conditions. To qualify for the top-up grant all candidates must satisfy the following conditions: qualify for the ordinary maintenance grant in respect of the academic year 2004-05; total reckonable income limit in the tax year to 31 December 2003 must not exceed €14,693 net of standard exclusions, as set out in the 2004 maintenance grants schemes and net of CDA payments, where applicable; as at 31 December 2003, the reckonable income of parent (s)/guardian(s), the candidate himself-herself, or the income of the spouse-partner, as the case may be, must include one of the eligible social welfare payments prescribed under the scheme.

When a student submits an application for grant assistance the application will automatically be assessed for the special rate of grant where the income includes one of the eligible social welfare payments prescribed under the scheme. Decisions on applications are taken by the awarding authority based on the conditions and terms issued by my Department. The awarding authorities do not refer individual applications to my Department except in exceptional cases where for example advice or instruction regarding a particular condition is desired. It appears that no such advice or instruction has, to date, been sought in the case of the student, referred to by the Deputy.

If an individual applicant considers that she or he has been unjustly refused the special rate of maintenance grant, she or he may appeal to the relevant local authority or VEC. Where an individual applicant has had an appeal turned down in writing by the relevant local authority or VEC, and remains of the view that the body has not interpreted the conditions correctly in his/her case, a letter outlining the position may be sent to my Department. No appeal has been received in the student support unit of my Department from the student referred to by the Deputy. It is not open to me or to my Department to depart from the terms of the schemes in individual cases.

School Absenteeism.

1212. **Mr. Perry** asked the Minister for Education and Science if her attention has been drawn to the fact that, due to a lack of personnel, pupils can be absent from school for up to 60 days; the steps she has in place to ensure that contact is made with an absent pupil by the relevant officials after 20 days; if the relevant officials will be appointed to deal with the difficulties; and if she will make a statement on the matter. [1845/05]

Minister for Education and Science (Ms Hanafin): Since its formal launch in December 2003, the aim of the National Educational Welfare Board has been to provide a service to the most disadvantaged areas and most at-risk groups. Five regional teams have been established with bases in Dublin, Cork, Limerick, Galway and Waterford and staff have been deployed in areas of greatest disadvantage and in areas designated under the Government’s RAPID programme. Thirteen towns with significant schoolgoing populations, 12 of which are designated under the Government’s RAPID programme, also now have an educational welfare officer allocated to them. In addition, the board will follow up on urgent cases nationally where children are not currently receiving an education.

During the summer of 2004, the board undertook a survey on the levels of school attendance for the school year 2003-2004. This is the first time that data on school attendance at national level have been collected. The findings of the survey support the targeting policy followed by the board to date in appointing educational welfare officers to the areas of greatest disadvantage. In response to a request from the board my Department approved the recruitment of an additional ten staff in November 2004 to meet identified needs. Decisions relating to the assignment of the additional staff to specific areas are a matter for the board which is an independent statutory agency.

Schools are required to refer students absent for more than 20 days cumulatively during the school year, or where a school principal wishes to express concern about the attendance pattern of a particular student. Staff of the NEWB make

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contact with the school to establish reasons for the absences, and what steps have been taken to date by the school to improve the child's attendance. An educational welfare officer may then contact the parent in question to advise and support the parent regarding the need for the child to attend school regularly. In RAPID designated areas, EWOs offer an intensive service to schools and parents. Outside these designated areas, the NEWB offers an urgent service, where cases of chronic absenteeism are followed up in consultation with schools. The appointment of ten extra staff to counties which up to now have not had the benefit of the presence of an EWO will enable the NEWB to extend the intensive service. In addition, the budget of €7.8 million for the NEWB in 2005 represents an increase of €1.3m or 20% on the 2004 allocation. This provision will enable the board to continue to develop its services in 2005.

Vocational Education Committees.

1213. **Mr. P. McGrath** asked the Minister for Education and Science if, arising from the local elections in 2004, new vocational education committees have been established in all areas; if not, if she will identify the VECs that have not been formulated yet; and the reasons for the delay. [1847/05]

Minister for Education and Science (Ms Hanafin): Pursuant to Section 7 of the Vocational Education (Amendment) Act 2001, the revised composition of the new vocational education committees provides, for the first time, for the election of members by parents and VEC staff. In addition to members elected by the local authority from among the members of the local authority concerned, the Act provides for the appointment by the local authority of a further four members from among nominated representatives of community, voluntary and other interests as set out in the Act.

The first meeting of the new committees have been held or have been fixed in the case of all VECs except in the case of Dun Laoghaire, County Donegal, County Dublin, County Kildare and County Meath. I understand the reason for delay is due to the finalising of the appointment process by the local authorities of the further four members referred to already. It is expected that this appointment process will be completed shortly and that the first meeting of the new committees concerned can take place in February.

Schools Building Projects.

1214. **Mr. Stagg** asked the Minister for Education and Science when tenders will be invited for a new school (details supplied) in County Kildare; the anticipated timeframe for construction; and if she will make a statement on the matter. [1856/05]

Minister for Education and Science (Ms Hanafin): The project referred to by the Deputy is listed for proceeding to tender and construction over the next 12 to 15 months. My Department's building unit has arranged a general information meeting for all such schools to guide them through the process involved in moving projects to tender and construction. The meeting will take place on 1 February in Tullamore and the school in question has been invited to attend.

1215. **Mr. Stagg** asked the Minister for Education and Science when tenders will be invited for the required extension to a school (details supplied) in County Kildare; the anticipated timetable for construction; and if she will make a statement on the matter. [1857/05]

Minister for Education and Science (Ms Hanafin): An extension project at the school to which the Deputy refers was included on the recently announced list of projects to proceed to tender and construction in the next 12 to 15 months.

My Department's building unit has arranged a general information meeting to guide schools that are on this list through the process involved in moving projects to tender and construction. The meeting will take place on 31 January 2005 and the school in question has been invited to attend.

School Accommodation.

1216. **Mr. Stagg** asked the Minister for Education and Science when she will announce the allocation of grants towards the purchase of temporary accommodation for national schools; if her attention has been drawn to the serious problem with accommodation at a school (details supplied) in County Kildare at which the physical education hall is being used for classes; if she will include this school in her allocation of temporary accommodation; and if she will make a statement on the matter. [1858/05]

Minister for Education and Science (Ms Hanafin): An application for temporary accommodation has been received from the school authority to which the Deputy refers. All applications for temporary accommodation for the 2005-06 school year are currently being assessed in the school planning section of my Department. I intend to publish a list of the successful applicants shortly.

1217. **Mr. Stagg** asked the Minister for Education and Science when she will announce the allocation of grants towards the purchase of temporary accommodation for national schools; if her attention has been drawn to the serious problem with accommodation at a school (details supplied) in County Kildare at which the physical education hall is being used for classes; if she will include this school in her allocation of temporary accommodation; and if she will make a statement on the matter. [1859/05]

Minister for Education and Science (Ms Hanafin): All applications for temporary accommodation for the 2005-06 school year are currently being assessed in the school planning section of my Department. I intend to publish a list of the successful applicants shortly. However, no application for temporary accommodation has been received from the school authority to which the Deputy refers.

1218. **Mr. Stagg** asked the Minister for Education and Science when she will announce the allocation of grants towards the purchase of temporary accommodation for national schools; if her attention has been drawn to the serious problem with accommodation at a school (details supplied) in County Kildare at which no facilities are available for resource teaching; if she will include this school in her allocation of temporary accommodation; and if she will make a statement on the matter. [1860/05]

Minister for Education and Science (Ms Hanafin): Applications for temporary accommodation for the 2005-06 school year are currently being assessed in the school planning section of my Department. I intend to publish a list of the successful applicants shortly. However, no application for temporary accommodation has been received from the school authority to which the Deputy refers.

Schools Building Projects.

1219. **Mr. Stagg** asked the Minister for Education and Science if she will sanction the invitation of tenders for the required extension to a school (details supplied) in County Kildare in 2005; and if she will make a statement on the matter. [1861/05]

Minister for Education and Science (Ms Hanafin): The building project for the school referred to by the Deputy is at an early stage of architectural planning. Department officials are currently examining an amended stage 3 submission and the school authorities will be kept advised of developments.

I recently announced details of 122 major school building projects that will progress to tender and construction phase over the next 12 to 15 months under the €3.4 billion multi-annual funding secured for the years 2005-09. I am anxious to ensure that a consistent flow of projects to tender and construction can be sustained into the future. I plan to make a number of announcements in the near future in relation to the schools building and modernisation programme including details of those school projects which will further progress through the design process.

All projects in architectural planning, including the school in question, will be considered as part of this process.

1220. **Mr. Stagg** asked the Minister for Education and Science if she will sanction the invitation of tenders for the required extension to a

school (details supplied) in County Kildare in 2005; and if she will make a statement on the matter. [1862/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme and the Deputy will be aware that I recently announced the first phase of the 2005 programme that provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005.

This is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning

1221. **Mr. Stagg** asked the Minister for Education and Science if she will sanction the invitation of tenders for the required renovations to a school (details supplied) in County Kildare in 2005; and if she will make a statement on the matter. [1863/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is being considered in the context of the school building programme and the Deputy will be aware that I recently announced the first phase of the 2005 programme that provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005.

This is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning

1222. **Mr. Stagg** asked the Minister for Education and Science if she will sanction the invitation of tenders for the required 17 additional classrooms for a school (details supplied) in County Kildare in 2005; and if she will make a statement on the matter. [1864/05]

Minister for Education and Science (Ms Hanafin): Phase 2 of the extension project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners.

Progress on this project is being considered in the context of the school building programme and the Deputy will be aware that I recently announced the first phase of the 2005 programme that provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005.

This is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning

1223. **Mr. Stagg** asked the Minister for Education and Science if her Department has the authority to compulsorily purchase lands in Kill to provide a new national school; if these powers are available, the reason they are not used; and if she will make a statement on the matter. [1865/05]

Minister for Education and Science (Ms Hanafin): Although my Department does not have the authority to compulsorily purchase lands for the provision of educational facilities, I wish to assure the Deputy that the property management section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, is continuing to explore all possibilities in relation to the acquisition of a site for a new national school in Kill. Every effort is being made to ensure that a site is acquired as soon as possible.

Due to the commercial sensitivities of site acquisitions, it is not proposed at this stage to identify specific sites to be acquired. However, this information will be placed on my Department's website when the relevant acquisitions have been completed.

Schools Recognition.

1224. **Mr. Stagg** asked the Minister for Education and Science if permanent recognition of a school (details supplied) in County Kildare has

been sanctioned; and if she will make a statement on the matter. [1866/05]

1225. **Mr. Stagg** asked the Minister for Education and Science if she will sanction an additional grant to a school (details supplied) in County Kildare; and if she will make a statement on the matter. [1867/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1224 and 1225 together.

The school to which the Deputy refers commenced operation with provisional recognition from my Department in September 2002. Newly established schools are generally required to undergo a period of provisional recognition, during which the operation of the school and the growth of pupil numbers are monitored.

An application for permanent recognition has been received from the school authority and is currently under consideration in the school planning section of my Department. As part of the examination, factors such as the long-term viability of the school, current and projected enrolments and suitability of accommodation will be considered.

I also confirm that an application for grant aid towards the cost of relocating the school was received. I am pleased to be able to inform the Deputy that all payments due to the school in this respect have been approved.

Asbestos Remediation Programme.

1226. **Mr. Stagg** asked the Minister for Education and Science the total cost involved in carrying out the asbestos remediation works to a school (details supplied) in County Kildare; and if she will make a statement on the matter. [1868/05]

Minister for Education and Science (Ms Hanafin): The roof of the community school in question has been surveyed by the health and safety unit of the Office of Public Works which manages the asbestos remediation programme on behalf of my Department and the presence of asbestos has been confirmed.

The Office of Public Works has been authorised to carry out all necessary roof works to the school in question. It is not possible to release estimated costings for school building projects as its disclosure could prejudice the tender outcome and could result in financial loss to the Department.

Summer Work Scheme.

1227. **Mr. Stagg** asked the Minister for Education and Science when she will announce the allocation of funds towards the summer works scheme 2005; if her attention has been drawn to the urgent need to address the provision of a covered walkway at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [1869/05]

Minister for Education and Science (Ms Hanafin): A key plank in the modernisation of school buildings is the summer works scheme, SWS, which was widely welcomed when introduced earlier this year. In the current year €31 million was allocated to that scheme covering 448 projects in 291 primary schools and 157 post-primary schools.

Educational Welfare Service.

1228. **Mr. Stagg** asked the Minister for Education and Science the extent of the educational welfare officer service in County Kildare; and if she will make a statement on the matter. [1880/05]

Minister for Education and Science (Ms Hanafin): Since its formal launch in December 2003, the aim of the National Educational Welfare Board has been to provide a service to the most disadvantaged areas and most at-risk groups. Five regional teams have been established with bases in Dublin, Cork, Limerick, Galway and Waterford and staff have been deployed in areas of greatest disadvantage and in areas designated under the Government's RAPID programme. Some 13 towns with significant school going populations, 12 of which are designated under the Government's RAPID programme, also now have educational welfare officers allocated to them. In addition, the board will follow up on urgent cases nationally where children are not currently receiving an education.

During the summer of 2004, the board undertook a survey of the levels of school attendance for the school year 2003-04. This is the first time that data on school attendance at national level have been collected. The findings of the survey support the targeting policy followed by the board to date in appointing educational welfare officers to the areas of greatest disadvantage.

In response to a request from the board my Department approved the recruitment of an additional ten staff in November 2004 to meet identified needs. Decisions relating to the assignment of the additional staff to specific areas are a matter for the board which is an independent statutory agency. The board has indicated that when the additional staff are recruited, an educational welfare officer will be assigned to County Kildare.

For 2005, I am planning to increase the SWS allocation to €60 million. This will allow me to both increase the number of projects funded and extend the scope of the works covered by funding some more substantial projects than was possible under last year's programme. This level of funding will make a significant impact in upgrading and modernising school buildings.

Applications under the 2005 scheme, including that from the school in question, are currently being assessed in my Department and I intend to publish a list of successful applicants shortly.

School Building Projects.

1229. **Mr. Stagg** asked the Minister for Education and Science when the new national school for Naas, County Kildare will be completed; and when it will be opened. [1882/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction is well underway on the new 16 classroom school at Sallins Road, Naas. It is envisaged that the new school will be completed in the latter half of 2005.

Psychological Service.

1230. **Mr. Stagg** asked the Minister for Education and Science the percentage of national schools in the State which have access to educational psychologists; and the percentage in County Kildare which have access to educational psychologists. [1883/05]

Minister for Education and Science (Ms Hanafin): The percentage of national schools in the State with access to the psychological service provided by the National Educational Psychological Service, NEPS, is 53%, representing 63% of pupils in the sector. In County Kildare. The percentage of national schools with access to NEPS is 40% -52% of pupils.

Those schools that do not have access to the NEPS service are entitled to avail of the scheme for commissioning psychological assessments. All schools, therefore, have some access to psychologists.

Schools Building Projects.

1231. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science the position regarding the school projects sanctioned by her recently to proceed to tender and or construction; the projects in County Kerry which have been approved; the timescale involved for these projects; and if she will make a statement on the matter. [1894/05]

Minister for Education and Science (Ms Hanafin): The recently announced list of projects for proceeding to tender and construction over the next 12 to 15 months includes six projects in County Kerry. The projects in question are: Lisivigeen mixed NS, Killarney; St. Gertrudes, Scairt Liath; Nano Nagle Special NS, Lixnaw; Rathmore NS, Kenmare NS; and Presentation SS, Milltown.

My Department's building unit has arranged general information meetings for all such schools to guide them through the process involved in moving projects to tender and construction. The meetings will take place on 31 January and 1 February in Tullamore and all the schools in question have been invited to attend.

Health and Safety Issues.

1232. **Mr. Sargent** asked the Minister for Education and Science if her attention has been drawn to the fact that it is common practice for

[Mr. Sargent.] schools to direct that no first aid be applied in the event of an injury to children, that schools are refusing to administer the very basic application of antiseptic and sterile dressing due to litigation fears and that in a great many cases no first aid kits are kept or maintained; and if she has plans to give teachers the basics in first aid training and to ensure that first aid kits are maintained and accessible in every classroom in the country. [1897/05]

Minister for Education and Science (Ms Hanafin): In accordance with the Safety, Health and Welfare at Work Act 1989, it is the responsibility of individual school management authorities to have a safety statement in place in their schools. The statement should identify potential hazards, assess the risks to health and safety and put appropriate provision in place to safeguard the safety and health of employees and pupils. The safety statement should be reviewed on a regular basis.

No teacher can be required to administer medicine or drugs to pupils. However, where teachers are willing to administer medicines, this should only be done under strictly controlled guidelines and with the specific authorisation of the authorities of the school concerned.

In practical terms, individual school authorities are best placed to assess the detail of their own health and safety requirements. The Health and Safety Authority is the body with national responsibility for health and safety matters in the workplace. It is open to school management authorities to make direct contact with the Health and Safety Authority in relation to specific matters of concern to them.

Dunsink Observatory.

1233. **Mr. Sargent** asked the Minister for Education and Science if she has plans to avert the closure of Dunsink Observatory; her views on whether the important buildings will be liable to vandalism when it is not occupied full time; and if she will make a statement on the matter. [1898/05]

Minister for Education and Science (Ms Hanafin): I understand that the Dublin Institute for Advanced Studies has no intention of closing Dunsink and that the institute continues to regard it as a valuable resource which it is seeking to develop for the benefit of science and the institute.

The Dublin Institute for Advanced Studies, in its strategy statement, identified the conduct of regular reviews of the academic work of its three constituent schools as a critical factor for its success. I understand from the institute that it established independent panels of international experts during 2004 to carry out such reviews of the research work of its three constituent schools.

The council of the institute and the School of Cosmic Physics accepted the recommendations of the external review group that the research staff of the astronomy section, based in Dunsink, should be relocated with the astrophysics section and arrangements are being examined to progress this issue. The institute will continue with its current security arrangements at Dunsink following any relocation of its research staff.

Special Educational Needs.

1234. **Ms Enright** asked the Minister for Education and Science if a person (details supplied) in County Laois will continue, under the new weighted system developed within primary schools, to receive individual special needs tuition for 2.5 hours weekly; and if she will make a statement on the matter. [1899/05]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that my Department is proposing a new system for the allocation of resource teaching supports to pupils with special educational needs, SEN. This system will involve a general teaching allocation for all primary schools to cater for pupils with higher incidence SEN, that is, those with borderline mild and mild general learning disability specific learning disability, and also those with learning support needs. An additional 350 teacher posts are being provided to facilitate the introduction of the new system.

I am conscious of difficulties that could arise in relation to this model, particularly for children in small and rural schools, if it were implemented as currently proposed. Accordingly, I am having the proposed model reviewed to ensure that it provides an automatic response for pupils with common mild learning disabilities, without the need for cumbersome individual applications, while at the same time ensuring that pupils currently in receipt of service continue to receive the level of service appropriate to their needs. The review will involve consultation with representative interests and the National Council for Special Education before it is implemented in the next school year.

I should emphasise that individual applications may continue to be made for specific resource teacher allocations in respect of pupils with lower-incidence special educational needs.

This pupil's SEN appear to be within the high incidence category. Therefore, it would be expected that these needs can be met from within the current resource learning support teaching allocation available to the school. The school currently has the services of one learning support post and 12.5 hours part-time resource teaching. It is a matter for the school to deploy these resources to meet the SEN of the pupils in the school.

1235. **Mr. McCormack** asked the Minister for Education and Science the position regarding the sanctioning of extra hours for a resource teacher

appointed to a school (details supplied) in County Mayo or the possibility of appointing a second resource teacher to cover the rising and urgent need of this service in view of the fact that hours were granted for a person but have not come into effect and that this person will be entering fourth class in September 2005 and is unable to read; and if she will make a statement on the matter. [1948/05]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that my Department is proposing a new system for the allocation of resource teaching supports to pupils with special educational needs, SEN. This system will involve a general teaching allocation for all primary schools to cater for pupils with higher incidence SEN, that is, those with borderline mild and mild general learning disability, specific learning disability and also those with learning support needs. An additional 350 teacher posts are being provided to facilitate the introduction of the new system. It will also allow for individual allocations in respect of pupils with lower incidence SEN.

I am conscious of difficulties that could arise in relation to this model, particularly for children in small and rural schools, if it were implemented as currently proposed. Accordingly, I am having the proposed model reviewed to ensure that it provides an automatic response for pupils with common mild learning disabilities, without the need for cumbersome individual applications, while at the same time ensuring that pupils currently in receipt of service continue to receive the level of service appropriate to their needs. The review will involve consultation with representative interests and the National Council for Special Education before it is implemented in the next school year.

The pupil referred to by the Deputy comes within the higher incidence SEN category. It would be expected that the pupil's SEN can be met from within the current resource learning support teaching allocation available to the school. The school currently has the services of a learning support teacher together with the services of a resource teacher. The deployment of these resources is a matter for the school concerned.

Schools Building Projects.

1236. **Mr. Dennehy** asked the Minister for Education and Science when a new school will be provided in County Cork (details supplied); and if she will make a statement on the matter. [1949/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, is continuing with negotiations for the purchase of a site for a new school in Ballygarvan, County Cork.

Due to the commercial sensitivities of site acquisitions, it is not proposed at this stage to identify specific sites to be acquired. However, this information will be placed on my Department's website when the relevant acquisitions have been completed.

1237. **Mr. Dennehy** asked the Minister for Education and Science if negotiations for land needed for a new school (details supplied) have been completed; if not, the reason for the delay; and if she will make a statement on the matter. [1950/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, is continuing with negotiations for the purchase of a site for a new school in Ballygarvan, County Cork.

Due to the commercial sensitivities of site acquisitions, it is not proposed at this stage to identify specific sites to be acquired. However, this information will be placed on my Department's website when the relevant acquisitions have been completed.

School Completion Programme.

1238. **Mr. Haughey** asked the Minister for Education and Science the position regarding alternative accommodation for a school (details supplied) in Dublin 9; when the analysis of the overall future provision of primary education in this general area will be completed and the broader examination completed; and if she will make a statement on the matter. [1963/05]

Minister for Education and Science (Ms Hanafin): The analysis and review of overall future provision for primary education in the general area of the school referred to by the Deputy are ongoing. Discussions are also taking place with the primary education providers in the area to determine the likely demand for primary school places in the medium to long term and to determine how existing provision can be maximised to cater for this demand.

This review, which will be completed as quickly as possible, is taking the long-term accommodation needs of the school referred to by the Deputy into consideration.

Schools Building Projects.

1239. **Ms Burton** asked the Minister for Education and Science the progress which has been made in respect of the acquisition and purchase of a site for the proposed second level school promised for 2005 in Dublin 15 (details supplied); and the reason she has made no provision for the capital funding for this school in the recent capital funding announcements for second level schools in 2005. [2034/05]

Minister for Education and Science (Ms Hanafin): My recent announcement related to the first phase only of the 2005 school building programme and provided details of 122 major school building projects countrywide which are ready to proceed to tender and construction during 2005. This is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include: details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

With regard to the proposed new post-primary school to serve emerging needs in the Dublin 15 area, as the Deputy will be aware, this will be located at Phibblestown. Negotiations regarding the acquisition of the site are at an advanced stage. Plans for the delivery of the school building will be made when the site has been acquired.

1240. **Ms Burton** asked the Minister for Education and Science if a permanent site has been acquired or purchased for a school (details supplied) in Dublin 15; and the reason she has made no provision for the capital funding of this school in the recent capital funding announcements for primary schools in 2005. [2035/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, is in discussion with the landowner of a possible site identified for a new national school for the area referred to by the Deputy. The acquisition of a site in this area is being treated as urgent.

Due to the commercial sensitivities of site acquisitions, it is not proposed at this stage to identify specific sites to be acquired. However, this information will be placed on my Department's website when the relevant acquisitions have been completed. The question of the provision of new accommodation for the school will be considered further when a site has been acquired.

Schools Refurbishment.

1241. **Ms Burton** asked the Minister for Education and Science the position in respect of the refurbishment and rebuilding of a school (details supplied) as promised by her Department in 2001 and 2002; if her attention has been drawn to the severe deterioration in the quality of the school; and if she will make capital funding available for the school in 2005. [2036/05]

Minister for Education and Science (Ms Hanafin): The large-scale project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners.

Progress on this project is being considered in the context of the school building programme and the Deputy will be aware that I recently announced the first phase of the 2005 programme that provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

Schools Building Projects.

1242. **Ms Burton** asked the Minister for Education and Science the position in relation to the long promised gym for a school (details supplied) in Dublin 15; and the reason she has made no provision for this long promised facility in the recent capital funding announcements. [2037/05]

Minister for Education and Science (Ms Hanafin): The large-scale project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners.

Progress on this project is being considered in the context of the school building programme and the Deputy will be aware that I recently announced the first phase of the 2005 programme that provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

Special Educational Needs.

1243. **Mr. Ring** asked the Minister for Edu-

cation and Science the exact hours given to a person (details supplied) in County Mayo by a special needs assistant; if the hours have been increased of late; and if this person has been provided with a laptop computer. [2038/05]

Minister for Education and Science (Ms Hanafin): I can confirm that my Department received an application from the school to increase the level of special needs assistant, SNA, support from part-time to full-time for the pupil concerned as he has progressed to first class and will be in attendance for the full school day.

Based on the information submitted by the school, my Department's professionals concluded that the appropriate level of SNA support warranted by the pupil was a lesser allocation than that originally sanctioned.

As the Deputy will be aware, special needs assistants may be approved to support pupils who have a significant medical need for such assistance, a significant impairment of physical or sensory function or where their behaviour is such that they are a danger to themselves or other pupils. The criteria used for the assessment of the need for such support is outlined in the Department's Circular 07/02.

A review of SNA provision in primary schools commenced in September 2004 and is continuing. The review is concerned with the level and deployment of SNA posts in mainstream classes. The intention is to ensure that the level of approved SNA support in schools, and the manner in which that support is being allocated, are such as to ensure that the special care needs of pupils are being appropriately met. The school in question will be visited shortly as part of this review. My officials have been in contact with the school and have explained that the pupil concerned may retain the existing level of SNA support until the above review has been completed.

The position regarding the need for a laptop computer is that my Department's inspectorate advised that the school has an adequate supply of desktop computers and a laptop computer which may be used to assist the pupil. In the circumstances, the provision of a further laptop is not warranted. This position was confirmed to the school by letter on 5 May 2004.

1244. **Ms Enright** asked the Minister for Education and Science if she will provide in tabular form the number of children from the Traveller community with special needs who are currently enrolled at fee paying post-primary schools around the country; and if she will make a statement on the matter. [2039/05]

1245. **Ms Enright** asked the Minister for Education and Science if she will supply in tabular form the number of children from the Traveller community with special needs who are currently enrolled at post-primary schools within the free education scheme around the country; and if she will make a statement on the matter. [2040/05]

1248. **Ms Enright** asked the Minister for Education and Science if she will supply in tabular form the number of children with special needs who are currently enrolled at post-primary schools within the free education scheme around the country; and if she will make a statement on the matter. [2043/05]

1250. **Ms Enright** asked the Minister for Education and Science if she will supply in tabular form the number of children with special needs who are currently enrolled at fee paying post-primary schools around the country; and if she will make a statement on the matter. [2045/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1244, 1245, 1248 and 1250 together.

Where a pupil with special educational needs enrolls in a post-primary school, it is open to the school to apply to my Department for additional teaching support and/or special needs assistant support for the pupil.

My Department allocates additional teaching support and special needs assistant support to second level schools and vocational educational committees to cater for pupils with special educational needs. In the current school year to date additional teaching support has been granted in respect of approximately 14,560 pupils with special educational needs enrolled in schools within the free education scheme; special needs assistant support has been granted in respect of approximately 2,050 pupils within the free education scheme; additional teaching support has been granted in respect of approximately 410 pupils with special educational needs enrolled in fee-charging second level schools; and special needs assistant support has been granted in respect of approximately 49 pupils enrolled in fee-charging second level schools.

Regarding the number of Traveller pupils with special educational needs, the position is that records held by the Department, in relation to provision for special education at post-primary, do not indicate whether the pupils concerned are members of the Traveller community. Each application is considered on the basis of the assessed needs of the pupils involved and having regard to a range of factors including the overall resources available to the school.

1246. **Ms Enright** asked the Minister for Education and Science if she will supply in tabular form the number of children from the Traveller community with special needs who are currently enrolled at fee paying primary schools around the country; and if she will make a statement on the matter. [2041/05]

1247. **Ms Enright** asked the Minister for Education and Science if she will supply in tabular form the number of children from the Traveller community with special needs who are currently enrolled at primary schools within the free edu-

[Ms Enright.]
cation scheme around the country; and if she will make a statement on the matter. [2042/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1246 and 1247 together.

My Department does not keep information on children with special needs by cultural background.

Question No. 1248 answered with Question No. 1244.

1249. **Ms Enright** asked the Minister for Education and Science if she will supply in tabular form the number of children with special needs who are currently enrolled at primary schools within the free education scheme around the country; and if she will make a statement on the matter. [2044/05]

1251. **Ms Enright** asked the Minister for Education and Science if she will supply in tabular form the number of children with special needs who are currently enrolled at fee paying primary schools around the country; and if she will make a statement on the matter. [2046/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1249 and 1251 together.

The special educational needs spectrum may be seen to range from those with learning support needs to those with more severe educational and or care needs. My Department does not keep records of pupils in receipt of learning support as this is determined by the school principal in collaboration with the class teacher and the learning support teacher.

My Department conducted a census of pupils with special educational needs in non-fee paying primary schools during the 2003-04 school year. This information is currently held in a format that is not readily accessible.

My Department does not keep records on children with special needs attending fee paying primary schools and consequently the information requested by the Deputy is not available.

Question No. 1250 answered with Question No. 1244.

Question No. 1251 answered with Question No. 1249.

Third Level Fees.

1252. **Mr. McGuinness** asked the Minister for Education and Science if the cost of a course undertaken by a person (details supplied) in County Kilkenny will be covered; if their application will be expedited; and if she will make a statement on the matter. [2047/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that

my Department has reimbursed the person concerned for costs incurred while participating in the course in question. A payable order issued to the person concerned on 17 January 2005.

Special Educational Needs.

1253. **Mr. Quinn** asked the Minister for Education and Science if she will immediately sanction the provision of 20 hours of special needs assistance support and five hours of resource teaching for a person at a school (details supplied) in Dublin 4; and if she will make a statement on the matter. [2048/05]

Minister for Education and Science (Ms Hanafin): My Department sanctioned five hours special needs assistant, SNA, support for the pupil in question on 1 November 2004. The school subsequently requested additional SNA support for this pupil and provided further information in support of their request. The case was reviewed and the advice was that no additional SNA support was warranted. This decision was recently conveyed to the school.

The Deputy may be aware that a review of SNA provision in primary schools commenced in September 2004 and is continuing. The review is concerned with the level and deployment of SNA posts in mainstream classes. The intention is to ensure that the level of approved SNA support in schools, and the manner in which that support is being allocated, are such as to ensure that the special care needs of pupils are being appropriately met. The school in question is due to be reviewed shortly and the result of the review will be notified to the school authorities as soon as it becomes available. The school is aware of the proposed review.

My officials will contact the school shortly concerning the application for resource teaching support.

Departmental Staff.

1254. **Mr. Gormley** asked the Minister for Education and Science the public appointments made in her Department since the Cabinet reshuffle in September, 2004. [2101/05]

Minister for Education and Science (Ms Hanafin): Since my appointment as Minister for Education and Science I have made the following public appointments to my Department: Averil Power, special adviser, and Carl Gibney, personal assistant.

Arrangements are currently being finalised in relation to a third public appointment and I will be in touch with the Deputy as soon as this process is concluded.

Schools Building Projects.

1255. **Mr. Naughten** asked the Minister for Education and Science when she plans to publish the multi-annual school building programme; and

if she will make a statement on the matter. [2115/05]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1256. **Mr. Naughten** asked the Minister for Education and Science further to departmental correspondence, if she will approve a revised band rating and associated funding for a school (details supplied) in County Roscommon; and if she will make a statement on the matter. [2116/05]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects country wide which will prepare tenders and move to construction during 2005.

This is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1257. **Mr. Naughten** asked the Minister for Education and Science if she will approve a revised band rating and associated funding for a school (details supplied) in County Roscommon; and if she will make a statement on the matter. [2117/05]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects

country wide which will prepare tenders and move to construction during 2005.

This is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1258. **Mr. Naughten** asked the Minister for Education and Science if she will approve a revised band rating and associated funding for a school (details supplied) in County Longford; and if she will make a statement on the matter. [2118/05]

Minister for Education and Science (Ms Hanafin): The large-scale refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on this project is now being considered in the context of the schools building programme.

The school has also submitted an application for funding under the summer works scheme 2005. Applications under this scheme are currently being assessed.

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005.

This is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

1259. **Mr. Naughten** asked the Minister for Education and Science if she will approve funding for an extension to a primary school (details supplied) in County Roscommon; when she will make a decision on the application; and if she will make a statement on the matter. [2120/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published

[Ms Hanafin.]

prioritisation criteria, which was revised following consultation with the education partners, and is considered suitable for consideration for funding under one of the devolved initiatives.

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1260. **Mr. Naughten** asked the Minister for Education and Science if she will approve funding for a school (details supplied) in County Roscommon; the reason it was not included in the 2005 allocation; and if she will make a statement on the matter. [2123/05]

Minister for Education and Science (Ms Hanafin): The extension and refurbishment project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which was revised following consultation with the education partners, and is considered suitable for consideration for funding under one of the devolved initiatives.

The Deputy will be aware that I recently announced the first phase of the 2005 school building programme which provided details of 122 major school building projects countrywide which will prepare tenders and move to construction during 2005.

This is the first in a series of announcements I plan to make in the coming period in relation to the schools building and modernisation programme that will include details of schools identified as suitable for construction under public private partnerships; an expansion of the number of schools that will be invited to deliver their building projects on the basis of devolved funding; details of schools with projects approved under the 2005 summer works scheme; schools whose projects will further progress through the design process; and schools that will be authorised to commence architectural planning.

Defence Forces Retirement Scheme.

1261. **Aengus Ó Snodaigh** asked the Minister for Defence the amount which an ex-Army sergeant receives in retirement pension having

served 31 years, as in the case of a person (details supplied) in Dublin 12. [34135/04]

Minister for Defence (Mr. O’Dea): The details of an individual’s pension are regarded as confidential to the individual concerned and are not disclosed to other parties except with the individual’s consent or as required by law.

The basic pension payable to a retired sergeant is €218.59 a week for 21 years’ service. Where service exceeds 21 years, the pension is increased by an additional €7.53 for each further year of service up to a maximum of 31 years’ service. This extra payment ceases to be payable when the pensioner qualifies for a social welfare retirement pension or an old age contributory pension.

Pension Provisions.

1262. **Mr. Deasy** asked the Minister for Defence the number of persons who are members of either the old IRA or Cumann na mBan and who are in receipt of pensions in respect of the War of Independence. [34186/04]

1263. **Mr. Deasy** asked the Minister for Defence the names of members of the old IRA who are in receipt of pensions in respect of their service in the War of Independence in Waterford city and county; and the units of the organisation they served in. [34187/04]

Minister for Defence (Mr. O’Dea): I propose to take Questions Nos. 1262 and 1263 together.

There are eight individuals in receipt of a pension or allowance from my Department relating to the War of Independence, none of whom belonged to units based in Waterford city or county.

Defence Forces Retirement Scheme.

1264. **Mr. Hogan** asked the Minister for Defence the reason a person (details supplied) is to be discharged from the Defence Forces in April 2006; and if he will make a statement on the matter. [34292/04]

Minister for Defence (Mr. O’Dea): The military authorities have advised that the individual in question enlisted in the Defence Forces on 3 May 1994, being engaged to serve for a fixed term of five years in the Permanent Defence Force, PDF. The individual, having satisfied the various criteria required for an “extension in service” — for personnel who enlisted after 1 January 1994 — was permitted on 2 May 1999 to extend his original term of service by four years so as to complete nine years service in the PDF. On 2 May 2003, his term of service was again extended so as to permit him to complete 12 years PDF service in total. The individual’s service engagement in the PDF expires on 2 May 2006, at the end of this 12 year period.

Emergency Response Procedures

1265. **Mr. F. McGrath** asked the Minister for Defence the skills and resources available in the

Army to assist civilians in the event of a major crisis such as a flood, storm or nuclear accident at Sellafield. [34580/04]

Minister for Defence (Mr. O’Dea): The Defence Forces have contingency plans in place in relation to the provision of aid to the civil power (meaning in practice to assist, when requested, the Garda Síochána), and the provision of assistance to the civil authorities for a range of emergency situations. A detailed review of capacities and procedures to deal with a range of emergency situations was undertaken by the military authorities, following on from the events of 9/11. It included, *inter alia*, an update of the threat assessment; intensive contacts with other State agencies; a reassessment of operations orders relating to vital installations, alert systems, the Army Ranger wing, ordnance and engineer assets in terms of explosive ordnance disposal and specialist search and a review of equipment, including the need for air defence. Guidance documents pertaining to aid to the civil power and aid to the civil authorities were also reassessed. All matters arising were addressed and all procedures updated as required.

The primary responsibility for dealing with storms, floods and an incident in Sellafield lies with the Department of the Environment, Heritage and Local Government and the emergency services. The capacity of the Defence Forces to assist these authorities in dealing with these major emergencies is kept under constant review. Plans and procedures are updated as necessary and such additional equipment as is required to address any perceived deficiencies, is acquired on the basis of identified priorities. Training and preparation for such events is also provided for in the Defence Forces annual training plan.

Defence Forces Strength.

1266. **Mr. F. McGrath** asked the Minister for Defence the position regarding Army numbers and further recruitments for 2005. [34581/04]

1289. **Mr. Durkan** asked the Minister for Defence if the current strength of the Defence Forces is adequate to meet all eventualities; and if he will make a statement on the matter. [2008/05]

1290. **Mr. Durkan** asked the Minister for Defence if he intends to increase the strength of the Army, Naval Service or Air Corps; and if he will make a statement on the matter. [2009/05]

Minister for Defence (Mr. O’Dea): I propose to take Questions Nos. 1266, 1289 and 1290 together.

The White Paper on Defence of February 2000 sets out a figure of 10,500 personnel for the Permanent Defence Force, comprising 930 for the Air Corps, 1,144 for the Naval Service and 8,426 for the Army.

The strength of the Permanent Defence Force (comprising the Army, Air Corps and Naval Service) as of 31 December 2004 was as follows:

Army	8,369
Air Corps	871
Naval Service	1,053
Total P.D.F.	10,293

In addition, there were 258 recent recruits undergoing training on 31 December 2004. It is my intention to maintain the established Government policy of ongoing recruitment to the Defence Forces. Recruitment into the Permanent Defence Force will continue to maintain the strength at a level required to meet military needs and as set out in the White Paper, which consists of 10,500 Permanent Defence Force in all ranks. The Government remains fully committed to the policy of ongoing recruitment to ensure that an overall PDF strength of 10,500 is maintained.

Overseas Missions.

1267. **Mr. F. McGrath** asked the Minister for Defence if Ireland can send troops on humanitarian missions without the consent of Dáil Éireann. [34582/04]

Minister for Defence (Mr. O’Dea): I am glad to say that the Defence Forces have always responded to humanitarian crises by offering their skills and services to those in need. Defence Forces regulations provide that volunteer members of the Permanent Defence Force can be seconded by the Minister for Defence, with their agreement and with the consent of the Minister for Finance, for periods of up to one year. In the case of the current disaster in south-east Asia, volunteer Defence Forces personnel have been seconded to the United Nations Joint Logistics Centre (UNJLC) in Colombo, Sri Lanka. Defence Forces personnel have provided assistance in the past on a similar basis in response to crises in Honduras, Rwanda and Mozambique.

Question No. 1268 answered with Question No. 94.

Defence Forces Strength.

1269. **Mr. Neville** asked the Minister for Defence the number of Defence Force members who reported sick and unfit for duty due to work related stress for 2003 and 2004. [1286/05]

Minister for Defence (Mr. O’Dea): The military authorities advise that the information requested by the Deputy is not readily available in either electronic or paper format. Such information could only be obtained from the existing medical records of individual personnel by examining all sick reports on their files for 2003 and 2004 in order to identify those recorded as suffering from stress or stress related illnesses. It would

[Mr. O'Dea.]

then be necessary to examine the individual clinical records of each of these people to discover whether there might be any work related matter contributing to their condition. This task would involve an inordinate amount of time and resources.

The Defence Forces have a comprehensive protocol for training in stress management and for the conduct of after incident stress debriefs. In addition to the professional services of Medical Corps personnel, the Defence Forces have 33 personnel trained in stress management by the Stress Management Institute, Dublin. Stress awareness programmes are conducted for military personnel prior to their departure for overseas service. Suitably trained personnel also travel with a medical officer to overseas units to conduct stress briefing for personnel, prior to their repatriation from overseas service. With regard to critical incident stress management, there are currently some 30 personnel trained in critical incident stress management (CISM) in the Defence Forces. Their training is based on training received from the International Critical Incident Stress Foundation.

Service Medals.

1270. **Mr. Gregory** asked the Minister for Defence if a special medal of recognition of service will be considered for all members of the FCA; and if he will make a statement on the matter. [1368/05]

Minister for Defence (Mr. O'Dea): Members of the second line reserve, which consists of An Fórsa Cosanta Áitiúil and An Slua Muirí, (now being re-named as the Army Reserve and the Naval Service Reserve, respectively) are awarded An Bonn Seirbhíse on completing seven years satisfactory service. A bar is added to the medal on completing 12 years satisfactory service and a second bar on completing 21 years satisfactory service. Service in the second line reserve is rendered on a voluntary part-time basis. Specific Defence Forces regulations apply to the organisation and administration of that body. These regulations provide for such matters as the assessment of conduct during service on a broader and more general basis than would be appropriate in the context of the Permanent Defence Force. However, members of the second line reserve and the Permanent Defence Force are treated similarly in that completion of a specified period of satisfactory service is recognised by the award of service medals and bars. The relevant periods required in the case of the second line reserve compare very favourably with those required of members of the Permanent Defence Force. On discharge, members of the second line reserve are issued with a certificate of discharge. A statement of service can also be obtained on request. There are currently no plans to change the relevant regulations to provide for other additional categories of medal.

Overseas Missions.

1271. **Aengus Ó Snodaigh** asked the Minister for Defence if Irish military helicopters have been offered for UN relief work in the tsunami affected regions. [1640/05]

Minister for Defence (Mr. O'Dea): No request was received by me for helicopter support nor was this ever a matter actively considered by me or the senior management in my Department or in the Defence Forces. It is not within our capacity to deploy and support the current fleet overseas. As Deputies will be aware, I have recently signed contracts for new helicopters for the Air Corps on the basis that the current fleet is coming to the end of its useful life. The helicopters we are procuring are designed solely to meet current requirements here at home. There are no plans, now or for the future, to deploy helicopters, or any other air assets, in support of overseas missions. However, should that become a requirement which needs to be met by the Defence Forces, it will obviously be examined in light of the relevant circumstances at that time.

Question Nos. 1272 and 1273 answered with Question No. 99.

1274. **Mr. McGuinness** asked the Minister for Defence if he will provide the names and addresses of the families of the 47 soldiers killed in the Lebanon, to the Lebanese Veterans Organisation and the representative of the Lebanese Government due to the fact that it intends to honour the families concerned. [1643/05]

Minister for Defence (Mr. O'Dea): As the Deputy will appreciate, the release of the addresses of the next-of-kin would represent personal information and, as such, it would not be appropriate for the Department to release it to the organisation. In the absence of a written submission from the organisation setting out what is proposed it is not possible for my Department to consider this matter further. However, the Department would be willing, on receipt of further information, to explore what exactly the organisation is proposing and examine the possibility of forwarding the necessary details to the next-of-kin of deceased personnel in due course.

Question No. 1275 answered with Question No. 99.

Question No. 1276 answered with Question No. 90.

Defence Forces Equipment.

1277. **Aengus Ó Snodaigh** asked the Minister for Defence his plans for the evolving role of the Air Corps in relation to search and rescue, national defence, EU defence, NATO's partnership for peace and UN peacekeeping and humanitarian missions. [1646/05]

Minister for Defence (Mr. O’Dea): Two contracts have been signed for the provision of six new helicopters for the Air Corps, at a total cost of over €61 million — four new AB 139 helicopters and two EC 135 helicopters. Their primary role will be that of general purpose military operations and training. Primary taskings will include training and operations with the Army, security and aid to the civil power, military exercises, infantry interoperability training and limited troop transport. However, these helicopters will also be available to perform inland search and rescue, air ambulance, aid to the civil community and VIP transport tasks. The new aircraft when delivered will replace the existing helicopter assets, which comprise seven Alouettes, four Dauphins and one Gazelle. The helicopters we are procuring are designed solely to meet current requirements here at home. There are no plans, now or for the future, to deploy helicopters, or any other air assets, in support of overseas missions. However, should that become a requirement which needs to be met by the Defence Forces, it will obviously be examined in light of the relevant circumstances at that time.

Freedom of Information.

1278. **Mr. R. Bruton** asked the Minister for Defence the State, semi-State, State-sponsored and statutory bodies under the aegis of his Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if he envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1716/05]

Minister for Defence (Mr. O’Dea): The State, semi-State, State-sponsored and statutory bodies under the aegis of my Department that are not subject to the Freedom of Information Acts are the Civil Defence Board, Coiste an Asgard and the Irish Red Cross Society. Proposals for extending FOI are being developed at present in the Department of Finance with a view to extending FOI to other appropriate bodies by the end of 2005. The question of extending FOI to the Civil Defence Board and Coiste an Asgard is being considered in this context. It is not proposed to apply the Act to the Irish Red Cross Society. The society is a voluntary autonomous body and, having regard to that, to its international character and to the type of work that it does, it is not considered to be an appropriate entity for inclusion under the Act.

Army Training Programme.

1279. **Mr. Wall** asked the Minister for Defence the reasons the practice of notification of residents adjacent to the Curragh has being discontinued by the Army; if he will investigate the matter and seek to have the courtesy notification re-introduced; and if he will make a statement on the matter. [1975/05]

Minister for Defence (Mr. O’Dea): I am advised by the military authorities that the practice of informing local residents when a night training exercise is planned remains in force at the Curragh. The military authorities have undertaken to regularise the process to ensure that the individual concerned is informed of such activities in the future.

Defence Forces Property.

1280. **Mr. Cregan** asked the Minister for Defence the number of military hospitals or facilities around the country; the size, staff and bed capacity of each; the number of patients per night and number of day procedures and visits; the purpose of retaining a large military medical establishment; the reason the facilities should not be amalgamated or linked in full or partially with the general medical system in the country; and if he will make a statement on the matter, to include a report on any feasibility studies regarding cooperation with the health services already undertaken. [1986/05]

Minister for Defence (Mr. O’Dea): The reorganisation of the Medical Corps, which was effected as part of the Defence Forces review implementation plan in November 1998, redirected the focus of military medical care in the Defence Forces from a predominantly hospital based service to one in which primary, occupational and field support would continue to be further developed. The Medical Corps facilities currently consist of St. Bricin’s Military Hospital, Dublin and three military medical facilities located at the headquarters of each of the field medical companies in Cork and Athlone and at medical detachment supply and services unit in the Curragh. These military medical facilities have associated infirmaries for the care of “living-in” personnel (largely recruits and other training course students) who may become injured or ill. There are appointments for a physician at each MMF. There are currently X-ray, pharmacy and screening audiometry facilities at each MMF and physiotherapy facilities at MMF Cork and Curragh. The range of services provided by the Medical Corps include a military occupational medical service; a primary medical care service; a secondary medical care service; a preventive medical service; provision of medicines and dressings; dental services; a field medical service; training; maintenance of medical records; and medico-legal services. The detailed statistical information in relation to staffing, bed capacity and occupancy and the numbers of procedures carried out at these facilities are not readily available. I will write to the Deputy when they become available. In 2001, a feasibility study was carried out into an outline proposal from the Northern Area Health Board for the potential use of part of St. Bricin’s Hospital for acute day case ophthalmic surgery as

[Mr. O’Dea.] a pilot project. Detailed examination and analysis indicated that this project would not have been cost effective or attractive for the NAHB in terms of a limited throughput of civilian patient numbers as against a quite significant level of relative capital costs. In the event, the NAHB secured access to suitable facilities elsewhere in Dublin. The Department is always available for discussions in the future if the NAHB, or any other public health agency, wishes to explore the potential for a mutually beneficial collaboration, which would serve to enhance the respective service delivery priorities of the various parties.

Defence Forces Retirement Scheme.

1281. **Mr. Cregan** asked the Minister for Defence the situation in relation to Army pensions; the reason pensions are based on a maximum of 21 years service, in view of the fact that many persons have worked for 30 years or more; if this is different from the norm in other EU countries; the reason Army pensions are not based on the normal public service system; and if he has plans to make pensions more related to service done. [1991/05]

Minister for Defence (Mr. O’Dea): Retirement benefits by way of pension or gratuity are granted to retiring members of the Permanent Defence Force under the Defence Forces pensions schemes. Under those schemes, the minimum service required to qualify for a pension in the case of NCOs and privates is 21 years and maximum pension accrues over a period of 31 years. Pensions are not pay-related as such but are flat rates which vary according to rank and service. In all cases, pensions are payable immediately on retirement regardless of age. Thus, minimum pension may be payable to retiring NCOs and privates from as young as age 39 years and maximum pension from age 49 years. The Public Service Superannuation (Miscellaneous Provisions) Act 2004 was enacted in March 2004 following Government consideration of the final report of the Commission on Public Service Pensions. The Act provides, *inter alia*, for the introduction of new pension arrangements for military personnel recruited on or after 1 April 2004. The new arrangements will include a minimum pension age of 50 years; the accrual of maximum pension benefits over a period of 30 years; and, in line with public service pension arrangements generally, the calculation of benefits by reference to service and pensionable remuneration on retirement.

Discussions regarding the new pension arrangements are ongoing between my Department and the Defence Forces representative associations under the PDF conciliation and arbitration scheme. In the Civil Service, the local authorities and the health services, maximum

pension benefits generally accrue over a period of 40 years and pension benefits are not payable before the age of 60 years in the case of employees already serving on 31 March 2004, and 65 years for those recruited since that date. The higher minimum pension age of 65 was provided for in the Public Service Superannuation (Miscellaneous Provisions) Act 2004. In certain other areas of the public service, such as the Garda Síochána and the fire service, maximum pension benefits accrue over a shorter period of 30 years and lower minimum pension ages are in place. For example, the minimum pension age for members of the Garda Síochána is 50 years for those already serving on 31 March 2004 and 55 for those recruited after that date. In the case of firefighters, the minimum pension age is 55 years regardless of when recruited. Pension arrangements for military personnel vary widely across the EU and it is difficult to make realistic or meaningful comparisons between the superannuation arrangements applicable to the PDF and to the armed forces in other EU states. This is due to such factors as the widely varied and differing standards applicable to the occupational pension arrangements in those countries, national military manpower policy considerations (e.g. recruitment, retention etc.), State social insurance arrangements and the manner in which these integrate with the occupational pension codes.

Question No. 1282 answered with Question No. 99

Overseas Missions.

1283. **Mr. Durkan** asked the Minister for Defence the number of personnel currently serving overseas; the extent to which further deployments are likely to take place in the near future, other than those ongoing; and if he will make a statement on the matter. [2002/05]

Minister for Defence (Mr. O’Dea): Currently, a total of 772 Defence Forces personnel are serving overseas, full details of which are listed in the following table. Ireland has offered, through the UN Standby Arrangements System (UNSAS), to provide up to 850 military personnel, configured as a light infantry mounted battalion, for overseas service at any one time. This figure equates to 10% of Ireland’s standing Army and demonstrates Ireland’s commitment to the cause of international peace. This is the maximum sustainable commitment that Ireland can make to overseas peacekeeping operations. It should be appreciated that at any one time one group of personnel will have just returned from service, one will be on overseas duty and a further group will be in training. There are no plans at this time to increase the level of our commitment to UNSAS.

Ireland receives requests from time to time in relation to participation in various missions and these are considered on a case-by-case basis. However, we are currently fairly close to the limit of our sustainable commitments. It is appropriate that we keep some level of resources in reserve, should we need to reinforce existing missions or

to take on additional missions at short notice. Apart from the secondment of four officers of the Permanent Defence Force on a volunteer basis to the United Nations Joint Logistics Centre in Sri Lanka following on the recent tsunami disaster, no other deployments are planned or envisaged at this time.

Members of the Permanent Defence Force serving Overseas of 17 January 2005.

		Number
1.	UN Missions	
(i)	UNIFIL (United Nations Interim Force in Lebanon)	5
(ii)	UNTSO (United Nations Truce Supervision Organisation) — Israel, Syria and Lebanon	13
(iii)	UNFICYP (United Nations Peacekeeping Force in Cyprus)	1
(iv)	MINURSO (United Nations Mission for the Referendum in Western Sahara)	4
(v)	UNMIK (United Nations Interim Administration Mission in Kosovo)	4
(vi)	MONUC (United Nations Mission in Democratic Republic of the Congo)	3
(vii)	ONUCI (United Nations Mission in Ivory Coast)	2
(viii)	UNMIL (United Nations Mission in Liberia) FHQ	6
	UNMIL 92th Inf Bn	428
	TOTAL	466
	UN Mandated Missions	
(ix)	EUFOR (EU-led Mission Operation in Bosnia and Herzegovina)	53
(x)	KFOR (International Security Presence in Kosovo)	208
(xi)	ISAF (International Security Assistance Force in Afghanistan)	7
	Total number of personnel serving with UN missions	734
2.	EU Missions	
(i)	European Union Monitor Mission (EUMM) to the former Yugoslavia	5
(ii)	European Union Mission to the African Union Monitoring Mission to Darfur	1
	TOTAL NUMBER OF PERSONNEL SERVING WITH EU MISSIONS	6
3.	Organisation for Security and Co-operation in Europe (OSCE)	
(i)	OSCE Mission to Bosnia & Herzegovina	1
(ii)	OSCE Mission in Croatia	1
(iii)	OSCE Presence in Albania	1
(iv)	OSCE Mission in FRY	1
(v)	OSCE Mission in Macedonia	1
(vi)	OSCE Mission in Georgia	5
(vii)	Staff Officer, Higher Level Planning Group, Vienna	1
	Total number of personnel serving OSCE	11
4.	Head of Military Staff (Brussels)	1
5.	EU Military Staff (Brussels)	6
6.	Liaison Office of Ireland, PfP (Brussels)	2
7.	Permanent Representative to EU (Brussels)	3
8.	Military Representatives/ Advisers	
(i)	Military Adviser, Permanent Mission to UN, New York	1
(ii)	Military Adviser, Irish Delegation to OSCE, Vienna	1
(iii)	Military Representative to Partnership Co-ordination Cell/Supreme Headquarters Allied Powers Europe (SHAPE), Mons, Belgium	1
9.	Appointments — UN HQ (New York)	
	Officers seconded to DPKO (Department of Peace Keeping Operations)	2
10.	Other Assignments — UNJLC (Sri Lanka)	
	Officers seconded to the United Nations Joint Logistics Centre	4
	TOTAL NUMBER DEFENCE FORCES PERSONNEL SERVING OVERSEAS	772

Search and Rescue Service.

1284. **Mr. Durkan** asked the Minister for Defence the number of trained military personnel available on a 24-hour basis for air and sea rescue missions; and if he will make a statement on the matter. [2003/05]

Minister for Defence (Mr. O’Dea): The Irish Coast Guard has overall responsibility for the provision of maritime search and rescue services within the Irish search and rescue region. The Air Corps had been providing search and rescue services but withdrew in October 2004 following a hand-over of this role to CHCI, a private operator, which also provides the service at the country’s other SAR bases at Dublin, Shannon and Waterford. The changeover from the Air Corps to CHCI will not in any way downgrade or diminish the level of service provided to mariners or to our island communities. The Defence Forces are already committed to providing support to the civil authorities specifically in relation to search and rescue. In this regard, the Naval Service and the Air Corps will continue to provide support to the Coast Guard as the need arises and within their available capacity. Air Corps pilots will continue to train in search and rescue techniques and to provide a limited non-maritime search and rescue response. The specification for the new helicopters being acquired for the Air Corps includes a search and rescue capability. Search and rescue capability requires a wide range of available skills, piloting, winching, medical, vessel crewing, radar etc. I am advised by the military authorities that the availability of these skills within the Defence Forces is sufficient to meet their con-

tinuing commitments in this area. The provision of a 24 hour response is not among these commitments.

Question No. 1285 answered with Question No. 114

Defence Forces Strength.

1286. **Mr. Durkan** asked the Minister for Defence the extent to which the number of women in the Army, by rank has increased or decreased over the past five years; and if he will make a statement on the matter. [2005/05]

1287. **Mr. Durkan** asked the Minister for Defence the extent to which the number of women in the Naval Service, by rank, has increased or decreased over the past five years; and if he will make a statement on the matter. [2006/05]

1288. **Mr. Durkan** asked the Minister for Defence the extent to which the number of women in the Air Corps, by rank, has increased or decreased over the past five years. [2007/05]

Minister for Defence (Mr. O’Dea): I propose to take Questions Nos. 1286 to 1288, inclusive, together.

The strength of females in the Army, Naval Service and Air Corps by rank within these services, is provided in the following table. The figures provided are as at 31 December 2000 to 31 December 2004. In the five year period 2000-04 inclusive, the strength of female personnel in the Permanent Defence Force grew from 429 to 514. This constitutes an increase of 20% in the number of females serving over this period.

Army — Strength of Females by Rank.

	Lt Gen	Maj Gen	Brig Gen	Col	Lt Col	Comdt	Capt	Lt	Total Offrs	SM	BQMS	CS	CQMS	SGTS	CPLS	Total NCOs	PTES	Cadets	Total
31/12/00	0	0	0	0	0	7	32	22	61	0	0	1	1	11	39	52	232	14	359
31/12/01	0	0	0	0	0	11	28	31	70	0	0	1	1	12	55	69	248	5	392
31/12/02	0	0	0	0	0	12	30	28	70	0	0	3	1	10	71	85	221	13	389
31/12/03	0	0	0	0	1	11	30	33	75	0	0	3	1	10	87	101	206	15	397
31/12/04	0	0	0	0	1	14	35	33	83	0	0	2	1	10	100	113	220	18	434

Naval Service — Strength of Females by Rank

	Lt Gen	Maj Gen	Brig Gen	Col	Lt Col	Comdt	Capt	Lt	Total Offrs	SM	BQMS	CS	CQMS	SGTS	CPLS	Total NCOs	PTES	Cadets	Total
31/12/00	0	0	0	0	0	0	0	6	6	0	0	0	0	0	0	0	36	5	47
31/12/01	0	0	0	0	0	0	0	6	6	0	0	0	0	0	0	0	39	6	51
31/12/02	0	0	0	0	0	0	0	14	14	0	0	0	0	0	0	0	40	6	60
31/12/03	0	0	0	0	0	0	2	14	16	0	0	0	0	0	1	1	44	5	66
31/12/04	0	0	0	0	0	0	3	16	19	0	0	0	0	0	2	2	36	2	59

Air Corps — Strength of Females by Rank

	Lt Gen	Maj Gen	Brig Gen	Col	Lt Col	Comdt	Capt	Lt	Total Offrs	SM	BQMS	CS	CQMS	SGTS	CPLS	Total NCOs	PTES	Cadets	Total
31/12/00	0	0	0	0	0	0	2	2	4	0	0	0	0	1	4	5	13	1	23

	Lt Gen	Maj Gen	Brig Gen	Col	Lt Col	Comdt	Capt	Lt	Total Offrs	SM	BQMS	CS	COMS	SGTS	CPLS	Total NCOs	PTES	Cadets	Total
31/12/01	0	0	0	0	0	0	2	2	4	0	0	0	0	1	4	5	14	2	25
31/12/02	0	0	0	0	0	0	1	2	3	0	0	1	0	0	5	6	13	1	23
31/12/03	0	0	0	0	0	0	1	2	3	0	0	1	0	0	7	8	9	1	21
31/12/04	0	0	0	0	0	0	2	1	3	0	0	1	0	0	9	10	7	1	21

Question Nos. 1289 and 1290 answered with Question No. 1266.

Defence Forces Recruitment.

1291. **Mr. Stanton** asked the Minister for Defence the numbers that have taken part and have been commissioned through commissioning from the ranks early commissioning from the ranks electrical and commissioning from the ranks IT, and the numbers that have joined the Defence Forces through direct entry (details supplied) since 1999 to date; and if he will make a statement on the matter. [2010/05]

1292. **Mr. Stanton** asked the Minister for Defence when the Defence Forces will proceed with the commissioning from the ranks late course as initially proposed by the Feely report on commissioning; the reason, seven years after the flag officer command officers in the Naval

Service urgently requested that this course be sanctioned, no progress has been made on this scheme; his further plans in this regard; and if he will make a statement on the matter. [2011/05]

1293. **Mr. Stanton** asked the Minister for Defence the number of short-term commissions, direct entry appointed in the Naval Service each year since 1997; the appointment of each officer; the number of these officers that currently remain in the Naval Service; and if he will make a statement on the matter. [2012/05]

Minister for Defence (Mr. O'Dea): I propose to take Questions Nos. 1291 to 1293, inclusive, together.

A total of 28 non-commissioned officers have been commissioned as officers in the Army, Air Corps and Naval Service since 1999. The numbers and categories commissioned in each year are detailed in the following tabular statement.

Year	No.	Category
1999	2	2 — Electrical Engineer Officers, Naval Service
2000	18	3 — Information Technology, 15 Line Officers
2001	8	8 — Watchkeeping Officers, Naval Service

Potential officers courses are held for non-commissioned personnel from time to time within the Defence Forces. Personnel who successfully complete such courses are commissioned as officers in the Permanent Defence Force. In addition, from time to time non-commissioned personnel who hold appropriate qualifications are commissioned to fill specialist appointments where vacancies arise. Eligible non-commissioned personnel may also apply for the annual cadetship competitions. Since 1999 a total of nine enlisted personnel have accepted cadetships from the cadetship competitions. The requirement for potential officer courses and commissioning from the ranks competitions is reviewed from time to time and is being specifically addressed in the context of the integrated personnel management system which is one of the major policy initiatives provided for in the White Paper on Defence and in the programme for Government.

Draft conditions governing the appointment of enlisted personnel of the Permanent Defence

Force to be officers of the Naval Service are under discussion with the representative associations. As the discussions with the representative associations are ongoing, it would not be appropriate to comment on any of the specifics of the proposed draft conditions. However, it is my intention that a potential officers course will be run as soon as these discussions are completed. The Feely report referred to by the Deputy was an internal military discussion document and was not endorsed as Defence Force policy. It does not form my Department's policy in the area of commissioning from the ranks.

Since 1998, a total of 32 officers have been appointed on short service commissions from direct entry competitions held to appoint qualified personnel to the Naval Service. The detail of the numbers appointed, by category, in each year are outlined in the following tabular statement;

Year	Number Appointed	Naval Service Category
1998	9	9 Watchkeeping Officers
2000	2	2 Watchkeeping Officers
2001	3	2 Watchkeeping Officers 1 Marine Engineer Officer
2002	8	4 Watchkeeping Officers, 4 Marine Engineer Officers

Year	Number Appointed	Naval Service Category
2003	5	2 Watchkeeping Officers, 3 Marine Engineer Officers
2004	4	2 Watchkeeping Officers 2 Marine Engineer Officers
2005 to date	1	1 Marine Engineer Officer

Of the appointments outlined above, nine watchkeeping officers and eight marine engineer officers are still serving. In addition to the above eight direct entry electrical engineer officers have been appointed to the Naval Service since 2002 and all eight are still in service.

Question No. 1294 answered with Question No. 98

1295. **Mr. Stanton** asked the Minister for Defence the number of short-term commissioned officers whose contracts have not been renewed by the Naval Service each year for the past five years even though the officers themselves wanted to remain on as Naval Service personnel; and if he will make a statement on the matter. [2015/05]

Minister for Defence (Mr. O'Dea): The military authorities advise that the information sought is not immediately available due to archival work being carried out at present on the relevant records. I will write to the Deputy with the information as soon as it becomes available.

Question No. 1296 answered with Question No. 98

Ministerial Appointments.

1297. **Mr. Gormley** asked the Minister for Defence the public appointments made in his Department since the Cabinet reshuffle in September, 2004. [2102/05]

Minister for Defence (Mr. O'Dea): Since my appointment as Minister for Defence the only appointments I have made were to the Civil Defence Board, which is a body under the aegis of my Department. Chief Supt John T. Farrelly was appointed to the board in October 2004, on the nomination of the Commissioner of the Garda Síochána. Commandant Kevin Houston was appointed in November 2004 on the nomination of the Chief of Staff of the Defence Forces.

Defence Forces Equipment.

1298. **Mr. Durkan** asked the Minister for Defence if he has satisfied himself regarding the adequacy of clothing and equipment issued to the Defence Forces serving overseas in view of the climatic conditions in the various jurisdictions to which they are deployed now or may be deployed in the future; and if he will make a statement on the matter. [2128/05]

Minister for Defence (Mr. O'Dea): The safety and health of Irish personnel serving overseas is

always of paramount concern to me and it is my policy and practice to ensure that Defence Forces personnel are appropriately equipped to carry out their mission. The ongoing equipment modernisation programme ensures that the Defence Forces are fully equipped with the most modern of equipment for their day-to-day roles on overseas missions. Particular regard is taken of factors such as climatic conditions in areas of operations overseas.

From a health perspective, every reasonable step is taken to ensure the good health of our personnel on overseas missions. In Liberia, the level of medical equipment deployed with our troops serving with UNMIL is superior to any previously deployed with any Irish contingent on UN service and is considerably more sophisticated than the UN requirement. In addition, extensive standard operating procedures have been put in place in Liberia to ensure the health of personnel, in particular, procedures for personal hygiene, covering up fully at night to avoid insect and mosquito bites, use of repellents, maintaining hydration and so on.

Compensation Payments.

1299. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government when a person (details supplied) in County Mayo will receive the cull ewe payment. [34133/04]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Payment for destocking compensation issued from my Department to the person named on 17 December 2004.

State Property.

1300. **Cecilia Keaveney** asked the Minister for the Environment, Heritage and Local Government the reason for the delay in having a property (details supplied) in County Donegal transferred into the State's ownership; and if he will make a statement on the matter. [34134/04]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am advised by the Office of Public Works that the legal documents allowing Northburg Castle to be taken into State guardianship are still awaited from the solicitor acting on behalf of the castle's owner. All other action required by the State to progress the matter has been undertaken.

Greenhouse Gas Emissions.

1301. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if he will introduce more legislation in order to reduce carbon emissions. [34154/04]

1345. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government the measures being taken to reduce carbon emissions here; and if he will make a statement on the matter. [1270/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1301 and 1345 together.

The Government's comprehensive approach to reducing greenhouse gas emissions, including carbon dioxide, in the most efficient and equitable manner is set out in the national climate change strategy. This has been complemented by the implementation, from this month, of the pilot phase of the EU emission trading scheme which provides larger installations with a strong financial incentive to reduce carbon emissions.

Work is currently in progress in my Department on a review of the national climate change strategy, taking account of developments since its publication four years ago. I intend that this review will be completed early this year. It is a matter for Departments with direct responsibility for the sectors identified in the strategy to decide on the need, if any, for legislation or further legislation in order to meet the various sectoral objectives. In relation to the sectors falling within my jurisdiction such as the residential and waste sectors, the measures directed towards carbon emission reductions do not at present include proposals for further legislation.

Planning Issues.

1302. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if he will examine all planning laws in order to respect environmental and tourist sites. [34155/04]

1304. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if grants of planning permission in sensitive tourist areas will have to adhere to strict planning standards in order that they blend in with the environment. [34157/04]

1305. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if the environment is taken into consideration when planning and developing the tourist industry here; and if he will work with the Minister for Arts, Sport and Tourism on this issue. [34158/04]

1342. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government if adequate planning laws are in place to ensure that all new houses are environmentally sound and blend in with the landscape in rural areas; and if he will make a statement on the matter. [1267/05]

1344. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government if he has satisfied himself that tourist issues are given adequate consideration in the planning

laws; and if he will make a statement on the matter. [1269/05]

1347. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government the role played by his Department in preparing guidelines for local authorities which facilitate the construction of more one-off rural houses; if adequate safeguards are in place to ensure that important environmental and tourist sensitive areas are protected in this context; and if he will make a statement on the matter. [1272/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1302, 1304, 1305, 1342, 1344 and 1347 together.

In March 2004 my Department published draft guidelines for planning authorities on sustainable rural housing. I expect to be in a position to issue the guidelines in final statutory form shortly. The guidelines encompass the overall policy approach to be adopted in the making of local authority development plans and in dealing with individual planning applications for houses in rural areas, including the wastewater disposal, access, design and siting considerations that should be taken into account in determining the best locations for houses.

The guidelines indicate that housing development in rural areas should be of a high quality and should complement its surroundings. The guidelines emphasise the importance of applicants, their agents and the planning authority taking a collaborative approach in ensuring that the choice and location of site, together with the design and development approach chosen, is harmonious with the physical environment of the site.

The guidelines make it clear that protecting water quality must be considered in determining whether a given site is suitable for development. In this regard, the guidelines advise that the development plan should clearly indicate those areas where ground-water quality is a critical issue and where particular requirements may apply, with an indication of the requirements with which applicants may be obliged to comply.

Under the Planning and Development Act 2000, planning authorities are required to include objectives in their development plans for the conservation and protection of the environment. Authorities are also required to include any necessary objectives in their plans to preserve the character of the landscape, including the preservation of views and prospects and the amenities of places and features of natural beauty or interest. It is also open to authorities to include objectives in their development plans to regulate, promote or control tourism development. Fáilte Ireland, as a prescribed consultee on all draft development plans and draft regional planning guidelines under the planning and development regulations 2001, has the opportunity as appropriate to ensure that tourism issues are considered in the making of such plans and guide-

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lines. Planning authorities are also required to seek the views of Fáilte Ireland on any development which might obstruct or detract from the value of any tourist amenity or tourist amenity works or which would involve the carrying out of works to architecturally valuable structures. I am satisfied that these requirements ensure that environmental and tourism considerations are incorporated into the consideration by planning authorities of development proposals.

While primary policy responsibility for the development of the tourism industry rests with my colleague, the Minister for Arts, Sport and Tourism, my Department is actively cooperating with the Department of Arts, Sport and Tourism in the ongoing implementation of the recommendations of the report of the tourism policy review group.

National Parks.

1303. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if he will consider increasing the size and number of national parks in order to protect key environmental and tourism interests. [34156/04]

1346. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government if he has satisfied himself with the number of national parks in the State; if the number of such parks can be increased and the size of the existing parks extended; if his Department has other mechanisms at its disposal to ensure that important parts of the countryside are protected; and if he will make a statement on the matter. [1271/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1303 and 1346 together.

At present there are six national parks in the State. These are in the Wicklow Mountains, Killarney, the Burren, Connemara, Ballycroy, County Mayo and Glenveagh. Ireland's national parks are State-owned and are managed in accordance with the guidelines set down by the International Union for the Conservation of Nature. The IUCN, which is affiliated to the United Nations, is the international authority which sets the criteria for the protected areas of the world. Over the years, the Government has pursued a policy of increasing the number and size of our national parks where possible. This has resulted in a growth in the number of national parks from one in 1972, to six at the present time. Moreover, we have continued to enlarge the area of these parks through the acquisition of adjacent habitat-rich lands as they become available.

Apart from the State purchase of habitat-rich lands by agreement, the National Parks and Wildlife Service of my Department has other mechanisms available to ensure that important parts of the countryside are protected. These are the designation and protection of ecologically important

areas under the European Union (Natural Habitats) Regulations 1997, which transpose the 1979 EU Birds and 1992 EU Habitats Directives, as well as the Wildlife (Amendment) Act 2000. The 1997 regulations provide the basis for protecting special protection areas for birds and special areas of conservation for habitats and species whose conservation is of international importance. Under the Wildlife (Amendment) Act 2000, natural heritage areas, whose conservation is of national importance, are designated. These designated areas, which in total constitute about 14% of the national territory, are mainly situated in privately-owned lands.

Question Nos. 1304 and 1305 answered with Question No. 1302.

Wildlife Protection.

1306. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government the measures he plans to take to preserve the Margaritifera mussel, which is on the verge of extinction here according to a report by the Heritage Council. [34182/04]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The freshwater pearl mussel, Margaritifera, is a protected species under the Wildlife Acts 1976 and 2000. Designation of special areas of conservation, or SACs, for margaritifera is also required by the EU Habitats Directive. Ireland has proposed 21 sites as candidate SACs for two sub-species of margaritifera. My Department commenced monitoring four margaritifera SACs last year and will be carrying out surveys of an additional five margaritifera SACs this year. During 2005 my Department will initiate intensive research on further developing the scientific basis for draft margaritifera water quality standards, on which work was initiated last year.

In working on the conservation of margaritifera, my Department is assisted by the expertise of an experienced scientist, retained on contract to advise on the conservation and restoration of the species. Recent work undertaken for my Department has demonstrated that there is a serious problem with the conservation status of our margaritifera populations. This applies to both of the sub-species known to exist in Ireland, margaritifera margaritifera, which is relatively widespread and margaritifera durrovensis, found only in part of the River Nore.

Particular attention was drawn to the species last summer, when there was an algal bloom in the Owenriff River in County Galway, and the margaritifera population there was found to have been severely affected. My Department is participating in a working group set up to investigate possible causes of the algal bloom in the Owenriff, and to determine best management practice in the Owenriff catchment. The group consists of representatives from the National Parks and Wildlife Service of my Department, the Forest

Service, the Western Regional Fisheries Board, Galway County Council, which is the lead local authority for the western river basin district board, and from Coillte Teoranta. Remedies for all catchment activities perceived as being problematic will be explored with the appropriate planning authority, Galway County Council. In the medium term all these issues will be addressed in conjunction with the western river basin district in the context of the river basin management plan.

My Department will adapt approaches developed in the Owenriff for wider implementation in margaritifera catchments mainly in the context of the river basin management plans required under the water framework directive. This will be on the basis that only catchment wide measures will achieve the necessary controls on excessive situation and nutrient enrichment, which are causing the decline of margaritifera in Ireland and in Europe. River basin authorities have been informed of the location and conservation status of margaritifera populations. Populations identified as of particular concern will require intensive monitoring and investigation and the development of a programme of measures to ensure that the water quality requirements of margaritifera are met.

In relation to margaritifera durrovensis in the river Nore, my Department will begin a series of programmes aimed at developing strategies to stabilise the population of this critically endangered sub-species. This will consist of the development of a species action plan, a fluvial audit of the Nore, a translocation programme, development of rehabilitation measures and the establishment of a captive breeding programme. In addition my Department will ensure that the water quality requirements of this species are met by the river basin management plan.

Housing Grants.

1307. **Mr. R. Bruton** asked the Minister for the Environment, Heritage and Local Government when he first signalled his intention to review the terms on which grants are made available to persons with a disability to adapt their home; if his Department has undertaken research into the average cost of adaptations needed to accommodate a person with a disability; the details of the range of costs involved for different types of work; and if he intends to announce the results of the review and increase the maximum grant levels in order that they keep pace with the cost of necessary adaptation work. [34194/04]

1387. **Mr. R. Bruton** asked the Minister for the Environment, Heritage and Local Government when the maximum value of the disabled persons grants was last adjusted by his Department; the move in the index of housebuilding costs since the grant was last changed; if his attention has been drawn to the fact that many required modifications in the homes of persons with a disability cost far more than the maximum grant permitted;

and if he will make a statement on the matter. [2082/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 1307 and 1387 together.

The review of the disabled persons grant scheme, which was first signalled in March 2003, is currently being finalised in my Department. The cost of the works needed to adapt a dwelling to meet the needs of a disabled person can vary greatly, depending on the level of disability of the applicant and the location and type of dwelling to be adapted. For example, research done for the City and County Managers' Association in a sample of local authority areas indicated that in 2002, the average cost of providing an extension to an existing dwelling could range from €16,500 to €25,000 and the provision of bathroom facilities from €7,000 to €15,000. The current maximum disabled persons grant of €20,320 was set in 2001. The house building cost index has increased by 8.8% in the period from December 2001 to November 2004.

Submissions received from disability support groups in the context of the review have highlighted the costs involved for disabled people in undertaking adaptations to their homes. While the disabled persons grants scheme, like other housing grant schemes operated by my Department is intended to assist persons in the provision of additional accommodation or in carrying out works of adaptation, it is not designed to cover the full cost of works for all applicants. Local authorities may provide reconstruction loans to qualified applicants who have difficulty in obtaining finance to meet the balance of the cost. In the light of the increased level of demand for assistance under the scheme it is important to ensure that the funding available is directed at those in greatest need of such assistance. On completion of the current review, I will be in a position to determine the changes required to the regulations governing the scheme with a view to achieving this aim.

Urban Renewal Schemes.

1308. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the status of Kilcock, County Kildare in the context of urban renewal; if funds have been or will be allocated in this regard; and if he will make a statement on the matter. [34219/04]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A strategy document prepared by Kildare County Council under the urban and village renewal measure of the southern and eastern regional operational programme, 2000-06, proposes extensive works at the Square, Kilcock in 2006. The works proposed include significant improvements to footpaths and pedestrian areas, together with soft landscaping and provision of street furniture. Local auth-

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 orities will be notified shortly of their grant allocations for 2005/06 under the above measure.

Genetically Modified Organisms.

1309. **Mr. Ferris** asked the Minister for the Environment, Heritage and Local Government the reason he abstained on a vote at the Council of Ministers on 20 December 2004 at which a proposal to authorise a genetically modified animal feed (details supplied) was rejected. [34245/04]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The European Commission's proposal to authorize the import into the European Community of genetically modified oilseed rape GT73 for use as animal feed and for processing has not been rejected by the Environment Council. At the Council of 20 December 2004, there was, under the qualified majority voting procedures, insufficient agreement to either accept or reject the Commission's proposal. Ireland was among a number of Member States who abstained on the proposal. Our abstention had regard to the long-standing positive but precautionary approach to modern biotechnology endorsed by successive Governments; the favourable opinion available to me on the product from the Environmental Protection Agency as Irish competent authority for the purposes of the relevant Directive (2001/18/EC), following the agency's consultations with other relevant State agencies; the views of the Joint Oireachtas Committee on the Environment and Local Government; as well as the outcome of the earlier discussion of, and vote on, the product at the regulatory committee for the purposes of directive 2001/18/EC.

Water and Sewerage Schemes.

1310. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government if the Patrickswell/Adare sewerage scheme will commence construction in 2005. [34274/04]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Patrickswell/Adare sewerage scheme is included in my Department's Water Services Investment Programme 2004-06 as a scheme to commence construction in 2005. My Department has approved Limerick County Council's fee proposals for the appointment of consultants to prepare contract documents for the scheme. Once the contract documents have been submitted to and approved by my Department, the council will be able to invite tenders for the construction of the scheme.

Local Authority Housing.

1311. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government if he will allocate the necessary funding to install central heating in the 710 houses, including 100

occupied by elderly tenants, in the rented stock of Limerick County Council, which require central heating. [34275/04]

Minister of State at the Department of the Environment, Heritage and Local Government

(Mr. N. Ahern): The management, maintenance and improvement of their rented dwellings, including the installation of central heating is primarily the responsibility of local authorities to be financed from their own resources. My Department introduced a scheme in July 2004 for the installation of central heating in existing local authority rented dwellings. The scheme provided a contribution of €5,600 or up to 80% of the cost, whichever is the lesser, for each approved dwelling. The Department's contribution under the 2004 scheme was €12 million, of which Limerick County Council received some €119,000.

A sum of €30 million is being provided by my Department as its contribution to the scheme in 2005 and applications will be invited shortly from local authorities for the funding. My Department has required, since 1994, that central heating be provided during construction in new local authority dwellings and included in the overall cost of schemes. Where capital funding is provided under regeneration and remedial programmes operated by my Department for upgrading of local authority dwellings, the provision of central heating normally forms part of the work undertaken.

Social and Affordable Housing.

1312. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government if he has examined the housing options for lone parents engaged in part-time work who seek to acquire an affordable home; if his Department has done any working examples of the way in which a person on one-parent family allowance doing part-time work and paying for child care would be able to afford to purchase under the affordable housing scheme; and if he will make a statement on the matter. [34276/04]

Minister of State at the Department of the Environment, Heritage and Local Government

(Mr. N. Ahern): The administration of the various affordable housing schemes is a matter for each local authority in accordance with general terms and conditions set by my Department. It is a matter for local authorities to determine the priority accorded to persons, including lone parents, to whom affordable houses are allocated. They must examine each application for affordable housing on its merits having regard, *inter alia*, to such factors as the amount of deposit available and ability to make repayments. In this regard, they have been advised that mortgage repayments should not exceed 35% of a household's net income. To further assist affordability, a graded mortgage subsidy based on the level of household income, of between €1,300 and €2,550, is available to assist with repayments.

The terms of the various affordable housing schemes will continue to be kept under review. In this regard, the NESC report, "Housing in Ireland: Performance and Policy", which was published at the end of 2004, outlines the factors underpinning the development of the housing sector in Ireland. In the light of the report, the Government will consider any further changes required to the terms and conditions of the various housing schemes, within the resources available, to better address our aims.

1313. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government the income thresholds and the level of subsidy towards repayments available to persons on shared ownership or affordable housing; the date on which these thresholds and subvention levels were last changed; the value that the thresholds would now have reached if the income threshold had been indexed to the average industrial wage and if the subvention had been indexed to the rent proportion of the index of average purchased under shared ownership; and if he will make a statement on the matter. [34277/04]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Under the affordable housing scheme launched in March 1999, a mortgage subsidy is payable to qualifying households based on income bands. A similar subsidy applies under the shared ownership scheme towards the rent payments for that portion of the equity not yet purchased.

The qualifying income limits and the amounts of the rent and mortgage subsidies under the shared ownership and affordable housing schemes respectively were revised in January 2002 for transactions completed on or after 1 January 2000 and are as shown in the following table.

Household Income per annum	Mortgage/Rent Subsidy payable per annum
€13,000 and under	€2,550
€13,001 to €15,500	€2,300
€15,501 to €18,000	€2,050
€18,001 to €20,500	€1,800
€20,501 to €23,000	€1,550
€23,001 to €25,500	€1,300
Over €25,500	Nil

If the income limits were increased in line with the growth in the average industrial wage since 2000, the maximum qualifying income would have risen from €25,500 to about €31,800.

The information requested regarding the value of the thresholds if the subvention had been indexed to the rent proportion and average purchased under the shared ownership is not available in my Department. Data are currently collected on shared ownership scheme transactions under a number of house price ranges rather than on the

average price of dwellings purchased and a feature of the scheme is that different equity stakes can be purchased so the rent proportion differs from purchaser to purchaser. Furthermore, purchasers can also increase the size of the equity portion during the course of the scheme.

Since 2000, there have been significant improvements to the shared ownership scheme and the access to affordable housing has been significantly enhanced through increased output under the 1999 scheme. This will grow in future years as additional units come through under Part V of the Planning and Development Acts 2000-2002 and the affordable housing initiative.

I also announced increases in the income limits for the shared ownership and affordable housing schemes and house purchase loans in July of this year, together with increases in the loan limits, in line with growth in average wage costs and house price inflation. These targeted measures are important mechanisms of providing access to affordable housing for low and modest income households by providing them with a house at a discounted price. With the increased availability of such housing, the funding of a loan becomes a less critical barrier to house purchase particularly with the growth in disposable incomes and historically low interest rates.

Nonetheless, the terms and conditions of these schemes will continue to be kept under review with reference to the housing forum, which has been charged under Sustaining Progress to review the effectiveness of all social and affordable housing programmes, and in light of the NESC report which was published just before the end of 2004.

1314. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if and when tenants at a location (details supplied) in County Kildare will be allowed to purchase the dwellings of which they are tenants; and if he will make a statement on the matter. [34278/04]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): This project was funded under the voluntary housing capital loan and subsidy scheme which supports the provision of housing accommodation by approved voluntary bodies. There is no provision in my Department's voluntary housing capital assistance and capital loan and subsidy schemes for the purchase of individual houses by tenants and there are no plans to introduce such a provision.

A tenant purchase scheme is not considered desirable at this stage of the development of the voluntary housing sector, as the sale of individual housing units could undermine the capacity and resources of voluntary housing bodies to manage and maintain their estates and continue to provide further housing projects to meet pressing demands.

However, residents of more than one year's duration of houses provided under the scheme who wish to become owner occupiers may, on

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surrendering their house to the approved voluntary housing body, qualify for the following benefits: special mortgage allowance of €11,450 over five years for mortgages created on or after 1 January 2002 to assist with mortgage repayments; the shared ownership scheme without having to satisfy the income eligibility criteria; improvement works in lieu scheme in respect of the dwelling they are acquiring; low cost housing sites scheme and exemption from the income limits for local authority loans. Full details of these options are available from local authorities.

Historical Sites.

1315. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if he will review the hotel development at the historical Trim Castle, County Meath, and investigate the waste of taxpayers' money, in the region of €300,000, on this development. [34298/04]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department has no role in the development of a hotel at Trim Castle, County Meath.

The then Department of Arts, Heritage, Gaeltacht and the Islands made a contribution of €63,487 or IR£50,000 to Trim Town Council towards the cost of site acquisition and development for a public carpark which would serve visitors to Trim Castle. The greater portion of that site is no longer in the possession of the local authority, having been disposed of to the developers of a proposed new adjacent hotel which will provide car parking in the area. In the changed financial and procurement circumstances involved, the local authority has been requested to refund the Department's contribution. This implies no criticism of the judgment of the local authority to pursue a different approach in the circumstances which have arisen but reflects my Department's conclusion that it would not now be appropriate for the earlier State grant to be retained.

As regards other expenditure by the local authority on this site, a separate statutory procedure is in progress for investigation of objections to the audit of Trim Town Council. This investigation is being carried out by the appropriate local government auditor, who will produce a report for presentation to the council in due course.

Water and Sewerage Schemes.

1316. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government the status of a sewerage scheme (details supplied) in County Clare; if construction will commence in 2005; and if he will make a statement on the matter. [34308/04]

1317. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government the status of a sewerage scheme (details supplied)

in County Clare; if construction will commence in 2005; and if he will make a statement on the matter. [34309/04]

1318. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government the status of a sewerage scheme (details supplied) in County Clare; if construction will commence in 2005; and if he will make a statement on the matter. [34310/04]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1316 to 1318, inclusive, together.

The Feakle, Scarriff and Quilty/Mullagh sewerage schemes, which are being procured as a grouped project, have been approved for construction in my Department's Water Services Investment Programme 2004-2006. Further consideration will be given by my Department to Clare Council Council's contract documents on receipt of a certificate of completion of planning from the council and confirmation of the issue of a foreshore licence for the Quilty scheme.

Natural Disasters.

1319. **Mr. G. Mitchell** asked the Minister for the Environment, Heritage and Local Government given that Britain and Ireland were hit by the equivalent of a tsunami in the 17th century or thereabouts; if his attention has been drawn to concerns regarding the possibility of such an occurrence again; the preparations which have been made to deal with such a calamity or a similar natural disaster; and if he will make a statement on the matter. [34593/04]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I understand there is historical evidence that the south coast of Ireland experienced a tsunami following the Lisbon earthquake in the early 18th century and that there is also geological evidence that Ireland may have experienced the effects of similar tsunamis in pre-historic times.

Issues relating to the potential risk of Ireland being hit by tsunamis in the future are currently being studied by the Department of Communications, Marine and Natural Resources. These issues include the feasibility of an early warning system, a suitable communications response and the establishment of an appropriate research programme to support policy and decision making. Issues regarding national planning to deal with emergencies of this nature are a matter for the Government task force on emergency planning, chaired by the Minister for Defence, and for the office of emergency planning in the Department of Defence.

Local Authority Housing.

1320. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government if he will supply funding for the upgrading of estates

(details supplied) in County Limerick. [34594/04]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Limerick County Council recently submitted an application to my Department for funding under the remedial works scheme for the refurbishment of the Sharwood and Castleview estates in Newcastle West. The proposals are currently under examination in my Department and a decision will be made on them as soon as possible.

Wildlife Acts.

1321. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government the number of prosecutions instigated by his Department against game shooters for breaches of the hunting provisions of the Wildlife Acts 1976-2000 for each of the years 2000, 2001, 2002, 2003 and 2004. [1021/05]

1322. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government

Licence	2000	2001	2002	2003	2004
Deer	1,763	1,902	2,018	2,215	2,443
Foreshore	575	511	429	239	616
Pen-reared Game Birds	61	52	48	51	56
Out of State Shooters*	2,962	2,670	0	0	0
TOTAL	5,361	5,135	2,495	2,505	3,115

* Under the Firearms (Firearm Certificates for Non Residents) Act 2000, the licensing function for non-residents visiting Ireland and wishing to hunt and shoot transferred from the Department of Arts, Heritage, Gaeltacht and the Islands to the Department of Justice, Equality and Law Reform with effect from 1 March 2002.

Archaeological Sites.

1324. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government when he will make a decision regarding the Woodstown archaeological site in County Waterford; and if he will make a statement on the matter. [1024/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Viking site at Woodstown was discovered during the course of archaeological investigations in advance of the construction of the N25 Waterford bypass which were being carried out on behalf of Waterford City Council under the auspices of the NRA. A report on the outcome of these archaeological investigations which identified a previously unknown Viking site was submitted to my Department and is available on the NRA website.

My Department issued directions under the National Monuments Acts 1930 to 2004 requiring further studies to be carried out by the road developers to establish the archaeological potential of a marsh area at the western end of the site

the number of prosecutions initiated by his Department against game shooters for breaches of the hunting provisions of the Wildlife Acts 1976-2000 which succeeded in the courts in each of the years 2000, 2001, 2002, 2003 and 2004. [1022/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1321 and 1322 together.

The information sought is being compiled and will be forwarded to the Deputy as soon as possible.

1323. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government the number of hunting licences issued by him to game shooters under the Wildlife Acts 1976-2000 for each of the years 2000, 2001, 2002, 2003 and 2004. [1023/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The following table gives a breakdown of the licenses issued to game shooters under the Wildlife Acts 1976 and 2000 during the years in question.

and the reports on the results of these additional investigations have been submitted. The above earlier reports are being examined with a view to preparing further directions for issue to the road authority regarding the site. These would issue following consultation with the National Museum in accordance with the provisions of the National Monuments Acts 1930 to 2004. I intend that this process will be completed as soon as possible.

Water and Sewerage Schemes.

1325. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government the proposals he has to fund an extension to the Adamstown water treatment plant, County Waterford; and if he will make a statement on the matter. [1025/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Adamstown water treatment plant is being extended as part of the east Waterford water supply scheme, stage 2, phase 2, which has been approved for construction in my Department's Water Services Investment Programme 2004 — 2006, at an estimated cost of €20.25 million. Contract documents

[Mr. Roche.]
for the civil and mechanical and electrical works related to the Adamstown extension are under examination in my Department and will be dealt with as quickly as possible.

Departmental Reports.

1326. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government if he will give details of the report prepared by a company (details supplied) for his Department on building land; the terms of reference of this report; if the report has been published; the action he now proposes to take in this regard; and if he will make a statement on the matter. [1026/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The report in question was published on 15 December 2004 and is available in the Oireachtas Library. The consultant author was requested to provide an economic proofing of a possible scheme aimed at accelerating the supply of land for affordable housing development, based the principle of “Use it or Lose it”.

In broad terms, the proposed scheme would have opened on the following lines: a local authority would identify suitable plots of land for development following an examination of housing needs; the land would be designated for acquisition by the local authority and the owner would be given a specified period in which to secure planning permission; once the landowner secured planning permission, a further time limit would be set for the completion of the development; if the landowner failed to comply, the local authority could acquire the land by compulsory purchase; the price paid for such land would be at a specified percentage above agricultural value; and if a local authority acquired land in this manner, it would be required to develop it or procure its development within a specified timeframe.

The economic proofing of this proposal was carried out by reference to the position in three housing authorities, two urban and one rural. The analysis included a profile of development land available for housing in the areas concerned, the identification of any factors impeding its supply to the market, including the possible hoarding of land, and an evaluation of the market and other impacts of the proposal.

My Department is considering the findings of this report, as well as the ninth progress report of the All-party Oireachtas Committee on the Constitution on the subject of property rights, and report No. 112 of the National Economic and Social Council — “Housing in Ireland: Performance and Policy”.

Waste Management.

1327. **Mr. F. McGrath** asked the Minister for

the Environment, Heritage and Local Government the detailed breakdown in both tonnage and percentages of waste here, that is, household waste, industrial waste, commercial waste, building waste and agricultural waste; and the amount recycled each year. [1027/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): National waste statistics are collated and published by the EPA. Its most recent report, the National Waste Database 2003 Interim Report, shows 3,001,016 tonnes of municipal — household and commercial — waste was generated in that year and that 28.4% was recovered. This continues a positive trend — equivalent rates for 2002 and 2001 were 21% and 13% respectively — and suggests that we may significantly exceed our diversion of municipal waste from landfill target of 35% by 2013.

Household waste accounted for 1,596,501 tonnes of municipal waste in 2003, of which 13% was recovered. While this is an improvement over the 9% household waste recovery reported for 2002, it will be a challenge to deliver a household waste recovery and recycling rate of 50% by 2013. Commercial waste accounted for a further 1,332,735 tonnes of municipal waste and some 47% of commercial waste was recovered, a further significant improvement.

Recovery rates for other waste streams are also encouraging. Some 1,006,287 tonnes of packaging waste were generated in 2003 but 41.7% was recovered. This suggests that we are on target for our 2005 target of 50% recovery. Of 1,683,477 tonnes of biodegradable waste, 32% was recovered, representing a reduction in the amount of biodegradable waste landfilled.

Statistics for industrial, construction and agricultural waste were last generated for the National Waste Database Report 2001. The recovery of construction and demolition waste was then estimated to have increased from 1,171,572 tonnes or 43.3% in 1998 to 2,364,886 tonnes or 65.4% in 2001. The recovery rate of industrial waste was estimated to be at 25.5% in 2001. Agriculture is the biggest single waste source in Ireland and in 2001 accounted for more than 56 million tonnes of waste generated. A high proportion of agricultural waste is land spread, which constitutes a recovery activity, but detailed figures on recovery rates are not available.

Local Authority Housing.

1328. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government the position regarding the five year housing plan submitted by Limerick County Council to his Department. [1126/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): A letter conveying my Depart-

ment's approval to Limerick County Council's Action Plan for Social and Affordable Housing 2004 — 2008 issued on 23 December 2004.

Social and Affordable Housing.

1329. **Mr. O'Connor** asked the Minister for the Environment, Heritage and Local Government his plans to review the shared ownership scheme to ensure that it continues to make a major impact in respect of those persons in need of housing; and if he will make a statement on the matter. [1127/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): In addition to a number of technical changes which were made to the shared ownership scheme with effect from 1 January 2003, I announced last July that significant improvements to the loan and income eligibility limits for shared ownership and affordable housing schemes had been made. The revised income limit was increased to €36,800 for a single income household and €92,000 for a two income household, while the maximum loan that can be advanced for a local authority house purchase is €165,000. In addition, the period for which local authorities may advance loans has been extended from 25 years to 30 years.

Notwithstanding these improvements, the terms of the scheme will continue to be kept under review. In this regard, the NESC report, "Housing in Ireland: Performance and Policy", which was published at the end of 2004, outlines the factors underpinning the development of the housing sector in Ireland. In light of the report, the Government will consider any further changes required to the terms and conditions of the various housing schemes, within the resources available, to better address our aims.

Planning Issues.

1330. **Mr. O'Connor** asked the Minister for the Environment, Heritage and Local Government the legal status of the €20 planning objections charge currently enforced by local authorities; the effect which recent European Court decisions have on the issue; and if he will make a statement on the matter. [1128/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): On 23 January 2003, the European Commission issued Ireland with a reasoned opinion to the effect that the €20 fee for making a submission on a planning application which requires environmental impact assessment is contrary to the public participation provisions of Directive 85/337/EEC on environmental impact assessment, EIA. A reply issued to the European Commission on 16 May 2003, responding to each of the points raised in the reasoned opinion and setting out our contention that

the imposition of a €20 participation fee is not in conflict with the provisions of the directive.

On 22 July 2003, the European Commission issued a press release in which it stated its intention to refer the case to the European Court of Justice. No official communication has been received from the Commission to date. I have no plans to amend the relevant regulations, which reflect an approach endorsed by the Oireachtas in the context of the Planning and Development Act 2000.

Litter Pollution.

1331. **Mr. O'Connor** asked the Minister for the Environment, Heritage and Local Government if he will make additional resources available to South Dublin County Council to allow the council tackle the huge problem of litter in communities; if his attention has been drawn to the importance of this issue in Brittas, Firhouse, Greenhills, Templeogue, Tallaght and other parts of Dublin south west; and if he will make a statement on the matter. [1129/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keefe): Each local authority determines its level of expenditure on individual local services, including its anti-litter operations, as part of its annual estimates process. Such expenditure is funded from a variety of sources, including the local government fund, rates, fees and charges. In addition, since 1997 my Department has allocated a total of more than £4.35 million in grants to local authorities for public education and awareness initiatives against litter. South Dublin County Council received €110,000 in grant aid during this period. I envisage making further allocations of this kind to local authorities in 2005.

My Department also provides financial support for two national anti-litter initiatives, that is, the An Taisce led project, "National Spring Clean", and the Irish business against litter — IBAL — national litter league, and has developed the national litter pollution monitoring system currently being implemented by local authorities. Those initiatives are aimed at raising public participation in local awareness and clean-up actions and encouraging more rigorous and targeted action by local authorities to tackle litter pollution in their functional areas.

Primary responsibility for developing and implementing responses to the litter problem rests appropriately with local authorities. In all the circumstances, it is not proposed to earmark additional sources of funding to local authorities for litter prevention.

Nuclear Plants.

1332. **Mr. O'Connor** asked the Minister for the Environment, Heritage and Local Government if

[Mr. O'Connor.]

he will report on his efforts to have the Sellafield plant closed; if his attention has been drawn to the huge interest in this issue; and if he will make a statement on the matter. [1130/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In accordance with the commitment in the agreed programme for Government, the policy of this Government is to bring about the safe and orderly closure of Sellafield. This is based on our concerns about the potential hazards arising from a nuclear accident or incident, the impacts of radioactive discharges on the marine environment, concerns about the generation, management and disposal of radioactive waste and the risk posed by the associated transport of radioactive materials through the Irish Sea.

The UK response to these concerns is that radioactive discharges from Sellafield pose no threat to human health or the environment, that the Sellafield plant and related transports are safe and secure and that the legacy wastes arising from the UK's nuclear programmes are being addressed through the establishment of the Nuclear Decommissioning Agency.

Ongoing contact through correspondence and meetings at ministerial, official and expert level is being maintained with the UK authorities regarding a range of issues surrounding the Sellafield nuclear plant. These contacts are productive and reflect an increasing recognition by the UK Government of the serious concerns held by the Irish Government about Sellafield. There remains, however, a significant difference of views between the Irish and UK Governments regarding the continued operation of Sellafield.

The Government also initiated international legal proceedings against the UK under the United Nations Convention on the Law of the Sea, UNCLOS, regarding the Sellafield mox plant. The current position with the litigation by Ireland under UNCLOS is that the arbitration remains suspended pending resolution of jurisdictional issues in the dispute, which were raised by the European Commission. However, the tribunal in the case issued an order on 24 June 2003 after hearing an application by Ireland for provisional measures.

The provisional measures award and orders recommended that Ireland and the UK enter into dialogue to improve cooperation and consultation between the two governments and report to the tribunal on specified dates. The most recent report to the tribunal was submitted on schedule by both parties on 30 November 2004. In line with the obligation on both parties to improve cooperation and coordination arrangements, complex discussions, confidential to the tribunal and the parties pending outcomes, are at present continuing.

It was my stated intention to report on progress arising from this process at the appropriate instance and the signing of an agreement on notification and exchange of information arrangements between Ireland and the UK on 10 December 2004 afforded the two parties an opportunity to do so. The agreed package of measures announced is designed to address a wide range of issues related to nuclear safety and includes, *inter alia*, the facilitating of visits to Sellafield by the Radiological Protection Institute of Ireland and the Garda Síochána, provision of access for the institute to the UK's radiation monitoring system and a series of initiatives to develop and improve existing co-operation arrangements between both Governments.

As well as contacts with ministerial colleagues, my officials and scientific experts from the institute continue to meet their UK counterparts on a regular basis, during which Ireland's concerns regarding operations at Sellafield are raised. Such contacts continue to be productive. However, there remains a significant difference of views about operations at Sellafield. The UK response to concerns raised by Ireland is that operations at Sellafield are safe and do not adversely impact on the environment. This Government holds a significantly different view and has at every opportunity expressed these views directly to the UK Government and its relevant authorities at all levels. The Government will continue to explore further options regarding to Sellafield as they become available.

I am aware of the deep public interest in this area and I will continue to highlight Ireland's concerns on Sellafield and the nuclear industry generally to my UK ministerial counterparts.

Air Pollution.

1333. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government the steps he intends to take to reduce air pollution in cities; if he intends to introduce legislation to allow local authorities to random test for smoke emissions and to impose fines for those in breach of emission limits; and if he will make a statement on the matter. [1149/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keeffe): Air quality assessment is the responsibility for the Environmental Protection Agency, EPA, and air quality management a matter for local authorities informed by air quality measurement data. The EPA's air quality monitoring annual report 2002 indicates that the limit values for pollutants under the EU air quality directives on ambient air quality were not being exceeded in 2002 and from the Dublin City Council air quality monitoring annual report 2003-2004 and preliminary EPA data I understand this to be the position also for 2003. Copies

of both reports are available in the Oireachtas Library.

Air quality in Ireland is, therefore, generally good with the main concern in cities arising from vehicle emissions. Measures to combat this include EU vehicle emission control and cleaner fuel specifications, a VRT system favouring smaller cars and a 50% rebate for hybrid vehicles, the national car test and significant investment in public transport infrastructure and projects such as the Dublin Port Tunnel, town bypasses and so forth. In budget 2005, the Minister for Finance announced his intention to introduce a further duty differential for sulphur free fuels this year as an environmental measure.

Under the Air Pollution Act 1987, the occupier of any premises other than a private dwelling is required to use the best practicable means to limit and, if possible, to prevent emissions, including smoke emissions, from such premises. In addition, the occupier of any premises is prohibited from causing or permitting an emission in such a quantity or manner as to be a nuisance. The Act provides local authorities with powers to prevent or limit air pollution and penalties include fines and/or imprisonment upon conviction.

Emissions of smoke from the burning of solid fuel have been significantly reduced by the ban on the marketing, sale and distribution of bituminous coal in 16 urban areas which is enforced by relevant local authorities and includes the taking of prosecutions as appropriate. In addition, a 2002 agreement with the Solid Fuel Trade Group has led to significant reductions of sulphur in all coals and petcoke sold nationally as well as increased smokeless fuel penetration in a number of additional urban areas. Moreover, I intend shortly to seek Government approval for a strategy to further reduce national emissions of certain transboundary air pollutants by 2010.

Against this background, the promotion of new legislation in this area is not envisaged at this time.

Local Authority Charges.

1334. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government if uniformity of approach to all senior citizens across local authorities in respect of bin charges will be respected. [1160/05]

1341. **Ms O'Sullivan** asked the Minister for the Environment, Heritage and Local Government if

he will, in conjunction with the Minister for Social and Family Affairs, establish a national waiver scheme for refuse charges; and if he will make a statement on the matter. [1266/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1334 and 1341 together.

The provision by a local authority of a waiver in respect of all or part of a charge in respect of the provision of a waste service by, or on behalf of, that authority is solely a matter for the local authority concerned. However, inconsistencies in the availability of waivers and related issues connected with waste charges have been brought to my Department's attention in discussions with the social partners in the context of the Sustaining Progress special initiatives and, more recently, in the context of the move to pay-by-use charges. This matter is the subject of continuing discussion with the Department of Social and Family Affairs.

Consultancy Contracts.

1335. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government if he will provide a comprehensive list of all meetings attended by a person (details supplied) since the beginning of that person's contract with his Department; the date on which the meetings occurred; the persons who attended those meetings; the subject discussed; and if he will make a statement on the matter. [1177/05]

1336. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government when the steering group to oversee the work of consultants in implementing a communications strategy for the national spatial strategy was set up; the dates it met; the dates on which a person (details supplied) attended; the names of those on the steering group; the person who appointed them; and if he will make a statement on the matter. [1178/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Question Nos. 1335 and 1336 together.

It would not be practicable to prepare a comprehensive list of all meetings attended by the person concerned over the period of some two and a half years for which she has been contracted to my Department. The Department's records indicate, however, that the person concerned attended, *inter alia*, the following meetings.

Race Against Waste awareness campaign.

Meeting	Date of Meeting	Details of Meeting
Assessment panel	7 April 2003 12 May 2003	The purpose was to evaluate tenders received for the awareness campaign. The membership of the panel comprised the following departmental officials: K. Kelleher, L. Whelan, F.O Coigligh, Bl Leech, D. Kearney, J. Kiernan (Department officials) as well as the person concerned.

Meeting	Date of Meeting	Details of Meeting
Steering committee and communications subgroup	25 June 2003 3 July 2003 9 July 2003 16 July 2003 23 July 2003 22 August 2003 28 August 2003 10 September 2003 16 September 2003 24 September 2003 9 October 2003 21 October 2003 4 November 2003 14 November 2003 26 November 2003 3 December 2003 19 December 2003 7 January 2004 12 January 2004 3 March 2004 11 March 2004 19 May 2004 9 June 2004 21 September 2004 12 October 2004 19 October 2004 25 November 2004	The purpose was to oversee the implementation of the campaign. The membership of the committee was J. Kelleher, P. Macken, J. McCarthy, B. Leech, B. Linehan, D. Kearney, J. Kiernan, P. Morrissey, P. Fenton (Department officials) as well as the person concerned. The subgroup comprised some of the members of the committee including the person concerned. Meetings were also attended by different representatives of the consultant who was awarded the contract for the campaign.
Meeting with the Minister and an advisory group representative of thirteen organisations.	11 March 2004	The purpose of the meeting was to consult various stakeholders on the waste awareness campaign. J. McCarthy (Department official) also attended.

Electronic Voting awareness campaign.

Meeting	Date of Meeting	Details of Meeting
Meetings of the tender evaluation team for the awareness campaign	22 October 2003 28 October 2003	The membership of the team comprised P. Greene, M. Murphy, M. Ryan and D. Walsh (Department officials) as well as the person concerned.
Meetings with the successful tenderer to oversee the implementation of the awareness campaign	15 January 2004 29 January 2004 24 March 2004 13 April 2004	The meetings were attended by some members of the above team as well as representatives of the campaign consultant.

Review of local government financing.

Meeting	Date of Meeting	Details of Meeting
Meeting of the steering group	1 December 2003 15 January 2004 6 February 2004	The purpose of the steering group was to recommend a consultant to carry out the review. The membership of the group comprised T. Corcoran, J. Fitzgerald (Department officials), F. Foster (Department of Finance), J. Fitzgerald (Dublin city manager), D. O' Donoghue (Galway city manager) as well as the person concerned.

National Inventory of Architectural Heritage awareness campaign.

Meeting	Date of Meeting	Details of Meeting
Discussion of a potential awareness campaign	12 February 2003	Meeting between the person concerned and D. Fadden (Department official).
Meeting of the tender assessment group	25 June 2003	The group, comprised B. Pocock, P. McNally, W. Cumming (Department officials) as well as the person concerned.
Meeting of the same group and representatives of the successful tenderer	3 July 2003	The purpose was to discuss the plan for the campaign.

Other.

Meeting	Date of Meeting	Details of Meeting
Meetings in Waterford	11 March 2003 7 May 2003 31 October 2003	To prepare arrangements for the informal meetings of EU Environment Ministers in 2004. N. Behan (Department official) also attended.
EU Environment Informal Council, Waterford	14-16 May 2004	Collaborated with Department staff in coordinating arrangements for Council.
Meeting with D. Murphy (Director Met Éireann)	22 December 2004	To advise on Met Éireann's communication requirements.
Meeting with B. Linehan (Department official)	19 January 2005	Preliminary discussion to assess the scope of ENFO's publications.

Meetings Abroad.

Meeting	Date of Meeting	Details of Meeting
Attendance at various international meetings as part of a delegation led by the Minister		Details are set out in reply to Questions Nos. 1335 and 1336 on today's Order Paper.
Study tour to Holland in relation to waste	21 to 23 January 2004	The group comprised J. McCarthy, P. Macken, B. O'Neill, J. Burns (Department officials), local authority environmental awareness officers and journalists.
Informal meeting of EU Environment Ministers in Athens	2 to 4 May 2003	The person concerned accompanied Minister of State Deputy Gallagher and G. Tallon and N. Behan (Department officials).

The communications contract dated October 2000 for the national spatial strategy provided that a steering committee to oversee and manage the contract was to be established, composed of representatives of the Department of the Environment, Heritage and Local Government's spatial planning unit and the NDP/Structural Funds unit of the Department of Finance. The Department's then communications co-ordinator was an original member of the steering committee and gave this function in July 2002 to the person concerned.

The consultants were required to report to the steering committee as the project proceeded. The consultants were also required to work closely

with the Department's spatial planning unit during all phases of the project. At the start of the consultancy it was planned that the steering committee would meet with the consultants on a fortnightly basis. In the period leading up to the publication of the national spatial strategy it was decided that the communications campaign should be intensified considerably. Additional work was put in hands on the presentation aspects of the strategy, media briefings, publicity and other briefing material. Many of the steering committee meetings were held at short notice and are not formally recorded on the Department's files. Specific records of committee meetings are set out in the following table.

Meeting	Date of meeting	Details of meeting
Steering Committee to oversee and manage the communications contract	2 November 2000 11 December 2000 8 January 2001 17 January 2001 29 January 2001 5 February 2001 21 February 2001 4 May 2001 25 July 2002 3 September 2002 1 October 2002 3 October 2002 6 November 2002	The steering committee was composed of representatives of the Department's spatial planning unit, the Department's communications coordinator (2000 to 2002), the Department's communications consultant (July 2002 onwards) and the NDP/Structural Funds unit of the Department of Finance.
Workshop in relation to communications message planning.	14 November 2002	The workshop was in relation to the launch of the NSS.

Local Authority Funding.

1337. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government the names of those who tendered for the contract for communications elements related to initiatives on local government funding; the name of

the successful company or companies; if this was the lowest tender; the nature of the work involved; and if he will make a statement on the matter. [1179/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A communi-

[Mr. Roche.]
cations element did not form part of the request for tenders for the review of local government financing which is currently being undertaken by Indecon International Economic Consultants in association with the Institute of Local Government Studies.

Departmental Contracts.

1338. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government the names of those who tendered for the contract for placing advertisements relating to the National Inventory of Architectural Heritage; the name of the successful company; if this was the lowest tender; the nature of the work involved; and if he will make a statement on the matter.

[1180/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Three valid tenders were received to promote the National Inventory of Architectural Heritage publications. They were from: QMP, Bates Ireland — now Hunter-Redcell and Ican. The successful tenderer was Bates Ireland. Although its tender was not the lowest it was considered to be the most economically advantageous.

The purpose of the contract is to advertise architectural heritage surveys as they are published on a county by county basis by designing press and radio adverts and placing them with relevant local media.

Traveller Accommodation.

1339. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he received a letter from the Taoiseach concerning the housing needs of persons (details supplied) in County Roscommon; if he has contacted Roscommon County Council on the matter; if he has received a reply from Roscommon County Council; and if he has satisfied himself that Roscommon County Council discharged its statutory responsibilities in this matter. [1264/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I have received correspondence from the Taoiseach as well as correspondence directly from the person referred to in the question about his family's accommodation position.

My function in relation to Travellers is to ensure that there is an adequate legislative and financial framework in place within which local authorities, relevant voluntary bodies and Traveller organisations may provide or be assisted in the provision, management and maintenance of accommodation for Travellers. I am precluded by section 11(9) of the Housing Act 1988 from

directing a local authority concerning the letting of a dwelling to any individual person.

From inquiries made from Roscommon County Council, I understand that the council has made offers of both temporary and permanent accommodation in this case. In late 2000, a site owned by the council, two kilometers from Boyle, was identified, services were provided on the site and a new mobile home was provided on the site for the family in question. The family was informed that this site was being provided as an interim solution, pending the provision of permanent accommodation. The family did not accept the offer and left County Roscommon in December 2000, returning in September 2001.

In September 2002, the family was offered tenancy of a house approximately 1.6 kilometers from Boyle town. It was made clear to the family that this house would be extended to meet its needs. The council has already provided temporary facilities at this site — a parking area for the mobile home and sanitary services — that could be used while the existing house is being extended. This offer of accommodation, which I understand has been refused, is still open to the family. The council further informed me that it has not identified any other suitable house to meet the needs of this family. I am satisfied that the council is making all reasonable efforts to provide for the accommodation needs in this case.

Water and Sewerage Schemes.

1340. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government the position regarding the provision of a sewerage scheme for Askeaton, County Limerick.

[1265/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Askeaton sewerage scheme, which is being advanced as part of a grouped project, is included in my Department's Water Services Investment Programme 2004 — 2006 as a scheme to commence construction this year. My Department is awaiting the submission by Limerick County Council of a preliminary report for the scheme.

Question No. 1341 answered with Question No. 1334.

Question No. 1342 answered with Question No. 1302.

Planning Issues.

1343. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government if guidelines will be drawn up to ensure that new one-off rural houses can be reserved for those working in agriculture; and if he will make a statement on the matter. [1268/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In March 2004, guidelines for planning authorities on sustainable rural housing were published in draft form to give all those interested an opportunity to comment before the guidelines are finalised. I expect to be in a position to issue the guidelines in final statutory form shortly.

It is a central objective of the guidelines to facilitate people who are part of or contribute to rural communities to gain planning permission for their housing proposals, subject to normal planning requirements in matters such as siting, waste water treatment and safe access. The guidelines call for development plans to incorporate examples and suggestions as to the broad categories of circumstances which would indicate that proposals for rural housing development are intended to meet the needs of a person who is part of the rural community. Such examples would include farmers, their sons and daughters and or any persons taking over the ownership and running of farms, as well as people who have lived most of their lives in rural areas and are building their first homes and those in part-time occupations where the predominant occupation is farming or is natural resource related.

The examples given are of an illustrative nature and are not intended to be exhaustive. The guidelines ask each planning authority to make its own assessment, in the context of its development plan, of the scope and extent of rural housing needs to be considered taking into account local conditions and relevant planning issues.

In addition, the guidelines point to the need to attach appropriate conditions to permissions for houses in rural areas in the vicinity of the larger cities and towns, intended for those who are part of the rural community, requiring that such houses be occupied for a specified period by the applicants and/or their families. Applying such a requirement in appropriate cases enables planning authorities to respond positively to applications from such persons in the areas where development pressure is acute, for example, in the vicinity of the larger cities and towns. It is considered reasonable that an applicant getting permission in such an area on the basis of having an identified rural housing need should be asked to comply with such an occupancy condition.

Question No. 1344 answered with Question No. 1302.

Question No. 1345 answered with Question No. 1301.

Question No. 1346 answered with Question No. 1303.

Question No. 1347 answered with Question No. 1302.

1348. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government if he has considered the new development plans for Wicklow, Kerry and Donegal; if those plans will facilitate an increase in one-off rural houses which may destroy environmental and tourist sensitive areas in these counties; and if he will make a statement on the matter. [1273/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The determination of the policies and objectives to be incorporated in any individual development plan is primarily a matter for planning authorities in accordance with the relevant statutory requirements. Under the Planning and Development Act 2000, planning authorities are required to prepare a development plan every six years and to send notice and a copy of the draft development plan to my Department.

My Department issued comments about the draft county development plans for Kerry in April and October 2003 and Wicklow in September 2004. These comments raised a variety of issues, including matters relating to the rural policy framework set out under the national spatial strategy, the draft guidelines on sustainable rural settlement and the need for plans to reflect relevant regional planning guidelines policies. The local authorities were asked to take account of the issues raised in finalising their development plans.

The current Donegal county development plan is in the process of being reviewed and, on foot of a request from the planning authority at the commencement of the review process for submissions/observations, my Department issued comments in October 2004. I do not consider that any of the plans referred to, if properly implemented, will compromise environmental and/or tourist sensitive areas in those counties.

Turbary Rights.

1349. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government if he will furnish a response to correspondence (details supplied); and if he will make a statement on the matter. [1372/05]

1378. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government when a person (details supplied) in County Roscommon will receive a top up payment for the purchase of bog; and if he will make a statement on the matter. [1904/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1349 and 1378 together.

My Department concluded an agreement with the farming pillar under Sustaining Progress in July 2004. A major part of this agreement involved increased rates of compensation for the

[Mr. Roche.]

cessation of turf cutting in bogs that have been statutorily proposed for designation. The new rates are deemed to reflect the increase in the value of bogs since the original scheme was launched in March 1999.

Under the cessation of turf cutting scheme, all sales of bogs and turbary rights are entered into voluntarily. All parties entering into an agreement prior to the new rates being announced agreed to the compensation rates applicable at that time. The revised rates will apply to all vendors who agree to sell their bog/turbary to my Department after the date of the current agreement. As an exceptional measure I have agreed that the new rates will be applied retrospectively by means of an additional *ex gratia* payment in respect of any earlier purchases of raised bogs included in the December 2002 designation proposals.

The new rates include a scaled incentive payment up to a maximum of €6000, additional to the rate per acre for purchase of bog or turbary. For people whose bogs were statutorily proposed for designation prior to 1999 and who have already sold to the Department, it was agreed that the new additional scaled incentive payment would be applied retrospectively, with the previous €1,270 or Ir£1000 bonus, where already paid, being deducted. I am advised that the person named is in this pre-1999 category and is due to receive a payment which will issue shortly.

Waste Management.

1350. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government the action he is taking to address the delays in collecting farm plastic through the farm relief services; the revenue collected in each of the past five years from the collection levy for farm plastics; the average waiting time for the collection of material; and if he will make a statement on the matter. [1378/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under the Waste Management (Farm Plastics) Regulations 2001, producers, that is, manufacturers and importers of farm plastics such as silage bale wrap and sheeting, are required to take steps to recover farm plastics waste which they have placed on the market or alternatively to contribute to, and participate in, compliance schemes to recover the waste in question. The farm plastics recovery scheme operated by the Irish Farm Film Producers Group, IFFPG, is the sole “approved body” in Ireland for the purposes of implementing a compliance scheme for the recovery of farm plastics waste and has operated successfully to date.

Under the IFFPG scheme, producers apply a levy on the sale of farm plastics which in turn is

transferred to the IFFPG for use in funding the collection and recovery of farm plastics waste. The IFFPG is a not for profit organisation and the rate of levy applied is set by the company so that its operational costs are covered. The engagement of collection companies to collect farm plastics waste is a matter for the IFFPG.

Local Government.

1351. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government if he will shortly implement the relevant section of recent local Government legislation to allow for the formation through election of new town councils; and if such elections will be held in the urban areas of Ballincollig, Carrigaline and Douglas in County Cork. [1417/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Local Government Act 2001 modernises the legislative framework, supports community involvement with local authorities in a more participative local democracy and underpins generally the programme of local government renewal, including the position of county and city councils as the primary units of local government.

The Act takes account of the recommendations of the 1996 report of the reorganisation commission towards cohesive local government, town and county, regarding improved accessibility, interaction and linkages for all towns within their local county council areas as the way forward. Section 185 of the Act provides that qualified electors of a town having a population of at least 7,500 as ascertained at the last preceding census and not having a town council may make a proposal for the establishment of such a council, in line with the population threshold recommended in that report. Under the relevant provisions of the Act, which I hope to commence in the near future, a proposal to establish a town council is, therefore, a matter for the local community in the first instance and a decision on whether to proceed further with such a proposal is a reserved function of the relevant county council, following a public consultation process.

1352. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government if he intends in the near future to extend the functions of town councils, which previously had been town commissions. [1418/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Local Government Act 2001 has been designed to provide a modern legislative framework for all local authorities. Under the Act all town councils, including former town commissioners, may take action to promote the community interest; exercise a representational role, with an office of mayor and structured linkage to the county

council; provide local amenities and raise a local community contribution; make local by-laws and have statutory input to the local development plan process under the planning code.

Certain town councils, other than former town commissions, are under the relevant statutory service codes responsible for certain mainline functions in the housing, roads and sanitary services areas. The Oireachtas, in its comprehensive review and restatement of local government legislative powers in recent years, did not extend responsibility for such mainline functions to additional town councils and legislation would be required to amend this position. I will keep the position generally under review in the ongoing local government modernisation programme with the aim of ensuring good accessible service delivery at town and county level.

Special Areas of Conservation.

1353. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government if he has received representations to reduce the acreage of a special area of conservation (details supplied) in County Kerry; and if he has given consideration to these representations. [1419/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The lands known locally as the Spit of Inch are located in candidate special area of conservation, cSAC, 000343 Castlemaine Harbour. While I have received representations recently concerning the use of the lands at Inch, these did not seek reduction of the extent of the cSAC. An appeal was lodged in 1997 against inclusion of lands at Inch in the cSAC, but, in view of High Court proceedings, the appellants did not pursue the appeal.

Water and Sewerage Schemes.

1354. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government the measures being considered to improve water supply in Belgooly, County Cork. [1420/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Belgooly water and sewerage scheme has been approved for funding in my Department's Water Services Investment Programme 2004 — 2006, under the serviced land initiative, at an overall estimated cost of €1.05 million. Cork County Council's preliminary report for the water element of the scheme, and an associated application for increased funding, are under examination in my Department and will be dealt with as quickly as possible.

Hare Coursing.

1355. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government if

he has examined the effect of the ban on hare coursing in Northern Ireland and the way in which such a ban might impact here. [1421/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am aware that the Northern Ireland authorities have recently renewed a ban on hare coursing in their jurisdiction which was introduced in January 2004. In the experience of my Department's National Parks and Wildlife Service, the main determinant of hare population levels is the availability of suitable habitats and land management practice and capture of hares for coursing does not significantly impact on their conservation.

The licensing provisions of the Wildlife Acts 1976 and 2000 are designed to regulate the hunting of wildlife at sustainable levels. The licence issued under section 26(3) of the Wildlife Act 1976, as amended, to the Irish Coursing Club for the season 2004-2005, prescribes a number of conditions relevant to conservation and prohibits the export of hares out of this jurisdiction. No Northern Ireland based coursing club is covered by the licence.

A steering group comprising members of staff from my Department and from the environment and heritage service of the Department of the Environment in Northern Ireland has been set up to draft an all-Ireland species action plan for the Irish hare. Work on drafting this plan commenced in June 2003 and is expected to be finalised by March 2005. A survey to estimate hare numbers in Ireland is expected to be one of the strategies proposed in the plan. Once the plan has been finalised implementation of identified strategies will commence.

Environmental Policy.

1356. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government if he has satisfied himself that sufficient legislative protection exists to protect the stock of holly trees in the country. [1422/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The holly is a common shrub or small tree of deciduous woodlands and hedgerows, especially in upland areas. I am aware of concerns recently expressed regarding the impact of cutting of holly from hedgerows. Cutting of holly for traditional Christmas use can indeed cause unsightly localised damage but holly is extremely resilient and grows back strongly after having been cut. This is one of the reasons it is a successful hedgerow tree.

Holly has not been a protected species under the Wildlife Acts and it is not considered appropriate at this stage to change this position.

Building Regulations.

1357. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the varying policies of local authorities towards the construction of timber frame housing; and if his Department has a policy encouraging local authorities to develop such housing. [1423/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): It is open to local authorities to consider alternative methods of construction for housing projects as a substitute to the traditional masonry construction method provided such alternative construction methods comply with the building regulations and my Department's social housing design guidelines.

My Department published, for public consultation, an independent study in December 2003 on the use of timber frame housing in Irish conditions. The study acknowledges the potential for increased use of timber framed housing in Ireland and recommended that a number of pilot social housing projects should be developed using alternative methods of construction. My Department is in contact with a number of local authorities in this regard.

Social and Affordable Housing.

1358. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government his Department's policy regarding the provision of houses, both SI and scheme houses, for single male applicants. [1442/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Single men who are unable to provide housing for themselves from their own resources are entitled to apply for social housing which is provided by either a local authority or a voluntary housing body. While it is a matter for individual local authorities to decide on the allocation of houses to single persons and other categories on their waiting lists in accordance with their schemes of letting priorities, my Department continues to advise local authorities of the need to provide a reasonable mix of dwellings suited to the different kinds of households already on waiting lists and to plan their future programmes taking account of the estimated size and type of households likely to be seeking housing in the future.

Water and Sewerage Schemes.

1359. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government when his Department will give approval for the Gweedore sewerage scheme in County Donegal to go out to tender. [1443/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Gweedore sewerage scheme is included in my Department's water services investment programme 2004-06 to start construction in 2005. A certificate of completion of planning is awaited from Donegal County Council to enable my Department to finalise its consideration of the contract documents for the scheme.

1360. **Cecilia Keaveney** asked the Minister for the Environment, Heritage and Local Government the position in relation to a group water scheme (details supplied) in County Donegal; and if he will make a statement on the matter. [1445/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Contract three of stage 1 of the Desertegney water supply scheme, which is a public rather than a group water scheme, is included in my Department's water services investment programme 2004-06 to commence construction as soon as possible. Additional information is awaited from Donegal County Council to allow my Department to finalise its consideration of the contract documents for the scheme.

National Parks.

1361. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government the position in respect of a project (details supplied) in County Mayo; the nature of the delay in this project; if a working group was set up between the community, the OPW and the council; when he expects the planning process for the project to be sorted out; and if he will make a statement on the matter. [1446/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A sum of €3.81 million has been allocated by my Department under the National Development Plan 2000-2006 for the construction of a new visitor centre to serve Ballycroy National Park, County Mayo. This is Ireland's sixth national park, established in 1998, and it incorporates some 11,800 hectares of blanket bog. An attractive and extensive site of 42.3 hectares has been purchased by my Department for the visitor centre in the village of Ballycroy. To advance the project in a spirit of co-operation and mutual understanding, a working group consisting of officials of my Department as well as representatives of local community and tourism groups, Mayo County Council and the Office of Public Works was established and has met frequently, most recently on 13 December 2004.

A planning application for the proposed visitor centre was lodged with Mayo County Council by the Office of Public Works on behalf of my Department last summer. Additional detailed

information requested by the council is being finalised at present and I expect that this will be supplied to Mayo County Council by mid-February at the latest. Subject to planning approval being obtained, I am optimistic that this project can proceed and that Ballycroy National Park, County Mayo, will have an excellent new visitor centre before long.

Ministerial Travel.

1362. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government the destination, purpose and duration of each overseas trip taken by him between June 2002 and September 2004; the number and grade of civil servants who travelled on each of these trips; the names and roles of non-civil servants

who travelled on each of these trips; if the travel tickets were booked centrally for each trip; if the travel costs were paid centrally for all persons on each trip; and if he will make a statement on the matter. [1447/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The information sought in respect of foreign travel undertaken by my predecessor between June 2002 and September 2004 is set out in the following table. The travel tickets in each case were booked centrally and paid for by my Department in respect of scheduled flights. The Department of Defence bears the costs in respect of travel by Government jet. The table shows those attending the meetings although in some cases officials would have travelled on different dates.

Date	Destination	Official Party Attending Meeting	Purpose of Trip
<i>2002</i>			
18-20 July 2002	Denmark (Sonderberg)	Assistant Secretary Private Secretary	Danish Informal Environment Council
30 Aug-5 Sept. 2002	Johannesburg	Secretary General, Assistant Secretary, 2 Principal Officers, Private Secretary, Monica Leech (Communications Consultant), Press Officer	World Summit on Sustainable Development,
20-21 October 2002	The Hague	Assistant Secretary, Principal Officer, Assistant Principal Officer, Administrative Officer, Higher Executive Officer, Private Secretary, Monica Leech (Communications Consultant), Press Officer	Ospar Arbitration Oral Hearing,
8-9 December 2002	Brussels	Assistant Secretary, 2 Principal Officers, Economist, Private Secretary, Monica Leech (Communications Consultant), Press Officer	Environment Council
<i>2003</i>			
15-20 January 2003	London	Assistant Secretary, Principal Officer, Assistant Principal Officer, Private Secretary	3rd Meeting of the British Irish Council Environment Sector
13-16 February 2003	Edinburgh	Assistant Secretary, Private Secretary, Press Officer	Meeting with Scottish Minister for Social Justice
3-4 March 2003	Brussels	Assistant Secretary, Principal Officer, Private Secretary, Press Officer	Environment Council
7-19 March 2003	Brazil	Private Secretary, Press Officer	St. Patrick's Day Visit
25 April-1 May 2003	New York	Assistant Secretary, Principal Officer, Assistant Principal Officer, Higher Executive Officer, Private Secretary Monica Leech (Communications Consultant), Press Officer	UN Commission on Sustainable Development
20- 23 May 2003	Kiev	Assistant Secretary, Principal Officer, Senior Adviser, Private Secretary, Monica Leech (Communications Consultant)	5th Ministerial UNECE Conference Environment for Europe in Kiev
14-18 September 2003	Prague; Ljubljana, Slovenia (via Munich); Warsaw (via Vienna); Budapest	2 Assistant Secretaries, Principal Adviser, Principal Officer, Assistant Principal Officer, Private Secretary	Pre- Presidency Visit to Accession Countries and attendance at the 13th Conference of Ministers for Regional Planning in Slovenia
4-6 October 2003	Rome	Assistant Secretary, Principal Officer, Private Secretary	Informal high-level meeting preparing for COP 9 (UN Climate Change Convention)
19-20 November 2003	Stockholm	Assistant Secretary, Principal Officer, Assistant Principal Officer, Private Secretary Monica Leech (Communications Consultant), Press Officer	Pre Presidency Visit

Date	Destination	Official Party Attending Meeting	Purpose of Trip
27 November-1 December 2003	London	Assistant Secretary, 2 Principal Officers, Private Secretary, Press Officer	Meetings with Office of the Mayor of London, Meeting with Secretary of State, Margaret Beckett
10-11 December 2003	Milan	Minister of State Gallagher, Assistant Secretary, Principal Officer, 2 Assistant Principal Officers, Senior Adviser, 2 Private Secretaries, Press Officer	Ninth Session of the Conference of the Parties to U N Framework Convention on Climate Change (COP 9)
17 December 2003	Berlin	Assistant Secretary, Principal Officer, Assistant Principal Officer, Private Secretary, Press Officer	Pre Presidency Visit
2003 (Irish Presidency Period)			
19-20 January 2004	Brussels	Assistant Secretary, Principal Officer, Private Secretary, Press Officer	Minister's address to Environment Committee of the European Parliament
11-20 February 2004	Malaysia	Assistant Secretary, 3 Principal Officers, 3 Assistant Principal Officers, 3 Higher Executive Officers, 2 Clerical Officers, Private Secretary, Principal Adviser, 3 Inspectors Grade 1, 3 Inspectors Grade 3. Monica Leech (Communications Consultant), Press Officer Forestry Inspector, Department of Agriculture Botanist Grade 11, OPW Tom McLoughlin, Senior Scientific Officer Level 2, EPA Tara Shine, Consultant, Overseas Development Aid, Department of Foreign Affairs	Conference of the Parties to the Convention on Biological Diversity in Malaysia
1-2 March 2004	Brussels	Minister of State Gallagher, Assistant Secretary, 4 Principal Officers, Higher Executive Officer, 2 Private Secretaries	EU Environment Council
18- 21 April 2004	Paris	Assistant Secretary, Principal Officer, Assistant Principal, Administrative Officer, Private Secretary, Monica Leech (Communications Consultant), Press Officer	OECD — Environmental Policy Committee (EPOC) Ministerial Meeting in Paris
24-30 April 04	New York	Assistant Secretary, 2 Principal Officers, 2 Assistant Principal Officers, 2 Higher Executive Officers, Private Secretary, 3 Clerical Officers, Press Officer	Commission on Sustainable Development
27-28 June 2004	Luxembourg	Minister of State Gallagher, Assistant Secretary, 2 Principal Officers, Engineering Inspector, 2 Private Secretaries, Press Officer.	EU Environment Council

Decentralisation Programme.

1363. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government the progress which has been made in regard to the decentralising of 200 members of his Department staff to Waterford; and if he will make a statement on the matter. [1448/05]

1365. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government the progress which has been made in regard to decentralising 200 staff of the Department of the Environment, Heritage and Local Government to Waterford; the progress which has been made in regard to acquiring a premises; and if he will make a statement on the matter. [1583/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1363 and 1365 together.

My Department is co-operating with the Department of Finance, the decentralisation

implementation group, DIG, and the Office of Public Works to ensure the active implementation of the Government's decentralisation programme for it. The programme involves relocation of staff to the four locations of Wexford, Waterford, New Ross and Kilkenny. Following the recent Government decision on the first phase of moves under the programme, the transfer of my Department's headquarters to Wexford is included in the list of those organisations considered potential early movers.

A total of 495 applications had been received at the central applications facility, CAF, by the priority cut-off date, 7 September 2004, in respect of the 661 posts to be decentralised from my Department's Dublin offices which are fillable through the CAF. A total of 31 staff from my Department's Dublin offices have applied for decentralisation to the proposed locations. Some 139 staff of my Department have also applied for

decentralisation to other Government Departments or agencies.

An implementation plan, which sets out the broad issues to be addressed in implementing the decentralisation programme for my Department, has been submitted to the DIG. My Department will be submitting a revised implementation plan to the DIG by 31 March 2005.

As regards property requirements for Waterford, the Office of Public Works is currently evaluating a number of options in Waterford. This process has yet to be finalised.

Humanitarian Relief.

1364. **Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if the Government will honour its commitment to the European civil protection mechanism and send firefighters to assist disaster relief in the tsunami-affected regions; if not, the reason therefor; and the further reason no fire fighters were sent to Bam, Iran, in 2004 when the mechanism was last activated. [1540/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): No formal request for search and rescue assistance was received through the EU monitoring and information centre in respect of the recent tsunami disaster. As indicated in the replies to Questions Nos. 954 and 955 of 27 January 2004 and Question No. 65 of 29 April 2004, Ireland was not in a position to send search and rescue teams to Bam at the time of the earthquake in 2004.

Question No. 1365 answered with Question No. 1363.

Nuclear Plants.

1366. **Mr. Connolly** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the recent findings in the UK Office for Nuclear Public Safety's report on the preparedness of a plant (details supplied) to cope with a major terrorist attack; and the inadequacy of the plant's security and emergency measures to deal with such an eventually as detailed in the report; if he proposes to convey concerns to the UK authorities in this regard; and if he will make a statement on the matter. [1677/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I assume the question relates to the final report of the security working group of the British Nuclear Fuels Ltd. national stakeholder dialogue. This report was published in December 2004 and is available on the UK Environment Council website, www.the-environment-council.org.uk. While the Office Of Civil Nuclear Security, the body specifically responsible for the security of civil nuclear sites

in the UK, participated in the dialogue, that office reports separately on an annual basis to the Secretary of Trade and Industry in the UK. The most recent report of the office is available at www.dti.gov.uk/energy/nuclear/safety/dcns-report3.pdf and covers the period April 2003 to March 2004.

The stakeholder report represents a wide range of views including those who advocate the safe cessation of operations at Sellafield as well as those who support the continuation of nuclear activities. It was compiled for the national stakeholder dialogue to inform the decision-making process of British Nuclear Fuels Ltd. regarding the improvement of its overall environmental performance. The report reached numerous conclusions across a range of topics and made recommendations. With regard to national resources to deal with a major emergency, it recommended that resources should be put into emergency planning and post incident response by the UK Government and the NDA.

The report is not focused on the threat to Ireland but many of the issues raised are relevant to Irish concerns. These issues are repeatedly raised at ministerial level and also at official level in meetings between officials of my Department and their UK counterparts. Security related issues formed part of the international legal proceedings brought by the Government against the UK in respect of the Sellafield MOX plant under the United Nations Convention on the Law of the Sea, UNCLOS.

In response to the security concerns raised by the Irish Government, the UK authorities have given assurances that they are satisfied that arrangements for ensuring security in the UK's civil nuclear industry are robust, that additional measures put in place since September 2001 to reinforce security are appropriate and that these security arrangements are subject to continual review. The UK has also indicated that the Royal Air Force maintains a high state of readiness in the air defence of the UK, including the defence of particularly sensitive targets and its state of readiness is kept under constant review.

The assurances and information on nuclear security issues from the UK authorities are received by the Irish Government in good faith. Ireland understands that sensitive security information must be guarded and that dissemination of such information must be contained in a highly secure manner. This point has been emphasised in exchanges with the UK. Discussions are ongoing to put in place an improved mechanism for security information exchange between the UK and Ireland. Any matters raised in this report which have relevance to the security and safety interests of Ireland in respect of Sellafield will be included in these discussions.

I was particularly pleased to sign, on behalf of Ireland, an agreement on notification and

[Mr. Roche.] exchange of information arrangements regarding nuclear matters with the UK on 10 December 2004. Both Governments used this occasion to announce a package of measures designed to address a wide range of issues related to nuclear safety. The package includes, *inter alia*, the facilitating of visits to Sellafield by the Radiological Protection Institute of Ireland and the Garda Síochána, provision of access for the Institute to the UK's radiation monitoring system and a series of initiatives to develop and improve existing co-operation arrangements between both Governments. These initiatives serve to ensure that the concerns of the Government in respect of Sellafield are conveyed to the UK and articulated at the highest levels. This, in turn, will ensure that effective procedures and systems are in place to address these concerns, assist the Irish authorities in assessing the risk posed by Sellafield to Ireland in an informed manner and facilitate continuing ongoing development of existing emergency plans for Ireland in accordance with international best practice.

Retail Sector Developments.

1367. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government his proposals in regard to the concerns of the Irish Hardware and Building Materials Association arising from the recent changes to the retail planning guidelines (details supplied); and if he will make a statement on the matter. [1678/05]

1383. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government if he will address the concerns raised in correspondence (details supplied); the impact that the proposed changes will have on the industry; the research carried out by his Department before the decision was made; the number of submissions received by him regarding the changes; the number of delegations he met in respect of the matter; the number of submissions received from overseas companies expressing an interest in making applications similar to the stated proposal; the position regarding said applications; and if he will make a statement on the matter. [1958/05]

1384. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the considerations he has given in regard to correspondence (details supplied); his plans to address the concerns contained in same; and if he will make a statement on the matter. [1972/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1367, 1383, and 1384 together.

I recently announced my decision to amend the retail planning guidelines to provide that the

floorspace cap on retail warehouses will no longer apply within the functional areas of the four Dublin local authorities and in the other national spatial strategy gateways. The gateway towns and cities are Athlone-Tullamore-Mullingar, Cork, Dublin, Dundalk, Galway, Letterkenny, Limerick-Shannon, Sligo and Waterford. This modification to the guidelines will only apply in areas subject to integrated area plans, IAPs, under the Urban Renewal Act 1998. This change will take effect from 1 February 2005.

The amendment to the retail planning guidelines follows a review of the floorspace cap on retail warehouses set in the guidelines, which came into effect on 1 January 2001. The guidelines prescribe a maximum floor area of 6,000 sq. m. gross retail floorspace for large-scale single retail warehouse development. This cap has been reviewed, taking account of the need to promote effective competition in this sector of retailing and of ongoing developments in retail formats, while underpinning proper planning and sustainable development. To assist in carrying out the review, interested parties were invited to make submissions to my Department. Some 71 submissions were received and assessed. These submissions were fully taken into account in the finalisation of the review.

I did not meet any delegations in respect of the review of the retail planning guidelines. The overseas companies which expressed an interest in entering the Irish market if the floorspace cap was adjusted were IKEA and Costco Wholesale UK. A number of interests, including the Competition Authority and the Construction Industry Federation, argued strongly for the abolition of the floorspace cap on retail warehouses.

I am aware of the concerns raised in the correspondence from the Irish Hardware and Building Materials Association. However, the changes to the guidelines are of a limited nature in that they are confined to IAP areas in the gateways designated by the national spatial strategy. The overall policy objectives of the retail planning guidelines including normal planning requirements, will continue to apply to any proposals for the development of retail warehouses in excess of 6,000 sq. m. The revised guidelines clearly indicate that any proposal for an individual retail warehouse with a floorspace in excess of 6,000 sq. m. gross in order to be acceptable from a planning viewpoint would need, *inter alia*, to be accompanied by a detailed traffic impact assessment and be supported by the licensing infrastructure. It will be a matter for the development management process to apply the relevant criteria to any planning application that may come forward from the private sector.

The amendment to the retail planning guidelines should facilitate wider consumer choice and greater competition. It should also ensure that any such development entering the market does

so on a basis which contributes to the economic and social objectives of the Government's urban renewal programme and the national spatial strategy.

Freedom of Information.

1368. **Mr. R. Bruton** asked the Minister for the Environment, Heritage and Local Government the State, semi-State, State-sponsored and statutory bodies under the aegis of his Department which are not subject to the requirements of the Freedom of Information Act 1997; the reason a body is not subject to the requirements of the Act; and if he envisages proposals to bring any such body within the scope of the Act in the foreseeable future. [1717/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The State, semi-State, State-sponsored and statutory bodies under the aegis of my Department, which are not yet subject to the Freedom of Information Acts are as follows: the building regulations advisory board; the Dublin Docklands Development Authority; the Local Government Management Services Board; the Private Residential Tenancies Board; the Radiological Protection Institute of Ireland; and Temple Bar Renewal Limited.

Proposals for extending FOI are being developed at present in the Department of Finance in the context of plans to extend FOI to other appropriate bodies by the end of 2005. The question of extending FOI to the above bodies is being considered in this context.

Domestic Violence.

1369. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government if her attention has been drawn to the fact that, due to a lack of coherent national level governmental commitments to services, a centre (details supplied) is experiencing difficulties in providing adequate services to victims of assaults in Sligo and Leitrim; if funding will be ring-fenced for delivery of services to enable it to plan service provision strategically for the future; if his Department is committed to a national funding framework for VAW; and if he will make a statement on the matter. [1843/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department has no role in the provision of funding for rape crisis centres. My Department has responsibility for homelessness and, as part of this, provides some funding for accommodation related costs to refugees for victims of domestic violence. The Department of Justice, Equality and Law Reform, through its role as chair of the national steering committee on violence against women, has overall responsi-

bility for issues relating to violence against women.

Regional Road Network.

1370. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government the amount spent in 2004 on non-national roads, including the expenditure by local authorities. [1849/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In 2004, grants totalling €480.2 million were paid by my Department to local authorities in respect of non-national roads. Information regarding expenditure outturn in 2004 on non-national roads by local authorities from their own resources is not yet available in my Department.

Driving Licence Duties.

1371. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government the amount of money collected nationally in 2004 on the issuing of vehicle driving licences. [1850/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Total receipts from driving licence duties amounted to €8.29 million in 2004.

Regional Road Network.

1372. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he has received an application for supplementary funding for roads in the Turnings area of Straffan, County Kildare, from Kildare County Council, in the context of the Ryder Cup 2006; if he will approve a supplementary grant; and if he will make a statement on the matter. [1876/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In April 2004 Kildare County Council wrote to my Department seeking additional funding of €325,000 for improvements to the road from Straffan Bridge to Sallins via Turnings. The council was informed that the proposed work would be appropriate to the restoration improvement programme and that it would be open to it to seek approval to carry out the scheme in 2004 on the basis that the expenditure could be recouped as a first charge in 2005 against the restoration improvement grant or to consider including the scheme in the restoration programme for works from 2005 onwards. Kildare County Council did not proceed with either of these options.

Local Authority Grants.

1373. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the serious prob-

[Mr. Stagg.]
 lem facing applicants for disabled person's grants in County Kildare; if he will make a supplementary sum available of €3.6 million to the council to clear the backlog on the basis of 100% funding from his Department, thereby releasing the council from providing its 33%; and if he will make a statement on the matter. [1878/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): It is a matter for local authorities to decide on the level of funding to be provided for the disabled persons grant scheme in their area from within the allocation notified to them for disabled persons and essential repairs grants by my Department and to manage the operation of the schemes from within this allocation. My Department recoups to local authorities two thirds of their expenditure on the payment of individual grants and it is a matter for the authorities to fund remaining one third from their own revenue resources, with amounts provided for that purpose in their annual estimates of expenses. All authorities have been asked to indicate their capital requirements and proposals for the funding of their own one third contribution for these schemes in 2005. On receipt of this information, the available funding will be allocated to authorities.

The requirements of Kildare County Council, when clarified to my Department, will be considered in this context. Details of the funding available for the payment of disabled persons and essential repairs grants will be published shortly in the Revised Estimates for Public Services 2005. Officials from my Department met with council officials last November to discuss the operation of the disabled persons and essential repairs grant schemes in Kildare. The council undertook to examine further certain aspects of the operation of the scheme and to revert to my Department in this regard. A response from the council is awaited.

Community Warden Service.

1374. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he intends to reapprove the community warden service in Naas town, County Kildare; and if he will make a statement on the matter. [1881/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Naas Town Council is one of five pilot local authorities for the community warden service, the others being Galway City Council, Galway County Council, Leitrim County Council and Wexford County Council. Following a recent independent review and evaluation of the pilot service, I have decided to continue the pilots for one more year and the relevant local authorities have been informed

accordingly. This will allow further implementation issues to be examined, and best practice as identified in the review to be implemented in the pilot authorities. My Department will continue to fund the pilots for the further year, net of any direct service revenue such as, for example, fine income.

Turf Cutting.

1375. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government when a person (details supplied) in County Roscommon will receive a top-up payment for the purchase of bog; and if he will make a statement on the matter. [1901/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department concluded an agreement with the farming pillar under Sustaining Progress in July 2004. A major part of this agreement involved increased rates of compensation for the cessation of turf cutting in bogs that have been statutorily proposed for designation. The new rates are deemed to reflect the increase in the value of bogs since the original scheme was launched in March 1999.

The new rates include a scaled incentive payment up to a maximum of €6000, additional to the rate per acre for purchase of bog or turbary. For people whose bogs were statutorily proposed for designation prior to 1999 and who have already sold to the Department, it was agreed that the new additional scaled incentive payment would be applied retrospectively, with the previous €1,270 — £1,000 — bonus, where already paid, being deducted. My Department is at present examining the entitlement of the persons named to an additional payment under this provision of the agreement.

1376. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government when a person (details supplied) in County Roscommon will receive a top-up payment for the purchase of bog; and if he will make a statement on the matter. [1902/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department provides compensation for persons who cease to cut turf, and who are owners of land or turbary rights in bogs that have been statutorily proposed for designation as a special area of conservation or a natural heritage area. This cessation of turf cutting scheme was originally launched in March 1999 and provided standard rates for the purchase of raised and blanket bog. In July 2004 my Department concluded an agreement with the farming pillar under Sustaining Progress which provided for increased rates of compensation payable under the scheme.

I am advised that the land owned by the person named was sold voluntarily to the Department in

1996 before the introduction of the cessation of turf cutting scheme. As this land was not disposed of under the scheme, no entitlement to any further payments applies.

Grant Payments

1377. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government when a person (details supplied) in County Roscommon will receive a top-up payment for the purchase of bog; and if he will make a statement on the matter. [1903/05]

1379. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government when a person (details supplied) in County Roscommon will receive a top-up payment for the purchase of bog; and if he will make a statement on the matter. [1905/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1377 and 1379 together.

My Department concluded an agreement with the farming pillar under Sustaining Progress in July 2004. A major part of this agreement involved increased rates of compensation for the cessation of turf cutting in bogs that have been statutorily proposed for designation. The new rates are deemed to reflect the increase in the value of bogs since the original scheme was launched in March 1999.

The new rates include a scaled incentive payment up to a maximum of €6000, additional to the rate per acre for purchase of bog or turbary. For people whose bogs were statutorily proposed for designation prior to 1999 and who have already sold to the Department, it was agreed that the new scaled additional incentive payment would be applied retrospectively, with the previous €1,270 — £1,000 — bonus, where already paid, being deducted.

I am advised that both persons named are in this pre-1999 category and are due to receive payments, which will issue shortly in each case.

Question No. 1378 answered with Question No. 1349.

Question No. 1379 answered with Question No. 1377.

Hunt Licences.

1380. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government if the regional manager and deputy regional manager of the north eastern region, of the national park and wildlife service reported that the Ward Union Hunt Club should not be granted a licence to hunt its captive farmed deer in the 2004-05 season; the reason their professional advice was

ignored; and if he will make a statement on the matter. [1953/05]

1381. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government the reason a licence was granted to the Ward Union Hunt Club to hunt its captive farmed deer in contravention of the Wildlife (Amendment) Act 2000, wherein wild animals are clearly defined. [1954/05]

1382. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government if the opinion of the Attorney General was sought before granting a licence to the Ward Union Hunt Club for the 2004/05 season in view of the definition of wild animals contained in the Wildlife (Amendment) Act 2000; and if he will make a statement on the matter. [1955/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1380 to 1382, inclusive, together.

Section 26(1) of the Wildlife Act 1976 provides that the Minister for the Environment, Heritage and Local Government may grant to the master or other person in charge of a pack of stag hounds, a licence authorising the hunting of deer by that pack, during such period or periods as is or are specified in the licence. Legal advice was obtained through the Attorney General's office in 1999 confirming the long-standing interpretation of section 26, to the effect that it provides for the licensing of carted deer hunting irrespective of the status of the deer, wild or captive.

Two regional wildlife officials of my Department raised legal issues in prospect of the 2004-05 season relating to possible implications of a definition of "wild animal" in the Wildlife (Amendment) Act 2000, that is, that if the deer hunted by the Ward Union hunt were not covered by that definition, the hunt might not, in consequence, require a licence under the Wildlife Acts. This issue was carefully considered in my Department and the conclusion was that since the term "wild animal" was nowhere used in section 26(1) of the Wildlife Act 1976, the operation of that provision could not be considered to be affected by the issue raised. On this basis, it was determined that the Ward Union hunt required to be licensed and a licence was granted for the 2004-05 season.

Questions Nos. 1383 and 1384 answered with Question No. 1367.

Local Authority Housing.

1385. **Mr. Carey** asked the Minister for the Environment, Heritage and Local Government if he has received proposals from Dublin City Council for the introduction of a sales scheme for flats and maisonettes; if these proposals have

[Mr. Carey .] been examined; when he expects to be in a position to draw up a sale scheme for the purchase of these housing units; and if he will make a statement on the matter. [1981/05]

1389. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government if he has received proposals from Dublin City Council for a scheme to provide for the sale of flats and apartments to their tenants; if he has completed his examination of the proposal; if his recommendations will enable tenants of two storey maisonettes, originally designed for the housing of senior citizens, to participate in such a sale scheme; and if he will make a statement on the matter. [2076/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 1385 and 1389 together.

Draft proposals involving a scheme for the sale of flats were submitted to my Department by Dublin City Council in June 2004. Officials of my Department have met council officials on a number of occasions concerning the proposals. These discussions are ongoing and further consultations with both Dublin City Council and other housing authorities will be required before final decisions are made on the draft proposals. I am not yet in a position to say when the discussions and consultations will be completed.

1386. **Mr. R. Bruton** asked the Minister for the Environment, Heritage and Local Government if he will report on the initiatives undertaken in the pilot areas in which local authorities are developing housing options for persons who have been in receipt of rent supplement for a sustained period from a health board; when it is intended to extend these options to the Dublin area; and the eligibility which will apply. [2081/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Under the rental accommodation scheme announced by the Government in July 2004, local authorities will, over a four-year period, progressively assume responsibility for accommodating supplementary welfare allowance, SWA, rent supplement recipients of 18 months or more continuous duration with a long-term housing need.

The rental accommodation scheme is a collaborative project between my Department, local authorities, the Department of Social and Family Affairs and the community welfare service. All local authorities will implement the new arrangements during 2005. Roll out has commenced in an initial group of lead authorities, namely Dublin, Galway and Limerick city councils, South Dublin, Donegal, Offaly-Westmeath county councils and Drogheda Borough Council. The main actions to date have been to put in place the structures necessary to commence the project, identify and

resolve, where possible, any issues arising and to engage resources needed to support the implementation of the scheme.

My Department has established a project implementation team to oversee and guide the implementation process. Programme managers have also been appointed initially to assist the lead authorities but thereafter to be available to support other authorities over the implementation period. Regional and local implementation groups, initially in the lead authority areas, are being established to ensure effective ongoing liaison and co-operation locally between housing authorities, health boards and other welfare agencies.

Work has commenced in the lead authorities towards identifying persons on rent supplement in need of long-term housing support. Starting with persons who have been in receipt of rent supplement for 18 months or more, community welfare officers in health boards are reviewing each case and, subject to eligibility criteria, will transfer a file to the relevant housing authority for the purposes of establishing long-term housing need. Persons will be assessed as having a long-term housing need where the local authority considers that they are likely to require housing support for the foreseeable future and are unlikely to be in a position to provide for their accommodation needs from their own resources. Certain categories of person are ineligible for support under the scheme. These are asylum seekers or other non-nationals who do not have leave to remain in the State permanently and people availing of transitional retention measures, such as back to work allowance recipients.

Where a long-term housing need is identified by the local authority, it will set about sourcing suitable accommodation for the household under the rental accommodation scheme as quickly as possible. Local authorities will provide accommodation mainly through availability contracts with landlords. The use of public private partnership type arrangements to put in place long-term contracts for the supply of rented accommodation will be a feature of the scheme.

Question No. 1387 answered with Question No. 1307.

Local Authority Playgrounds.

1388. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the ratio of playgrounds to population in the State; and the ratio of playgrounds to population in each local authority area. [2083/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Comprehensive statistics on the number of playgrounds in the State or in individual local authority areas are not available in my Department. However, under the initiative delivering value for people-service indicators in local authorities announced early last

year, local authorities are required to report annually on their performance against 42 service indicators.

One of these indicators relates to playgrounds and this will enable comparisons to be made across local authorities on their performance in this area. Specifically, the indicator will show the number of children's playgrounds per 1,000 population provided directly by the local authority and facilitated by the local authority. I understand that data in respect of 2004 are currently being compiled. I expect to receive a report towards the middle of the year.

Question No. 1389 answered with Question No. 1385.

Regional Roads Network.

1390. **Mr. J. O'Keefe** asked the Minister for the Environment, Heritage and Local Government if funding will be made available for the development of the relief road at Bantry in west Cork; and the timetable proposed. [2085/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In August 2004 my Department sought applications from local authorities for funding for non-national roads in 2005 under the EU co-financed specific improvements grants scheme. The initial selection of projects to be submitted for consideration for funding under this scheme is a matter for local authorities. No application was submitted by Cork County Council in respect of a relief road at Bantry.

Thatching Grants.

1391. **Mr. Kirk** asked the Minister for the Environment, Heritage and Local Government if he will consider raising the ceiling on grant aid in respect of thatched roof dwelling houses in view of the importance of preserving such dwellings;

and if he will make a statement on the matter. [2086/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department operates a scheme of grants to assist in the renewal and repair of traditional thatched roofs and has in recent years introduced significant improvements to the assistance available under the scheme. The basic maximum grant was increased in 1999 from €3,047 — £2,400 — to €3,810 and from €4,571 — £3,600 — to €5,720 for houses on specified off-shore islands. The grants may meet two thirds of the approved cost of thatching works, subject to the maximum limits.

My Department also introduced a new measure to assist lower income households, for which the cost of maintaining a thatched roof imposed a particular burden. Householders with medical cards are eligible for thatching grants up to a maximum of €6,350 or €8,260 in the case of the specified offshore islands. In addition, in such cases the grant may cover up to 80% of the approved cost of the works, again subject to the maximum grant limits. While there are no proposals to increase the rate of thatching grants at this stage, my Department keeps the terms of the scheme under review.

Ministerial Appointments.

1392. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government the public appointments made in his Department since the Cabinet reshuffle in September, 2004. [2103/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I assume the question refers to persons appointed as temporary civil servants to my Department during the relevant period. The appointments set out in the following table have been made since September 2004:

Name	Function
Seán Fitzpatrick	Press Officer*
David Grant	Special Adviser to Minister Roche
Geraldine Cole	Personal Assistant to Minister Roche
Ciara Furlong	Personal Secretary to Minister Roche
Katherine Woods	Personal Assistant to Minister of State O'Keefe
Donal Howard	Personal Secretary to Minister of State O'Keefe
Tom Gately	Civilian Driver to Minister of State O'Keefe
Michael Daly	Civilian Driver to Minister of State O'Keefe

*Provides a service to the Department generally, as well to the offices of the Minister and Ministers of State.

Water and Sewerage Schemes.

1393. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 632 of 23 November, 2004, if he will approve funding for the upgrade to the south Roscommon water sup-

ply and Killeglan springs; and if he will make a statement on the matter. [2114/05]

1394. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 241 of 29 May, 2003, the position in relation to an application for funding to upgrade a water supply (details supplied) in County Roscommon; and if

[Mr. Naughten.]
he will make a statement on the matter.
[2127/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1393 and 1394 together.

The south Roscommon regional and Arigna regional water supply schemes, together with a number of other schemes, are being advanced as

a grouped project that has been included in my Department's water services investment programme 2004-06 to commence construction this year. Roscommon County Council's design review report, on which contract documents for the grouped project will be based, is under examination in my Department on foot of additional information requested by the Department and submitted by the council last month. It will be dealt with as quickly as possible.