



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Wednesday, 28 September 2005.

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TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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Wednesday, 28 September 2005.

Chuaigh an Leas-Cheann Comhairle i gceannas ar 2.30 p.m.

Paidir.

Prayer.

Ceisteanna — Questions.

Priority Questions.

Economic Competitiveness.

139. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment the action he will take on account of the recent report of the National Competitiveness Council; and if he will make a statement on the matter. [25672/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The National Competitiveness Council's annual competitiveness report for 2005, benchmarks Ireland's competitiveness relative to our 15 main trading partners and competitors using a compendium of 170 indicators. The indicators contained in the report are published by a wide variety of international sources.

The NCC's annual competitiveness report is published separately this year while the council expects to publish its annual competitiveness challenge in late October. That document, which

will draw on the analysis of the annual competitiveness report, will highlight the main challenges facing the economy and the policy options required to meet them. The NCC provides a valuable input to the formation of Government policies through its work on competitiveness benchmarking as it highlights where the economy is strong in competitiveness terms but also warns us about competitiveness issues. Upon publication of the competitiveness challenge the Government will give careful consideration to the policy recommendations proposed by the council.

The NCC highlights some important indicators of robust economic performance that show that we have broadly implemented the right mix of policies. In 2004, the number of people in employment in Ireland grew strongly with almost 1.9 million in employment by the end of the year. Consumer inflation stabilised and by mid-2005, Ireland's rate of inflation was below the eurozone average. Government finances remained healthy and our investment in infrastructure as a percentage of gross domestic product is approximately twice the EU average at 5%. Ireland remains highly competitive in terms of taxation with

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Ireland ranked first for both personal and corporation taxes.

The report also shows that Ireland has performed remarkably well in terms of growing national incomes. The indicators reflect that living standards in Ireland both in terms of GDP, where we are first out of 15, and gross national product, where we are sixth out of 16, have grown significantly.

However, despite these notable successes the NCC's annual competitiveness report highlights several areas where Ireland's performance can be improved. It should be noted that the council acknowledges that given the different economic, political and social goals of various countries and their different physical geographies and resources, it is not realistic or desirable for any country to seek to outperform other countries on all measures.

I have noted the NCC comments on competition policy and I reaffirm the Government's commitment to removing unwarranted constraints on competition in the economy. A lower level of competition here compared with competitor countries has been cited as a limiting factor in competitiveness. We need to do more to intensify competition in the provision of products and services.

Additional information not given on the floor of the House.

The information and communications technology sector is a vital component of the economy accounting for 82,100 jobs and 17% of total value added in industry and services. The Government recognises the importance of this sector and is undertaking significant investment in the roll-out of broadband through the metropolitan area networks and the schools broadband programme.

I draw some very strong conclusions from the report and in particular recognise its importance as an input which should inform the forthcoming partnership talks. In the context of concerns about the pace of growth in labour costs, wage moderation combined with a renewed emphasis on increased productivity levels will be critical in maintaining national competitiveness. This is at the core of the NCC message and I look forward to the council's specific policy recommendations in these areas when the council produces its competitiveness challenge report later in the year.

In the meantime our emphasis on competitiveness is having some impact. The latest competitive rankings compiled by the World Economic Forum, which were published today, show that Ireland has moved up four places from 30th to 26th out of 117 countries. The higher ranking suggests that we have turned an important corner in rebuilding national competitiveness.

Mr. Hogan: The Minister has indicated various issues in regard to competitiveness. If he reflects on the replies given by his predecessor in 2001 or 2002 or in any Question Time where the issue was raised, he will find that the answer he has read out is more or less the same. In December 2001 the Taoiseach and Tánaiste were warned about all these issues but they did nothing. In January 2004 the Taoiseach launched a document entitled Better Regulation but nothing has happened since. From his reading of the report of the National Competitiveness Council, where does the Minister think the unwarranted constraints in competition arise from?

Mr. Martin: First, it is not the same reply.

Mr. Hogan: The Minister has them in his notes.

Mr. Martin: No. The Deputy would not have been in a position to get the last paragraph because it shows a change.

Mr. Hogan: I see.

Mr. Hayes: How did he think of that one?

Mr. Martin: The Deputy will be only too glad to hear this one.

Mr. Hogan: If it is so important, why did the Minister not put it at the start of his reply?

Mr. Martin: The latest competitiveness rankings compiled by the World Economic Forum, which were published today, show that Ireland has moved up four places — from 30th to 26th out of 117 countries. The higher ranking suggests, perhaps, that we have turned an important corner in rebuilding national competitiveness.

As regards the Deputy's second point concerning better regulation, things have happened.

Mr. Hogan: What happened?

Mr. Martin: One example is the regulation pertaining to directors' compliance. We have referred that to the company law review body and have listened to industry.

Mr. Hogan: The Minister is kicking to touch.

Mr. Martin: Recommendations are coming forward which suggest that a significant and substantial amendment is required. So we are listening to industry as well as consulting business on key issues and will take action in future. The Deputy asked what the constraints are. Issues such as the groceries order constitute a constraint. In dealing with such issues we can create a greater competitive environment in the local economy. I would be interested to hear the Deputy's party's position on that being clarified.

Mr. Hayes: It is quite clear.

Mr. C. Lenihan: Now is the Deputy's chance.

Mr. Hogan: If the Minister answered the question he was asked, which was what he believed were the unwarranted constraints on competition, we might get some information. The Minister has the same document that I have and he has read extracts from it. The recently published document states that the intensity of local competition and the efficiency of competition legislation are perceived as being low. Does the Minister accept that Irish entrepreneurs are experiencing difficulty in obtaining low-risk finance and that we still have a low level of research and development investment? Would he also accept the difficulties outlined in the OECD report on higher education as they relate to an enterprise economy? Will the Minister outline what he intends to do about these issues and other issues outlined in the report of the National Competitiveness Council?

Mr. Martin: One area identified by the National Competitiveness Council concerned competition within the domestic economy, be it in the retail, construction or other sectors. Last year, my colleague the Minister for the Environment, Heritage and Local Government made changes to the planning regulations to facilitate greater competition by permitting certain stores to come into the country.

Mr. Hogan: One store.

Mr. Martin: That was a response to a recommendation by the National Competitiveness Council, so action is being taken on foot of such recommendations.

Last year, we had the highest number of small business start-ups within the European Union. I have established a small business forum to prepare for the next decade on issues that we must address to maintain competitiveness. According to the report by the National Competitiveness Council we score highly in maintaining a generally good environment for entrepreneurial activity. I wish to continue in that direction and we will not be complacent on the issue.

We have made significant gains in research and development due to programmes I initiated as Minister for Education and Science, in addition to the science foundation programme the Tánaiste initiated. That has transformed research here.

Mr. Hogan: Where is it now?

Mr. Martin: We intend to go up to a further level of research and development input because it is inextricably linked to competitiveness and economic performance.

Consumer Prices.

140. **Mr. Howlin** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the serious concern expressed in recent months by consumers at prices and general cost of living issues as reflected by the public reaction to the "Rip Off Republic" television programmes and the opinion poll in the Irish Examiner showing that cost of living and "Rip off Ireland" was now the biggest issue of concern among those polled; his views on the validity of these concerns; the steps he intends to take to end exploitation of consumers; and if he will make a statement on the matter. [25671/05]

Mr. Martin: I am aware of the concerns expressed in several quarters about the price of certain goods and services and, in particular, the belief among many consumers that they are not getting a fair deal. The Deputy will be aware that in March 2004 the Tánaiste appointed the consumer strategy group to advise and make recommendations for the development of a national consumer policy strategy.

In its recently published report *Make Consumers Count*, the group concluded that Irish consumers are not getting a fair deal. Notwithstanding the fact that the latest returns show that inflation continues to moderate, the Government is concerned that consumers are not getting value in a number of areas.

The group's report re-emphasises the importance of empowering consumers so that they can make informed choices and reap the benefits of freely functioning competitive markets. The Deputy will be aware of developments in competition policy in terms of increasing the resources to the Competition Authority and updating competition law.

The consumer strategy group has suggested a way forward for consumer protection policy, particularly how the balance of power can be shifted more toward the consumer, and has made more than 30 separate recommendations as to how this can be achieved. The group's core recommendation that a new statutory body, the national consumer agency, be established to advocate the consumer's case has already been accepted by the Government. My Department has begun work to ensure the new agency is formally established as soon as possible.

The Office of the Director of Consumer Affairs continues to play an important role in the area of consumer protection, particularly in enforcing the wide range of existing consumer laws and regulations. In this regard the Deputy will be aware that my Department recently significantly increased the sanctions for breaches of those laws.

To build upon the work of the ODCA and to ensure that the momentum of the CSG report is maintained and that the consumer's voice is

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heard, I recently appointed a board to the new agency to act in an interim capacity until the agency is formally established. The Deputy will be aware that since its appointment, the board has been very active on issues such as the debate on the future of the groceries order, the cost of goods and services etc. It is vital that these and other consumer debates are not dominated by vested interests as has happened heretofore and that the consumer's case is forcefully advocated and articulated. I am confident the interim board will continue to be a forceful advocate for the consumer until the full national consumer agency is established. In this regard I am aware that the board intends to increase its activities significantly in terms of consumer awareness, advocacy and information campaigns.

In addition to the establishment of the NCA, a number of the other recommendations of the consumer strategy group have already been implemented. For example, my Department has significantly increased the fines for breaching consumer protection laws as recommended by the CSG. The Department is also reviewing the current extensive code of consumer law to ensure that it meets the needs of the modern consumer.

Additional information not given on the floor of the House.

I am satisfied that the report of the consumer strategy group offers the way forward. The report re-emphasises the importance of promoting competition and empowering consumers. I am confident the application of these policies in conjunction with the work of agencies such as the Competition Authority, the Office of the Director of Consumer Affairs and the interim board of the national consumer agency will help to ensure that consumers get a fair deal.

Mr. Howlin: Is the Minister aware that a recent opinion poll published in the *Irish Examiner* showed that 25% of the population believe we live in a rip-off culture and that 49% regarded consumers being fleeced as the biggest single item concerning them, ahead even of the health service? Does the Minister agree that the people are right? Does he accept that it aggravates people to hear him talk of low inflation when on 1 October they will be faced with gas price increases of 25% and when VHI premiums has doubled since the Government parties came to office? I ask him specifically not what he believes or is aware of but what he will now do after more than eight years in office to address issues that clearly represent the priority with the voting public.

Mr. Martin: I am obviously aware of everything that is published in the *Irish Examiner* and will continue to be so in future.

Mr. Howlin: The people are aware of the Minister's inaction on the issues.

Mr. Martin: In addition, we appointed the national consumer agency to go after consumer issues.

Mr. Howlin: The Government parties have been in office for eight years.

An Leas-Cheann Comhairle: The Minister should be allowed to speak without interruption.

Mr. Martin: The Government does not and will not set prices or act as a price-controlling agency, which is a fundamental principle to which we adhere. However, we can empower the consumer to an extent that has not been done historically. It is somewhat difficult to take the Deputy sincerely having read the deliberations of the Oireachtas joint committee on an issue such as the retail sector. When a fundamental issue was discussed by the Oireachtas joint committee, the Deputy held to a no-change position.

Mr. Howlin: Did the Minister read the report?

Mr. Martin: I certainly did.

Mr. Hogan: He should read it again.

Mr. Martin: In many ways it highlighted a degree of hypocrisy. While the Deputy rails loudly and strongly articulates the issues, when it comes to concrete actions as to how we should address the issues, he comes up very short. The mechanisms we have put in place and the resources we will allocate will address the matter. The Competition Act introduced by my predecessor, the Tánaiste, is quite significant and advanced legislation to address competition issues in the economy. Ultimately we will drive prices down through competition and by creating the right kind of environment and context. We will continue to advocate those types of ongoing initiatives to get dividends.

Mr. Howlin: I will be glad to answer questions from the Minister when I sit in his seat. However, right now he must answer my questions. What does he have to say about the 100% increase in VHI charges, the 25% increase in gas charges which will occur in October, and the 44% increase in electricity charges since 2002? What does the Minister have to say about his record, which is under scrutiny in the House now? When will we see the legislation on the much-vaunted national consumer agency, or are we to believe what we read in a weekend newspaper, namely that it will be delayed for another year, and that the agency will act on an interim basis without statutory authority? Is that the level of priority

the Minister attaches to this issue after so long in office?

We on this side of the House will not be berated about action on the groceries order. The Tánaiste sat in the Minister's Department for a number of years and did nothing about it. The Minister should stop talking about it. When will he take action on any of the issues which affect the voting public and the consumers who are now greatly fed up at paying through the nose, at stealth taxes and higher prices, while the Minister pretends we have a low tax economy?

Mr. Martin: We are not pretending we have a low tax economy. As I said in reply to a previous question, Ireland comes first out of 15 countries, and does well in any international comparison, in terms of low income tax.

Mr. Howlin: We are not talking of income tax. I am talking of stealth taxes.

Mr. Martin: With all due respect, the Deputy said I should stop pretending we have a low tax economy.

Mr. Hayes: There are 36 stealth taxes.

Mr. Martin: We have a low tax economy. That is so in respect of any international assessment of Ireland's tax position, be it with regard to corporation tax, which we reduced from 36% to 12.5% since this Government came to power, or with regard to income tax.

Mr. Howlin: We are not talking of income tax. The corporation tax rates were agreed by the rainbow Government.

Mr. Martin: We brought in a regulation which deals with issues related to electricity, gas and so on. Setting the market price for any of the utilities does not fall within the ambit of a particular Minister.

Mr. Howlin: The Minister is indifferent to the price rises.

Mr. Martin: Equally, we cannot in some instances compare our position on energy prices with those of our counterparts, given our historic reliance on fossil fuels, 90% of which we import to meet our energy needs.

Unemployment Levels.

141. **Mr. Healy** asked the Minister for Enterprise, Trade and Employment the steps he has taken to address the very serious and long-standing unemployment levels in Carrick-on-Suir, County Tipperary since he met a deputation from the town council and Oireachtas Members on 19 July 2005; the number of site visits to Carrick-on-

Suir the industrial promotion agencies have arranged since that date; the priority he has instructed the industrial promotion agencies to give to job creation in Carrick-on-Suir; and if he will establish a jobs task force for the town. [25668/05]

Mr. Martin: Support for job creation and investment is a matter for the industrial development agencies. Under the industrial development Acts I may give general policy directives to IDA Ireland and Enterprise Ireland but I am precluded from giving directives regarding individual undertakings or from giving preference to one area over others.

As the Deputy is aware, I met a delegation from Carrick-on-Suir town council, led by the mayor, Councillor Sylvia Cooney Sheehan, on Tuesday, 19 July last. Following that meeting I met FÁS and requested it to re-examine its level of engagement with the long-term unemployed in the town. The director general has reported to me that resulting from this review, FÁS has decided to make an additional budget allocation to fund its activities in the Carrick-on-Suir area.

As I stated in a letter to the manager of the town council on 20 September 2005, FÁS, as a key strategic response to the particular circumstances in Carrick-on-Suir, will implement a high support programme, initially prioritising support for 100 clients and subsequently to additional clients who may wish to engage in the process. The programme will provide a one-to-one support process for individuals to identify training and development needs. Funding has been put in place to respond to the needs identified either through training provided by FÁS or any other agency which can respond with appropriate interventions.

By its nature the process will take some time. It will commence in October 2005 and continue through 2006. Initial arrangements have already commenced between FÁS and the Department of Social and Family Affairs to enable the engagement to commence as quickly as possible. In addition, a computer training course is commencing on 24 October 2005 for clients identified by the local employment service.

That meeting was also attended by officials from IDA and Enterprise Ireland and I have been assured by both agencies that they will do what they can to assist in bringing investment to the town. Since that meeting there have been no site visits to the town in terms of foreign direct investment but the overall IDA strategy for south Tipperary is to concentrate future economic development in Clonmel and to develop the town as a first-class location for overseas investment. This strategy has been agreed with the south Tipperary county development board.

Enterprise Ireland continues to foster job creation in Tipperary South and in the south east

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region. Enterprise Ireland job creation activity is focused on the creation of new jobs through supporting entrepreneurs setting up new high potential start-up companies, the retention and creation of new jobs in existing companies and in enhancing the innovation capability of Ireland at a national and regional level through support of research in companies and third level institutions.

Carrick-on-Suir has benefited from a significant amount of direct financial assistance from Tipperary South Riding enterprise board. Since its inception to date, the board has approved €573,895 in financial assistance to business in the Carrick-on-Suir area resulting in the creation of 67 jobs. Tipperary South Riding enterprise board has promoted its autumn training programme for businesses widely in south Tipperary including in Carrick-on-Suir. Its first autumn training programme in Carrick-on-Suir commenced on 6 September with 20 participants as well as additional participants from Carrick-on-Suir attending training programmes taking place in Clonmel.

Additional information not given on the floor of the House.

As part of its wider commitment to the economic development of south Tipperary, the Tipperary South Riding CEB is represented on the newly formed economic development committee as well as the tourism development committee. The CEB representative co-ordinated the development and launch of a new website promoting Carrick-on-Suir in August 2005 as part of its contribution to the work of this committee.

Any further initiatives regarding job creation should be under the auspices of the county development board, with which the industrial development agencies are already involved. This would be in line with the position adopted in other areas. In recent years, we have steered away from establishing task forces and, in keeping with this policy it is not proposed to establish the specific task force to which the Deputy referred. I am confident the policies and strategies pursued by the development agencies, together with the ongoing commitment and support from Government, will bear fruit in terms of sustainable additional investment for all the towns in south Tipperary.

Mr. Healy: In view of the Minister's reply today and his replies to other questions in the last session is it not true that he has washed his hands of job creation in Carrick-on-Suir? Since the deputation met the Minister on 19 July last, no job has been created and there has been no site visit to the town. The Minister and the Government have abandoned the town of Carrick-on-Suir. There are 960 people unemployed among

the town's population of 5,000. Does the Minister understand what that means?

This is not something that occurred recently; it has been the case for ten to 15 years. The Minister's party has been in Government for all but two of the past 20 years but it has not raised a hand to create employment in Carrick-on-Suir. There is the same level of unemployment in the town today as there was when the Minister's party came into office in 1997. It is time to establish a jobs task force to ensure that industry is located in Carrick-on-Suir. Priority must be given to the town because it is an unemployment black spot. I hope the Minister will establish such a task force to ensure job creation and investment there.

Mr. Martin: At the meeting in July, which the Deputy as well as Deputies Davern and Hayes and the councillors attended the overriding consideration was the training agenda. It was accepted that up-skilling and a proper skills foundation in the town was the key to future employment capacity and to securing jobs created in the region. It is unacceptable to do what the Deputy has done, which is to put a circle around Carrick-on-Suir and suggest that I should only look inwards and not 15 miles down the road, where last year the IDA announced a 1,000 jobs expansion in Guidant in Clonmel. It is simply untenable to attack either the IDA or the Government. They are implementing a reasonable strategy for the region. More than 200 jobs are to be created over the next couple of years in that facility.

The key agenda is to ensure we get as many people who are unemployed in Carrick-on-Suir into jobs that are created seven or 15 miles up the road as well as within the town——

Mr. Healy: Eight years later the town still has the same number unemployed.

Mr. Martin: That is the sensible way forward for the town and for south Tipperary. We must maximise the strengths the area can offer and then market them. That will have a ripple effect in towns such as Carrick-on-Suir and other towns in Clonmel's hinterland. That is what we are doing. It is a sensible strategy. If improvements can be made on the skills front, it will be possible to make inroads into what I accept are unacceptable levels of unemployment. That is the reason I immediately contacted FÁS following the representations made to me by the mayor of the town, the officials and the delegation. They suggested that I start by concentrating on the human resource issue first by securing a more friendly FÁS operation for the town. I have done that.

An Leas-Cheann Comhairle: We must proceed to Question No. 142.

Mr. Healy: Is the Minister not aware that Carrick-on-Suir already has strengths? It is on the N24 and is within 15 miles of Waterford city and its airport. It is a fine town. It is tenable to demand that jobs be created in Carrick-on-Suir for at least some of the 960 people who have been unemployed there for the past ten years. There are more people unemployed in the town today than there were when this Government took office in 1997. I demand that the Minister establish a task force for Carrick-on-Suir and prioritise the town. I make no apology for doing so. It is unacceptable and untenable that this number of people remains unemployed in a town of the size of Carrick-on-Suir. The Minister should establish that task force immediately.

Mr. Martin: There is a county development board already in place on which——

Mr. Healy: We want Government action.

Mr. Martin: ——the industrial agencies are represented. There is no point re-inventing the wheel just for the optics and creating another task force. We do not propose to do so.

Mr. Healy: There are 960 people out of work.

Grocery Industry.

142. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment when he will finalise his policy in respect of the review of the groceries order 1987; his views on this important matter; and his plans to review the Competition Act 2002. [25673/05]

Mr. Martin: The public consultation process which I initiated following the consumer strategy group's recommendation that the groceries order should be revoked generated in excess of 550 submissions. These were received from a wide range of parties, including trade groups, producers, retailers as well as a significant number from the public. All the submissions have been considered and a comprehensive report on the consultation process is being finalised within my Department. I expect that the report will include recommendations as to what action is appropriate with regard to the order and I will consider its findings and bring a recommendation to the Government by the end of October.

If it is decided that the order should be amended or revoked, then primary legislation will be necessary. Any such legislation could be effected through an amendment to the Competition Act 2002 or by stand-alone legislation. I have no immediate plans for a general review of the Competition Act given that the statute is relatively new legislation which has worked well to date.

Mr. Hogan: Given that the Minister has had a long time to consider this issue and in view of the uncertainty it is creating in the grocery trade for consumers and suppliers as well as for people in the retail trade, does the Minister accept there is a need for clarity and an early decision on this matter? I welcome his statement that we will have a result by the end of October. What is the Minister's view on predatory pricing and below-cost selling and will he share it with the House?

Mr. Martin: A decision will be made in October. It was important to allow a two-month public consultation programme prior to 31 July, as we did. We received a significant number of submissions which totalled 521. As I stated in replies to other questions, the order was introduced a long time ago, the situation has changed quite dramatically since then and the retail market has transformed. The Competition Act has clear provisions with regard to predatory pricing and abuse of dominance by any player in the market.

In this field one must always be careful with regard to the dividing line between genuine competition and what may be termed predatory pricing. It is not always easy to legislate definitively on that point. From my observations and analysis of the situation I will state the retention of the existing groceries order is not tenable. I have made that clear and put that view on public record. I want to make a recommendation to Government which will then require a reasonable period to decide upon that recommendation. A timeframe of the end of October will allow that.

Mr. Hogan: The Minister is aware we had much discussion on this matter, such as meetings between members of the Oireachtas Committee on Enterprise and Small Business and players in the retail sector such as Tesco and groups such as the Society of St. Vincent de Paul, Crosscare and the Combat Poverty Agency.

The Competition Authority also came before that committee and expressed quite forthright views on competition in the grocery trade. I will paraphrase the chairman of the authority who stated that it is not his business to decide whether to have large multiples or small shops. His role is to adjudicate on competition issues. It does not matter to him whether there is a concentration in the market as his remit is to ensure the existence of a competitive environment in which to do business. Does the Minister agree with that assessment? Does he also not mind whether major multiples will gobble up the rest of the market and concentrate the market in the hands of a few?

Mr. Martin: Is the Deputy playing the RGDATA game? It is interesting that——

Mr. Hogan: I remind the Minister the view I presented is mine and not that of anyone else.

Mr. Martin: I accept that. Of the submissions, 44% came from the symbol groups. It may be interesting for the House to hear that approximately 398 of the submissions favoured retention of the order, 153 favoured revocation while the remaining ten sought amendments or raised other issues. Not surprisingly, the submissions favouring retention came from the industry while the majority of those favouring revocation came from the public and consumer groups. Of the overall, 44% or 246 came from the symbol groups.

We want to avoid abuse of dominance by any particular player but we do want to bring more competition into the market. It is our view also that the market has changed significantly. I am not the chairman of the Competition Authority—

Mr. Hogan: The Minister should answer the question I put to him.

Mr. Martin: The Deputy should wait to hear the answer. One of the key pluses of the Competition Act 2002 was to take politics out of the operations of the Competition Authority in terms of its activities, particularly in terms of the chairman. He has a specific statutory remit and within that are provisions to deal with abuse of dominance.

Mr. Howlin: What is dominance—

Mr. Hogan: I am glad the Minister has put his faith in the Competition Authority because if he is saying that this is the body that will police any new legislation he might propose, he would not want to hold his breath in respect of competition issues because there has not been a case taken under the Competition Act on predatory pricing since 1991. How will the Minister address the problem if that is the authority that will police any new law he will introduce to cover competition in the food sector?

Mr. Martin: There might be a number of factors as to why a case was not taken. In terms of pricing for a range of foodstuffs, for example, we are higher in that regard than most other member states. We know anecdotally that the price differential between one store and another can be substantial, yet significant sectors of the market do not appear to be concerned about that.

Mr. Hogan: That is what they call the free market.

Mr. Martin: That is the point I am making. There is no evidence of a predatory pricing agenda but I do get evidence, and it is even

obvious from the submissions, that there are significant differentials now, depending on the type of store, in terms of what one will pay. The problem with the groceries order is that it prohibits selling at anything below net invoice price.

Employment Conditions.

143. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment his views on the current working conditions of employees on board a shipping vessel (details supplied) and the fact that the company concerned now intends to extend these employment conditions to its ships operating on the Dublin-Holyhead and Rosslare-Pembroke routes. [25767/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): There is some uncertainty regarding the registration status of the vessel referred to by the Deputy and I understand that a ship management agency recruits, employs and manages the ship's staff on this service. Where the terms and conditions of employees are concerned, the flag state, that is the state where the ship is registered, has the exclusive rights to exercise legislative and enforcement jurisdiction over its ships on the high seas. Seafarers on Irish registered ships remain subject to the provisions of Irish law regardless of the location of the ship.

Surveyors from the Department of Communications, Marine and Natural Resources may inspect ships docked at Irish ports to ensure that foreign registered vessels are maintained and operated in compliance with international safety standards. Port authorities have inspected the vessel referred to by the Deputy in the past and were satisfied that the living and working standards were in compliance with the relevant standards.

On 19 September, Irish Ferries announced that it had offered a voluntary severance package to its 543 seafaring employees on its Irish Sea services between Dublin-Holyhead and Rosslare-Pembroke. According to the company, the decision was taken as a result of low-cost shipping competition and increased capacity from low fares airlines. I understand that the company intends to replace those staff made redundant with third party agency arrangements for EU sourced staff.

Primary responsibility for this sector rests with the Minister and the Minister of State at the Department of Communications, Marine and Natural Resources. The Minister of State with responsibility for the marine has already stated that he considers the measures announced as extreme and that the implementation of the proposed redundancies would have grave consequences for Irish seafarer employment, given Irish Ferries' position as the largest employer of

Irish seafarers. He expressed his hope that the company would delay implementation of its plan until recent proposals concerning state aid guidelines for the sector have been considered by the Government.

Notwithstanding the limitations of international law as outlined, the services of the State's dispute-settling machinery of the Labour Relations Commission and the Labour Court are available to the parties at any stage.

Mr. Morgan: I thank the Minister of State for the reply giving a general outline of the situation as it stands but my question concerns what he intends to do to address the problem at Irish Ferries to ensure that no worker on board ferry services operating out of Irish ports is subjected to the exploitative working conditions proposed by that company. Everybody knows what the company is doing and nearly everybody agrees that it should not be allowed to get away with it.

Does the Minister of State agree that what is needed is a European ferries directive to deal with passenger and ferry services operating within the Community and subjecting workers to pay and conditions below the minimum standards throughout the EU? Has the Minister contacted the EU Commission in respect of raising such a prospect to deal with what Irish Ferries propose in this case? We know what will happen if the company gets away with it.

Mr. Killeen: As I explained, the issue of seafarers aboard Irish registered ships is one that can be dealt with in this jurisdiction. Unfortunately, when ships are registered in other jurisdictions we do not have that power. I am taken by the Deputy's suggestion that this be dealt with at European level. I pay tribute to Minister of State at the Department of Communications, Marine and Natural Resources, Deputy Pat the Cope Gallagher, for the manner in which he has pursued this matter. I assure the House that every effort will be made to ensure that conditions of Irish workers comply with Irish legislation in so far as it is within the jurisdiction of the Government. At present that can only be done in respect of Irish registered vessels.

Mr. Morgan: What is partnership worth if we allow flags of convenience ships to treat workers in this way? What is its value if companies can use a manipulative facility to move away from conditions for any workers on board these ferries? Does the Minister accept that the proposition is undoubtedly the creation of exploitative working conditions over which we will have no control? Does the Minister accept that Irish Ferries should not be allowed to get away with this? What is the point of rhetoric on respecting workers' rights on ferries or elsewhere? That is

not worth a damn if we are to let these people tread all over us in the way proposed.

Mr. Killeen: I am as angry as the Deputy in respect of this matter. The reality is that shipping companies are entitled to operate under flags of convenience. In those circumstances it is clear to all of us that little can be done within this jurisdiction.

Mr. Morgan: Will the Minister consider the option of an EU ferries directive?

Mr. Killeen: The Minister for Communications, Marine and Natural Resources has examined various options, including the one the Deputy mentioned. Unfortunately any resolution arising on foot of these discussions would be long-term and would not address the current difficulty. The company is quite profitable and in the present circumstances it is difficult to justify the action proposed.

Mr. Howlin: On a point of order, I gave notice to the office of the Ceann Comhairle regarding the ruling out of a question tabled today. This question on general insurance was transferred to the Department of Transport, which does not have responsibility for the matter. The General Office advised me that it is a matter for the Minister for Enterprise, Trade and Employment who, amazingly, transferred a question on insurance to the Department of Transport. I am advised I have no redress other than to raise the matter with the Chair now.

An Leas-Cheann Comhairle: The Chair has no responsibility either. It is a matter for the Government.

Mr. Martin: On a point of order, my understanding is that this is part of the insurance reform programme. Regulatory matters of general insurance issues are the responsibility of the Department of Finance, car insurance is the responsibility of the Department of Transport and my Department has retained responsibility for the Personal Injuries Assessment Board. We do not have responsibility for general insurance matters.

An Leas-Cheann Comhairle: It is not a matter for the Chair.

Mr. Howlin: A question on general insurance was transferred to the Department of Transport.

Mr. Martin: It is the responsibility of the Deputy to put down the right question to the right Department.

Mr. Howlin: Now it is a matter of putting down the correct question. Is the Minister saying I did not ask the right question?

Mr. Martin: The Deputy should table it to the correct Department.

An Leas-Cheann Comhairle: We cannot have a debate on it.

Mr. Howlin: The question is quite clear. It concerns the huge profits for the insurance sector. I have asked the Minister——

Mr. Martin: I have not seen that question.

An Leas-Cheann Comhairle: We must proceed with other questions.

Mr. Howlin: The Minister saw it. He transferred it to the Minister for Transport. I ask the Leas-Cheann Comhairle what he will do about this matter as we begin a new Dáil session.

An Leas-Cheann Comhairle: It is not a matter for the Chair. It is a matter for the Government.

Mr. Howlin: It is quite clear that the Department of Transport cannot answer this question.

An Leas-Cheann Comhairle: The Chair has no function in this matter.

Mr. Howlin: Can a question be killed off by moving it to a Department to which the question is not relevant? It is extraordinary.

Other Questions.

Industrial Disputes.

144. **Mr. Broughan** asked the Minister for Enterprise, Trade and Employment the position regarding the investigation by the labour inspectorate into allegations of serious irregularities in the treatment of employees of the Turkish company, Gama, which has been operating here; if all workers have now been given access to money held in accounts in a bank in Holland; if the Garda has been requested to conduct an investigation into allegations that money had been diverted into accounts to which the workers previously had no access; and if he will make a statement on the matter. [25420/05]

Mr. Martin: Allegations of non-compliance with labour legislation in respect of a major construction firm were raised in this House on 8 February last by Deputy Joe Higgins. Those allegations were that certain non-national construction workers were required to work excessive

hours and that such workers were in receipt of pay of between €2 and €3 per hour in contravention of the statutory minimums applicable.

The labour inspectorate of my Department undertook an investigation of these allegations. That investigation was completed within six weeks and required the exclusive attention of three labour inspectors under the direction of two senior members of staff. A report on the investigation was prepared and circulated to relevant parties, including the construction firm involved. Subsequently, the Department was informed that the firm proposed seeking a judicial review with regard to the investigation and inspector's report.

At an interlocutory hearing a judgment was given whereby the Department was restrained from publication of the inspector's report but permitted to forward the document to relevant prosecutorial bodies. On foot of this outcome, a copy of the inspector's report was sent to the Department of Social and Family Affairs, the Revenue Commissioners, the Office of the Director of Public Prosecutions, the Competition Authority, the Office of the Director of Corporate Enforcement and the Garda Commissioner.

The inspector's report was quashed in the judgment that followed the full High Court hearing of the case. That decision is being appealed to the Supreme Court. I am unable, accordingly, to elaborate any further on the content of the inspector's report or offer any observations on the actions that the prosecutorial bodies mentioned may be considering.

I was concerned that all Turkish workers would have access to the money that had been transferred to their bank accounts in Finansbank in Amsterdam. To that end, I and my officials met senior management from Gama Turkey and Gama Ireland, the legal advisers to Gama Turkey, and a human resources consultant retained by Gama. At that meeting I was assured by these senior managers, their legal adviser and the human resources consultant that all Gama workers in Ireland, past and present, would have full access to the money that had been transferred to their bank accounts in Finansbank.

I contacted the President of Finansbank. He assured me that, provided the consent of the workers was forthcoming, his bank would cooperate in ensuring that my officials would have sight of relevant bank records in his bank so that they could be satisfied that all workers would have access to the money in their bank accounts. Officials from my Department travelled to Finansbank on 14 April last. Following these meetings and contacts which my officials had with SIPTU and Deputy Joe Higgins, I am satisfied that a substantial number of Turkish workers who were in Ireland around last April received value for the funds that had been transferred to their personal bank accounts in Finansbank.

On 29 April, my Department sought in writing certain details on each current and former Gama employee, including the money transferred to Finansbank and the money transferred from Finansbank to their personal bank account in Isbank in Turkey. Despite reminders, this information has not been supplied to date. Accordingly, I cannot assure the Deputy that all Gama workers in Ireland, both past and present, have received value for the amounts that were transferred into their personal accounts in Finansbank.

In the meantime, there have been ongoing contacts between officials of my Department and the company. Matters were brought before the Labour Relations Commission and then the Labour Court. Arising from these actions, substantial transfers of money were secured for workers *in lieu* of overtime worked. In addition, certain professional Gama workers, in respect of whom transfers were not made into Dutch bank accounts, were also awarded sums of money by the Labour Court. Many of these Turkish workers have now returned home.

Mr. Howlin: I thank the Minister for the fairly comprehensive response. First, will he indicate if he has worked out the exact statutory entitlement of each Gama worker so that when he hears from Finansbank in due course, he will be able to validate that each of them has received the full entitlement?

Second, have the tendering procedures that allowed this breach of law to occur been tightened up subsequent to the revelations relating to this issue? Are new tendering procedures for public contracts now in place?

Third, given that three labour inspectors worked full-time on the case for the duration of the investigation, we now have just 16.5 man-power equivalent people involved in labour inspection in Ireland, which is the equivalent of one inspector per 117,000 workers. Is that the current position and, if so, does the Minister agree it is unacceptable?

Mr. Martin: In regard to the details pertaining to each worker, our officials, in particular our labour inspectors, worked hard to secure as many personal details as possible about each worker. They contacted SIPTU and Deputy Joe Higgins for names and so on. We also worked out formulae regarding workers' entitlements for previous and current work and overtime. The overtime issue was ultimately dealt with by the Labour Court. We had further meetings with SIPTU and the indications are that the retrospective element is no longer an issue. We used the recognised REA rate, which the company is legally obliged to pay.

I can only refer to the tendering procedures in general. When people or companies tender, one

expects the information contained in the tender to be truthful and transparent.

Mr. Howlin: With full compliance with our labour law as part of the contract.

Mr. Martin: We cannot attempt to prejudice a tender on notions we have based on experience or occurrences. I do not control the tendering process. Companies present the REA rates and so on as part of the tender submission. The key issue is that, on winning a contract, the company should do what the tender document says. Trust and observance of the law are also important issues in this regard.

With regard to the labour inspectorate, the current staff levels are not acceptable going forward and I sanctioned an additional ten posts. We are drafting proposals for a medium-term expansion of the inspectorate.

Mr. Howlin: To how many?

Mr. Martin: I will not outline specifics. We are working on proposals. We want to recruit the additional ten inspectors and the recruitment and training process is almost complete. The intention is to concentrate on the issue of migrant labour.

Mr. Morgan: Does the Minister accept there is a perception that rogue companies such as Gama and Irish Ferries can trample all over the rights of workers and that the Government is particularly weak in tackling such companies?

Mr. Martin: We could not be described as weak regarding how we tackled the Gama issue. I do not say I subscribe to the Deputy's terminology regarding the companies as I do not want to be found in breach of a court order.

Mr. Morgan: It is patently true anyway.

Mr. Martin: When the Gama issue was presented to us, we acted resolutely. Up to €25 million was returned to the bank accounts of workers, which is a substantial amount by any benchmark. The recognised rate increased significantly and the blockage regarding the recognised agreed rate of pay in the construction sector caused by one union objecting to the *modus operandi* was substantially addressed. We achieved a good result in that case.

Mr. Morgan: Belatedly.

Mr. Martin: Deputy Joe Higgins and others deserve credit for that.

Departmental Bodies.

145. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment the measures

[Mr. Gormley.]

he has taken to implement the recommendations made in the enterprise strategy group report. [25502/05]

Mr. Martin: The past decade saw the most rapid and sustained economic growth in the history of the State. In a short period, this has provided levels of prosperity in every region that would have been considered by earlier policymakers as impossible.

As a small open economy we have few defences against the powerful changes taking place in international trade and business. Nationally we have an enthusiasm to maintain our increased prosperity and there is recognition among the international business community that we are committed to doing so. Within Government, I have a commitment to ensure the environment for doing business in and from Ireland provides the right balance of entrepreneurial incentives and policy architecture to help enterprise expand and prosper. The enterprise strategy group's report matches these objectives and presents a package of policy adjustments to keep our economy vibrant and competitive. The group's recommendations do not propose an abrupt transformation of domestic enterprise, rather they seek to substantially enhance our existing enterprise base by strengthening existing policies and by identifying important capability gaps. Implementing the group's report must be seen in an important international context. Ireland faces a number of strategic issues in maintaining and expanding the higher living standards, growth and employment levels achieved over the past decade. Among these are increasingly intensive competition for markets and mobile investment due to globalisation.

The accelerating pace of global change including structural changes being felt across the enlarged European Union, is driving unprecedented changes in the way business is transacted around the world. The enterprise strategy group's report gives us the analysis and context in which to reorient and reinvigorate enterprise policies and the associated institutional arrangements to implement them.

The report is a valuable contribution to embedding strategies and change appropriate to the new realities and challenges facing the Irish economy. I have mandated and agreed many changes that substantially advance the enterprise strategy group's implementation process.

I will briefly summarise the early and substantial progress to date. The enterprise strategy group recognised a new and important relevance for indigenous enterprise in transforming our economy into one based on innovation and knowledge. Consequently, significant changes have taken place at Enterprise Ireland to transform its

professionalism and engagement with small and medium-sized enterprises.

The agency has restructured how it delivers assistance to clients, taking into account the enterprise strategy group's recommendations, and a few months ago I launched its strategy for transforming Irish industry. This strategy contains notable changes that are also aligned with the enterprise strategy group's proposals. For example, Enterprise Ireland has radically reorganised its services to exporters and a new internal organisational structure has been put in place to reflect this. This is an important first step in helping Irish companies internationalise their business.

The enterprise strategy group pointed to shortcomings in marketing capability and this is being addressed by Enterprise Ireland and FÁS in a joint pilot programme to develop increased levels of sales and marketing talent within Irish companies that I announced on 24 August. The enterprise strategy group also referred to the importance of management capabilities in Irish firms. Human resources are already a core component of Enterprise Ireland's business development model in that the agency adopts a holistic approach to business development, which covers key business functions. As part of Enterprise Ireland's restructuring a client-management development and mentoring division has been set up to focus on addressing this recommendation.

Additional information not given on the floor of the House.

The following are some examples of our planned and measured approach to the process of addressing each of the enterprise strategy group recommendations and linking them with specific performance targets to help later evaluation of success and progress. Last week I announced our initial response to the enterprise strategy group's one step up proposal.

Last week's launch also featured "open day" at the Royal Hospital where workers seeking to improve their skills could see the full range of available training programmes and education courses. The one step up initiative gives workers the opportunity to acquire new skills and competencies. This will allow them to perform higher, added-value tasks, be able to bring new knowledge to their work and not be left behind as the economy evolves into more specialised activities.

The enterprise strategy group made some important recommendations about innovation and research and development. In this regard funding for Science Foundation Ireland is critical and has been assured until 2009. Furthermore, Enterprise Ireland has established a new support structure for technology development. Groups of technologists now assist client companies in the development of strategic technology innovation, which will result in the smooth introduction of

new processes and in bringing new products and services to market.

The Government has also appointed a chief science adviser and last year we published our action plan for promoting investment in research and development to 2010. The enterprise strategy group recognised that without more market relevant research and development the future of many companies here is at best uncertain. My Department is working on the strategic implementation plan that will tell us the best way to implement the research and development action plan. This will take into account many of the enterprise strategy group's science and innovation related policy suggestions.

Mr. Eamon Ryan: In the main part of his answer the Minister looked backwards saying, correctly, how well we have done over the past ten years. He notes that the enterprise strategy group suggests that we need to change things slightly and gradually. That was the tone in which I understood him to respond. I need to read the full response later.

I could not disagree more with him. There is a range of strategic issues which, if the Minister were to look forward rather than backward, he would see require us to make urgent changes. These include the rapidly changing global competitive market, the fact that other countries will emulate our low tax rates, and the fact that our cost-competitiveness is running far above that of our competitors.

Unfortunately, he did not have time to list the changes verbally, apart from those internal to Enterprise Ireland. The enterprise strategy group looked specifically for the following improvements which have not been implemented: export Ireland and technology Ireland divisions within Enterprise Ireland, the need for 1,000 graduates in sales and marketing on a co-operative basis; a budget of €20 million a year for enterprise-led networks, the one step up initiative programme, higher education benchmarking with the very best, increased research and development to match our basic research and development within firms and applied research and development. These are only some of the group's recommendations. I regret that the Minister did not have time to finish reading his response. I look forward to reading the balance of it later.

The only answer he seems to have describes an internal reshuffle within Enterprise Ireland which does not nearly match the changes we need to face the future.

Mr. Martin: The Deputy must not read the newspapers. We launched the one step up initiative last week and I allocated the additional funds in last year's Estimates for this year to implement the enterprise strategy group's recommendations immediately. The one step up initiative aims to

upskill the workforce. I am totally committed to this plan and have already taken action on it.

The changes in Enterprise Ireland are fundamental to the enterprise strategy group because it concentrates significantly on indigenous enterprise. This is not a casual implementation — the Deputy misinterpreted me if that he so understood my tone. That is not my position.

The changes at Enterprise Ireland aim to create an export led, technology, innovation based approach. Enterprise Ireland has created the divisions the Deputy mentioned. It has radically reformed its overseas division in terms of giving assistance to companies that wish to create a greater presence overseas. It has also announced a new productivity fund. Scaling up medium-sized Irish companies to become significant international players is a key item on Enterprise Ireland's agenda, as is the development of high potential start-up companies. Enterprise Ireland will be the engine for the development of indigenous enterprise over the coming years.

The model that achieved our economic transformation will not take us through the next decade. The enterprise strategy group's recommendations give us a blueprint for future development and we are committed to implementing it.

In regard to overseas marketing, we have, at my initiative, reviewed the existing FÁS graduate placement programme. Enterprise Ireland and FÁS have come together to develop a better resourced overseas graduate programme. This has been a very effective tool yielding significant intelligence on the ground, particularly in Asia. We will continue the programme in line with the need for greater marketing talent to be generated and developed.

This Government more than any other has achieved significant progress in research and development through the programme for research in third level institutions and Science Foundation Ireland. We are committed to building on and increasing that. I am chairing a Cabinet sub-committee preparing a strategic implementation plan on research to take us through to 2013, with very significant results.

Mr. Eamon Ryan: We can return to the issue of research and development later. In terms of Enterprise Ireland, is it not the case that the Minister has mired the agency in that black hole of bureaucratic nonsense known as decentralisation by adding yet another town to the process by moving Enterprise Ireland to Shannon? Is that an example of the agile change which this report seeks?

Mr. Martin: Enterprise Ireland's response to this report has been very agile. It was ready and had the blueprint, a strategic vision for the future,

[Mr. Martin.]

and was in a position to launch it, which I did several months ago.

Mr. Eamon Ryan: Will it move to Shannon?

Mr. Martin: Yes it will.

Mr. Eamon Ryan: How many of its staff voted for that move?

Mr. Martin: That will not cause any difficulties in terms of the broad agenda.

Mr. Eamon Ryan: How many of its staff have signed up for the move?

Company Closures.

146. **Mr. Timmins** asked the Minister for Enterprise, Trade and Employment the situation regarding the unsecured creditors of a company (details supplied) in County Wicklow; and if he will make a statement on the matter. [25443/05]

Mr. Martin: The determination of any payments due to creditors of Irish Fertiliser Industries is a matter solely for the liquidator. The position of unsecured creditors can be determined only by the liquidator when all the assets of the company have been realised and all liabilities established. The liquidator has made considerable progress in realising the assets of the company and establishing the full extent of its liabilities.

At this stage, the main production sites at Arklow and Cork remain the principal assets yet to be realised. Contracts have been signed for the sale of both these sites and it is hoped to close the sales in the near future. The statement of affairs presented to the creditors' meeting in November 2002 estimated the amount due to unsecured creditors was €72.7 million. Of this, €34.5 million relates to shareholders' loans which the shareholders, ICI and the State have agreed in principle to subordinate in favour of the other unsecured creditors. This action on the part of the shareholders will substantially increase the rate of dividend payable in due course to the other unsecured creditors.

While I do not have an up-to-date estimate of the amounts due to unsecured creditors, I am aware the liquidator has recognised significant additional liabilities to former employees in respect of contractual entitlements to redundancy terms. In addition, the liquidator has accepted, in principle, that the trustees of the Richardsons superannuation scheme, covering the employees in Belfast, have an admissible claim on the liquidation but the quantum of that claim remains to be established.

The liquidator is engaged in discussions with the trustees of the scheme with a view to agreeing

the quantum of the claim and hopes to do so soon. The liquidator hopes to be in a position to make at least an interim payment to creditors before the end of the year.

Mr. Timmins: Does the Minister agree that almost three years to the day after this company, in which the Government was the major shareholder, went into liquidation that the unsecured creditors do not know how much they will receive following the Minister's reply? Much was said in the last Dáil session about the way Gama Construction treated its workers but the way the Government has treated the workers and unsecured creditors in IFI in Arklow is outrageous.

Will the Minister give some indication when the unsecured creditors might know when they will receive some payment? Hundreds of thousands of euro are owed to small family businesses around the greater Arklow area. I am sure it is no different in the area around Cobh. The Minister stated he did not know the total figure owed to unsecured creditors. I would like to know why, three years later, we still do not know that figure, which I am sure could be calculated quite easily if the Government, a major shareholder in the company, inquired of the people behind it.

Mr. Martin: About what?

Mr. Timmins: About the total owed to the unsecured creditors. The Minister in his reply said the Government did not know that figure. I find it quite amazing that three years later we still do not know. Does the Minister think it right and proper that the Government, a major shareholder, should treat employees and unsecured creditors in such a manner? What total is owed to unsecured creditors and when might they expect to receive that money?

Mr. Martin: The Deputy's remarks are unacceptable and untenable.

Mr. Timmins: In line with the Minister's behaviour.

Mr. Martin: No. The Government has not treated workers in an outrageous manner. Through statutory redundancy entitlements and payments from the fund quite substantial sums have been made available by the two shareholders. Employees will have received an average payment of up to €50,000. Whether one agrees with the rate or not, one cannot describe it as outrageous. Equally, one must accept the reality that the Government is not the liquidator.

Mr. Timmins: I would like——

Mr. Martin: I would love such complex processes involving liquidators to be expedited, but there are key legal issues to be determined. The Government is not the liquidator in this case. For whatever political agenda, people may try to ignore the liquidator, remove him from the process and replace him with the "Government", which they would like to blame for everything. That too is neither tenable nor acceptable.

Mr. Timmins: The Minister clearly stated that he was unhappy with the slow pace and that he would like to see things hurried up. As Minister he can amend the legislation. Does he believe the legislation is serving unsecured creditors in a correct and fair manner if, three years later, they have still not been paid for goods and services they supplied to a company of which the Government was a major shareholder? If not, will he make a commitment to change the legislation rather than hide behind the liquidator?

Mr. Martin: We were asked to bring the Deputy up to date regarding the situation of unsecured creditors. I have done that in——

Mr. Timmins: The Minister does not know the figure or when the money will be paid.

Mr. Martin: ——the reply. We are not the liquidator and do not get involved in the process, to which a range of legal issues relates. The Deputy knows that as well as I do.

Mr. Timmins: We are no further on than three years ago.

Community Employment Schemes.

147. **Ms McManus** asked the Minister for Enterprise, Trade and Employment the number of persons on community employment places at 1 January 2003, 1 January 2004, January 2005 and the anticipated numbers at 31 December 2005; if his attention has been drawn to the difficulties faced by many community and voluntary groups due to the shortage of community employment places; if any changes are planned with regard to eligibility to participate in the scheme; and if he will make a statement on the matter. [25428/05]

Mr. Martin: The main purpose of the community employment programme is to provide work experience and training for the long-term unemployed and other disadvantaged groups to enable participants to advance successfully to employment in the open labour market. FÁS also endeavours to ensure that local communities are supported in the delivery of services, particularly in the health, child care and drugs task force areas, which have been ring-fenced with numbers maintained at the 2002 levels.

As I announced on 10 November last, FÁS employment programmes, which comprise community employment, social economy and job initiative, will provide 25,000 places overall in 2005.

I am informed by FÁS that the number of participants on CE was 24,992 on 1 January 2003; 19,848 on 1 January 2004; and 22,194 on 1 January 2005. FÁS anticipates that the numbers on the scheme by the end of the year will be broadly in line with the January 2005 level.

The increase from three to six years in the time that over-55s may participate in CE schemes, which I announced in November, should help to ensure that there will be sufficient people available to fill the places on offer. No further changes are planned regarding the eligibility criteria for the scheme.

Mr. Howlin: What is the Minister's attitude to community employment? Does he regard it as a valuable and important scheme that is no longer primarily for work experience and training as originally envisaged when Deputy Quinn established it at a time of high unemployment, but to undertake valuable community work that would otherwise not be done? If that is the case, does the Minister believe it is time he developed a new emphasis to ensure that the valuable work undertaken by community employment continues? Does he see a role for himself as Minister for Enterprise, Trade and Employment in ensuring that such work continues?

Regarding the over-55s, would he consider ensuring that, where people are fit and able and wish to continue beyond the six-year roll-over that he has granted, it will be possible? The extension was previously three years, and the Minister announced in November that there would be a six-year extension beyond 55 where people are fit and able for useful work beyond that age, in line with the view now of people continuing hale and hearty into their 60s and working.

Mr. Martin: I am somewhat surprised by the question, since the CE scheme is primarily a labour market intervention.

Mr. Howlin: It was originally envisaged as such.

Mr. Martin: Yes, and it still should be. I do not agree with the Deputy that we should detract from it.

Mr. Howlin: That is interesting.

Mr. Martin: In 2002, the progression to employment for CE participants was 41%, and in 2003 it was 46%. That means almost half of those on CE schemes progressed to full employment, the original and continuing motivation behind the CE

[Mr. Martin.]

programme itself. On the jobs initiative, there has been a progression of approximately 40%.

My preference is to transfer the social economy scheme to the Department of Community, Rural and Gaeltacht Affairs, since it supports community initiatives and has not really developed as a labour market progression measure. I have been in discussions with the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, with a view to moving it to his Department — “mainstreaming” might be the wrong term — to provide a more secure underpinning for those community enterprises supported by the social economy programme.

We should not write off CE participants when it comes to progressing to full-time employment. With that in mind, in my discussions with FÁS last November, I asked that the content of programmes be examined to see whether we might do more to get certain people on CE schemes back into the workplace. FÁS is in the process of modifying the content of the CE programme, and the new approach will see the introduction of an individual learner planning process that will focus on meeting participants’ learning needs. That individual learner plan will provide for the planning, organisation and recording of the work experience, training and development that each participant receives while working in community employment. It is to include further training and development for supervisors, a new application process and quality assurance procedures. I hope it will provide additional benefits to FÁS clients on that programme.

Mr. Hayes: Will the Minister review the situation of people aged between 50 and 55, many of whom cannot get a place on the scheme? Many are aged just over 50 and for one reason or another cannot find employment in their own community.

Mr. Howlin: I am intrigued by the Minister’s response, since I feel the scheme has evolved well beyond a simple labour market initiative and into an acknowledgement of important work. My question’s basic thrust was whether the Minister would present a revised scheme retaining the labour market initiative component within his Department and finally acknowledging an important social employment, full-time work programme through the Department of Community, Rural and Gaeltacht Affairs. Is that the sort of project on which he is now working, and when will it be presented to the House?

Mr. Martin: I am equally intrigued by the Deputy’s proposition. We must be careful that we do not fall between two stools. The community employment programme does valuable——

Mr. Howlin: For the Progressive Democrats, there is no such thing as community employment.

Mr. Martin: Clearly, community employment helps communities, but its primary purpose is to help the individual through providing a bridge from unemployment to full-time work. That should remain the primary focus.

Regarding Deputy Hayes’s question on the over-50s and over-55s, we must be careful that we allow enough capacity within the overall programme to absorb new entrants from the unemployment register on to CE schemes so that there is genuine progression. The danger, if we get into the business of people remaining on CE schemes for ever, is that we might end up with no space and no possibility of access. We made significant changes last November, and I want those to bed down to see how they are operating. We will analyse and evaluate that situation not only in the context of the Deputy’s questions but to see how it has worked hitherto. We will see if there is more room for the type of thing the Deputy suggested.

Mr. Hogan: There is a number of complaints in regard to the differing benefits available under rural community schemes and community employment schemes when the three years have elapsed. There is some disquiet among those seeking to claim welfare benefits or secondary benefits after completing community employment schemes *vis-à-vis* their counterparts taking part in the schemes devised by the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív. Will the Minister comment on this?

Mr. Martin: I am loath to intervene in respect of my colleague’s formulae and solutions for addressing the needs of rural Ireland as he has ascertained them.

Mr. Hogan: It is a generous scheme.

Mr. Howlin: The Minister, Deputy Ó Cuív, is a sensitive soul.

Mr. Martin: The Minister for Community, Rural and Gaeltacht Affairs has the capacity to generate schemes that meet the needs of rural and remote communities. In creating that Department and appointing Deputy Ó Cuív as Minister, the Taoiseach clearly demonstrated the Government’s commitment to rural Ireland. The Minister has been responsible for devising schemes that are tailor-made for rural communities and the success of the scheme is testimony to the Government’s commitment in this regard.

Research Funding.

148. **Mr. Gogarty** asked the Minister for Enterprise, Trade and Employment the measures

his Department has taken to increase research and development spending to 3% of gross domestic product, GDP, as recommended under the EU framework programme for research and development; and if he is satisfied that the current ratio of gross research and development spending to overall economic activity in 2004 was estimated by his Department to be only 1.5% of gross national product, GNP, and that investment has increased a mere 0.18% in three years. [25500/05]

153. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment the measures he intends to take to remedy Ireland's weakness in the research and development sector as identified by the National Competitive Council's annual competitiveness report; and if he will make a statement on the matter. [25039/05]

198. **Mr. Coveney** asked the Minister for Enterprise, Trade and Employment his views in respect of the low uptake of and investment in research and development by firms; and if he will make a statement on the matter. [25393/05]

Mr. Martin: I propose to take Questions Nos. 148, 153 and 198 together.

The Government is fully conscious of the importance of research and development capacity to our international economic competitiveness and the ongoing well-being of the economy. To this end, significant investment of €2.5 billion has already been committed by this Administration in the context of the current national development plan. Reflecting the effectiveness of this investment, business expenditure on research and development rose from €917 million in 2001 to €1.076 billion in 2003 and real annual average growth in gross expenditure on research and development, GERD, for Ireland was 4.8% for 2003 to 2005.

This rate of research and development growth in Ireland exemplifies the Government's vision for Ireland to become a knowledge economy internationally renowned for the excellence of its research, with leadership in the areas of life sciences, medical technologies, software and information technologies, and at the forefront of generating and using new knowledge for economic and social progress with an innovation-driven culture.

The Government's ambitious decision to build a strong base of expertise in science and technology to drive the development of strategic research and development investment is already reaping rewards as reflected in the growth of business spend on research and development and collaborative ventures between universities and industry under, for example, Science Foundation Ireland's centres for science, engineering and technology, CSETs, initiative. However, we are

fully aware that more needs to be done in terms of our competitive position in Europe and internationally. We welcome the focus that has been brought to bear on this key area in recent years by such bodies as the National Competitiveness Council, NCC.

To help achieve our vision for research and development and to ensure a coherent approach across a range of Departments, the Government approved a new co-ordination and governance system for science, technology and innovation last year, including the establishment of a dedicated Cabinet sub-committee, which I chair. This decision facilitates a genuine, whole-of-Government approach to the cross-cutting research development and innovation agenda. Earlier this year the Cabinet sub-committee mandated a high level cross-departmental group of officials to prepare an action-oriented strategy for science, technology and innovation for the period 2006 to 2013.

The strategy will outline for Government the steps necessary to enable us to achieve the Lisbon and Barcelona goals. Working in partnership with our agencies, schools, third level institutions and the enterprise sector, it will aid Ireland to realise its potential as a knowledge economy and attain a position of prominence in research and development which will maintain competitiveness and jobs in coming years.

Mr. Eamon Ryan: How does the Minister intend to change the situation whereby in 2003, of the €1 billion invested in applied research, only €32 million came from the State? This places Ireland 21st out of 30 countries in the OECD in terms of state funding for research and development. Does he have any response to the finding in the summer quarterly report from the ESRI that research in this State is carried out primarily by companies whose parent company is based in another state and that there is no contact with State agencies or universities in respect of the majority of applied research and development?

Mr. Martin: I disagree fundamentally with the Deputy. Many indigenous companies engage in the research and development agenda.

Mr. Eamon Ryan: The findings in the ESRI report indicate a different situation.

Mr. Martin: We have a greater number of researchers per 1,000 people than the European average. The bottom line is that since the establishment of the PRTLTI programme during my time as Minister for Education and Science and the establishment of Science Foundation Ireland under the aegis of Tánaiste during her tenure in my Department, there has been a dramatic transformation of the research landscape for which the Government deserves credit. We realise we must

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transform that agenda again and are preparing an action implementation strategy for research which will involve significant changes both in terms of prioritisation, targeting and envelopes over a six-year period to bring us to even higher levels of research and development.

The good news is that much of the foreign direct investment we have recently announced has included strong research and development components. Many of our indigenous companies, particularly those in the food sector such as Glanbia and Dairygold, invest heavily in research and development centres which provides new jobs for this emerging economy.

Leaders' Questions.

Mr. Kenny: Ba mhaith liom fáilte a chur roimh an Taoiseach agus an Rialtas tar éis saoire rófhada. Tá a fhios ag gach duine thart faoin tír nach bhfuil an Rialtas seo ag comhlíonadh na ngeallúintí a chuir siad os comhair an phobail agus go bhfuil a ré ag teacht chun deiridh.

This is the first Leaders' Questions in the new session and there is a number of serious issues that could be discussed. We will have an opportunity to make comments in respect of Northern Ireland and decommissioning later. There are also issues in regard to the disgraceful and obscene waste of public money as shown in the report of the Comptroller and Auditor General. Questions must be answered also about the issue of Thornton Hall during today's Private Members' debate.

I wish to deal with a particular matter in a constructive way and to suggest the Taoiseach's intervention in a manner which might bring about a break in the related impasse, which is of growing concern. The Taoiseach is aware that more than 90 days ago, five men were committed to prison for failing to abide by the terms of a court injunction. The issues that gave rise to that imprisonment are complex and the resolution of the dispute between the company involved, Shell, and the five men from Rosspport will not be easy. Efforts have been made by a number of individuals and authorities to break this impasse and to deal with the issue of safety reviews so that the question of the safety of the pipeline can be answered one way or the other. The Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, must make a decision in respect of this at a later date.

I have spoken to the imprisoned men and their families, Shell representatives and anybody else associated with this matter. I have tried to put forward constructive proposals that will break the impasse. There is now a complete contradiction and a polarisation of views in that the company says it cannot lift the injunction and the men say they will not purge their contempt. I gave the lat-

ter a legal perspective last week based on a case of civil contempt.

We have had intractable problems in this State in the past. Men such as Mr. George Mitchell and General John de Chastelain were called in and were able, over a period, to resolve issues of fundamental difference. Will the Taoiseach, as leader of the Government, involve himself in this matter? Perhaps he might appoint a mediator of considerable standing, acceptable to both sides, who would set about breaking this impasse. It will not be solved by hysterics but only by dialogue, discussion and compromise. The Minister for Communications, Marine and Natural Resources, on behalf of the Government, must make a fundamental decision one way or the other.

The Taoiseach: Throughout the summer Deputy Kenny has adopted a constructive approach at all times. I accept the way he has put the current situation in this issue. He is correct that it cannot be resolved other than by means of a thoughtful process of trying to engage. Needless to say, I have been dealing with this issue throughout July and since 25 August, when I returned, and I have talked with the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey about it. There has been no Cabinet meeting since the end of June at which it has not been discussed in one form or another. I regret that anyone should be committed to prison as a result of his or her opposition to the development of the Corrib gas field. I accept that it has been a traumatic time for the men and their families.

Deputy Kenny knows that we cannot intervene in a decision of the High Court. However, every effort has been made to create the conditions — efforts which Deputy Kenny is asking me to continue — that would allow them to purge their contempt. The Minister, who maintained total consultation with me, initially made contact through an intermediary with the five men in prison to discuss their concerns. He proposed a safety review by an independent body as a response to those concerns because the initial part involved safety issues. Despite this and his willingness to meet them if they purged their contempt, the men decided not to do so.

The Minister then, in conjunction with the Cabinet, ordered an additional comprehensive safety review of the onshore upstream gas pipeline to be carried out by independent internationally recognised experts. Advantica was identified as the successful bidder and was appointed in the third week of August. The company is a world leader in development and application. As Deputy Kenny is aware, the safety review is ongoing. An issue of particular concern to local residents is proximity and that is being looked at.

There will be a two-day public hearing shortly. People with strong views may put their concerns forward at that. We have made numerous attempts at finding a breakthrough in this. We will continue to do so. Most of these efforts are on the public record, although perhaps not all are. We have tried to find a way to deal with the issue satisfactorily.

Our main concern has been to put monitoring and verification procedures in place to ensure that the developer complies with all the legal consent issues. There has been a long chapter and verse in this. Yesterday, the Minister spent three hours in the committee discussing this. There is no need for me to repeat it here. We will continue to seek constructive ways forward. I and Deputy Kenny, who has been very constructive in this, have attempted through mediators to find a way to break the impasse which will not interfere with the High Court decision but, through no fault of our own, have not yet been successful.

Mr. Kenny: There are a number of other persons of sufficient stature who would be willing to become involved in this if the *imprimatur* of the Government were given. It is a fact that this was badly handled by the local authority in some aspects. It was very badly handled by the Government and by Shell and it has led to a complete breakdown in communications. It is impossible for me to express the frustration and anxiety of the families involved in this.

This is a national question in terms of energy that should be harnessed without any impact of the health or safety of citizens. No project is worth that. The Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, promised publicly last year to provide money from his Department to bring a pipeline to Belmullet. Other Ministers promised spur lines all over the west. These represent broken promises by the Government.

Is the Taoiseach happy that the transfer of authority from the Government and Bord Gáis to a private company such as Shell is constitutional given the inviolability of property rights under the Constitution? In other words, was proper procedure followed in every instance and does it stand up legally?

In the interests of attempting to create dialogue and an environment in which progress may be made so that the Minister, Deputy Dempsey, will be allowed to make a decision one way or the other, will the Taoiseach consider the appointment of a mediator who is of sufficient stature, acceptable to both parties and may be able to break this impasse?

The Taoiseach: The Gas (Amendment) Act 2000 provides the legislative basis. This has been discussed many times and our advice throughout

has been that it is totally compatible with the legal position.

On the safety issues, I will not rehearse all that the Minister said yesterday but at all times during the entire process, all the necessary protections were put in place. People will have the opportunity to put forward their views during the two-day public hearing in County Mayo which will be held on 12 and 13 October and will be chaired by John Gallagher, senior counsel. There have been a number of views. We and Advantica have gone to great lengths to ensure that all procedures have been complied with.

On the question of a mediator, Deputy Kenny will be aware that various groups and individuals from the church, community, politics and other areas have been tried. There is no doubt that to avoid intervening with a decision of the High Court, which we cannot do, a mediator would be very useful if both sides were agreeable to such an initiative. However, indications until now have been that the men will not engage until they are out of jail. That does not resolve the difficulty but that is the position. If Deputy Kenny is indicating that the men are perhaps willing to work with a mediator without conditions, I am willing to make such a move. That has been my position all along. I have continued to engage throughout this and any new initiatives that can help to resolve this unfortunate situation will be welcomed.

Mr. Rabbitte: Will the Taoiseach detail his Government's plans to deal with the displacement of 543 workers by Irish Ferries Limited? He should have a note of it because he will remember this was a significant company which served the strategic interests of this country well before it was sold off to friends of Fianna Fáil by the then Minister for Transport, Deputy Brennan. Having gotten away with it in the case of the displacement of workers on the *MV Normandy*, the company now proposes to make redundant the entire crew and to register the vessel in the Bahamas under a flag of convenience. As a result, 543 workers are displaced.

I read in the newspapers that it is proposed to give them €6 million in taxpayers' money as a contribution towards the redundancy fund. The unions and wider economic interests want to know what action the Government intends to take. What are the implications of this for social partnership? This is a race to the bottom. We have seldom seen anything so blatant as dismissing an entire workforce in order to employ slave labour from outside the State at €3.60 per hour.

The Taoiseach has often told us how expert he is in industrial relations, which he is. I always thought that, in order to be redundant, the job could not be filled. However, these 543 jobs are being filled. Is the Government satisfied that they are eligible for redundancy and that the tax-

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payers' money which is proposed to be paid into the fund is appropriate? Has advice been taken from the Attorney General on that particular issue?

The Taoiseach: I am as concerned as the Deputy about the particular point he has made whether the former workers are legally entitled to redundancy if the jobs are going to be filled again. I am seeking advice on that issue. I am not satisfied about this within the normal terms that I would consider it but we are taking legal advice. In the context of the international situation of workers on the sea and the flag of convenience, the jobs will be replaced. There is no doubt that is what the company is about. Given the ramifications for social partnership, a meeting of the national implementation body under Sustaining Progress is taking place today. However, I do not wish to prejudice its outcome. The Government discussed the matter this morning, as it has done in recent days.

A number of public policy matters arise in the context of the situation that has developed. The Government has invested significantly in the support and training of the Irish maritime sector, as befits an island nation.

4 o'clock
The reported decision of Irish Ferries to reflag its vessels operating on the central corridor of the Irish Sea is a blow to the national interest. That is how I see this issue. Irish Ferries has benefited significantly from the overall development of the economy and the increase in both passenger and freight traffic which it has generated.

While acknowledging the competitive pressure from other carriers and modes of travel the Government's view is that Irish Ferries is an integral part of the Irish economy and has benefited significantly from its development. That has been significantly aided by times of stability and managed change which has characterised the overall approach to industrial relations for many years. The company's decision to step outside the Irish labour market to employ staff, reputedly below the minimum wage — I cannot prove that but I have been informed that is what the company is at — is inconsistent with its relationship with the economy. I make that point strongly.

I do not consider the company to be some Fianna Fáil company, as the Deputy derogatorily said. I do not know who is involved, except that I know the name of the chief executive.

While criticism may rightly be made of the approach of the unions in the company in the past, the manner in which this matter has been conducted by the company in recent days is deplorable. I would not defend for one second the manner in which the company has acted. It has told its staff of more than 500 the terms, that if they do not get out, they will lose their benefits

and God knows what will happen to them, and that when they are out the door in a few days the jobs will be filled by non-nationals from God knows where and on conditions that nobody knows. That is what the company is at. It is sharp practice which is totally unacceptable in the Irish labour context and is using the flag of convenience. Perhaps many of the workers will see the package as a good one but I do not know the position on that.

I have written to the chief executive of the company today pointing out most of those points to him and saying I do not accept the way the company has acted in this matter. Whether we can stop it other than on the issue of redundancies is a matter we are examining.

Mr. Rabbitte: I welcome the Taoiseach's forthright condemnation of what is going on. If the Taoiseach maintains this approach for the rest of the term, we could have useful exchanges here. At the end of all that, what does he intend to do about the issue? The last time the national implementation body met, Irish Ferries did not even attend. If the Taoiseach does not know any of the people in Irish Ferries, perhaps he would ask Gerry Hickey who knows all about it, although in fairness it did not happen while he was in the company. He will brief the Taoiseach on the pedigree of the people making these decisions.

On the question of displacement, is the Taoiseach concerned about the implications for social partnership and what will happen elsewhere? While I welcome migrant labour here, what will happen when the building industry winds down a little and when it seeks to displace workers in permanent jobs on trade union rates? What will happen if Aer Lingus wants to follow this example?

Whereas the Taoiseach is quite forthright in saying this is sharp practice and is unacceptable, I note that IBEC made a very forthright statement, to my surprise, supporting the disgraceful decision of Irish Ferries which was accidentally exposed during the summer as having employed a Filipino hairdresser at €1 per hour. One would not find such conditions in any slave factory in Dickens's time. It is utterly unacceptable. If this were to become the pattern of even a small number of other companies with the blessing of IBEC and the helplessness of the Government, it would be outrageous.

When is the advice from the Attorney General likely to be forthcoming? It would be an appalling scenario if it turns out that the men in Irish Ferries, and they are largely men, who believe in good faith that they will get redundancy after many years of service are not eligible. That matter needs to be clarified before Mr. Rothwell is allowed to go his merry way in establishing this disgraceful precedent in Irish industrial relations.

The Taoiseach: For those who may not know Gerry Hickey, and I thought there was a rule that we do not mention people who are not present in the House, he is my adviser who worked with the company ten years ago.

Mr. Rabbitte: I mentioned him favourably.

The Taoiseach: I accept that, but he worked with the company ten years ago and what influence he would have on Mr. Rothwell or any of his colleagues now is irrelevant.

The company states that it has a serious problem with its cost base. It is in all our interests that be addressed urgently. I urge the company, as I would any company that has a problem with its cost base, to work with the unions, to engage realistically over a period of weeks with the support of the industrial relations machinery of the State and agree on measures to protect the company's interests while honouring the terms of Sustaining Progress.

I do not have an issue what Deputy Rabbitte said. Where I do have an issue is if one is a member of IBEC and negotiates Sustaining Progress, which has been dramatically successful in preventing strikes in recent years, the minute one has a problem one tears up the agreement, ignores the normal industrial relations channel and does not turn up at the Labour Court. The reason I have not called—

Ms McManus: What is the Taoiseach doing about it?

The Taoiseach: I am answering Deputy Rabbitte, and speaking to the company at the same time if I can do that, which it is perhaps useful to do. We have a collective industrial relations system and it is not done by diktat or Government enforcement. It is and has been done since 1946 on the basis of people coming together and it has worked fairly well for almost 60 years. That is what happens.

On the question of redundancy, I hope we can have an answer on that matter. This is a real issue. The basis for redundancy is that a job is gone and the State pays a contribution. In this case it is clear the company is using the flag of convenience to let a workforce go and replace it with non-nationals who will be paid wages which fall far below the statutory national minimum wage. This is not acceptable to the Labour Court, the national implementation body or whatever way we engage with IBEC. We are endeavouring to get the company to see there is another way of resolving the issue. If it refuses to go to the Labour Court and to the national implementation body, we must look at the redundancy issue. It is sad that a large company, a member of the national employers group which is part of the agreement, adopts such an attitude. Without stat-

ing it any more strongly, I would be very disappointed if a serious company did that.

Mr. J. Higgins: It is a national outrage that five Rosspoint men have been in jail for 91 days. Does the Taoiseach feign innocence as if he were Prime Minister of the outer Hebrides, not the Republic of Ireland which happens to include County Mayo?

It is true that it was Shell Oil that got the High Court to do its dirty work but the Taoiseach and his Government carry full responsibility. The Government gave this multinational corporation the power to trample brutally on the safety of a small rural community. When it resisted, the Government allowed five representatives to be put into what I can only call indefinite preventive detention.

In 1989, the Taoiseach's crooked colleague, the former Deputy and Minister, Ray Burke, gave the oil corporations a fabulous resource of gas for not a penny in royalties to the Irish people. In 1992, the Taoiseach, as Minister for Finance, gave them fabulous tax breaks. In early 2001, the Government gave the multinationals the power to expropriate the land of smallholders in Erris without consultation, any planning process or any proper environmental statement. Therefore, the Government has put the smallholders of Erris, including the area's boglands and estuaries, at the mercy of a multinational corporation which has shown itself to be merciless in how it deals with such communities in other countries in its greed for profits which amounted to an incredible €18,000 million last year alone.

When people look back on the history of rural Ireland in 2005, they will not remember the Taoiseach's flashy display of green wellies on the ploughing fields of east Cork, but the abject betrayal of a small rural community in County Mayo. The Taoiseach feigns innocence, however, as if he had been asleep since 1989, as soundly perhaps as his hapless Minister of State, Deputy Conor Lenihan, on a recent Tuesday morning. At least he was not pretending to be asleep like the Taoiseach.

An Ceann Comhairle: The Deputy's two minutes have concluded.

Mr. J. Higgins: The keys to the jail cells of the Rosspoint five are in the Taoiseach's hands. All he has to do is pick up the phone and make Shell lift the injunction, thus letting the five decent men home to their families. He should make Shell process the gas where it will not destroy the communities and the environment. While he is at it, the Taoiseach should tear up the contracts which have sold out this fabulous resource to the major corporations. Let us begin a process of developing this resource for the benefit of the

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people, not the bloated profits of Shell and others.

The Taoiseach: As usual, Deputy Joe Higgins knows that what he says is not true.

Mr. J. Higgins: What is not true? Tell me.

Mr. N. Dempsey: All of it.

The Taoiseach: Most of what the Deputy said. They got the consents under the Foreshore Acts, Gas Acts, Continental Shelf Acts—

Mr. Sargent: It is nine kilometres inland.

An Ceann Comhairle: Please Deputy Sargent, it is Deputy Joe Higgins's question.

The Taoiseach: —Energy (Miscellaneous) Acts, Mayo County Council and An Bord Pleanála.

Mr. J. Higgins: It is nine kilometres inland.

The Taoiseach: All of those permissions were given by Acts that were passed by this House of which the Deputy is a Member. He is making a poor show of playing to the Gallery in trying to say that Shell moved without regard to these Acts.

Caoimhghín Ó Caoláin: The Taoiseach should answer the question.

The Taoiseach: I am answering the question. As regards the second issue raised by the Deputy, the five people concerned are in jail because of a High Court decision. There is a separation of powers in this State between the Executive and the Judiciary and despite the Deputy's attitude, I would not do anything to breach a decision of the courts. As regards helping through mediation, I have already answered a constructive question from Deputy Kenny on that point.

As regards previous decisions, in 1992 the Government revised the licensing terms in order to stimulate exploration with the objective of increasing the State's petroleum supply from indigenous resources. These have been accepted by all Governments in the interim. Petroleum leases enjoy a special tax regime and are not subject to royalties or production related levies in this country. Despite the allegations that the terms are overly generous, there has been a severely low level of take up here compared to other countries. Therefore, the view that these great terms were given and then used and abused is just not true. This has been covered over a period of 13 or 14 years.

We will do anything we can to help constructively. What the Deputy has said is entirely mis-

leading and untrue. He should have thought of a better case over the summer than to come to the House and purport all these things happened outside the terms of the law to these unfortunate people who are arguing a case.

The application to the Department was for an onshore terminal and the assessment was carried out on that basis. All the environmental and safety studies, up to the current ones, are based on that, as the Deputy knows.

Mr. J. Higgins: It was the Taoiseach's Government that provided every instrument by which the Shell Corporation is now acting. The Government gave them the power and therefore the Taoiseach carries a responsibility. Let us have done with the red herring of interfering with the courts. If, tomorrow, Shell so asks the President of the High Court, who incidentally threatened to imprison every landholder in Mayo if they did not carry out the court's writ, the injunction could then be withdrawn. It is as simple as that. Why does the Taoiseach not pick up the phone after this debate and ask the chief executive of Shell to do just that? The men could then return home and discussions on the situation could begin. At a later stage, discussions could be held with Shell as to how the company could process its gas where it would not threaten communities.

Independent Deputies visited the men in jail last week. Deputy Cowley has worked tirelessly for the people of Erris. I visited Erris and Rossport last week and I can tell the House that, although they are suffering, the determination of the community, including the families of the men in jail, is unbreakable. They will not allow their communities to be put upon in a way that threatens their environment and, potentially in certain circumstances, their lives.

An Ceann Comhairle: The Deputy's time has concluded.

Mr. J. Higgins: In this Dáil session, we will not let up in placing responsibility where it belongs, which is with the Taoiseach. Next Saturday, even if the Taoiseach is not listening, I hope people will come in their thousands to the protest rally in Dublin in support of the Rossport five and the issues they have raised.

An Ceann Comhairle: I call on the Taoiseach to reply. The Deputy's time has long since concluded.

Mr. J. Higgins: As soon as this debate has finished, will the Taoiseach ring Shell?

The Taoiseach: Because the Minister believes the men had a point on the safety issue, he ordered a comprehensive safety review of the onshore, upstream gas pipeline to be carried out

by Advantica, independent, internationally recognised experts.

Dr. Cowley: That is only a whitewash.

The Taoiseach: The safety review will examine critically all the relevant documentation relating to design and construction.

Dr. Cowley: That is a complete whitewash.

An Ceann Comhairle: I ask Deputy Cowley to resume his seat. There is no provision for any other Member, except Deputy Joe Higgins, to contribute on this question.

(Interruptions).

Dr. Cowley: But Ceann Comhairle, these people are in jail——

An Ceann Comhairle: I ask the Deputy to resume his seat while the Chair is on its feet. Deputy Joe Higgins submitted a question and he is entitled to hear an answer.

Dr. Cowley: These people have been in jail for over 90 days.

An Ceann Comhairle: It appears to the Chair that the Deputy wishes to leave the House. He is being totally disorderly. I ask the Deputy to resume his seat.

Dr. Cowley: It is a scandal.

An Ceann Comhairle: It appears to the Chair the Deputy wants to make an issue of this by being put out of the House. If he wants to leave the House the Chair will facilitate him. It is his choice. I call on Deputy Cowley to leave the House for being disorderly.

Dr. Cowley: It is a disgrace and the Taoiseach should deal with it. He should not wring his hands and say he can do nothing. He is not doing enough.

Deputy Cowley withdrew from the Chamber.

Mr. N. Dempsey: Now he will not be able to talk for them in here. It will be no good outside.

The Taoiseach: The safety review will examine critically all the relevant documentation relating to the design, construction and operation of the pipeline and the associated facilities, which was the point that Deputy Joe Higgins made.

Mr. J. Higgins: Will the Taoiseach pick up the phone to Shell?

The Taoiseach: Advantica has been asked to identify any deficiencies concerning safety and to make any recommendations on how to deal with these if they can be identified and remedied. The Minister has brought forward the review due to all the issues of concern that people had. A particular issue of concern to the local residents has been the proximity of the pipeline to inhabited dwellings. This will also be addressed in that report. The residents and, I hope, other Deputies who wish to go to the hearing and put their points as they did here yesterday during a three-hour debate at the committee will be able to do so. The two-day hearing will take place next week.

Mr. J. Higgins: Will the Taoiseach phone Shell?

An Ceann Comhairle: The Deputy should allow the Taoiseach to continue.

The Taoiseach: If anything can be done constructively on a mediator, we will certainly do that. However, it cannot be done by people being released first. If we can help, we will.

Ceisteanna — Questions (Resumed).

Official Engagements.

1. **Mr. Kenny** asked the Taoiseach the cost of the recent Cabinet meeting held in Cork; and if he will make a statement on the matter. [20757/05]

2. **Mr. Kenny** asked the Taoiseach if he intends holding further Cabinet meetings outside Dublin during the remainder of 2005; and if he will make a statement on the matter. [20758/05]

3. **Caoimhghín Ó Caoláin** asked the Taoiseach the cost of Cabinet meetings held outside Dublin to date during the current Dáil; and if he will make a statement on the matter. [24381/05]

The Taoiseach: I propose to take Questions Nos. 1 to 3, inclusive, together.

The cost arising to my Department for the Government meeting in City Hall, Cork on 8 June 2005 was €5,811. This is accounted for mainly by support staff accommodation, overtime and expenses. The cost of the other Cabinet meeting held outside Dublin during this Dáil in Emo, County Laois on 3 September 2003 was €3,739.

Holding Government meetings outside Dublin is very much welcomed by local communities and provides an opportunity to meet local organisations and groups. To date, eight meetings have been held outside Dublin in counties Cork, Laois,

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Roscommon, Waterford, Louth, Kerry and Donegal. There are no specific further meetings planned at this stage.

Mr. Kenny: While I know a greater distance is involved, clearly it is cheaper to hold a Cabinet meeting in Emo than in Cork. Does the Taoiseach plan to hold other Cabinet meetings outside Dublin this year? Does he have a list of such meetings? Is it his intention to hold them in constituencies that might be deemed to be key marginals? Does he have any report on the fulfilment of the decisions taken at those Cabinet meetings? When the Cabinet came to Ballaghaderreen in convoy there was great speculation that all the announcements would deal with all the infrastructural projects in the west of Ireland. God bless our naivety.

The Taoiseach: I believe they are all fulfilled, including the roads at Ballinasloe, Sligo and Kinnegad. No other meetings are fixed for this year. By and large any of the ones we had were around some occasion to show respect to some event that was going on. The one in Ballaghaderreen was to open up the new BMW offices and the one in Cork was because it is European Capital of Culture. There are no specific meetings planned for the remainder of this year.

Caoimhghín Ó Caoláin: The Taoiseach has answered the question in part. What criteria would he regard as appropriate in determining where Cabinet meetings would be held outside the city of Dublin? Would he not accept there is a view that these meetings are used in a party political way rather than in a Cabinet or governmental way as the publicity generated is intended to reflect well on the Government parties? Is this an appropriate use of public moneys? I do not regard it as so. These eight excursions by Fianna Fáil and the Progressive Democrats into the provinces have been financed by public money, unlike the visit of the Fianna Fáil parliamentary party to Ballyconnell in my constituency and that of the Ceann Comhairle, to which it is very welcome, which was at the party's own expense.

An Ceann Comhairle: Does the Deputy have a question?

Caoimhghín Ó Caoláin: My question is clear and apparent as I have put it to the Taoiseach. Is it appropriate that the Cabinet, consisting of the representatives of both parties in Government, would use public moneys in promoting their political programme in external situations to the sitting of Government in the capital city?

The Taoiseach: Whether it is held in Dublin or elsewhere, I do not see a Cabinet meeting having

anything to do with party political issues. The Government normally holds such meetings if there is some good reason. We held a meeting in Louth at the time of the foot and mouth disease outbreak, one in Cork as it is the European Capital of Culture and one in Waterford as it was an important year in Waterford. That is the reason: it is a commemoration. All that would happen in addition to that is that Ministers and perhaps departmental officials might meet organisations in that area rather than them always having to come to Dublin. It is a very appropriate way. Why it did not happen over the decades for one reason or another is interesting enough. However, while I would not do it all the time, bringing the Government to the people in various regions now and again is a very good thing. I do not see any great advantage other than good communications with organisations and people around the country. As can be seen it is a very cheap way of doing a day's business.

An Ceann Comhairle: I call Deputy Rabbitte.

Caoimhghín Ó Caoláin: May I ask a supplementary question?

An Ceann Comhairle: I have called Deputy Rabbitte.

Caoimhghín Ó Caoláin: Will the Ceann Comhairle come back to me please?

Mr. Rabbitte: Deputy Kenny wants to know whether the Taoiseach has any further plans to hold Cabinet meetings in marginal constituencies. I would suggest the Deputy is inviting the Taoiseach on to a sucker punch. Given the unpopularity of some of his Ministers visiting constituencies, the last thing I would do in his position is bring all of them to a location. It would be very likely to have a counterproductive impact.

Mr. D. Ahern: Deputy Rabbitte should mix with the people.

An Ceann Comhairle: Deputy Rabbitte should be allowed to speak without interruption.

Mr. Rabbitte: If the greater part of the——

Mr. D. Ahern: Deputy Rabbitte should do as the Taoiseach does. He should mix with the people and not wine and dine.

An Ceann Comhairle: The Minister for Foreign Affairs should allow Deputy Rabbitte to speak without interruption.

Mr. D. Ahern: Deputy Rabbitte should mix with the proletariat.

Mr. C. Lenihan: He should visit Tallaght.

Mr. Rabbitte: I think I detect a snore from the bench of Deputy Conor Lenihan. If the greater part of the cost relates to the cost of back-up staff and servicing the staff does this give the Taoiseach cause for pause in terms of displacing the top tiers of the Civil Service to different locations around the country. How are Government and key Departments to do their business if key senior personnel have been displaced to Knock, Donegal or wherever?

The Taoiseach: Having meetings of the Government around the country from time to time is very useful. In this case very few officials need to move. I do not see the difficulty. More and more I see modern technology being used for meetings. I am sure the Deputy sees it himself when he attends corporate offices. Not alone do their meetings take place around the country but around the world. I recently attended part of a private sector organisation's board meeting, which I believe linked up to 26 countries. The world has moved on and communications have moved on. There is no difficulty with these issues.

Mr. Kenny: Many places have yet to get broadband.

The Taoiseach: We are moving well in that regard also. They have adequate technology in most places in the country.

Mr. Rabbitte: I find the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, difficult enough at this pace, whatever about having to video-conference with him.

An Ceann Comhairle: The Deputy should allow the Taoiseach to speak without interruption.

The Taoiseach: I do not believe that in the old days it used happen that every time a meeting was held 44 officials were required. I put a stop to that. There is no need for that number of people parading around the place at all hours of the night. Much of that stuff was unnecessary. Modern techniques, modern management, the Public Service Management Act etc. have led to far more streamlining. There are times when the senior people need to get together. However, modern technology has entered and there is no great difficulty in it.

Mr. Sargent: I do not think any officials were present at the former Deputy Burke's meeting with the exploration companies, but I trust that is not a pattern being set by the Taoiseach.

The Taoiseach might tell us about locations about which he has not told us, but which he

might consider for Cabinet meetings, in areas where people perhaps are in fear of crime, for example. For the Cabinet to meet in such areas would at least re-establish a sense of belonging or safety, at least for the time during which the Garda would protect the Taoiseach in such locations.

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

Mr. Sargent: Is the Taoiseach taking into account where and for what reasons a Cabinet meeting might take place? I suggest for example Rosspoint, where people feel that Shell is the government. By holding a Cabinet meeting in Rosspoint, the Taoiseach could establish that Shell does not have the run of the place and that the Government has an interest in the area.

Caoimhghín Ó Caoláin: Can the Taoiseach assure us regarding the cost he has indicated with regard to the Cabinet meetings held, ranging from €5,800 to €3,700? Eight such meetings have so far been held, so we are talking of a figure of between €30,000 and €40,000. Is that a comprehensive costing or is it applicable only to the hire of hotels or other venues? When the Taoiseach refers to meeting and facilitating people, it is not my understanding that people have the opportunity to come to Cabinet. What criteria does the Taoiseach use in facilitating people, and what people are facilitated? Many people would love the opportunity to meet any Minister, never mind the full Cabinet.

An Ceann Comhairle: That does not arise.

Caoimhghín Ó Caoláin: How does the Taoiseach decide? Who does the Taoiseach meet and facilitate? What interests are looming large in his thoughts?

The Taoiseach: The Deputy's party has no difficulty in that regard because I regularly meet its representatives. When I am not with them at meetings, I meet them outside the door protesting. Last week in my constituency, when, along with the Irish Congress of Trade Unions I attempted to launch a book on James Connolly all the Deputy's people battered me with posters.

Caoimhghín Ó Caoláin: That was with regard to the Rosspoint five.

The Taoiseach: Is that what they were doing?

Caoimhghín Ó Caoláin: I thank the Taoiseach for acknowledging that the people involved were campaigning so well.

Mr. D. Ahern: There were a few of the Deputy's foreign compatriots there too.

Caoimhghín Ó Caoláin: The Taoiseach looks quite unscathed.

The Taoiseach: The Deputy's friends from ETA almost damaged a State car, which would have cost more than €3,000.

The resources for setting up useful Cabinet meetings with groups of people are low. We have held such meetings with farming groups, chambers of commerce groups and unemployed action groups. We have gone to Knocknaheeny and to working class areas such as referred to by Deputy Sargent, where people feel there are difficulties and improvements have been made. We have gone to various areas of unemployment on many occasions. The Cabinet went to Kerry because of the national park being closed and it met in Louth during the foot and mouth disease crisis. We have tried to have such Cabinet meetings sparingly, but always for a particular purpose, and not just for the sake of meeting.

4. **Mr. Kenny** asked the Taoiseach if he will report on his recent meeting in Dublin with the President of Serbia and Montenegro; and if he will make a statement on the matter. [22457/05]

5. **Mr. Kenny** asked the Taoiseach if the arrangements for the forthcoming visit of the President of the European Commission have been finalised; and if he will make a statement on the matter. [22458/05]

6. **Mr. Kenny** asked the Taoiseach the foreign visits he plans to undertake during the remainder of 2005; and if he will make a statement on the matter. [24235/05]

7. **Mr. Kenny** asked the Taoiseach when he will next meet the President of the European Commission; and if he will make a statement on the matter. [24236/05]

8. **Mr. Kenny** asked the Taoiseach if he will report on his recent contacts with other European Union heads of government; and if he will make a statement on the matter. [24240/05]

9. **Mr. Kenny** asked the Taoiseach if he has received an agenda for the meeting of the European Council in October 2005; and if he will make a statement on the matter. [24246/05]

10. **Mr. Rabbitte** asked the Taoiseach the matters discussed and conclusions reached at his meeting with Pope Benedict XVI on 6 July 2005; and if he will make a statement on the matter. [24363/05]

11. **Mr. Rabbitte** asked the Taoiseach his plans for official trips abroad up to the end of 2005; and if he will make a statement on the matter. [24367/05]

12. **Mr. Rabbitte** asked the Taoiseach his priorities for the next EU summit; and if he will make a statement on the matter. [24379/05]

13. **Caoimhghín Ó Caoláin** asked the Taoiseach if he will report on his meeting with the Prime Minister of Canada, Mr. Paul Martin, on 5 July 2005; and if he will make a statement on the matter. [24387/05]

14. **Caoimhghín Ó Caoláin** asked the Taoiseach if he will report on his meeting with the President of the European Commission, Mr. José Manuel Barroso, on 30 June 2005. [24388/05]

15. **Mr. Kenny** asked the Taoiseach if he will report on his attendance at the recent UN General Assembly to review the millennium goals; and if he will make a statement on the matter. [24520/05]

16. **Mr. Rabbitte** asked the Taoiseach if he has been in touch with the US administration to convey the sympathy of the Irish people on the deaths and destruction caused by hurricane Katrina; and if he will make a statement on the matter. [24839/05]

17. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on his recent address to the United Nations General Assembly. [24841/05]

18. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on his recent visit to the United States. [25003/05]

19. **Mr. Rabbitte** asked the Taoiseach if he will report on the meetings he held on the margins of the recent meeting of the United Nations General Assembly in New York; and if he will make a statement on the matter. [25004/05]

20. **Mr. Sargent** asked the Taoiseach if he will report on his attendance at the UN summit in New York; and if he will make a statement on the matter. [25018/05]

21. **Mr. Sargent** asked the Taoiseach if he will report on the agenda of the upcoming European Council meeting in October 2005; and if he will make a statement on the matter. [25186/05]

22. **Mr. Sargent** asked the Taoiseach if he will report on his attendance at the Clinton Global Initiative conference in New York; and if he will make a statement on the matter. [25188/05]

23. **Mr. Sargent** asked the Taoiseach the position regarding his speech to the Enterprise Ireland luncheon in New York; and if he will make a statement on the matter. [25189/05]

24. **Mr. Sargent** asked the Taoiseach if he will report on his recent official trip to New York. [25190/05]

25. **Mr. Sargent** asked the Taoiseach if he will report on his recent meeting with the French Minister for European Affairs; his views on her statement that the French Government would not seek a second referendum on the EU constitution; and if he will make a statement on the matter. [25191/05]

26. **Mr. Sargent** asked the Taoiseach if he will report on his visit with Pope Benedict XVI in the Vatican in July 2005; and if he will make a statement on the matter. [25199/05]

27. **Mr. Sargent** asked the Taoiseach the progress of the Government's plans to initiate structured dialogue with the churches and faith communities; if this initiative was discussed during his meeting with Pope Benedict XVI; and if he will make a statement on the matter. [25200/05]

28. **Mr. Sargent** asked the Taoiseach the recent contacts he has had with other EU leaders concerning the status of the proposed EU constitution; and if he will make a statement on the matter. [25203/05]

29. **Mr. Sargent** asked the Taoiseach the official foreign visits he plans undertaking during the remainder of 2005; and if he will make a statement on the matter. [25204/05]

30. **Mr. Sargent** asked the Taoiseach the role he envisages for the National Forum on Europe in the coming year; and if he will make a statement on the matter. [25207/05]

31. **Mr. J. Higgins** asked the Taoiseach if he will report on his recent visit to New York. [25331/05]

32. **Mr. J. Higgins** asked the Taoiseach if he will report on his recent meeting with former US President Mr. Bill Clinton. [25332/05]

33. **Mr. J. Higgins** asked the Taoiseach if he will report on his attendance at the recent United Nations General Assembly summit in New York. [25333/05]

34. **Mr. J. Higgins** asked the Taoiseach if he will report on his meeting in Dublin with the French Minister for Foreign Affairs, Ms Catherine Colonna. [25340/05]

35. **Mr. J. Higgins** asked the Taoiseach if he will report on any bilateral meetings he held on the margins of the recent United Nations General Assembly summit in New York. [25346/05]

36. **Mr. J. Higgins** asked the Taoiseach his priorities for the informal meeting of EU heads of state and government to be held on 27 and 28 October 2005; and if he will make a statement on the matter. [25348/05]

37. **Mr. J. Higgins** asked the Taoiseach if he has received an agenda for the informal meeting of EU heads of state and government to be held on 27 and 28 October 2005; and if he will make a statement on the matter. [25349/05]

38. **Mr. J. Higgins** asked the Taoiseach the official visits abroad he plans to make during the current Dáil session; and if he will make a statement on the matter. [25351/05]

The Taoiseach: I propose to take Questions Nos. 4 to 38, inclusive, together.

The President of the European Commission, Jose Manuel Barroso, visited Dublin on Thursday, 30 June. I had a friendly and comprehensive meeting with the President which covered the broad range of issues on the European agenda including the European Constitution, enlargement and the ongoing negotiations on the financial perspectives. I informed him of our intention to use the period of reflection decided at the June European Council to promote an active and engaged debate on the Constitution and Europe in general. I also used the meeting to reiterate the fundamental importance of respecting the European Council agreement of October 2002 on the Common Agricultural Policy.

While there are no plans to have another bilateral meeting with President Barroso in the immediate future, I will meet him at the informal meeting of Heads of State or Government in October and the December European Council.

On 20 June, I met President Marovic of Serbia and Montenegro during his official visit to Ireland. We discussed the developing relations between Serbia and Montenegro and the European Union and agreed on the potential which exists for building up our bilateral relations, both political and economic. The President's chief concern was to obtain reassurance on the EU's continuing commitment to the Western Balkans in light of the outcome of the June European Council and the recent French and Dutch referendums on the EU Constitution. He also sought Ireland's support within the EU for early progress in the negotiation of a stabilisation and association agreement with Serbia and Montenegro.

I assured the President that, as set out in the European Council conclusions, Ireland and the other member states are committed to the implementation of the Thessaloniki Agenda of June 2003, which recognises that the future of the region lies in the European Union. The EU will not change its long-term commitment to working

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with the countries of the Western Balkans towards their eventual integration into European structures.

I strongly welcomed the significant improvement in Serbia's relations with the tribunal in the Hague. I pointed out that the eventual arrest of Ratko Mladic and Radovan Karadzic would enable much more rapid progress in relations with the EU and the wider international community. President Marovic assured me of the state union's commitment to ensuring that full cooperation is achieved with the tribunal as soon as possible. The EU hopes to open negotiations for an agreement with Serbia and Montenegro in the coming months. I assured President Marovic of Ireland's support throughout the process ahead. The President and I also discussed regional issues, including the situation in Kosovo. I briefed him on the declaration on Kosovo agreed at the European Council. I expressed the hope that real progress will be made in the near future on the development of constructive dialogue at all levels between Belgrade and Pristina and between the different communities in Kosovo.

I welcomed the Prime Minister of Canada, Paul Martin, to Government Buildings on 5 July. Our discussions were useful and cordial. We discussed the excellent Ireland-Canada trade relations, the Canada-Ireland working holiday programme, EU-Canada relations, UN reform and the G8 Summit. I expressed Ireland's gratitude for Canada's continued support to the International Fund for Ireland. Prime Minister Martin, who had earlier been in Ireland to commemorate the 20th anniversary of the Air India disaster, thanked the Irish people for their response to the tragedy and for the similar response to the Canadian submarine fire tragedy.

I was honoured to be received by Pope Benedict XVI in Rome on 7 July. The meeting marked a further milestone in the long and fruitful national relationship with the Papacy. Our meeting was largely an opportunity to reflect with his Holiness on current developments in Ireland and Europe. We discussed the sustained building of a sense of community among the peoples of the European Union. We also spoke of the external relationships of Europe and the responsibilities of developed States to respond to the real poverty that continues in many states. I described in outline the structured dialogue soon to commence in Ireland between the State and churches, faith communities and non-confessional bodies. Preparatory arrangements for this dialogue are well advanced and I intend to make further announcements in this regard shortly.

As this meeting came so soon after the Pope's appointment, I offered my congratulations and best wishes for his success in meeting the many challenges that will arise in his leadership of the Catholic Church.

The National Forum on Europe is an independent body. It is, therefore, a matter for them to decide how best to continue facilitating debate on matters of importance on the European agenda. In the coming months the Forum will play a leading role in taking forward the national debate on Europe that was launched at the June European Council. The Government has stressed that the debate should be open and inclusive. To aid the debate, my Department has recently published the third edition of "Ireland and the European Union: Identifying Priorities and Pursuing Goals". The basic objective of the publication is to inform people, in a clear and concise fashion about the Government's priorities and goals across a wide range of EU policy issues. I will arrange for a copy to be sent to each Deputy.

There will be no regular meeting of the European Council in October. Instead, the British Presidency has convened an informal meeting of Heads of State or Government on 27 and 28 October in the UK. The meeting will discuss how to strengthen social justice and competitiveness within the European Union. It will also explore how to make common foreign and security policy, European security and defence policy, and justice and home affairs policies more responsive to citizens' concerns. As the meeting is an informal one, it is not intended that it will adopt formal conclusions. At the meeting, I will stress the continued importance of the European Union to our common development and emphasise the need for the EU collectively to deal with the challenges and opportunities of globalisation, particularly the competitive challenge from China and India.

With regard to foreign visits, over the course of this Dáil session I will visit Budapest for a bilateral meeting with the Hungarian Prime Minister on 25 November. I will also travel to the European Council in Brussels on 15 and 16 December.

I met the French Minister for European Affairs, Catherine Colonna on 12 September. The meeting was a friendly one in which we discussed future enlargement of the EU, the financial perspectives and bilateral political and economic relations. We both agreed that the financial perspectives for the Union should be agreed at the earliest possible opportunity.

With regard to one of Deputy Kenny's questions, since the last questions on this issue I have had no other formal bilateral contacts with other EU Heads of State or Government regarding the European constitution or Europe in general.

I travelled to New York on 13 September. The centrepiece of this visit was the UN summit. I attended the 60th High Level Plenary meeting of the United Nations on 14 September. The meeting was attended by over 170 heads of state or government. The UN summit was convened to consider far reaching proposals for the reform of the United Nations promoted by the UN Secretary General. The Minister for Foreign Affairs,

Deputy Dermot Ahern, in his capacity as a UN envoy appointed by the UN Secretary General, actively assisted in the preparations for, and the success of, the summit.

The summit adopted an outcome document which, while falling short of the high expectations of the UN Secretary General, represents a substantial step forward in UN reform. The document includes a substantive agenda for change in the UN and will now be taken forward in discussions at the UN General Assembly. Among the many positive elements in the summit's outcome document were agreement to establish a UN peace building commission and a new UN human rights council; a formal statement of the international community's responsibility to protect populations against genocide, war crimes, ethnic cleansing and crimes against humanity, including through military means where necessary, through the Security Council; and a re-affirmation of the UN's millennium development goals.

I share the regret of the UN Secretary General that the summit was unable to agree a strong statement on disarmament and non-proliferation. We will continue to work hard to strengthen the Nuclear Non-Proliferation Treaty at a time when the international non-proliferation regime is under serious strain.

In my address to the summit, I indicated that Ireland would reach the UN target of 0.7% of GNP for official development assistance by 2012, three years earlier than the agreed EU target date of 2015. I also indicated that we would reach an interim target of 0.5% of GNP by the end of 2007. This interim target means we will increase ODA by €228 million in 2005 and 2006 to reach a total of €773 million by the end of 2007. I emphasised that we will remain one of the few donors to have a completely untied aid programme. Since it came into office, the Government has tripled ODA to a total of €545 million in 2005. The new ODA commitment means we will triple ODA again over the years 2005-12. On current growth projections, expenditure on ODA over these years could amount to €8 billion.

These new resources will enable Development Co-operation Ireland to undertake new activities. At the UN, I announced we will double spending on the fight against HIV-AIDS to €100 million per year by the end of next year, strengthen our national capacity to respond to major humanitarian emergencies with a particular focus on dealing with famine and food shortages, contribute to the new UN democracy fund that will support the spread of democratic values around the world and work closely with the Irish private sector in promoting investment, trade and technology transfer with partner companies in Africa.

In addition to addressing the summit, I also addressed a round table of heads of state or government chaired by the Prime Minister of

Australia, Mr. John Howard. I also attended a breakfast for heads of state or government hosted by the UN Secretary General, Kofi Annan. I had bilateral meetings with Mr. Peter Piot, the director of UNAIDS, the UN agency responsible for co-ordinating the international fight against HIV-AIDS, and with Mr. Paul Wolfowitz, the new President of the World Bank. Issues discussed at these meetings included UN reform, the G8 initiative on debt cancellation, HIV-AIDS and ODA.

While in New York, I attended the launch of the Clinton Global Initiative and had a bilateral meeting with former US President, Mr. Bill Clinton. This new initiative is focused on four issues — poverty, religion, conflict and reconciliation, climate change and governance. Ireland is working closely with the Clinton Foundation in supplying life saving drugs to poor people infected with HIV-AIDS in Mozambique. In my meeting with former President Clinton, we discussed the peace process in Northern Ireland and the co-operation between Ireland and the Clinton Foundation.

In my discussions with President Bush, I again expressed my sympathy for the people devastated by hurricane Katrina. I had already written to President Bush in this regard in August.

While in New York, I attended business events hosted by Enterprise Ireland to highlight the successes of Irish companies in the US and the strong trading relationship between Ireland and the US. I was particularly pleased to meet with seven Enterprise Ireland clients who were announcing new deals and partnerships. I also addressed a luncheon which was attended by over 120 business executives from the New York region, including Irish companies operating in the area.

On 15 September, I was delighted to attend a ceremony, along with the Mayor of New York, Michael Bloomberg, to re-dedicate a plaque at the birthplace of Eamon de Valera, located on Lexington Avenue and 51st Street. I was invited by the New York Stock Exchange, in conjunction with the American Ireland Fund, to ring the closing bell of the Stock Exchange and to attend a function of those who work in the exchange with the American Ireland Fund. I had an opportunity to meet many listed Irish companies on the floor. I addressed a reception hosted by the American Ireland Fund following the closing. In the evening, I had the pleasure of attending a dinner hosted by All Hallows College.

Mr. Kenny: I thank the Taoiseach for his comprehensive reply on his activities during the summer. Obviously he was not idle. I have three questions. At the UN summit in New York the Taoiseach set 2012 as the new deadline for the achievement of the UN target for overseas aid. However, a guarantee was only given for the next

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two years, which puts the Government beyond the next election and on this side of the House. The date given is a few years later than 2010 which was recommended by the Committee on Foreign Affairs. What assurance do we have that this commitment will be honoured? Is the Taoiseach satisfied the structure exists to have the capacity to deliver the extent of aid being proposed? There appear to be difficulties with the transfer of personnel from the relevant section in the Department. Is the Taoiseach sure he will get the best result from the Irish contribution in this regard?

During the UN summit an agreement was signed by 191 members which stated they recognise that development, peace and security and human rights are interlinked and mutually reinforcing. We have paid much lip service to this and it is important. The UN has supported the formation of EU battlegroups to deal with crises on the Continent and around the world. In Rwanda and the Balkans we saw the appalling consequences of the international community standing idly by in the face of war crimes and genocide. What is the position with Ireland's participation in EU battlegroups? The Taoiseach has twice rejected legislation on this from the Fine Gael Party. Will the Taoiseach introduce legislation and, if so, when?

When the Taoiseach met with the President of Serbia and Montenegro, did he discuss with him the possibility of EU membership for that country?

The Taoiseach: With regard to overseas development aid, we have tripled the amount of aid. What this country has done is enormously appreciated by all sectors. I am aware the NGOs in this country continue to press for further funding but groups such as the World Bank and UNAIDS appreciate what this country has contributed. It is untied aid. Some argue that a few other countries contribute untied aid but this country has always done so. The resources we are providing, and we have already put the figure into the multiannual figures for this and next year, will bring us up to 0.5% of GDP which is an enormous sum. I was not prepared to set the date of 2010 because, frankly, I did not believe we could reach that figure. The Government and the Department of Finance believe we can do it by the end of 2012. It is a considerable effort by the country. We will soon be contributing €750 million. It is a huge contribution.

The Deputy is correct. We are examining how we will use those resources to the best advantage. We are examining new initiatives. The Department is, and has, strengthened its capacity because of the size of the resources. From the country's point of view we must ensure we are not just giving large wads of money to inter-

national agencies with no control over it. It is better to be engaged, particularly with Irish NGOs, religious and lay, which are working in the field. As the figures continue to grow they will, hopefully, reach approximately €1.5 billion by 2012 and there will be a serious section in the Department to deal with them. It was adequate a few years ago when it was dealing with €100 million and less. However, €750 million is an enormous amount of resources to be dealt with and there are already arguments about some of the people who are dealing with it.

Serbia and Montenegro are concerned, because of the difficulties with Turkey, the ongoing issues regarding Croatia and even the difficulties regarding Bulgaria and Romania, that the enlargement issue and the Thessaloniki decision under the Greek Presidency of 2003 will be put on the back burner and that the initiatives will not continue. That was discussed at the European Council and there was an assurance that Europe will continue to engage with the country. It is Serbia and Montenegro's intention, and it has been for a number of years, to become a member of the EU. However, the first concern for Montenegro is that the stabilisation agreement is put in place. We were able to give an assurance that this is progressing. They see their future in Europe and that is how they are progressing.

An interdepartmental group is working on the issue of battle groups. Mr. Kofi Annan is extremely anxious that we participate and I would like to see Ireland contribute but we must ensure participation is entirely compatible with our laws and Constitution. The basis on which we can do so is being examined. Mr. Annan has much respect for this country and has emphasised to me that he would like to see us play a role. It is hoped the interdepartmental group will report before Christmas.

Mr. Rabbitte: Notwithstanding that, is it the case that we casually disowned the pledge the Taoiseach made at the United Nations? Many people are asking questions on the validity of the latest pledge to 2012. What is the Taoiseach's attitude to the Labour Party's Bill that sought to ringfence our contribution to ODA so that in good times or bad we would adhere to this moral contribution to the world's poor?

Last year when the Taoiseach got into trouble after the local elections he sent for Fr. Seán Healy. Clearly clerical inflation has been such since then that this time he went to Rome to meet the new Pope. Did the Taoiseach receive any commitment from the Pope that he would visit here and if so is it likely to be before polling day? What is the church-State dialogue he announced? What does it comprise? Who is involved and what has happened since he made that historic announcement? What meetings have taken place? What is the subject matter of this dia-

logue? Is it the economy, war and peace or poverty? What is envisaged by this exchange?

Mr. Morgan: Will Mr. Paisley be involved?

The Taoiseach: One never knows.

An interesting fact about ODA is that in bad times one gets there quicker. That is what happened in recent years when the economy grew by 10% and 12%.

Mr. Howlin: We are too rich.

Ms McManus: That is a hard line to sell.

The Taoiseach: It is not. All of the groups who deal with ODA understand that well. They understand matters of hard cash and that this country has moved from an amount of approximately €100 million not that many years ago to a firm commitment of €750 million.

Mr. D. Ahern: Compare this Government's record to that of Governments in which the Labour Party participated.

The Taoiseach: I do not agree with having a legislative base. If we travel down that road a future Government or Governments or this House will be nailed down to figures in many areas. I assure the House that alongside the figure of 0.7 are other groups with other figures and they would want a similar commitment. Governments should honour it as best they can. I was disappointed we could not achieve what we wanted. I stated that openly. I was pressed hard to make a commitment for 2010 but I did not believe it was feasible. We can do it by 2012 but it is not easy. We trebled it over five or six years and we must treble it again. That is a significant contribution.

Aengus Ó Snodaigh: We did not treble the percentage.

The Taoiseach: We did.

Mr. D. Ahern: We trebled it in seven years.

The Taoiseach: It went from €147 million to €775 million.

Aengus Ó Snodaigh: That is not a percentage.

An Ceann Comhairle: Allow the Taoiseach to speak without interruption. We do not have much time left for questions and I wish to facilitate the Deputies who submitted questions.

The Taoiseach: On church-State dialogue, in the context of the constitution for Europe, Christian churches and non-confessional groups on a European basis requested meaningful and

open dialogue. It is considered that the French and some other countries do it well. It involves all of the churches within a State in open meetings without any being in a special position. Churches across religions and non-religious groups have collectively put this forward to Governments throughout Europe.

We made all of the churches and non-confessional groups aware of our proposals and took account of what they stated in response. Following that I will make a statement shortly. I hope we will then start meetings with them. The idea is to have an open agenda within which issues of interest can be raised. It has been widely welcomed. In a short period we have moved from having six or seven groups to 25 or 26 groups. They require some type of formal dialogue with Government such as has worked well in other countries.

Mr. Rabbitte: Is the Pope coming?

The Taoiseach: From my discussions with this Pontiff I would state he will not make too many trips.

Caoimhghín Ó Caoláin: In his meeting with the President of the European Commission, Mr. Barroso, did the Taoiseach discuss the EU services directive and is he aware of the great concern among trade unionists and public service workers across the European Union, not least the Irish Congress of Trade Unions, at the serious implications of the directive for State sponsored and State provided services? Does the Taoiseach agree the services directive in its present form would allow private companies to undercut public service providers by employing people at the rates and terms of employment which apply in their countries of origin? Does the Taoiseach agree clearly this could lead to massive redundancies in public sector employment across Ireland? It would also create a new underclass of migrant worker.

An Ceann Comhairle: It would be better to submit a detailed question of this nature to the appropriate Minister.

Caoimhghín Ó Caoláin: It arises from the Taoiseach's meeting with Mr. Barroso. With respect, it is no more detailed than any of the other questions put to him so far. Does the Taoiseach accept that from the perspective of migrant workers if this were to happen our legislation would not protect them while they were employed here? Does the Taoiseach agree with the ICTU, which stressed during a recent presentation in Brussels to Irish MEPs, including my colleague Ms Bairbre de Brún, that the services directive in its present form is a serious threat to collective agreements and the European social

[Caoimhghín Ó Caoláin.]

model and would undermine national control over core public services? Has the Taoiseach asked, or will he ask Mr. Barroso to dispense with the services directive?

An Ceann Comhairle: I ask Deputy Sargent and Deputy Higgins to submit brief questions which will be followed by a final reply from the Taoiseach.

Mr. Sargent: In that case I will not ask all of my questions but will ask two basic ones. With regard to his attendance at the Clinton Global Initiative conference, I know the Taoiseach sympathised with the victims of Hurricanes Katrina and Rita. In discussing climate change did the Taoiseach advocate any ways of dealing with the problem or did he merely listen and take it all in? What is the Government's advocacy in that area and what did the Taoiseach state to former US President, Mr. Clinton, and others?

Last Monday an article in the *Financial Times* quoted the Taoiseach on the European constitution as stating that following the defeat of the European Union's proposed constitution in the French and Dutch referendums a new debate had begun. To ensure there is no ambiguity on the matter, will the Taoiseach clarify whether that is an acknowledgement that the European treaty has been defeated? Also, will he indicate whether he has responded to the visit by the French Minister for European Affairs, Catherine Colonna, who indicated the French Government is unlikely to propose a second referendum on the constitutional treaty? If we are talking about the European constitution not going further, can the Taoiseach deduce from that that it is no longer an issue?

Mr. J. Higgins: Considering that the President of the EU Commission, Mr. Barroso, said it would be three years before one could think about the proposed European constitution being ratified and assuming this Government lasts for another 18 months, would the Taoiseach now rule out the holding of a referendum in this State before that time in light of the rejection by the French and Dutch working classes?

Did the Taoiseach have discussions in New York with any representatives of the United States Administration? In view of the unmitigated disaster and the cataclysmic situation caused by the invasion of Iraq by the United States and Britain, did anybody from the Administration express regret to the Taoiseach for having misled him about the cause of the invasion, namely, alleged weapons of mass destruction? Does the Taoiseach regret having supported the invasion with facilities in Shannon? What is the justification for continuing to support the occu-

pation by providing facilities at Shannon on an ongoing basis?

The Taoiseach: On Deputy Ó Caoláin's question about the services directive, it was withdrawn in its current form. There is not a draft directive. It has gone back for reworking to take account of many issues, including some raised by the Deputy. President Barroso said reformulation of the directive would allow people to consult, and that is what is happening. The meeting with ICTU and many other bodies is to ensure an input into that. We have to wait to see what comes back from the Commission before we can have any meaningful discussion. At that meeting many months ago we supported the view that the directive should not proceed in its current form. I was one of the strong supporters of President Chirac's initiative at that meeting.

The Clinton Foundation conference discussed four topics. I participated in the session on Shimon Peres and the Palestinian question. There were other sessions and therefore we were not discussing any of those issues. I read some of the data on climate change and other issues afterwards but I was not involved in that. To the best of my knowledge they did not have a session on climate change. What I was doing on behalf of the country was commiserating, including in writing when I had the opportunity, with President Bush on the loss to the country.

On the EU constitution, the position is that the European Council decided that for the next year we would have a debate and reflection in all countries on the objectives of the European constitution and the tasks facing us. We will return to that in the Austrian Presidency. What will happen then will be a matter for that Presidency. That debate is now opened and a number of initiatives have been put forward already. The Jesuits had a major conference in Dublin earlier this week which was attended by the former Commissioner, Peter Sutherland, and many other eminent people, including from the Forum on Europe. Maurice Hayes and others participated in that session also. These are the kind of debates we hope will continue. For its part, the Government will do as much as we can to ensure the people are empowered with the information, knowledge and understanding of what the European project is about. The next decisions will be made by the Austrian Presidency.

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 a number of notices under Standing Order 31. I will call the Deputies in the order in which they submitted their notices.

Caoimhghín Ó Caoláin: I seek the suspension of the Dáil under Standing Order 31 to allow for discussion on the continued imprisonment of the five Rosspport men and the need to establish a full inquiry into all aspects of the Corrib gas pipeline project.

Mr. Morgan: I seek the adjournment of the Dáil under Standing Order 31 to discuss the following matter of urgent public concern, namely, the necessity to hold an urgent debate on the imprisonment of the five very brave men from Rosspport and the entire circumstances surrounding their unjust and possibly illegal detention at the behest of a greedy, unscrupulous foreign corporation.

Mr. Crowe: I seek leave to move a motion for the adjournment of the Dáil under Standing Order 31 to discuss the following matter of public concern, namely, the urgent need to suspend the Corrib gas pipeline project pending a full inquiry into the project and the release of the five men from Rosspport currently held in Cloverhill Prison.

Aengus Ó Snodaigh: I seek leave to move a motion for the adjournment of the Dáil to discuss the following specific and important matter of public interest requiring urgent consideration, namely, the reason five Mayo men continue to be held in prison at the behest of a multinational company which has been proved to have conducted work without proper consent.

Mr. Healy: I wish to request the adjournment of the Dáil under Standing Order 31 to discuss a matter of urgent national importance, namely, the need for the Minister for Justice, Equality and Law Reform to expand the terms of reference of the Hartnett-Rossiter inquiry and to establish the inquiry under recent public inquiry legislation introduced by the Minister instead of the out of date Dublin Police Act 1924 to ensure that a full, transparent and effective public inquiry takes place into the death in custody of 14 year old Brian Rossiter.

Mr. Howlin: I wish to move the adjournment of the Dáil to discuss the following specific and important matter of public interest requiring urgent attention, namely, the serious implications for labour relations and the future of social partnership as well as the future of the maritime sector of the plan by Irish Ferries to seek the redundancy of 543 Irish staff with a view to replacing them with lower paid workers from abroad; and the need for the Government to intervene.

Mr. Broughan: I wish to move the adjournment of the Dáil to discuss the serious implications for the future of the Irish maritime fleet and the plan by Irish Ferries to seek the redundancies of 543

Irish staff with a view to replacing them with lower paid workers from abroad as well as the possible consequences for labour relations generally and social partnership in particular; and the need for the Government to intervene.

Mr. Ring: I wish to seek the adjournment of the Dáil under Standing Order 31 to discuss a matter of national importance, namely, the jailing of five men from Rosspport, County Mayo; to call on the Minister of State, Deputy Frank Fahey, to come into the House and explain his role as Minister with responsibility for this project; to call on the Taoiseach to intervene to try to resolve the situation; and that a full debate be held in Dáil Éireann on this issue.

Mr. Boyle: I seek the adjournment of the business of the Dáil under Standing Order 31 to discuss a matter of urgent public importance, namely, that the Minister for Enterprise, Trade and Employment intervene in the situation involving Irish Ferries Limited where management of that company is seeking a replacement workforce which will be paid less in a gross contravention of the spirit of the national partnership process and a likely cost to the State of some €6 million.

Mr. Gogarty: I seek leave to adjourn the House under the terms of Standing Order 31 to debate the following matter of national importance, namely, the approximately 1,000 school children who are still affected by the reduction in numbers available under the concessionary system and the need, as I have called for previously, for a wide-scale review of school bus catchment areas and boundaries.

Mr. Neville: I propose the adjournment of Dáil Éireann under Standing Order 31 to discuss the following matter of urgent importance, namely, the need to provide school transport for first year students to Pallaskenry post-primary centre from Limerick city.

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

Order of Business.

The Taoiseach: The Order of Business shall be No. 13, motion re leave to introduce Supplementary Estimate [Vote 31]; No. 14, motion re referral of Supplementary Estimate [Vote 31] to Select Committee; No. 19, statements on Northern Ireland; and No. 20, Adoptive Leave Bill 2004 — Order for Report, Report and Final Stages.

It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 8.30 p.m.; business shall be interrupted on the

[The Taoiseach.]

adjournment of Private Members' business, which shall be No. 46, motion re proposed new prison site at Thornton Hall, County Dublin, which shall be taken for 90 minutes at 7 p.m. or on the conclusion of No. 19, whichever is later, which shall take place tomorrow immediately after the Order of Business, and which shall be brought to conclusion after 90 minutes on that day; No. 13 and, subject to agreement of No. 13, No. 14, referral to select committee, shall be decided without debate and any divisions demanded on Nos. 13 and 14 shall be taken forthwith; proceedings on No. 19, if not previously concluded, shall be brought to conclusion after 65 minutes and the following arrangements shall apply: (i) subject to (ii) the statements of the Taoiseach and the Minister, spokespersons for the Fine Gael Party, the Labour Party and the Technical Group, who shall be called upon in that order, shall not exceed 15 minutes in each case, (ii) Members may share time, and (iii) a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed five minutes.

An Ceann Comhairle: There are three proposals to be put to the House. Is the proposal for the late sitting and the taking of No. 36, Private Members' business agreed? Agreed. Is the proposal for dealing with Nos. 13 and 14, motion re leave to introduce Supplementary Estimate and motion re referral of Supplementary Estimate to select committee agreed? Agreed. Is the proposal for dealing with No. 19, statements on Northern Ireland agreed? Agreed.

Mr. Kenny: One of the most stark and disturbing stories heard this year was the revelation of the poor treatment of elderly people in nursing homes, ranging from the illegal charging scandal to the squalid conditions some unfortunate patients had to endure in some locations. Four commitments were made to produce the legislation to introduce the inspectorate for nursing homes. Two of these were made by the Taoiseach on 31 May and 1 June, another was made by the Tánaiste on 20 July and another was made by the Minister of State at the Department of Health and Children, Deputy Seán Power on 31 May 2005. All of these were explicit that this legislation would be produced and published before the end of this year.

Despite this, the legislation is not in section A of the legislative programme produced by the Government and announced by the Chief Whip, and every Bill in section B is not due for publication until mid-2006. This is appalling in light of the outrageous situation of elderly people in nursing homes. Why is this inspectorate legislation not on this list as promised on four occasions during the year?

The Taoiseach: The health (nursing homes) (amendment) Bill is scheduled for this session.

Mr. Kenny: That is different from the nursing homes inspectorate Bill.

The Taoiseach: I remember it. The health Bill provides for the establishment of the health information and equality authority and the Irish social services inspectorate on a statutory basis. We are now told that it will be in the new year before the legislation is ready. I do not know if it can be brought forward.

Mr. Rabbitte: Does the Taoiseach agree that, now that the Dáil has reconvened, there must be an initiative concerning the plight of the five imprisoned men from Rossport?

An Ceann Comhairle: The matter does not arise at this stage. It has already been discussed on Leaders' Questions. The matter is not appropriate to the Order of Business.

Mr. Rabbitte: I am trying to be helpful on the issue. Is it not reasonable that simultaneously the Shell company should waive the injunction—

An Ceann Comhairle: I cannot allow this debate to continue. I call Deputy Sargent.

Mr. Rabbitte: —and the men should purge their contempt—

An Ceann Comhairle: This matter has already been discussed in the House.

Mr. Rabbitte: —and an acceptable mediator—

An Ceann Comhairle: I ask the Deputy to obey the Stranding Orders.

Mr. Rabbitte: Five men are in Cloverhill Prison.

An Ceann Comhairle: The Deputy is being disorderly and I have already had to deal with one such Deputy. The Deputy knows the way to raise the matter in the House. He had an opportunity during Leaders' Questions and this was not taken. He also had an opportunity to raise it on the Adjournment tonight and he did not take it. Deputy Ring took the opportunity.

Mr. Ring: The five men from Rossport should be taken out and the Colombia Three put in.

Mr. Rabbitte: I am merely asking the Taoiseach if he would agree to the appointment of an acceptable mediator to consider the entire remit of issues following the release.

An Ceann Comhairle: The matter has already been debated. The Order of Business cannot be an omnibus Question Time. It never has been and it cannot be so.

Mr. Rabbitte: There was always an opportunity to raise a topical issue on the Order of Business.

Mr. N. Dempsey: That is the function of Leaders' Questions.

Mr. Rabbitte: Will the Taoiseach make time available to discuss this matter, tomorrow if possible? A number of formulae are available. We have been very constructive, as the Minister responsible will concede, in working out a formula that will have the allegiance of everyone concerned. That five men are languishing in jail and that we are making no effort to be helpful cannot be allowed to continue.

An Ceann Comhairle: We cannot debate it now.

The Taoiseach: There was a three-hour debate yesterday in committee, I have dealt with this issue today and it is a matter on the Adjournment tonight.

An Ceann Comhairle: We cannot debate the issue. Unless a debate has been promised in the House, it is not appropriate.

Mr. Rabbitte: Is the Taoiseach saying that the Whips can discuss this?

An Ceann Comhairle: I ask Deputy Rabbitte to resume his seat.

Mr. Rabbitte: I am seeking clarity on the Order of Business.

An Ceann Comhairle: The Chair will provide all the clarity the Deputy needs.

Mr. Rabbitte: Is the Taoiseach saying that the Whips can meet to discuss this matter?

An Ceann Comhairle: I ask Deputy Rabbitte to resume his seat while the Chair is on its feet. If a debate is promised, it is appropriate to ask about it under Standing Order 26 and if one is not, it is not appropriate.

Ms Burton: The Taoiseach just promised it.

Mr. Rabbitte: The Whips can consider this issue with the support of the Government Whip to provide for a short time in the House to debate the issue.

An Ceann Comhairle: That is a matter for the Whips.

Mr. Rabbitte: I am asking the Taoiseach.

The Taoiseach: I have no problem with that.

Mr. M. Higgins: That is reasonable.

Mr. Sargent: In supporting this call I predict that if the matter is not debated here, it will be debated in the European Court of Human Rights.

Legislation that has been promised over many years in a number of areas, such as the charities regulation Bill, has now dropped off the face of the earth, so to speak. No indication has been given about the legislation in question even though it was promised for 2003, 2004, 2005 and 2006. Almost 50% of people surveyed give approximately €11 per month.

An Ceann Comhairle: The Deputy can just ask about the legislation. We cannot have a debate on this.

Mr. Sargent: Does the Taoiseach realise that this legislation has been promised since 1990?

Other promised legislation that has disappeared is the Dublin metro Bill. Over the summer we heard about the growing need for a metro in Dublin and the legislation to deal with it has disappeared. It was proposed for 2006.

Mr. Durkan: There must be a void somewhere.

The Taoiseach: The charities regulation Bill is substantive and will involve the statute law revision and restatement in addition to legislative reform provisions. Work is proceeding as speedily as possible and it is being given priority within the Department. The other Bill is being included in the planning and development bill of the Department of the Environment, Heritage and Local Government.

Mr. F. McGrath: Deputy Callely will roll it out.

Ms O. Mitchell: Last year the Minister for Transport promised a ten-year plan to be delivered within weeks. Almost a year has passed and we still have not seen it. What has happened in that year? Is the plan lost forever? Will it be a nine-year one or an 11-year one when it appears? Will the Taoiseach intervene to ensure we have some initiative in respect of transport policy? It is unforgivable that the matter has been allowed to drift in this manner.

The Taoiseach: The national development plan goes up to 2006. The Minister stated that he will set out a clear blueprint this year of what will happen after that.

Ms McManus: Important legislation has been promised, namely, the repayment scheme for the elderly who had their money robbed from them

[Ms McManus.]

by the State. We were told in the recently published legislative programme that publication is expected in late 2005. If so, will the Taoiseach explain why it has not been included with the Bills expected to be published from the beginning of the Dáil session to the beginning of the next session? One part of the programme states that it will be published in 2005 while the other part of the programme indicates that it will not be published in 2005. The elderly people who are waiting for their entitlements need to know what exactly is the Government promising.

The Taoiseach: It will provide a legislative basis for the repayment scheme which will provide appropriate safeguards in regard to payments made under the scheme to vulnerable individuals in care. It will also aim to protect payments made to individuals under the scheme. We hope this will be dealt with by Christmas.

Caoimhghín Ó Caoláin: Will there be legislation to establish a redress board for the women who were mutilated in the gynaecology and obstetrics unit at Our Lady of Lourdes Hospital in Drogheda? The report of the inquiry has not been published. Will the Taoiseach raise the matter with the Tánaiste and Minister for Health and Children and will he clarify whether legislation is necessary? Will he clarify if legislation will be necessary to facilitate the introduction of the second level medical card described differently previously by a number of speakers — the doctor only medical card? Some 200,000 people are awaiting this and nothing happened during the summer period.

An Ceann Comhairle: On the Order of Business the Deputy is only entitled to ask a question on promised legislation. We would like to have the debate on Northern Ireland concluded by 7 p.m.

Caoimhghín Ó Caoláin: What is their status and will there be legislation?

The Taoiseach: On the first issue, the Deputy should table a question to the Minister. On the second question, I do not believe it requires legislation but I must check that.

Ms Enright: Is the Taoiseach aware that a convicted sex offender worked as a school bus driver for special needs children in County Laois this year? In light of the policy in Britain and Northern Ireland in regard to vetting people, what is the Government's position regarding the register of persons considered unsafe to work with children? What work has been done in this regard? I had to resort——

An Ceann Comhairle: It does not arise on the Order of Business.

Ms Enright: It is on the legislative agenda.

The Taoiseach: I refer the Deputy to the recommendations of the child protection joint working group. The legislation arises out of a North-South ministerial council. I do not have a date for this but the Department of Education and Science and the Department of Health and Children are having discussions on the establishment of a pre-employment consultancy service. They are trying to make progress in this area. While I do not have a date for this, meetings on the issue were held recently.

Mr. Gilmore: The building control Bill is to be published this session. A part of the Bill, which relates to the EU directive on the energy performance of buildings must be enacted by 1 January. Will the Taoiseach give a specific indication if the Bill will be published on time to allow the House to have a proper debate on the contents?

The Taoiseach: I will bring the matter to the attention of the Minister. The Bill is due to be published this session but I take the Deputy's point that it should be published on time so that it can be debated in the House.

Dr. Twomey: Ten weeks ago the Tánaiste denied that two million home help hours were cut. She promised to release the figures immediately but this has not happened. I am aware there is no legislation——

An Ceann Comhairle: On the legislation, Deputy.

Dr. Twomey: Perhaps there should be legislation for the Government to tell the truth but on this occasion I ask for the regulations to deal with the health Bill. It would release the flow of information to Deputies that they have not yet received.

The Taoiseach: The Bill is due early next year.

Ms O'Sullivan: When does the Government intend to introduce the third level students' support Bill, particularly in view of the fact that there is such a delay in some local authorities and that there is much inconsistency and lack of information in regard to third level grants?

The Taoiseach: Consultations are taking place on the third level students' support Bill between the Department and the relevant stakeholders. I do not have a date but these discussions are ongoing.

Mr. Gormley: A Cheann Comhairle, I think you will agree with me in your capacity as a medical doctor that the biggest—

An Ceann Comhairle: I am not involved in agreeing or disagreeing with any Member of the House except on Standing Orders.

Mr. Gormley: In your capacity as a medical doctor, you have often given us good advice at the end of term to take a holiday etc. You will agree with me that the biggest drug problem we face is not cocaine but alcohol. I ask the Taoiseach why has the sales promotions Bill covering the control of advertising, sponsorship and marketing practices of alcohol products disappeared? It seems the task force recommendations on alcohol abuse will not be implemented.

An Ceann Comhairle: The Deputy should stick to the legislation because a number of Deputies are offering.

Mr. Gormley: The legislation exists to protect children and adolescents from over-exposure to alcohol advertising. It appears the Government is kowtowing to vested interests in the alcohol industry.

The Taoiseach: As voluntary agreements have been reached with the alcohol and advertising industries, the Department wishes to postpone the introduction of the legislation pending the outcome of these voluntary arrangements.

Mr. Gormley: Rubbish.

The Taoiseach: It will be far more effective.

Mr. Quinn: Will the Taoiseach return his attention to the building control Bill? Has the Bill been completed and is it ready for publication?

The Taoiseach: It is due to come before the House this session. I do not know precisely when it will be ready.

Mr. Quinn: It has not yet been passed by the Cabinet in its completed form?

The Taoiseach: No.

Mr. Durkan: In view of the obvious focus on energy matters at present, would it be possible for the Taoiseach to indicate that the energy miscellaneous provisions Bill might be brought to the House earlier than anticipated in view of the vast range of issues that could be dealt with under the Bill?

The Taoiseach: It will be before the House this session.

Mr. Durkan: It should be earlier.

Mr. Howlin: I want to raise what has become a hardy annual, namely, the Whistleblowers Protection Bill, which is scheduled to go to committee since 1999. Only the ground rent Bill is longer awaiting passage in the House. I ask the Taoiseach for clarification on this matter because, in the last session, Members of the Government gave two contradictory views, namely, that they were not continuing with the stand-alone Bill, they would incorporate it into individual Bills, but when an amendment to an individual Bill was submitted, we were told it would be part of a stand-alone Bill. What is the Government's position on the issue?

The Taoiseach: It is now considered that the provision of statutory protection for whistleblowers on a sectoral basis would provide a better and more focused approach to dealing with the issue, for example, in section 4 of the Protections for Persons Reporting Child Abuse Act and section 50 of the Competition Act. The Safety, Health and Welfare at Work Act 2005 provides protection against dismissal and penalisation of employees who in good faith take steps to protect themselves or others in the workplace. This is already taking place in sectoral legislation.

Mr. Howlin: I want clarity in the matter.

An Ceann Comhairle: The Deputy should allow Deputy Broughan to ask a question because we want to move on to the next business.

Mr. Broughan: I welcome the Taoiseach's comments following the disgraceful treatment of the Irish Ferries workforce.

An Ceann Comhairle: It does not arise on the Order of Business.

Mr. Broughan: I am asking about the fisheries and maritime jurisdiction Bill. Is it the Taoiseach's intention to deal with some of the serious matters that have arisen in regard to Irish Ferries? The Title of the Bill has changed. Does the Taoiseach support—

The Taoiseach: There is a maritime Bill. However, it does not relate to that issue, it relates to transport-related matters.

Mr. M. Higgins: Cathain a fhoilseofar na leasuithe don Bhille chun Údarás na Gaeltachta a leasú?

The Taoiseach: In 2006.

Mr. M. Higgins: Will it be early or late?

The Taoiseach: They do not tell me that.

Ms Burton: The roof, thankfully, is back on the swimming pool at Abbotstown, County Dublin. The Abbotstown Bill 2005 is No. 1 on the Government's legislative programme but the Minister for Finance announced he is blocking funding for this. What is the future of the Abbotstown centre?

An Ceann Comhairle: I call the Taoiseach on the legislation.

Mr. Durkan: The Government better hurry up before the roof is blown off again.

The Taoiseach: As the Deputy said, it is No. 1 on the list. A total of 1 million people have used the centre over the past few years.

Ms Burton: Yes, but the Minister for Finance has announced he will not provide funding for the centre.

The Taoiseach: He did not say that.

Estimates for Public Services, 2005: Leave to Introduce.

Minister for Agriculture and Food (Mary Coughlan): I move:

"That leave be given by the Dáil to introduce the following Supplementary Estimate for the service of the year ending on the 31st day of December, 2005:—

Vote 31 — (Agriculture and Food)
(*Supplementary Estimate*)."

Question put and agreed to.

Estimates for Public Services, 2005: Referral to Select Committee.

Minister for Agriculture and Food (Mary Coughlan): I move:

"That, subject to leave being given to introduce the following Supplementary Estimate for the service of the year ending 31st December, 2005, the Supplementary Estimate be referred to the Select Committee on Agriculture and Food pursuant to Standing Order 152(3) and paragraph (1)(a)(ii) of the Committee's Orders of Reference, which shall report back to the Dáil by no later than 4th October:—

Vote 31 — (Agriculture and Food)
(*Supplementary Estimate*)."

Question put and agreed to.

Northern Ireland: Statements.

The Taoiseach: I am very pleased to have this opportunity to address the House on recent

developments in the peace process. I do so, not in a spirit of elation, but fully conscious of the long and difficult history of our island and the enormous burden placed upon it and our people in recent decades by the threat and use of physical force by the Provisional IRA. Finally, after many false starts, the IRA has yielded to the will of the people, as expressed in the referendum on the Good Friday Agreement. In July, the IRA announced an end to its campaign and a commitment to exclusively peaceful means and this week we had the very welcome news that it has decommissioned its weapons.

I will not dwell on a past that is all too familiar. It is a past that involved untold suffering for many people and inflicted grievous damage on our country. It is a past that we can never forget. Future generations will look back and shake their heads in disbelief and horror at the totally unnecessary loss of life and suffering that was inflicted over more than three decades.

I have invested a considerable amount of my political life in the peace process. I have worked unstintingly for the past seven years to fulfil the mandate that the people gave me in the referendum to secure a permanent peace on this island. I have continued to pursue that goal because, as a constitutional republican, I was convinced that it was the only way to achieve a final resolution to the northern conflict. I was joined in this endeavour by many people and parties in this House and elsewhere. Our united voice has been important. The cross-party support we have enjoyed has greatly helped in making the progress we are acknowledging today.

This is a real moment in Irish history. The IICD has certified that the weapons of the IRA are gone in a manner which has been witnessed and verified. Many believed this day would never come. Many people will lament, and I am among them, that these developments have been too long delayed. If they had been done earlier, they would have consolidated a peace process that badly needed reassurance and promised outcomes. The history of this country is littered with missed opportunity and unmet challenges, but this day has come and we are enormously relieved that we can finally close this difficult chapter of the peace process.

The report of the Independent International Commission on Decommissioning confirms the commission has overseen the completion of IRA decommissioning. It states the IRA has placed the totality of its arsenal beyond use. This was the IICD's fourth report on IRA decommissioning. It has spoken of very large quantities of weapons — ammunition, rifles, machine guns, mortars, missiles, handguns, explosives, explosive substances and other arms — and it made clear the amounts involved were consistent with the inventory prepared by the security forces. Detailed inventories have been made and these will be published when

all decommissioning, including loyalist weapons, has been completed.

I accept the IICD's view that an amount of confidentiality was necessary to ensure decommissioning happened. I hope the IICD will now also make progress on the removal of loyalist weapons from the equation and that everyone in a position to encourage this will do so. I thank General de Chastelain and his team for their work. They have done the people of this island a great service. They are professional and honourable people.

I also pay particular tribute to the independent witnesses, the Reverend Harold Good and Fr. Alec Reid. Their reputations as men, Christians and workers for peace and reconciliation are impeccable and the entire community recognises that. They told of how they watched the entire process, minute by minute. They said that beyond any shadow of doubt, the arms of the IRA have been decommissioned. Their statement was compelling and clear. If it was good enough for all these upstanding, independent and honourable people, it is certainly good enough for me.

The Governments did not take the job of decommissioning upon themselves. We asked international independent experts to do so. This House passed legislation to allow this to happen. There was a difficult, demanding and, at times, frustrating job but I am pleased they have finished this part of their mandate.

Experience has taught us all harsh lessons. I would not ask anybody to rely on the words of the IRA alone. The Governments are not doing so but we do place our trust in the IICD and what it says matters. There are those who remain unconvinced about recent developments. I hope, as the period ahead unfolds, they can be reassured and become convinced. I can understand that it will take some time for the full consequences of an ending of the IRA campaign and the decommissioning of all their weapons to be fully comprehended but it is important also to begin to move on.

We have to do so as it would be unconscionable and unacceptable to fall back or to accept a political stalemate. This is not a time for pessimism and undue delay. Real opportunity is opening up for Northern Ireland and for all this island. I believe we can look forward with renewed hope and promise to face other challenges. The challenges were set out by Prime Minister Blair and myself in July. They include the restoration of the political institutions, the ending of loyalist paramilitary and criminal activity and the resolution of policing issues. The path to resolution of these issues is also clear. We needed to see the completion of IRA decommissioning, which has happened. We need to be convinced that all IRA paramilitary and criminal activity has come to an end and let me make clear that the Garda will continue with all ongoing investigations and

undertake its responsibilities in every respect and to the fullest. The next report of the Independent Monitoring Commission will be published in October and that will give an indication of progress on this issue. There will be a further IMC report in January.

The role of the Police Service of Northern Ireland is central to a future free of paramilitary threat. Support for policing by all sides is essential to assure hard won peace. The PSNI have grown in stature as the Patten reforms have been rolled out. Its bravery and impartiality in recent weeks has been outstanding. The Government continues to call on all parties to give their support to the PSNI. We stand four square behind the Patten reforms. There will be no turning back from the new beginning in policing.

I understand the fears and uncertainties of the Unionist community. I understand that trust needs to be rebuilt. I know they may need time to reflect and they are entitled to that but it is also important that the new realities are recognised. I believe that trust and confidence can be rebuilt.

The task before us all is to build a better future, a better Ireland, an Ireland that is a warm home for everybody who lives here. The Good Friday Agreement has delivered peace to Ireland. It has helped bring about the end of the IRA's armed campaign and it has brought about the decommissioning of the IRA's weapons. Within the next two years the process of security normalisation in Northern Ireland should be completed. British army levels and military installations will be drastically reduced. The Agreement must begin to deliver the remainder of its promise to the fullest. The Government will in every way uphold the Good Friday Agreement and the principle of equality. There is no going back to past and failed ways. The Agreement is the way of the future and it is the only way.

Subject to satisfactory reports by the Independent Monitoring Commission, the verified delivery by the IRA of full decommissioning clears the way for the renewal of discussions among the political parties on the restoration of the institutions. We will expect all the parties to play their part constructively in that process. The Agreement remains central to all we are seeking to achieve. The principles of consent, partnership, equality and mutual respect enshrined in it are the clear reference points for relationships on the island of Ireland. The IRA statement at the end of July was a belated and long awaited acknowledgement of a central tenet of the Agreement: constitutional change will only ever be brought about by peaceful means, political persuasion and respecting the principle of consent.

While pressing for the earliest resumption of full negotiations, we will continue to be in close contact with all the parties. Our firm partnership with the British Government will remain indispensable. Our goal and our message will be to

[The Taoiseach.]

ensure this unprecedented opportunity for lasting progress is not wasted. Future generations would not forgive us that omission. Realising the full and rich potential of the Good Friday Agreement will require leadership of a high order, from all the parties. For its part, the Government is determined to spare no effort in achieving this objective. I call on everybody to seize the opportunity opening in front of us to build a better Ireland for all its people.

When the founders of Fianna Fáil gathered in the La Scala Theatre many of them had experienced the disillusionment of a bitter and bloody civil war. Their foundation of a new political movement was a courageous recognition that continuation of the armed struggle provided no way forward, that political methods were the only means of progress towards national objectives and that democratic order must prevail. From the moment Eamon de Valera led Fianna Fáil into Government in 1932, the moral imperative of constitutional republicanism — that violence has no place in securing Irish unity — has been at the forefront of our political philosophy.

Like de Valera, and all my predecessors, I have tried to persuade militant republicans to accept the peaceful republican path of Fianna Fáil. I have tried to persuade them that the unity of Irish people can never be achieved through violence. I have made it clear Irish unity cannot be built on violence and pain.

I hope the Provisional IRA's actions in ending their campaign and disposing of their arms offers a firm indication that they have come around to this peaceful analysis. Though this has taken a long time — too long — it is nonetheless welcome. Finally, the IRA has realised it is the ballot box, and not the armalite, that can bring about change in the Ireland of the 21st century.

Mr. Kenny: I welcome this opportunity to reflect on recent developments and what remains to be done to achieve real political progress in Northern Ireland. Everybody who participated in the political process in the Republic of Ireland since the late 1960s and early 1970s can take some credit for having helped to put together the pieces of the jigsaw that has been completed by the decommissioning of arms by the Provisional IRA. The Taoiseach invested a great deal of time in this process, as did his counterpart in Britain, the Prime Minister, Mr. Blair. He, more than any other British Prime Minister in the past quarter century, is interested in seeing a final, peaceful conclusion to the difficulties of Northern Ireland.

The Fine Gael Party welcomes the confirmation this week by the Independent International Commission on Decommissioning that all the IRA arms have been put beyond use. I have no reason to doubt the veracity of the statement made by General John de Chastelain and

the two independent witnesses, Father Reid and Reverend Good.

Some people have suggested that it is necessary to have photographic evidence of the event. General de Chastelain and the independent witnesses have devoted considerable time to this process and have acquired an integrity over the years that speaks for itself. I accept the statement of the general and the two independent religious persons concerned.

The important point is to know these arms are out of commission for good. People have questioned whether this is the full extent of the arms involved. The general and the clergymen can comment only on the governments' estimates of what the Provisional IRA held in storage units around the country. It might be useful for the Government in due course to publish the estimate it gave General de Chastelain. This would give us an idea of what the Government considered to be in the hands of the IRA. The general would not have to confirm that the list represented what he saw being decommissioned but the public would get an idea of the scale of what was involved in this act.

The achievement of decommissioning removes a considerable obstacle to real political progress and fulfils the clearly expressed democratic wish of the people when they voted North and South for this event. They voted in 1998 in the expectation that decommissioning would be complete within two years. Seven years later this has happened.

I know from speaking to people involved in, or on the fringes of, the Provisional IRA that this has created a problem for many of them. It is difficult for me to attempt to understand that mentality when one considers that these weapons were, or would have been, used for the destruction of human life, which is anathema to democratic politics.

The pressure is now on loyalist paramilitaries to respond in like fashion. I am glad that members of the Ulster Unionist Party and some members of the Democratic Unionist Party accept General de Chastelain's words and those of the independent clerics. I would like to think that the situation could swing around and that loyalist paramilitaries would decommission their stockpile of weapons. I urge those who have influence over Unionist politicians to persuade them to re-establish contact with General de Chastelain and the Independent International Commission on Decommissioning to ensure that decommissioning can take place in their community too.

The recent sectarian violence in Belfast is evidence of real frustration within the loyalist community. This was exacerbated by people who provoked young, vulnerable people to doing this. I travelled there in 2003 with the Minister for Communications, Marine and Natural Resources,

Deputy Noel Dempsey, and saw the frustration felt on the Shankill side of the peace line and the difficulties facing communities there. The people there saw that democratic politics could deliver to Nationalist communities facilities for young people in particular and so on. The issue is a boil that is difficult to lance but I urge those with influence on them to see that loyalist paramilitaries decommission their weapons.

While the completion of decommissioning is welcome, the Provisional movement has much to do before Sinn Féin can be fully regarded in the public consciousness as a truly democratic party. I hope the Independent Monitoring Commission will be in a position to report later this year or early next year that the Provisional movement's extensive involvement in crime and paramilitary activities is ending. The commission must be mandated to monitor that situation for the foreseeable future.

I hope that the cartoon featured in a Northern Irish newspaper today of P. O'Neill walking into the distance, throwing the last revolver over his shoulder, reflects the reality. I do not know whether there were any diesel runs last night, whether any lorries were driven across the Border today on smuggler routes or whether any drivers had to pay €500 to drive their lorries three or four miles with their cargoes on particular roads.

Now that the IRA has decommissioned its weapons it is necessary for the Government to see that the Criminal Assets Bureau and its counterpart in Northern Ireland are properly resourced to ensure that those who benefit from paramilitary criminality are stopped by the rule of law and put out of business, where that applies. It is hard to assume that because decommissioning, which was an obstacle to great progress, is out of the way as far as the IRA is concerned, those IRA members involved in criminal activities have suddenly ceased what became lucrative commercial activities for them.

I am not clear about the Taoiseach's attitude to Fianna Fáil and Sinn Féin sharing power after the next general election. I noted his comment on the 6.30 p.m. news the other day when he was asked whether the fundamental obstacle to his or any other party entering Government with Sinn Féin had been removed. His reply was that it had been removed. That remark will obviously cause a great deal of concern to business in the country.

The Taoiseach: The Deputy should read the rest of the text and stop messing. We have made it absolutely clear.

Mr. F. McGrath: Deputy Morgan is over here.

Mr. Kenny: The question for Deputy Morgan to understand is whether the fundamental obstacle to Fianna Fáil entering Government

with Sinn Féin has now been removed. The Taoiseach's answer was that it had been.

Mr. Durkan: Very interesting.

The Taoiseach: The Deputy should read the full text.

Mr. Durkan: Interesting revelations.

Mr. D. Ahern: The Deputy should return to his research.

Mr. Kenny: It would be most inappropriate, improper and premature for the Taoiseach to raise such an issue when so many other serious issues remain unresolved, such as criminality, racketeering, paramilitary punishment beatings, the Northern Bank raid, and the murders of Robert McCartney and Joseph Rafferty.

I am glad that the Taoiseach met the Rafferty family in Dublin. That story and witnessing those known to have been involved strutting around makes a mockery of this democracy and our system of justice. If the Sinn Féin Party can do anything to assist and bring about a conclusion in either the McCartney or the Rafferty case, it has an onus, duty and responsibility to do so.

I spoke to the McCartney sisters at the "People of the Year" awards, and they said publicly that they are still being intimidated in Belfast. That situation is intolerable, and if any party or its members in this jurisdiction were involved in such activity, they would be hauled over the coals constantly about it. I know that Deputy Ó Caoláin is here as the leader of the Sinn Féin group in the House. Perhaps he might like to provide some more light or information regarding a serious matter for the families involved. If we are talking about the real road to peace, democracy, truth, honesty, harmony and the building of communities, such problems must be dealt with and ended.

I noted yesterday that the Sinn Féin president had said that he would continue to campaign for the release of republican prisoners. I was appalled to think that the Government had done a secret deal before the negotiations two years ago for the release of the killers of Detective Garda Jerry McCabe. I note the comments made by the Minister for Justice, Equality and Law Reform, Deputy McDowell, yesterday that they would serve their full sentence as handed down by the courts. I would like to hear the Minister reiterate when he replies that there can be no easing up. There is still confusion regarding those persons deemed on the run from that incident. What is their position?

It is necessary, with respect to the Taoiseach's exalted political position, to distinguish between the person and the office. I do not think it appropriate that as Taoiseach he should have secret meetings in a constituency office with representa-

[Mr. Kenny.]

tives of Sinn Féin or any other party in whose regard it could be alleged that secret deals might be done. Whether that is true remains to be seen in some cases. From any perspective, the Taoiseach's dealings as Head of Government with Sinn Féin or any other group should be done in an absolutely proper manner so that no issues can emerge later.

The Taoiseach said in the House that if the deal had gone through, the killers would have been released. I was intrigued by the comments of the Minister for Foreign Affairs, Deputy Dermot Ahern, that the Government had cut off contact with Sinn Féin following the Northern Bank raid and the murder of Robert McCartney. That assertion is untrue, since throughout the period when the Government was playing hardball with Sinn Féin, having sent it away with a flea in its ear, several meetings were held with Gerry Adams at which no Minister or official was present.

Mr. D. Ahern: The Deputy is being selective.

Mr. Kenny: In that respect, it is not appropriate that there should be such secret meetings at which secret deals might be done on very important issues.

Having heard this announcement, which is an important step forward, I look forward to a day when the children of this island, North and South, can envisage their children's children living in a country where there is understanding between communities and the Troubles have become a memory. We must recognise that we still have a very long way to go and that everyone elected to this House must recommit himself or herself to making an Ireland of which we can be truly proud through dialogue, discussion, understanding and building communities, where differences can be accommodated and understood, and where everyone's objective is to provide an environment in which children can live and people can raise their families in peace and understanding. North and South, as one, we will live on an island where we can be truly proud of what democratic politics and understanding can deliver.

Mr. Rabbitte: I acknowledge the role of the Taoiseach and all those who facilitated and worked for this week's development. Speaking in the national Parliament in the week that the Provisional movement has verifiably put beyond use its deadly arsenal of weapons, we should not forget the many victims of those weapons — the people who were shot, blown up or maimed, and those who lost loved ones, family members, and friends. Nor should we forget the communities that have been forced to cower in the shadow of the gunman and the baseball bat for almost 30 years.

We should not forget either that the greater number of victims in that conflict were victims of the illegal body whose loss of arms we are now to celebrate, or that the greater number of victims came from within its own community, which the IRA claimed to defend. I was horrified to be told today that a television journalist had reported — if he did, I did not see it — that Gerry Adams had been greeted like Mahatma Gandhi at the National Ploughing Championships yesterday. That did not happen; it is a reckless use of language and a disservice to the memory of Mahatma Gandhi, apart from anything else.

Mr. Allen: The journalist was not even there.

Mr. Rabbitte: We should not ignore the fact that General de Chastelain's job is only half done. He stated that when he said on Monday that he had still to hear from the UDA, the UVF and the LVF. Only when loyalist paramilitaries reciprocate will we be able to say that all guns have been taken out of Irish politics. As long as those organisations continue to hold on to their weapons, the potential for conflict to re-emerge remains. Should there be any repeat of the rioting, thugery and lawlessness of loyalists in recent weeks, especially at interface areas, and should republicans respond, the entire process will, once more, be at risk.

That is why loyalists must seize the opportunity that currently presents itself. As SDLP leader Mark Durkan puts it in today's *The Irish Times*: "The best thing loyalists can do now to free their communities of poverty and fear is to give up drug-dealing, racketeering, intimidation and murder, and destroy their guns." In that respect, the onus falls now on those leaders of Unionism who have been so quick to question the validity of IRA decommissioning but so slow to move loyalist paramilitaries towards the same end. If parties such as the DUP are so eager to take the votes of working class Protestants and to express the disenchantment and disillusionment of those communities, they must also act responsibly in ensuring that the peace be held in those areas that are most volatile. If the DUP were prepared to concentrate its energies on leading its own community rather than face-saving exercises on power-sharing in order to claim it has re-negotiated the Good Friday Agreement, we would be more likely to make progress.

This week saw the Provisional movement — albeit belatedly — acknowledge the decision taken through the ballot box by the Irish people North and South. This is welcome.

6 o'clock All law-abiding democrats must welcome an announcement by an unlawful paramilitary organisation that it has abandoned its arms. Nobody can be certain all arms have been destroyed but focussing on inventories

and the like is merely an excuse for further procrastination.

The real tragedy is that if the Provisional movement had lived up to its obligations under the Good Friday Agreement and delivered decommissioning as required by May 2000, the bodies envisaged under that Agreement would be functioning and firmly bedded down. Instead, momentum was lost and the IRA's failure to decommission always added to the sense of permanent crisis that has bedevilled the process, and, moreover, kept that organisation centre-stage, waiting for the moment to deliver finally on the commitment given to decommission within two years of the signing of the Good Friday Agreement in 1998.

In recent times, as Deputy Kenny observed, the duplicitous approach of the Provisional movement to issues such as the Northern Bank robbery and the murders of Robert McCartney and Joseph Rafferty means decommissioning, welcome as it is, has not had anything like the same impact it would have had in May 2000. We must all hope Sinn Féin has now decided to contest the democratic space on the same basis as the other parties in this House. All parties in Northern Ireland should recognise these events as positive and they should lead to the earliest possible re-establishment of the assembly and the Executive. The ongoing absence of these bodies and the two Governments' exclusive approach in regard to the DUP and Sinn Féin allows these parties monopolise the peace process to the detriment of parties such as the SDLP and the Ulster Unionists. Thus far, this exclusive focus may have brought us decommissioning but it has not, as yet, restored the assembly and it has come at the cost of compromising some core elements and fundamentals of the Agreement.

Moreover, it also leads to the suspicion that certain side deals and concessions may have been negotiated by the IRA in exchange for decommissioning. In responding to this debate, the Taoiseach should take the opportunity to respond to that concern. These are questions we are entitled to ask to ensure that any deal that has been struck to bring about decommissioning does not come at the expense of other important areas or see other institutions compromised. If so, the potential for breakdown is immense and for the political vacuum to extend ever further.

It is simply unacceptable to have a significant political party organised on both sides of the Border, whose growth has come almost exclusively as a result of the peace process, not participating in or supporting policing arrangements in Northern Ireland. Sinn Féin is always quick to tell us about the sacrifices its members have made and the difficulties they have faced each time they are dragged forward for the sake of political progress. However, they must recognise that in doing so they have benefitted immensely, often at the

expense of true democrats from political parties whose commitment to peace and reconciliation and to justice and a lawful society was always beyond question. Sinn Féin must now commit to supporting and playing an active role in policing structures in the North. Only yesterday, the 14th report of the policing Oversight Commissioner again vindicated the stance of parties such as the SDLP who took the brave decision to support the PSNI when republicans refused to do so.

There are wider issues outstanding. The reality remains that restoration of devolved government is not the only or even the major task facing those concerned with Northern Ireland's future. It is no longer adequate to suppose that sectarianism and its bitter and corrosive divisions will somehow have been tackled just because a devolved assembly and Executive are returned to Stormont. If the two Governments believe, as they are reported to, that the process is completely on track and that a deal can soon be cut between the DUP and Sinn Féin, they are failing to take account of the wider structural issue.

For the Good Friday Agreement to work, it must be bedded down in an expectation of ongoing, at least passive, consent from a majority in both communities. As of now, the Agreement does not have the consent of a majority within unionism. If loyalism has learned anything from the successes of the Provisionals, it is that the non-co-operation of even a minority, if it is of sufficient size, can veto progress and stability for all. It is true that Unionist politicians never sufficiently appreciated or broadcast to their own community that the constitutional question was settled by the Good Friday Agreement. Whatever else the Agreement achieved, the principle of consent and the status of Northern Ireland within the union have both been assured.

However, it is against this background of deepening sectarian division and aimless loyalist street violence that Sinn Féin has decided now is the time to launch its 32-county campaign to "rally for Irish unity" and "make partition history". It is bizarre that the movement that has done most in our history to copper-fasten partition should consider itself in any way suited to set about the task of uniting this country and making partition history; that they, of all people, could now remove all those bitter and enduring consequences of the IRA's campaign of violence, destruction and enduring, evermore entrenched, divisions.

The campaign to "make partition history" is calculated to increase the trend towards inter-communal hostility which makes power-sharing within Northern Ireland difficult, if not impossible.

Mr. F. McGrath: That is rubbish.

Mr. Rabbitte: It shows that Sinn Féin's real interest was never in bedding down the Good Friday Agreement and working its institutions in good faith but in maintaining instead an environment of instability and uncertainty — a persistent atmosphere of crisis in which normal politics is impossible and extremism thrives.

It is myopic in the extreme that Sinn Féin cannot see that the real problems on this island do not derive from the partition between North and South but from the endemic partitions within Northern Ireland itself. That party has said and done nothing to demonstrate any awareness and acknowledgement of the crisis around it — the Balkanisation of Northern Ireland. It has done nothing to persuade the people of the South, who remain to be persuaded, that the best solution to Northern Ireland as “a failed political entity” would be to collapse that failed, dysfunctional and still violent entity into the jurisdiction of this State. If the communities that make up the North cannot function together, why should anyone believe they would function better by attempting to smother them within a largely uninterested Southern embrace?

On any rational analysis, Northern Ireland as a demonstrably functioning entity should be a precondition that is proven to exist before anyone thinks about Irish unity, rather than the proven failure of the North being a reason for thinking about the unity of this island as a whole. If that is the unmanageable nature and extent of their problem, then we down here do not have the solution. We should not pretend we do.

I speak as someone entitled to describe himself both as a Nationalist and republican within the meaning of those words before they were hijacked by those who sought to appropriate the concepts of nationalism and republicanism to ends that are narrow, divisive and ultimately as sectarian as those advanced by their political opponents. However, it is no longer adequate to suppose that sectarianism and its bitter and corrosive divisions will somehow have been tackled just because a devolved assembly and Executive are returned to Stormont. In Northern Ireland, there is increasing evidence of a hardening of separateness between both communities, of a society that is becoming more divided by tribal identifications. Parallel with efforts to restore the political institutions, we need a real effort on all sides to tackle the sectarian divisions that have increased rather than diminished since the Good Friday Agreement of 1998.

I repeat that Sinn Féin and the IRA have a genuine contribution to make to political progress on this island. However, that contribution involves not just the seven-years-late delivery of arms that should never have been acquired or used in the first place. It requires also a genuine commitment to reconciliation between neighbours. If republicans want to unite this country,

they must recognise as a task for them the need to address rather than exacerbate the structural divisions within Northern Ireland.

These exist, for example, where people live and where they send their children to school. Good people who envisage the best in government now contemplate a future of passive co-existence between ethnic and religious communities that we expect will continue to eye each other uneasily over the fences of entrenched differences.

In that context, Sinn Féin's response or lack thereof to the murder of Joseph Rafferty in Dublin last April is as much a test of the sincerity of that party's commitment to peace as was the murder of Robert McCartney in Belfast last year. Both families made demands which are directed at us, as public representatives, party leaders, Members and voters, and are aimed at the way in which we do our business. If we do not stand with them, we stand against them and against all the other families which will in time take their place.

With decommissioning achieved, we must not assume that all else will automatically fall into place. We must not lessen our resolve to see the institutions re-established and the political vacuum filled. We must not shirk the challenge of creating a peaceful, democratic and lawful society in Northern Ireland.

Caoimhghín Ó Caoláin: I will share time with Deputies Connolly, McGrath and Sargent. Since the Dáil adjourned at the start of July, momentous events in Irish politics and in the life of this country have taken place. The announcement by the Irish Republican Army on 28 July that it was formally ending its armed campaign was a significant development. The IRA made a commitment on that date to put its arms beyond use and last Monday, 26 September, we received confirmation that it had fulfilled that commitment. This must be acknowledged as a courageous and unprecedented step on the part of the IRA. I pay tribute to the volunteers of the IRA for undertaking this leap of faith and for hazarding this mighty risk to advance the cause of peace with justice in Ireland.

This step has caused real difficulties for many republicans. It came after a summer when Nationalist communities in north County Antrim, Belfast and other centres in the Six Counties came under sustained attack from Unionist paramilitaries and sectarian gangs. Many here who are vocal about the alleged misdeeds of republicans were silent about these attacks. Only luck prevented widespread loss of life in Nationalist communities, while the ongoing loyalist feud claimed several lives in that community and has apparently not yet ended.

Despite the profound difficulties all this presented to republicans, the IRA has now provided a golden opportunity to advance the peace process significantly and open up a new era in

Irish politics. I urge all parties and both Governments to seize this opportunity and to work together to implement the Good Friday Agreement fully. For many members and supporters of Sinn Féin, it appears that republicans have yet again had to leap first but we in the leadership of Sinn Féin have said clearly that this development must be seen for what it is, an act of faith in the ability of Irish republicans to move forward together towards our goal of Irish unity and independence by peaceful means.

The reaction of the Rev. Ian Paisley was predictable. So too were the begrudging contributions made today by Deputies Kenny and Rabbitte. The hypocrisy of the latter on the issue of arms decommissioning and making partition history were particularly hard to listen to.

Some space, however, should be given to the DUP and to the wider Unionist community to absorb the enormity of what has taken place. Now is the time for the DUP to give real leadership to the people it represents. That can only be done by engaging directly with the representatives of Sinn Féin. Such engagement is inevitable and should happen sooner rather than later.

I hope that many more in the Oireachtas and outside now appreciate that what the intransigent wing of Unionism was objecting to all along was not the continued existence of silent IRA weapons but the prospect of having to share power with republicans and Nationalists. However, share power they must and that is the only basis for moving forward. We do not seek to dominate or inflict upon Unionists what was inflicted on Nationalists for decades in the Northern state. We seek equality, not for Nationalists or Unionists but for all, regardless of political or religious beliefs.

There is a special responsibility on the Irish Government, which should now vigorously pursue the full implementation of the Good Friday Agreement with a clear focus on the need for the Unionist leadership to share power and work with the all-Ireland structures. The British Government must fulfil all its responsibilities, including the complete demilitarisation of the Six Counties. While the guns of the IRA are now gone, British spy posts, barracks and troops are still in our country. Let it not be forgotten that the Unionist paramilitaries, which were armed by British intelligence, are still armed.

The Irish Government should advance the all-Ireland agenda on all fronts, by acting now to develop co-ordination and integration of infrastructure and public services on an island basis and encourage a similar process in the private, voluntary and community sectors. The Taoiseach should fulfil the commitment he made in 1998 to advance the issue of Northern representation in the Oireachtas. Speaking rights in the Dáil for all Six Counties MPs in specific debates should be provided for. The Government should publish a

Green Paper on Irish unity which would set out a strategy for Irish re-unification.

The Taoiseach tried to draw parallels between 1926 and 2005 in his opening remarks to this debate. The difference is that the journey which began in the La Scala Theatre and with the founding of Fianna Fáil led, along the way, to the total abandonment of Nationalists in the Six Counties by the political establishment of this State. Had it not been for that abandonment, the people who found themselves locked within a sectarian regime would not have responded through the formation of the Provisional IRA or any other armed manifestation of Irish republican and Nationalist thinking in 1969. There would never have been a reason for armed conflict to arise. We need progress on other long overdue issues, such as the repeal of the Offences Against the State Acts.

In recent days, we have heard much about the mood and reaction of republicans. We have had acres of analysis but the best indication of republican opinion was given last weekend, when tens of thousands of people from all over Ireland gathered in our capital city to celebrate by marching together in pageant to observe an important date and event in our history, the centenary of Sinn Féin, and to support Irish unity.

Mr. D. Ahern: An abomination.

Caoimhghín Ó Caoláin: We will continue to work in that mode and we invite all parties to share the responsibility of bringing about our shared dream.

Mr. Connolly: This week's decommissioning of weapons marks a pivotal point in Irish history. I hope that it will start a new era of cross-community co-operation and peace in Northern Ireland. It is one of the most momentous events of the past 50 years in this country and I wholeheartedly welcome it. The many people who took risks for peace when it was not politically correct to do so have been vindicated. Thank God, most of them are alive to see the fruits of their efforts in a tangible way. Peacemaking is an extremely difficult task. I compliment all concerned and, in particular, General de Chastelain and his assistants, as well as the two churchmen for their supervision. Ordinary people on both sides of the divide are the real unsung heroes of this peace process. They worked tirelessly to build bridges between communities in their neighbourhoods. We cannot forget such people.

I am bitterly disappointed that a man of the cloth, Rev. Paisley, has seen fit to reject the bonafides and cast aspersions on the integrity of Fr. Alex Reid and Rev. Harold Good. By not acknowledging that decommissioning has taken place, that is effectively what he is doing. It is

[Mr. Connolly.]

a new low when one does not accept the word of clergymen.

The opportunity exists for Rev. Paisley and the DUP to play a responsible leadership role and accept, in the fullness of time, that a momentous act has occurred. They owe it to the people to lead fairly. Rev. Paisley could make a significant contribution to the ultimate goal of self-government in Northern Ireland. Major benefits might ensue.

Interdepartmental co-operation between North and South in areas such as agriculture, tourism, health and education could ensue. There are many areas of mutual concern and interest. Those who were elected would then do what they were elected to do, that is, serve the people and they would benefit. We must move in this direction sooner rather than later.

Mr. F. McGrath: I thank the Leas-Cheann Comhairle, for the opportunity to speak on this historic day on the evolution of our peace process. I thank and commend all those who have made a massive contribution to peace and justice on our island. It is a real opportunity for all of us to ensure politics works. Let us roll up our sleeves during the next 12 months and try to move the peace process forward. Not talking to each other or using the peace process to score political points should not be an option and should never be an option in the future. The process belongs to all the people on the island of Ireland and if we are serious about a democratic peace settlement we have to respect the wishes of the majority of our people on the island.

The republican leadership and its members have shown courage, vision and leadership in putting arms beyond use and in trying to take the guns out of Irish politics. This process has been independently assessed and most people agree it is a reality. I welcome that and yet I understand the fears of many. However, we have to move forward. I urge all Members to put our country first and stop the petty bickering I have witnessed today and during the past year. We also have to face up to the reality of Unionist paramilitaries and the British security forces. They are the people who have all the weapons. I urge the Taoiseach to focus on these weapons over the next couple of weeks. It is time for them all to get off the stage and let the peace process evolve. Recent sectarian violence can never be tolerated and the silence from many quarters is deafening. Sectarianism, like racism, can never be understood or tolerated in our society. Attacks on homes or the quiet sectarian language should be a thing of the past and I urge all politicians, North and South, to show leadership on this issue and on this terrible evil.

Selective opposition to violence should also be challenged. I remind all Members that in this conflict we had three violent groups — republican violence, Unionist paramilitary violence and British State security violence. I urge some Members

and some Cabinet Members to get off the high moral ground and get on with the job of resolving this major conflict. Exclusion and censorship did not work in the past and will never work. Silence on sectarianism and criticising one side in the conflict is cheap opportunism and, more importantly, it lets our people down. I urge everyone to open their minds and listen to new ideas in finding a solution to this historic conflict.

I have a major problem with Ministers and politicians who say they have concerns about representing the minority in the North while at the same time opposing their political representatives speaking in this House. I fully support the right of people in the North to speak in the House. If Members are serious about inclusion they should support that position.

I urge all Deputies to unite, support the development of the peace process, build a new Ireland for Catholic, Protestant, Muslim, Jew and dissenter and use this moment in history to ensure all guns are taken out of Irish politics and build a new country based on justice, equality and peace.

Mr. Sargent: The Green Party, Comhaontas Glas, welcomes wholeheartedly the fact that Rev. Harold Good, Fr. Alec Reid and General de Chastelain have reported positively on the decommissioning of arms by the Provisional IRA. It is a significant milestone. The question many of us need to focus on is where we go from here. Recently I heard a vox pop on the radio ask “what now” in many Nationalist areas. Many offered an uncertain view that they did not know who would protect them now. One lady said she might have no alternative but to go to the police. That points strongly to the next move Sinn Féin needs to take to be part of the policing board and part of the developments that will ensure the other obstacles to the implementation of the Good Friday Agreement are removed. These include loyalist decommissioning — the Patten reforms need to be fully developed in order that loyalist decommissioning can be one way or the other removed from the agenda — and the security of Nationalist areas. Fundamental policing reform is essential and needs to be prioritised. Ultimately the Unionists must come to government. I ask that the Unionists understand that will ensure police resources are freed up and extra policing resources can be made available for fair and comprehensive policing. That needs to be part of the Good Friday Agreement implementation.

The Good Friday Agreement needs to be implemented in this jurisdiction also. It is not simply a matter of talking about what is happening in the North. We heard earlier on the Order of Business about the register of sex offenders. That is a matter in which we in the South are lagging behind. I heard also of the lack of progress in other areas of cross-Border co-operation. That lack of progress means we are not implementing further improvements on, for example, an island-

wide environmental protection agency. These matters are being held up because of lack of progress. Every community and national organisation has a role in implementing the Good Friday Agreement. In our party we have removed the obstacles in order that the Green Party in Northern Ireland can consider its relationship with the South in terms of a possible all-island organisation. Likewise, in sports organisations such as the FAI, the lack of success has affected us recently. When one looks at somebody such as Ken Magennis from a Unionist background supporting the Irish Rugby team there is no reason Unionists cannot respect their identity, be loyal to their objectives and still support an all-Ireland soccer team. That would indicate a potential on the island which can accommodate diversity and different political aims but at the same time realise the potential of working and co-operating together as an island.

Mr. D. Ahern: I am prepared to share time with Deputy O'Donnell if that is acceptable.

Ms O'Donnell: I thank the Minister for conceding a few minutes. On behalf of the Progressive Democrats I acknowledge the work of the Taoiseach and the Prime Minister in bringing about, eventually, the decommissioning of weapons by the IRA. I commend also the de Chastelain commission on its work over many years in bringing about the decommissioning. The eventual decommissioning of IRA weapons is a tribute and testament to the work not of Sinn Féin in persuasion but of those of us in the House in the democratic constitutional parties who have insisted that it is incompatible with democracy to hold on to weapons. The retention of those weapons by the IRA has been the single biggest obstacle to political progress since the Good Friday Agreement was democratically endorsed by the people on both sides of the Border.

Amidst all the eulogy and weary relief associated with the decommissioning announcement it is essential to recognise the pain and suffering and lost and devastated lives of those who were maimed and killed by these IRA weapons over the years. British and Irish people have been killed and lives devastated by these weapons. Rather than eulogise the work of Sinn Féin and those who have no conscience or tendency to apologise for these terrible acts the House should stand square and confirm its commitment to democratic politics and respectfully remember all those innocent men and women and also men and women of the armed forces who were destroyed and murdered by these weapons.

Minister for Foreign Affairs (Mr. D. Ahern): The confirmation this week by the Independent International Commission on Decommissioning that the IRA has put all its weapons beyond use has been acknowledged in this House as a momentous development, which it is. We have always said that decommissioning had to be com-

plete and credible. On Monday we got that unambiguous statement from General de Chastelain when he said that "the totality of the IRA's arsenal" has been decommissioned. We also had a statement from two fair-minded and independent clergymen, highly respected in their own communities, who said they were "certain about the exactitude of this report".

In short, we have crossed a historic threshold. Throughout our history, violence and politics have mingled and only now can we believe they have truly parted company. The decommissioning of Provisionals' weaponry is a triumph for constitutional nationalism and republicanism, as enunciated by my party. It is a triumph for those of us whose main personal and political goal is the unity of Ireland and her people, and who simply find it wrong that our neighbours in places like Faughert and Drumintee should live in separate states. Such towns and communities have suffered at first hand from the partition of our island. People have seen the Provisional campaign bolster that partition and drive unity further into the future. The peace process was built on our conviction that Irish unity could never be built on the hatred of ages, down the barrel of a gun. It is built on our efforts to convert others to our democratic analysis and assessment of partition. With decommissioning, the veracity of that analysis is clear and the redundancy of Provisionalism is equally clear.

In the battle of ideas we believe that we have clearly won. The question remains, however, as to why over 3,000 people had to die to get us to where we are today. I was struck by the front page coverage in all newspapers of the events of recent days, but particularly by the front page of the *Irish Examiner* which listed the names of all those who had been killed. The coverage was extremely poignant and underlined what the past 30 years were all about.

While the decommissioning of IRA weapons has been a major step forward, it is not an end in itself. It is a means to an end and we should not lose sight of that. Our democratic tradition, embodied and practised in this Chamber, is strong.

Acting Chairman (Mr. McGinley): The Minister's time has expired.

Mr. D. Ahern: I ask Members to give me some more time.

Acting Chairman: Is that agreed? Agreed.

Mr. D. Ahern: We are elected to exercise responsibility on behalf of the communities we serve and we are directly accountable for the decisions we take. Our democratic institutions have been challenged by those who pursued their political objectives through violence and the gun. They have faced down that challenge and emerged stronger. We are right to take pride in this. Our main objective is the consolidation of

[Mr. D. Ahern.]

truly democratic institutions in Northern Ireland. That means the restoration of devolved government with locally elected Ministers working in partnership for the benefit of all. We should not lose sight of that. However, in order to rebuild institutions we must first rebuild confidence. The loss of confidence was all too evident in some of the reaction to this week's developments.

Many will rightly need to take time to reflect on Monday's developments. They will look for assurances that the IRA is true to its commitment of 28 July to use exclusively peaceful means and to abandon all paramilitary and criminal activity. They will want to check against delivery on decommissioning and on the ending of all IRA paramilitary and criminal activity. Monday's developments represent a promising start towards the rehabilitation of trust in the peace process. The reports of the International Monitoring Commission in October and again in January next year, will be fundamental in building this confidence. The necessary elements can be put in place by January.

I welcome the bipartisan approach that has been present here for many years. However, I was somewhat disappointed by Deputy Kenny's questioning concerning meetings with Sinn Féin. To a certain extent, in that questioning he showed his inexperience.

Mr. Allen: That is patronising rubbish.

Mr. D. Ahern: I want to make this point because he did question it.

Mr. Allen: He is entitled to ask questions. This is Parliament.

Mr. D. Ahern: What is seen publicly is only a tiny element of the entire process—

Mr. Allen: The Minister's time is up if he wants to engage in that rubbish.

Mr. D. Ahern: —of risks being taken. We would not be where we are today but for the leadership of the man on my right-hand side, the Taoiseach.

Last week, I visited Antrim and Belfast to meet some of those directly affected by sectarian attacks and street violence this summer. These people and many like them are under pressure as they have not been for many years past. I assured them of my own and the Government's commitment to challenge sectarianism at every opportunity.

Sinn Féin must also show courageous leadership in support of the new policing arrangements. This would be a critical and decisive step towards peace and political stability. No police force is perfect but the PSNI has clearly staked a claim to the trust of all communities. If it is held back, that is due in no small measure to want of support in the communities it seeks to serve. It has earned

that support. A vacuum in policing is in nobody's interest. It is certainly not in the interest of the communities most affected by the sectarian violence we have seen in recent weeks.

Opposition Deputies have raised the issue of side deals and I wish to categorically and absolutely assure the House that there are no side deals concerning recent events that have occurred. I have said this previously in public, as have the Taoiseach and the Minister for Justice, Equality and Law Reform. There are no side deals on recent events that have happened, and particularly concerning the killing of Detective Garda Jerry McCabe. The people, either in jail or outside, who had anything to do with his death are not included in any of the understandings or arrangements that have been made in the last number of days.

We also need an end to loyalist paramilitary activity and a start to decommissioning of those arms. Both Governments have consistently said there is no place for any illegally held weapons in a new society that is emerging in Northern Ireland. We are conscious of the challenges that still remain to be resolved but we are also conscious of the real opportunity to fulfil the promise of the Good Friday Agreement. Unfortunately, the agreement has been subject to a stop-start process over the past seven years because of the situation. Nonetheless, I welcome what has happened in recent days. We have been lucky in the friends we have had for many years, not least the United States Government.

I thank all the Deputies who have contributed to this debate. Hopefully, the bipartisan approach will continue in this House.

Adoptive Leave Bill 2004 [Seanad]: Order for Report Stage.

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

Question put and agreed to.

Adoptive Leave Bill 2004 [Seanad]: Report Stage.

Acting Chairman: Amendments Nos. 1 to 4, inclusive, are out of order.

Amendments Nos. 1 to 4, inclusive, not moved.

Ms Lynch: Is it possible to have a copy of the amendments? I am standing in for Deputy Moynihan-Cronin who cannot be here today and I do not have the amendments.

Acting Chairman: Deputy English is obliging.

Ms Lynch: I thank the Deputy.

Acting Chairman: Amendment No. 5 arises from committee proceedings and amendment No. 6 is related so both amendments may be discussed together by agreement.

Mr. English: I move amendment No. 5:

In page 4, lines 27 and 28, to delete “employed adopting mother or sole male adopter” an substitute “one employed adopting parent”.

I am grateful for the opportunity to make a few points on these amendments which arise from Committee Stage. I would like to seek clarification, as some stage, as to why amendment No. 1 was not taken since it is very similar to amendments Nos. 5 and 6.

My amendments are based on one point and are designed to establish a single change to the Bill to grant equal status to both adoptive parents as it applies to their rights with regard to adoptive leave. This is most obvious in amendment No. 9 but since that may not be taken either, I will concentrate on the two amendments before the House. Amendment No. 9 specifically enshrines this principle by adding it as a subsection to section 5.

Fine Gael is trying to remove a provision from the Bill that is entirely discriminatory against adoptive fathers. There appears to be no reason why adoptive leave should not be available as an option to both parents, rather than just to the mother. In the Minister's opinion it is more important for the mother to be with the child for the first 16 weeks. The Minister of State said that in his experience as Minister with responsibility for children it would not be in the best interest of the family for the father rather than the mother to get adoptive leave. While I do not believe this is acceptable, if the Minister of State can back this up I will accept it. I do not believe it has been proved. Most other countries I have researched give adoptive leave to either parent, including the UK, Canada, America and Australia. While I have not examined all countries, I will do so if necessary. Most of them give the choice to either parent. I do not know why we cannot do so and I feel it is unlawful not to give the option to both.

If a couple both of whom are working are to adopt a child, the Bill as it stands would effectively force the adopting mother to take adoptive leave since the option is not available to the adopting father unless she dies. It specifically prevents them from making a decision as to which of them stays at home with the adopted child. My amendment would allow them to decide that the adopting father rather than the adopting mother could take the leave and remain at home with the adopted child. The State should not dictate who should stay at home. Neither the Minister of State nor I know which parent would be better at staying at home with the adopted child.

Only one parent would be allowed to take the leave — either the adopting mother or the adopting father. I do not propose that both parents should be allowed take the full leave, which means my amendment has no financial implication. I want a choice for parents to decide what suits best for their family. At least in the case of non-adoptive parents there is a clear rationale for maternity leave as opposed to paternity leave, as the mother has undergone a very draining and physical event and needs time to recover. As this is not the case for adopting parents, the same discrimination should not apply to an adopting father.

In the Seanad debate, the Minister for Justice, Equality and Law Reform, Deputy McDowell, said the Bill would enhance existing legislation for employed parents and would offer them greater employment protection and more flexibility in managing their work and family affairs. He spoke about parents and did not differentiate between mothers and fathers. I do not know why the Bill does not reflect what the Minister said. I hope the Minister of State will accept my argument that parents should have a choice. It will not cost us money, nor is it the wrong thing to do. It merely follows what other countries do. In many cases it would be preferable for a father to take adoptive leave. For example, if the adopting mother were self-employed it may be impossible for her to take adoptive leave. However, her husband or partner could be in a position to do so.

As all the amendments are related, it will save time later if I complete making my case now. This provision indicates the lack of joined-up thinking that is the signature of the Government. On the one hand the Minister and his colleagues claim to be in favour of having cohesive families and supporting positive parenting. On the other the Government turns on parents and flies in the face of recommendations of bodies like the NESC and the OECD.

Essentially I welcome the Bill which is progressive and inclusive in many ways. I urge the House to consider these amendments which add to the progressiveness and inclusiveness of the Bill to the detriment of no one. So much is to be gained from accepting these amendments and so much would be lost by further enshrining in law effective discrimination against fathers in the home. This provision will be challenged under European law unless we change it now. It is not right to force the mother to take the leave. I cannot see any argument in favour of the provision.

Even the Minister for Justice, Equality and Law Reform would agree, as he spoke in the Seanad about enhancing parents' choices and making life better for them. I hope amendments Nos. 5 and 6 will be accepted along with the others. It will not cost money. It is simply about choice in a modern Ireland. None of us can

[Mr. English.]

decide whether the mother or father would be the better parent. It is quite common to have stay-at-home fathers. We have moved on considerably.

Minister of State at the Department of Justice, Equality and Law Reform (Mr. Fahey): I cannot accept amendments Nos. 5 and 6, the effect which would be to allow adopting parents the option of deciding which of them would avail of the additional unpaid adoptive leave. This would break the link between adoptive and maternity leave by opening the leave entitlement to adopting fathers, which would create an anomaly between the leave entitlements of adopting and natural fathers in that the latter have no such entitlement in maternity leave legislation. In addition I do not believe this amendment is needed, as on the enactment of the Parental Leave (Amendment) Bill, which will come into force in coming months, adopting fathers will be allowed to take parental leave at any time after the placement of an adopted child.

At present the entitlement to parental leave is only available from the time an adoption order is made whereas the Parental Leave (Amendment) Bill provides that the leave may be taken from the time of the placement. While I accept the thrust of the Deputy's argument, what he seeks will be adequately covered by the Parental Leave (Amendment) Bill. In addition we do not have paternity—

Ms Lynch: Will the Parental Leave (Amendment) Bill supersede this one?

Mr. Fahey: The Parental Leave (Amendment) Bill will allow fathers to take parental leave after the child has been adopted. It is not possible to accede to the Deputy's request at this time, as we want to maintain the link, parity and equality between maternity and adoptive leave.

Unlike certain other countries, we do not have paternity leave here. This issue and a number of other amendments are the subject of agreement between the social partners. The social partnership negotiations will start soon and the question of changes may arise. However, these would need to be agreed in the first instance by the social partners. It would not be appropriate for me to make changes to legislation without those changes being the subject of agreement between the social partners.

Ms Lynch: The Minister of State is a legislator. The social partners do not make legislation. We are the legislators.

Mr. Fahey: That is correct. The Deputy and I had this argument previously. I firmly believe in the social partnership model that has existed here for almost 20 years and has been the bedrock not only of industrial peace but also of very significant improvements in respect of family workplaces etc. As legislators it would be entirely

inappropriate for us to make legislation without regard to the very central social partnership negotiations that have been fundamental to the economic success of the country. Therefore I would not be prepared to take unilateral action in the Dáil without regard to social partnership negotiations and without regard to ensuring legislation such as that governing maternity leave and adoptive leave contains these important links that are essential in the interests of parity and equality.

Mr. English: When we discussed this matter on Committee Stage last year, the Minister of State said he would not make changes then, as he wanted to discuss the matter with the review group. The Minister of State has had a year to discuss it. If amendments, which I believe are not being taken today, were accepted it would change the matter. The Minister of State is trying to defeat my argument by concentrating on amendments Nos. 5 and 6. However, I am trying to argue the general principle that the parents should decide. To dismiss the matter now would be wrong, as we might not get the chance to discuss it later.

The Minister for Justice, Equality and Law Reform, Deputy McDowell, made it very clear in the Seanad that the adoption process differs from maternity in that it requires the full participation of both parents. He clearly said they are different. I do not see why they need to be linked. Why is the Minister of State afraid to break the link between maternity and adoptive leave? There is nothing wrong in doing that. They are two different scenarios. Is the Minister of State saying this is wrong in every other country? Is little old Ireland behind the times? Do we not realise that fathers too can raise children? What is so wrong with this? The Minister of State has had a year in which to refer it to the review group, if that was necessary. I cannot accept that.

Mr. Fahey: I remind the Deputy that the negotiations on social partnership begin next month. There have been no such negotiations since this Bill was introduced, so it was not possible to refer it back to the social partners.

Mr. English: It could have been referred to the review group.

Mr. Fahey: It is fair to assume we will see changes coming about in the new partnership negotiations. Those changes can then be reflected in legislation along the lines the Deputy proposes if there is agreement between the social partners on the issue. I have not said there is anything wrong with what is being proposed but it is important that we retain the link which currently exists. If that link is to be changed, it should be changed with the agreement of the social partners.

Acting Chairman: Deputy English's reply is concluded. We are not on Committee Stage.

Ms Lynch: I understand the Minister of State's aspiration to ensure the links between maternity leave and adoptive leave are maintained on the basis that men are not allowed maternity leave. It would not be bad for men to have such leave, though not on the basis that they will eventually deliver children physically, which is clearly not going to happen. If paternity leave is going to be extended, as the Minister of State has indicated, there will be men who will take leave from employment in order to be at home at certain times after they have children of their own, rather than having adopted children. That would not be a bad thing, because after having children, women need support, in particular the support of their partners.

The paternity leave Bill has been kicked around for a long time, like an old football at training sessions. Is the Minister of State saying the Bill will be introduced in this or the next session? If not, and the deficiencies in the Bill before us are not rectified, will we be able to return to this Bill and alter it in a way which will allow men to take the sort of leave we are now extending to women? The Bill probably will be challenged if other legislation is introduced to allow men to stay at home with children if they choose.

Mr. Fahey: I wish to clarify for Deputy English that we do not have paternity leave in this country but we have a paternal leave Bill which is being passed and the impact of which will be put into practice in the coming months. Adopting fathers will then be allowed to take paternal leave any time after the placement of the adopted child.

Ms Lynch: When? The "coming months" could mean any time.

Mr. Fahey: We will get clarification for the Deputy regarding implementation, but this legislation covers the requirement being pointed out.

Mr. English: It does not.

Mr. Fahey: In the event of a new agreement being reached between the social partners on any aspect of maternity leave or perhaps the introduction of paternity leave — if that were to be agreed — or parental leave, then existing legislation would have to be brought back before the House and the agreed changes would have to be reflected in the new legislation. That would if necessary also apply to this legislation.

Mr. English: The Minister of State is referring mainly to amendments Nos. 5 and 6. The future legislation he talks of will not give both adoptive parents equal rights in terms of adoptive leave. The adopting father will be able to take some unpaid leave. The other amendments are not being accepted, for whatever reasons. I do not accept that the Dáil cannot make a decision which every other country has already taken, because we want to discuss it by means of another process. No dramatic change is involved. It just makes common sense in a modern country. I am disappointed that we have not got the gumption to make a decision in this House. It shows how, in terms of politics, we cannot simply make the decision. The decision makes sense and is correct, yet we want to wait and return to the legislation after a year or two, after negotiations. God knows how long we will have to wait.

This Bill first came before us a year ago. How long will it take to make other little changes to it? It is disappointing and disheartening that we cannot make a decision though everyone agrees the matter speaks for itself. I must press the amendments because this is the only opportunity I will have.

Question put: "That the words proposed to be deleted stand."

The Dáil divided: Tá, 68; Nil, 45.

Tá

Ahern, Dermot.
Ahern, Michael.
Andrews, Barry.
Ardagh, Seán.
Brady, Johnny.
Brady, Martin.
Brennan, Seamus.
Callanan, Joe.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Collins, Michael.
Costello, Joe.
Coughlan, Mary.
Cowen, Brian.
Cregan, John.
Cullen, Martin.
Curran, John.
Davern, Noel.
de Valera, Síle.
Dempsey, Tony.
Dennehy, John.

Devins, Jimmy.
Ellis, John.
Fahey, Frank.
Finneran, Michael.
Fitzpatrick, Dermot.
Fleming, Seán.
Fox, Mildred.
Gallagher, Pat The Cope.
Hanafin, Mary.
Harney, Mary.
Haughey, Seán.
Hoctor, Máire.
Jacob, Joe.
Keaveney, Cecilia.
Kelly, Peter.
Killeen, Tony.
Kirk, Seamus.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
Martin, Micheál.
McDowell, Michael.

Tá—*continued*

McEllistram, Thomas.
 McGuinness, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Fearghaíl, Seán.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donnell, Liz.
 O'Donoghue, John.
 O'Donovan, Denis.
 O'Flynn, Noel.

O'Keeffe, Batt.
 O'Malley, Fiona.
 O'Malley, Tim.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Sexton, Mae.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Dan.
 Wilkinson, Ollie.
 Woods, Michael.

Níl

Allen, Bernard.
 Boyle, Dan.
 Breen, James.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Connolly, Paudge.
 Crawford, Seymour.
 Cuffe, Ciarán.
 Deasy, John.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Gilmore, Eamon.
 Gregory, Tony.
 Hayes, Tom.
 Higgins, Joe.
 Hogan, Phil.
 Howlin, Brendan.
 Lynch, Kathleen.
 McCormack, Padraic.
 McEntee, Shane.

McGinley, Dinny.
 McGrath, Finian.
 McGrath, Paul.
 McHugh, Paddy.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Murphy, Catherine.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Pattison, Seamus.
 Ring, Michael.
 Sherlock, Joe.
 Stagg, Emmet.
 Timmins, Billy.
 Twomey, Liam.
 Upton, Mary.
 Wall, Jack.

Tellers: Tá, Deputies Kitt and Curran; Níl, Deputies Neville and Stagg.

Question declared carried.

Amendment declared lost.

Debate adjourned.

Business of Dáil.

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

That notwithstanding anything in Standing Orders or the order of the Dáil of this day, Private Members' business shall be taken now and shall adjourn after 90 minutes.

Question put and agreed to.

Private Members' Business.**Prison Building Programme: Motion.**

Mr. J. O'Keeffe: I move:

That Dáil Éireann,

- noting the decision of the Minister for Justice, Equality and Law Reform to acquire a farm at Thornton Hall, in County Dublin, for the purpose of constructing a new prison thereon;
- concerned by reports as to:
 - the exorbitant costs and fees in connection with the purchase of the lands in question;
 - the undue haste and absence of considered examination of this particular location;
 - the decision to relocate Mountjoy Prison to a site that is unsuitable in terms of its remoteness and inadequate infrastructure;
 - the concerns of the local community and lack of consultation therewith; and
- resolves to request that the Comptroller and Auditor General make a report on all relevant aspects of the said transaction, pursuant to section 7(2) of the Comptroller and Auditor-General Act 1923, as amended by section 21 of the

Comptroller and Auditor General and Committees of the Houses of the Oireachtas (Special Provisions) Act 1998, at the earliest possible date.

With the approval of the House I will share time with my Fine Gael colleague, Deputy Shane McEntee, and with my Labour Party colleague, Deputy Joe Costello.

An Ceann Comhairle: Is that agreed? Agreed.

Mr. J. O’Keeffe: In raising this matter I offer the Government an opportunity to explain the reasoning behind what is, on the face of it, a crazy and illogical deal. The Government in all conscience should support this joint Fine Gael and Labour motion to have the Comptroller and Auditor General examine the purchase by the Government of a farm for a prison site at Thornton Hall. This is also an opportunity for the Minister for Justice, Equality and Law Reform to have the deal independently assessed and if he does not want to see an independent inquiry into the deal, he must explain to the Dáil why not.

How can a responsible Government that has in the past tried to promote itself as a watchdog of public funds fail to support an inquiry that is investigating the proper expenditure of such funds? We ask the office of the Comptroller and Auditor General to examine and make a report to the Dáil on this deal. That office has served the country well since the foundation of the State. It is one of the oldest offices in the State, having been established by legislation in 1923. Provision is made within section 7 of that legislation for a request to be made by the Dáil to the Comptroller and Auditor General to make a report on a particular transaction. We ask that provision be implemented.

While I have grave concerns with regard to the manner in which this deal was finalised and in particular the enormous amount of money paid for this farm, I genuinely am prepared to listen to the Comptroller and Auditor General and await his decision if this Government is prepared to allow the deal be examined. Surely the Government should welcome the opportunity to show that it has nothing to hide and support this motion. I am not encouraged at all by the amendment tabled by the Government which evades the issue and tries to raise a smokescreen hiding the core issue which is how the deal was negotiated and the large amount of money paid for the farm.

In light of last night’s “Prime Time” programme on RTE television, will the Minister explain why he persisted in giving the impression that the preferred Coolquay site, selected after a lengthy search, was no longer available, when it clearly was prior to the deal with Thornton Hall being finalised? Why did the Minister, in an attempt to deflect attention from the appalling deal he had made, suggest that this site was better

value for money in that it was €2 million cheaper than the favoured Coolquay site? Let us be clear that one can discuss money with regard to any site. The Minister could have proposed the Jury’s Hotel site in Ballsbridge and point to a figure of €50 million per acre. We are discussing value for money for what was purchased as well as suitability of the site in question. The Coolquay site, as well as being far more suitable in terms of infrastructure, also had huge development potential. Thornton Hall was a highly unsuitable site with virtually no development potential. It was zoned agricultural and now carries the label of being the dearest farm in Europe.

We have expressed serious concerns in a number of key areas, and I focus in particular on the cost of this project. It cost €30 million for the farm alone, many millions of euro too much. I examined other farms sold in that area and adjoining counties. I checked with estate agents and valuers and with local authorities on the amount they paid per acre in Fingal, Kildare and Meath and it is quite clear that farms in the area were sold for prices ranging from €19,000 per acre to €34,000 per acre in some instances. I accept the price went that high for small lots. The comparison is with a cost of €200,000 per acre paid by the Minister.

The Minister must explain to the House his reasons and above all he must explain why apparently he is not prepared to allow an independent examination of this transaction by the Comptroller and Auditor General. To put it bluntly, why did he pay €24 million too much for this farm? After the deal was concluded, a nearby farm of 238 acres was sold by public auction. Nobody can question the value of land if it is sold openly at public auction. I understand it was at least as suitable if not more so than the farm the Minister purchased. It would certainly have caused less disruption. That 238 acre farm was sold for €6 million, in comparison with the price paid for the 150 acre Thornton Hall. That auction took place a short number of weeks after the Minister’s purchase.

The Minister should also explain the role of Mr. Ronan Webster from CBRE Gunne, who appears to have negotiated the price, despite the fact that according to the minutes of a committee established by the Minister—

An Ceann Comhairle: Deputy O’Keeffe should not mention names of people outside the House. That is a long-standing tradition.

Mr. McCormack: It must be mentioned.

Mr. J. O’Keeffe: I make no allegation. I merely state the Minister must explain his role. It is clear from the minutes he was appointed as an adviser to the committee of experts. He did not have a role as a negotiator. The Minister must take

[Mr. J. O’Keeffe.]

responsibility for his role in the matter. He was the Minister’s man and the Minister must clarify that. It is all in the context the Minister accepting the exorbitant price. The Minister did not examine the site before doing so and no independent valuation or survey was carried out on the land. It is clear he did not get any independent valuation or survey of the value of the farm. He was or should have been aware — this is the last time I will refer to Mr. Webster although I say this in a neutral way — that Mr. Webster had declared a conflict of interest regarding this purchase. Was that not a sufficient signal to the Minister that the normal process of getting an independent valuation or survey should have been gone through? It is clear that this deal reflects gross mismanagement of taxpayers’ money by the Minister for Justice, Equality and Law Reform. The stunted negotiation process and the sudden nature of the announcement are clear evidence that the public interest and value for money were very low on the Minister’s priorities.

On the question of the preferred site of the committee of experts, the one at Coolquay, it is now clear that this was available at the time the deal on Thornton hall was finalised. The Minister has some explaining to do as to the reason he did not tell us that. When I raised this issue at Question Time in the Dáil he expressly said that no other site was available. He also must clarify the extreme haste with which the purchase of the Thornton Hall site was completed. That raises a litany of unanswered questions. Can the Minister explain the reason for the rush? Why was the ultimate purchase of Thornton Hall lands completed in a period of just eight days during which, it now transpires, the original vendor of Coolquay was clarifying certain tax matters? To be blunt about it, he was checking how much capital gains tax or other tax he might have to pay on the purchase, having confirmed that he was so doing. We want to know the reason this site was chosen as suitable when it is clear it did not comply with the necessary criteria originally devised by the committee of experts. If the criteria had changed, why were the other sites originally excluded not included again? How could a site which was so clearly deficient in many obvious ways be presented to a committee and be so popular that it should be chosen on the same day, 18 January 2005? Two members of the committee had seen this farm but the others had not. The proposal was presented and whizzed through on to the Minister’s desk. It was similarly whizzed through by him to the Cabinet and announced the following day, all within a period of eight days. Why did the committee, when it knew that the site at Coolquay was once again available, ignore that fact and instead plough ahead with a clearly unsuitable site? Did the Minister simply panic or will we need to delve deeper to find the answers?

The process by which the committee came to recommend the site at Thornton Hall was irregular in the extreme. In one day, the site was introduced to the committee, considered and selected. What could possibly have caused the committee to act in such haste? Was it pressure from the Minister who wanted to be shut of the matter regardless rather than making a prudent sensible deal in the interest of the taxpayer? His conduct and that of his committee at best failed to follow proper procurement procedures.

So far, the Minister has railroaded over the legitimate concerns of the residents of the area. There was no consultation and there has not been any discussion regarding those concerns. Arranged meetings have been postponed, allegedly at the request of the residents. We are talking about a proposed development in an idyllic rural community of some hundreds of families who are naturally shattered by the Minister’s decision, which will devastate their valuable community. On another level the plan defies practicality. The families of Mountjoy inmates will be hugely discommoded forced to travel great distances and incur large expense. The cost of transferring prisoners to hospital, court or elsewhere will markedly increase. At the very minimum, ready access to a motorway would seem to be an absolute necessity. Are we to wait until the Comptroller and Auditor General’s report is available this time next year before the Government is called to account for its appalling disregard for taxpayers’ money? Does this Government have any respect for the public and the taxpayer? If it does, it will approve immediately the independent examination by the Comptroller and Auditor General.

We have focused in our motion on what we believe, with our colleagues in Labour, to be a most reasonable approach. We have not condemned the Government in the motion, as we might have done. We have not jumped to conclusions. We have raised reasonable questions. On that basis, the Government stands indicted if it does not accept our motion. Surely it understands the public concern about this purchase. Surely it understands that there is a huge amount of taxpayers’ money at issue. Surely it understands that the public concern relates to the exorbitant cost of this farm, for which there is no justification. It cost €30 million instead of €6 million. Surely the Minister understands the concern about the fees that were paid in connection with it, including €156,000 to the adviser. Surely the Government understands the concerns about the undue haste and absence of considered examination of this location.

Is the Minister concerned at all about the decision to relocate to a site that appears to be totally unsuitably in terms of its remoteness and inadequate infrastructure? Is he aware that on the adjoining farm a proposal to build a hotel and

golf links was rejected by An Bord Pleanála because of that inadequate infrastructure? Is the Minister aware that down the road from his proposed prison site a local resident applied for planning permission to build a play-school to cater for 12 children but that application was turned down because of inadequate infrastructure? There was inadequate infrastructure to cater for 12 children attending a play-school yet the Minister assures those of us in this House and the public that there is adequate infrastructure on this site to build a prison catering for 1,000 inmates, those who will look after them and prison officers. In addition, he proposes to put another major structure on the same site in lieu of Dundrum. Did the Minister consider any of that before he made this hasty decision?

It is clear to everybody other than the Minister, who is blinded by his efforts to justify a crazy decision, that this purchase makes no economic sense. The Minister has purchased a pig in a poke. He tries to explain it by comparing prices for other development sites around the county of Dublin. With all due respect to the Minister, that is ridiculous. He must compare like with like. He cannot compare chalk with cheese. What the Minister has tried to do is justify the purchase of a farm, zoned for agricultural use, at a price which is at least five if not six times greater than current market value but that does not stand up. If the Minister believes it stands up, why not allow the purchase to be subjected to independent examination by the Comptroller and Auditor General? The Comptroller and Auditor General is the watchdog of the public funds yet the Minister takes it upon himself. He is the only one who believes this is a good deal.

If it is a good deal let it be examined objectively. The Minister should not take my word for it, nor should he accept the advice of estate agents and consultants. Let it be independently examined. If the Minister fails or is not willing to do this he must explain why. I do not see how there can be a reasonable or logical explanation for not doing so.

Mr. McGinley: It all smells of *Animal Farm*. Does the Minister know about that?

Mr. McEntee: I have five minutes to speak but it could be said in two words. I cannot see how this deal can stand up. On the day the by-election was called in County Meath my first visit was to a school on the border of Meath and Dublin. I did not know if it was in Meath or Dublin but there was a vote there so I visited. The matter of this prison was raised and I agreed to return after the election. I met people very conscious of doing things the right way in this country. This is not the 1980s or the 1990s, it is 2005 and every person in public life must stand up.

I do not agree with a new prison as we have enough. Spike Island should be opened up and many prisoners should be sent there. The Government looked for a prison, criteria were agreed and anyone interested in submitting an application had to do so before 23 February 2005. Some work was done after this and in early December a farm came to the notice of certain people. Over an eight day period the farm was purchased for a new prison.

Five or six years ago a superdump was proposed for County Meath. Four sites were identified and each was scrutinised to see which was the most suitable. Four lobby groups were set up, three were successful and one was not. The most suitable site was chosen and the dump was built. That did not happen in the case of the prison that is supposed to be built but should never be built. If people have their way it will never happen.

No environmental impact study was undertaken and no consideration was given to the roads leading to the site. It was bought for €30 million, which I do not mind but it will cost four times more to get to the door of the prison. Roads must be widened and school children must be protected in the event of a major breakout. We should not think that this will never happen again. A sewerage system must travel four and a half miles and there is no water on this site. Has anyone examined how this was purchased?

In 2005 the people of Ireland demand that everything is done by the book. There is no shame in going back on this decision. The people who spent time here and in Buswell's presenting their case today were not a lobby group. That it has become the main story of the day is a measure of the seriousness of it. These people are telling the truth and have not spent thousands of euro presenting their case. They ask that proper procedure in respect of prison location is followed. I ask the Government, including Ministers from both Fianna Fáil and the Progressive Democrats, to reject the purchase of this land as a prison for the people of Ireland. The original criteria should be adhered to and this prison should be abandoned. That is all I have to say.

Mr. Costello: The Labour Party is pleased to be joint sponsors of this Private Members' motion along with Fine Gael. I compliment the Roadstown-St. Margaret's action group and the Kilsallagh residents heritage association for the work done in compiling information and producing tremendously informative and logical publications. Everyone has benefited from the information they have provided, not that the Minister for Justice, Equality and Law Reform appreciated it. He stated on 12 April:

I intend to develop a campus in north county Dublin for the purpose and I intend not to be deflected by people who produce notions of fairy ring forts in north county Dublin or archi-

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tectural details of interest in city centre Dublin. I will not be deflected by all this guff.

There is much more than guff in this and I think the Minister realises that it was a serious flaw to think of this as merely guff. I am amazed at the terms of the Government amendment as these are such that the Minister should welcome the motion and should welcome a thorough review by the Comptroller and Auditor General. In the first line of the amendment the Minister notes the development of a greenfield site that will provide better long-term value for money and superior facilities. The Minister concludes by noting the acquisition of Thornton, County Dublin for the development of new prison facilities to replace the Mountjoy prison complex. Surely the Minister has nothing to fear from the Comptroller and Auditor General's audit. He should welcome it so why is he opposing this motion? Why does he not thank the Opposition for proposing this so that it can be sorted out for once and for all?

There is a judicial review taking place and the Minister knows how such reviews operate. In the time of his predecessor Brock House, in the Minister's constituency, was proposed as a centre for asylum seekers. Local residents took a judicial review in 2001 and nothing has happened since. The matter has been before the courts for four years. Does the Minister not welcome the opportunity to sort this out so that the matter will not be delayed in the courts or in Europe?

The Minister triumphantly stated on 26 January 2005 that the Government had approved the purchase of a 150 acre site for the construction of a new prison to replace Mountjoy, which would then be sold. He stated that the new prison would accommodate more than 900 prisoners and more than 1000 prison and support staff. He conveyed the appreciation of his party's Minister for State at the Department of Health and Children, Deputy Tim O'Malley, who welcomed the opportunity the site presents to further develop plans for a central mental hospital.

The Minister stated that the Government had agreed in principal to the transfer of the central mental hospital to the new site. Every professional psychiatric and others know that a prison site is totally unsuitable for a mental hospital. So much for the Minister for State at the Department of Health and Children, Deputy Tim O'Malley. The Minister did not mention that the combined value of the prime 38 acre site in Dundrum and the 15 acres in Mountjoy was then estimated at €170 million when it would be sold to developers. Now it is estimated to be worth €250 million. The Minister sold the offices of the Department of Justice, Equality and Law Reform at St. Stephen's Green for €53 million. That Department is now in rented accommodation nearby. The rest of the Progressive Democrats Ministers were also in on the act. The Tánaiste

and Minister for Health and Children, Deputy Mary Harney, ordered an audit of all property in her Department as soon as she became Minister one year ago. She is offering every building speculator in the country tax incentives to build private hospitals on public hospital land.

Mr. Hayes: The Minister of State at the Department of Finance, Deputy Parlon, was doing the same thing at the National Ploughing Championships today.

Mr. Costello: I was just about to mention the Minister of State at the Department of Finance with special responsibility for the Office of Public Works, Deputy Parlon. He is flogging property all over the country as part of the decentralisation programme. Progressive Democrats Ministers are engaged in the sale of the century of State assets while Fianna Fáil stands idly by. They could not even be bothered to come into the Chamber. Fair play to Deputy Kirk. At least one has just arrived in the Chamber but there are not too many Fianna Fáil Deputies standing behind the Minister at present. They are conspicuous by their absence. The sale of a prison, a mental hospital and the departmental roof over his head is the contribution of the Minister for Justice, Equality and Law Reform to this sale.

On 26 January, the Minister stated that cost was a consideration for the purchase of Thornton Hall site. However, he must have been aware that the minutes of the expert committee charged with overseeing the selection of the new prison stated on 16 September 2004 that cost criteria was removed as a consideration. He went on to list the other supposed criteria employed by the expert committee in determining site suitability. These included location *vis-à-vis* courts and other prison facilities, proximity to public transport, availability of gardaí, hospital and fire services, access and egress to site, shape, topography and size of site, availability of sewage, electricity and other services, planning, zoning and impact on local community. I doubt if many of the residents in the Public Gallery tonight would agree with the Minister's assertion that this list of criteria was adhered to or that the community's concerns were taken into the equation in the selection process. This set of criteria was simply honoured in the breach, not in the observance. The residents knew nothing about the transaction until it was completed. There was no consultation whatsoever.

The saga of the purchase of Thornton Hall from February 2004 to January 2005 is one of ineptitude, indecision, tardiness, jettisoning of the agreed criteria, rejection of all 31 sites that had been properly tendered, unbecoming enthusiasm for a site that had not been tendered at all and a willingness to pay six to eight times over the odds for a site that fitted none of the original require-

ments. The purchase of Thornton Hall is still a mystery. We must try to solve it because untold millions of taxpayers' money are about to be poured into the project. Some €30 million is being spent for the site and on 1 October there will be little choice but to pay the remainder of the money. An estimated €40 million will be required to service the site and at least €500 million will be required to build the new super prison. Considering the Minister has plans for a similar exercise in Cork, €1 billion of taxpayers' money could be riding on the outcome of our deliberations tonight and the decision this House takes on the motion.

On 11 September, the Department of Justice, Equality and Law Reform invited landowners to offer sites for consideration as potential locations for a new national prison to replace Mountjoy. The prospective vendors were told initially the site should be approximately 100 acres, within 25 kilometres of Dublin city centre and convenient to all services. It is interesting that the closing date for submissions was 23 February, a mere 12 days after the notice was published in the newspapers. It is important *vis-à-vis* subsequent events. An expert group of five officers from the Department of Justice, Equality and Law Reform, the Irish Prison Service and the OPW was established to oversee the new prison project. This expert group, in turn, appointed an adviser, Mr. Ronan Webster, of CB Richard Ellis Gunne, Auctioneers and Estate Agents, to attend in an advisory capacity only.

There appears to have been problems at almost every point in the exercise. I find the delay in commencing the work inexplicable. The closing date for submissions was 23 February 2004, yet the expert group did not have its first proper meeting until 1 July 2004. What were these people doing for the four previous months? There were 31 sealed bids. The list did not include Thornton Hall which was owned by the Lynam family. The Lynam family did not indicate any intent or submit a proposal. Immediately the list of applicants was more than halved through sites failing on various grounds, including costs and also through withdrawals in a few instances. The remaining sites went forward to a second round at which point a further five were failed or eliminated, leaving a short-list of eight, further reduced to six, from which the final three sites to be recommended to the Minister would be selected. It should be stated that Thornton Hall was at no stage on any list or short-list, and its owners had not even submitted their farm for consideration.

By the end of August two further sites were eliminated as unsuitable. It was now September and at this point there was a remarkable series of events. First, the Director General of the Prison Service intervened and significantly changed the selection rules. He told the expert committee that

for any site to be considered it must be within five miles of the M50, not 25 kilometres from Dublin. This was a significant change which ruled out quite a few of the sites, including ones in Leixlip. Second, the Director General requested that all sites failed on the grounds of cost should be re-examined from the point of view of general suitability. Third and most remarkably, the expert group now decided to remove the cost criterion from the list of criteria and to re-allocate the points elsewhere. Therefore, to all intents and purposes, at the point at which the Minister might have been expecting a short-list of three, it was effectively decided to rerun the contest on new rules with cost of site taken out of the equation on the decision of the expert committee. Surely this raises major questions. The minutes of 16 September 2004 record that the cost criteria was removed. It was agreed that the final cost would depend on negotiations which could not be prejudged by the committee, even though it had been the case up to this point.

What was the basis for such a course of events? Why did the Director General of the Prison Service intervene to put back into the equation sites that had been ruled out on the grounds of cost? What was the basis for the committee removing the cost criterion, which had been present from the beginning and had been increased in importance at an early stage of the deliberations of the committee? From the point of view of taxpayers' money and the Comptroller and Auditor General, surely this is a key question that has not been resolved or answered by anyone. Perhaps the Minister will come forward with an answer in the course of his contribution.

There was now a further extended break in the meetings of the committee, until late November 2004. The deadline for the Minister's short-list had been missed and there was still no sign of Thornton Hall. After almost a year considering matters, and for some months apparently not considering matters at all, changing rules and point weightings, the expert committee had come down to one site, Coolquay, which is possibly prone to flooding and set to cost the State €31 million, remotely located *vis-à-vis* public transport, emergency services and so on and with site cost removed as a factor for consideration. This was a fiasco. There was even worse to come because the owner of Coolquay withdrew from the sale at some point between the end of November and mid-December. On the eve of signing contracts, the expert committee had no site to bring to Government.

At around this time it appears the expert committee received what it claims was an unsolicited offer from a new party, the owners of Thornton Hall, which is located within half a mile from Coolquay. The offer apparently came from a local auctioneer acting on behalf of the Lynam family, owners of Thornton Hall. The Lynam family, however,

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told a different story to their neighbours. They claim the approach was to them from the State and not as the State claims, the other way round. This is extremely important because there was a tendering process. There is no answer to who approached whom. Let us get the answer.

Whatever the precise sequence of events, matters moved rapidly, despite the Christmas holidays. Mr. James Dillon, the auctioneer representing Richard Lynam of Thornton Hall, wrote to the Irish Prison Service on 20 December 2004, the first recorded correspondence. It was suggested there might have been previous correspondence but we have not been able to find that. He spoke with Ronan Webster, auctioneer and property negotiator and adviser to the expert committee on 22 December, two days later, and on the same day he wrote to Ronan Webster in terms that suggested a deal was imminent. The letter stated:

Dear Sir,

Further to our conversation of today's date, we wish to confirm that we have discussed the above matter with our client, and covered most aspects. Mr. Lynam is very interested in the proposal. However, it is a major decision. . .

Ronan, as regards the consideration, it is my view that it will be extremely difficult to acquire these lands at less than two hundred and ten thousand euro (210,000) per acre, however if there is any scope, I will ascertain in my next meeting with Richard Lynam, which will be in a matter of days.

This letter is saying the deal has been done in two days and has been virtually confirmed. The expert committee said the Department could not get agreement on €210,000 per acre and the price must be under €200,000 per acre, although no explanation was given for that. Why must it be under €200,000 per acre? Some people of bad mind would say this would bring the price in line with what was to be paid for Coolquay but we must find out if that is the case.

I wrote to the Comptroller and Auditor General on 22 July 2005 about this matter. I stated:

I appreciate that, normally speaking, your role is to conduct an "after the event" audit and report on the appropriation accounts. You do, however, have a capacity to examine a matter at an earlier stage.

In your evidence to the Public Accounts Committee on 22nd January, 2001, you stated that—

“ . . . ultimately it is at my discretion that we carry out a value for money audit or not...At any stage one can look at the planning of a particular project before it sees the light of

day and check to see whether it adheres to what is regarded as best practice.”

It seems to me that this purchase requires such an assessment at this very early stage before any further public moneys are committed and any decisions already made become irreversible.

I therefore believe it would be appropriate for you to conduct an examination of the matter at your earliest convenience.

He replied quickly on 26 July stating:

Dear Deputy Costello

I refer to your letter dated 22 July regarding the purchase of Thornton Hall as the site for a proposed new prison and your request that I carry out a value for money examination of the purchase.

I regret that I will not be able to accede to your request as the short-term programme of work for that side of the Office has already been determined on the basis of priorities agreed with the Committee of Public Accounts. You will appreciate that the level of resources that I can allocate to value for money studies has to take account of the overall demands on the Office and its primary constitutional and statutory responsibilities for an extensive range of financial audits.

However, given the materiality of the purchase, my staff will be reviewing the transaction as part of the financial audit of the 2005 accounts of the Department of Justice, Equality and Law Reform to ascertain whether proper procedures were adhered to and best practice followed. If as a result of the audit an issue arises which in my opinion merits a public accountability, the matter would be reported by me to Dáil Éireann in the normal course.

Many Opposition Members have indicated their concern about this matter. It should be made a priority for the Comptroller and Auditor-General and, irrespective of which way the House divides, there is a need for an examination by him.

Minister for Justice, Equality and Law Reform (Mr. McDowell): I move amendment No. 1:

“To delete all words after “Dail Éireann” and substitute the following:

- welcomes the Government's commitment and performance to date in improving prison facilities and conditions and its decision to replace the Mountjoy complex with a new facility on a greenfield site;
- notes that the development of a greenfield site will provide both better long term value for money and superior facilities than could ever be provided by

the redevelopment of the already overcrowded Mountjoy site;

- affirms the view that the Irish prison system should provide a secure and humane environment for all those detained there,
- endorses the programme of prison reform and development established by the Minister for Justice, Equality and Law Reform to ensure that the State has effective working arrangements and sufficient capacity of high standard prison accommodation to provide for its needs in the immediate future in a cost effective manner;
- notes that the Minister's programme will lead to higher standards and better facilities for prisoners including universal availability of in cell sanitation which will end the practice of slopping out; and
- commends the work done to date by the Minister for Justice, Equality and Law Reform and his Department in progressing these long overdue reforms and identifying and acquiring an excellent site at Thornton, County Dublin for the development of new prison facilities to replace the Mountjoy prison complex."

I welcome very much this opportunity to address the House on the selection and acquisition of a site at Thornton in north County Dublin for a new prison facility to replace the Mountjoy Prison complex in the north inner city.

Shortly after my appointment as Minister for Justice, Equality and Law Reform, I toured the Mountjoy campus in its entirety in the company of the governors of the different institutions on the campus. While I had in the past seen some of the campus, it was an eye opening experience to be shown all of it. What I found there was a largely Victorian complex in a poor state of repair, overcrowded, under-equipped, at best depressing and at worst inhumane. While some parts were more modem, all were overcrowded. Much of the fabric of the main prison remained unchanged from the mid-19th century original with the exception that an early in cell sanitation system had been removed. While efforts had been made to improve the kitchens, prisoners were frequently required to eat in their cells. There was no space for athletic pursuits and the general atmosphere was threatening in tone and Dickensian. The Irish Prison Service had sought to alleviate some of the problems by installing television in every cell.

As in other institutions, padded cells were in use. I saw a male offender in his 40s who was clearly psychiatrically ill lying clad only in

underpants with a chamber pot in a darkened padded cell into which no Member of this House would willingly enter. When I think of him lying in the foetal position, it haunts me to this day. Conditions in Mountjoy Prison have been severely criticised by the Council of Europe committee on the prevention of torture and other inhuman or degrading treatment and they have also been roundly condemned by the Inspector of Prisons. The cost of keeping an individual prisoner in Mountjoy, due to its outdated technology and design in 2003 was €98,400, 40% more expensive than Cloverhill, at €68,700.

I formed the view that the Mountjoy complex was wholly incapable of serving as a centre for rehabilitation and detention of prisoners. I also became convinced that even the elementary step of extending in cell sanitation to the existing cells would be prohibitively expensive and would constitute good money thrown after bad. The main purpose of replacing Mountjoy is to improve our stock of prison accommodation. Redeveloping the existing 20 acre site at Mountjoy is neither financially viable at an estimated cost of in excess of €400 million nor is it practical from an operational or developmental perspective. The development of a green field site at the 150 acre site at Thornton means that we will have the room to develop new facilities, introduce single person cells with in cell sanitation and end the unpleasant practice of slopping out. The size of the site gives us considerable flexibility in developing new facilities as well as allowing us plan for the future.

The acquisition of the site also means that the Mountjoy site will be freed up for development which will bring new life into that area of the north inner city, which will benefit the local community. The proceeds from the disposal of the 20 acre site at Mountjoy, which I expect to be of the order of between at least €80 million to €100 million, will offset to a considerable degree the cost of the new development at Thornton. In February 2004 the Government, therefore, approved the announcement of the intention to close Mountjoy and to replace it with a greenfield site. On foot of that decision, advertisements were placed in the newspapers seeking suitable sites.

A process was established which was designed to be fair and objective. A committee chaired by a senior official in my Department and including one of the Commissioners of Public Works and other officials of the Irish Prison Service was put in place to evaluate and select a replacement site for Mountjoy. An advertisement was placed in the national press inviting expressions of interest and as a result more than 30 sites were put forward and assessed. Even including the totally unsuitable sites, the average price sought was of the order of €200,000 per acre but some owners sought as much as €500,000 per acre. The selec-

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tion process narrowed down to small number of sites and ultimately to two. Of these, one was a parcel of land between the N2 and the proposed M2 motorway at Coolquay, which comprised approximately 100 acres. The bargaining process with the owner of that site eventually reduced the asking price from €33 million to more than €31 million. That was the preferred site at that point — one which I favoured — and it would have been acquired, all things being equal, at the price of €320,000 per acre. That land, which is approximately 2,500 yards from the land at Thornton was zoned agricultural, as were the lands at Thornton. Objectively, however, the lands at Coolquay had a higher intrinsic value than those at Thornton. The Coolquay lands had superior road frontage and were, in part, liable to flooding and would have required the construction of consideration attenuation facilities if they had been developed as a prison campus. The owner of the Coolquay lands was unwilling to dispose of them at that price to the Department unless he could be sure that the capital gains tax rate of 20% would apply to their disposal, rather than the higher rate of 40%. In October and early November 2004, the field narrowed to the Coolquay lands and in November 2004 the vendor's tax problems were notified to the committee.

Towards the end of November the vendor indicated that he could not proceed at the moment with the sale and his solicitor wrote to the property adviser to the committee, Ronan
8 o'clock Webster, on 21 December 2004 “to advise that he is not proceeding further with the sale of the lands and has asked that all arrangements with the Department of Justice now terminate.” Those were his exact words. I stress this point because last night this letter was shown on television but it was not quoted accurately. I will return to that issue later.

Mr. Costello: He changed his mind.

Mr. McDowell: We will return to that point later too. In the meantime, a Mr. James Dillon of Dillon Auctioneers of Dunshaughlin had written to the Irish Prison Service offering a site at Balrath in County Meath for consideration for the project. His first letter, dated 14 September 2004, showed that he was proposing to sell a large farm at Balrath to the Irish Prison Service for the new prison.

He had missed the entry date but Mr. Dillon's first proposal was turned down by the committee on 16 September 2004 and rejected as unsuitable. This rejection was minuted on that date and the producers of last night's programme had that minute when they dealt with this issue yesterday.

On 20 December, Mr. Dillon again contacted the Irish Prison Service offering another parcel of land, namely, the lands at Thornton Hall,

Thornton, Kilsallaghan, County Dublin. He was referred by the Irish Prison Service to Mr. Webster, the expert adviser, and he spoke and wrote to him on 22 December confirming that the lands at Thornton Hall might be available, indicating, as Deputy Costello said, a price of €210,000 per acre. Initially Mr. Dillon, in the conversation, sought a much higher price but was informed by Mr. Webster that the site would not be considered unless the offering price was less than €200,000 per acre.

Mr. Costello: Why?

Mr. McDowell: I have spoken to Mr. Webster and to the official in the Irish Prison Service to whom Mr. Dillon wrote and I am quite satisfied that Mr. Dillon contacted them on his own initiative and without any prompting from the Irish Prison Service, or anyone representing or advising the Irish Prison Service.

The lands at Thornton were only 2,500 yards away from the Coolquay site and were being offered at a price per acre of just two thirds that which had previously been agreed for the Coolquay site. In a meeting on 12 January 2005, Mr. Webster informed Mr. David Byers, Commissioner of Public Works, who was a member of the site selection committee, of his discussions with the owner of the Thornton Hall site and his advisers. Mr. Byers gave him approval to negotiate a purchase of the property subject to title, contract and ministerial and Cabinet approval, on the basis that the approval was likely to be forthcoming given the comparisons with the Coolquay property which had already been approved. This was a site of approximately 150 acres at less than €200,000 per acre, compared with 100 acres at €320,000 per acre.

It is true that the owner of the Coolquay property subsequently wrote to Mr. Webster on 14 January 2005 indicating that his tax position had not yet been confirmed by the Revenue Commissioners and if he had an early decision he would decide which “strategy to take”. I am informed by Mr. Webster and the Irish Prison Service and the members of the committee that at no time did he indicate the Coolquay site was again available to the Irish Prison Service for purchase. On the previous day——

Mr. Costello: That is not correct.

Mr. McDowell: If the Deputy listens he will hear the facts. On 13 January, Mr. Webster wrote to the vendors of Thornton Hall, on foot of his conversation with Mr. Byers, indicating the terms upon which the Irish Prison Service was willing to purchase their property and asking their solicitor to prepare the necessary contract documents to effect the transaction. I hope those dates are clear to everybody in the House.

On 18 January 2005 the site selection committee met to consider the site at Thornton Hall and decided to recommend its purchase to me as Minister. The site was evaluated according to the marking scheme applied to the other sites and awarded points according to the same criteria as applied to the other sites. It received 333 points according to those criteria, which was a tiny fraction more than the 330 points applied to the Coolquay site.

It is with regret that I say the "Prime Time" programme broadcast last night departed from acceptable standards of objectivity and professionalism in its treatment of this issue. In particular, no attempt was made to explain to the viewers that the Thornton Hall site was in fact one third cheaper per acre than the Coolquay site. This salient fact must have been apparent to the makers of the programme and I can think of no good reason it should have been concealed from the viewers but concealed it was. No attempt was made to inform the viewers about Mr. Dillon's other correspondence regarding another site which had previously been rejected by the selection committee.

While Thornton Hall was described in a tendentious way in the programme as "potentially rich in archaeology" no reference was made to the flooding potential of the lands at Coolquay. No reference was made to the sequence of events which involved Mr. Webster seeking approval from one of the Commissioners of Public Works to negotiate a deal but all of this was apparent from the documentation available to the programme makers. They had conducted extensive research under the Freedom of Information Act. They had all of this information available to present to the public, had they chosen to do so.

It was unambiguously and falsely stated that the vendor of Coolquay had changed his mind and Deputy Costello has picked up this point. He said he would make his site available again to the Irish Prison Service. That is not so. The letter of 14 January, the day after the letter was sent to the solicitors acting for the Thornton Hall vendors, makes it clear that he would, if he got a favourable decision, then decide what his strategy would be. It is entirely false to say he had changed his mind.

Mr. Costello: If so, why did he contact Mr. Webster?

Mr. McDowell: There was no factual basis for the makers of the programme to say so. All he did was to indicate that he might consider doing so.

Mr. Costello: The Minister is on very thin ice.

Mr. J. Higgins: That is nonsense.

Mr. McDowell: His letter makes clear that he had made no firm decisions as to the "strategy" he was following in regard to this site.

No attempt was made to inform the viewers that the site selection committee at its meeting of 18 January had before it a site evaluation report prepared by Clifton Scannell Emerson Consulting Engineers and McCabe Durney Planning Consultants. It was evident to anyone who read the minutes of that meeting that this report was available to that meeting yet on Pat Kenny's radio programme today we heard there was no report. That has been repeated in the House today.

It was evaluated and scored 333 points. This was another falsehood and the people who had access to those records for the purpose of making that programme last night knew that report was available to the committee, if they read the minutes they showed on television. They knew this but they concealed it from the public with the result that Pat Kenny said today there was no evaluation of the site.

Mr. Costello: The Minister will appear on the Pat Kenny show again. He has been on approximately ten dozen times in the past 12 months.

Mr. McDowell: No attempt was made to explain to the viewers that in the course of a year-long purchase process no suitable land was offered in County Dublin to the site selection committee at agricultural prices or any amount close to those prices. No attempt was made to explain to the viewers that the price agreed in respect of Thornton Hall was the lowest price of all the sites evaluated as suitable by the site selection committee. RTE made no effort whatsoever to inform its viewers of that fact.

I regret to say that the "Prime Time" programme was calculated to give a most misleading impression to the viewers as to the sequence of events and the substance of the transaction it covered. They could have given all the material that I am giving, since it was all in the documents in front of them. However, they deliberately chose to give a very different impression. I regret that the overall effect of the programme was to convey a misleading impression that there had been a departure from acceptable standards by members of the site selection committee and their advisers. There was no such departure. For the record, I can confirm that I found nothing to suggest that such a departure had taken place. I ask the House to note that Mr. Webster, to whom reference has been made, acted at all times in the interest of the Irish Prison Service and with the utmost professional integrity. The fact has been mentioned that he disclosed a conflict of interest. He discovered after his dealings with Mr. Dillon that he was related to a brother-in-law of the vendor by way of being a second cousin.

Mr. Costello: Discovered.

Mr. McDowell: At that stage, he immediately reported the matter to the committee and offered to absent himself if it caused any embarrassment. I believe he acted with totally impeccable propriety regarding that matter. He acted in the interest of the Irish Prison Service and with the utmost professional integrity. The House might be interested to know that my view of him is generally shared. I note, since reference was made to it earlier today, that he was an adviser to the vendors in connection with the recent Ballsbridge site sale by Jury's Hotel Group. The man is not some neophyte; this is not a man who would blow his reputation.

Mr. J. Higgins: A seasoned speculator, in other words.

Mr. McDowell: He did not do so.

In the course of a studio discussion, reference was made to questions put to me as Minister by the programme makers. Those questions were furnished to my Department only yesterday at 2.50 p.m., when I was visiting a child care facility in Cork before my visit to the National Ploughing Championships. It is self-evident that the film package on which the programme was based was already in the can. I remind the House that programme makers in RTE, and everybody else in that organisation, are bound to be impartial in their treatment of current affairs. Yesterday was a sorry departure from those standards which I intend to take up directly with the RTE Authority.

At no point during the year-long acquisition process for a replacement site for Mountjoy Prison was I ever offered any remotely suitable land at anything approximating to agricultural prices. Only a very naive person would think that I would have been offered land at those values in the context of the publicly advertised process embarked upon by my Department. Deputy McEntee may be interested to hear that some of the agriculturally zoned land in County Meath offered to my Department and rejected by the committee as unsuitable has since been disposed of for a price in the region of €175,000 per acre.

I am satisfied the Mountjoy II complex requires a site of this size in this location, and I am equally satisfied that no such site was available to me at any significant discount to the price paid. During my tenure as Minister, I have laid the basis for a radical transformation of the Irish Prison Service and its estate. In addition to the matters already referred to, I will shortly be bringing into effect a set of prison rules to replace the antiquated rules which now govern our prisons. I am pressing ahead with a new prison for the Munster region on Spike Island, the Thornton site for Mountjoy II, an expansion of

Loughan House and Shelton Abbey as open prisons, the abolition of padded cells, which should be gone by the end of this year, and the reform of the Prison Service, ending the massive cannibalisation of capital projects every year through overtime. I got precious little support from the other side of the House. They told me that I was macho, posturing and aggressive. Yet I achieved what they have never achieved regarding those matters.

Mr. McEntee: If the Minister provided 3,000 extra gardaí, he would not need the prisons.

Mr. McDowell: That is a very good point. He should tell that to the people of Meath the next time he is there.

Mr. McEntee: Yes, because we have none.

Mr. McDowell: With more gardaí, there would be no prisons.

Mr. McEntee: We would not need them. The Minister should go to Slane and see what happens at the weekend.

Mr. McDowell: During my tenure as Minister, I will also be introducing a new set of prison rules to replace the antiquated ones that now govern our prisons. With the Tánaiste, I am determined to bring to an end the scandalous neglect which the State has shown prisoners with mental health problems and psychiatric illnesses. It is our intention to replace the Victorian Central Mental Hospital with a state-of-the-art forensic psychiatric facility. I welcome the support of the Minister of State at the Department of Health and Children, Deputy O'Malley, in that respect. It is my hope that this development will dovetail with the new building of our prison estate.

It is now 26 years since Deputy Jim O'Keefe was first made frontbench spokesman for his party on justice matters. In the intervening period, his party has been in office for eight years, and I ask what steps he took to address the issues in Mountjoy, Cork Prison, which was developed in the 1970s and 1980s with no in-cell sanitation, and the Central Mental Hospital. What did his party do about prison officers' overtime, drug use in our prisons, or the practice of slopping out? I am aware of his ongoing interest in prison visiting committees, an area to which I have brought value-for-money reform by ending the expenses gravy train. As for his reforming zeal, I refer Deputies to a copy of his most idealistic letter on prison visiting committees, a copy of which I have made available to the Library.

I am glad Deputy Costello got time to speak in this debate. Let the record show that he organised, among his Labour Party colleagues on Dublin City Council, an effort to have Mountjoy

preserved on the grounds of architectural heritage. He attempted to send in city officials to have it preserved so as to frustrate its disposal.

Mr. Costello: By God, the Minister did not let them in; he broke the law. He would not allow in those who were entitled to enter. He put up a notice forbidding them to come in the door.

Mr. McDowell: Then, when he was not happy with that, he attempted to rezone Mountjoy so that it would have no replacement value as a green-field site.

Mr. Costello: The Minister cannot demolish Mountjoy without letting them in.

Mr. McDowell: I am aware that a small number of residents in the area, which is thinly populated, given its proximity to the city, are conducting a well-funded campaign against the siting of a prison facility in their area. They have placed advertisements on the front of newspapers, and I commend them on exercising their democratic right. They are also entitled to lobby Deputies.

Mr. Costello: Is this innuendo?

Mr. McDowell: I can understand that they have concerns about such a development in their back yard. I daresay that there is no place in the Dublin area — I would like Deputies to tell me where there is one — and few places on the whole island where the siting of a prison would be welcomed universally by local residents. However, as public representatives we must look beyond narrow, local sectional interests and take into account the broad national interest and the public good. We also have a legal and moral duty to prisoners, for whom Deputy Costello once professed his concern, to ensure they are kept in humane conditions and have access to facilities that will assist in their rehabilitation such as running tracks and football fields for youngsters. Those are the kinds of things that should be available in such facilities but that are not available in Mountjoy.

Mr. McEntee: They will not do it for the public.

Mr. McDowell: It is very disappointing, therefore, to see both the Labour Party and Fine Gael strongly backing the interests of a group of residents in one area, however well-intentioned, and showing so little regard for the welfare of prisoners or the wider public interest in ensuring we have an effective and humane prison infrastructure. The sole purpose of the motion is to try to generate negative publicity. They know, and I know, that the Comptroller and Auditor General is both competent and a man of integrity, and that as a matter of course he would in any event

review all items of major expenditure, including the purchase of the site at Thornton Hall.

Mr. J. O’Keeffe: Why is the Minister so afraid?

Mr. McDowell: This proposed resolution will not affect that one way or the other. Similarly, the suggestion in their joint press release that the resolution will result in the Comptroller and Auditor General conducting an inquiry into the transaction before it is completed is bizarre.

Mr. J. O’Keeffe: Why?

Mr. McDowell: It is complete nonsense and has no basis in either law or reality. If they even half-believed their own propaganda, one would think that they might have tried bringing forward this motion back in January or February when the purchase was announced, rather than waiting to do it a matter of days before the closing date, when there is not a remote possibility of any inquiry being completed before the hand-over of the site. The whole idea behind this resolution is a complete charade. The gentlemen opposite know this is a farce, but it is of a piece with their whole approach to Opposition over the past eight years. To put it politely, they deal more in shadow than in substance.

I have no doubt the Comptroller and Auditor General will in due course conduct a formal review of the purchase of Thornton Hall. I would welcome such a review because it would allow the facts to emerge. The matter will also undoubtedly be discussed by the Committee of Public Accounts and that is as it should be.

Mr. J. O’Keeffe: Why does the Minister not allow the Comptroller and Auditor General to examine the deeds?

Mr. McGinley: The horse has already bolted.

Mr. McDowell: However, I will not be party to a motion that implies the Comptroller and Auditor General would not of his own accord look into this transaction and that pretends this resolution will do something it cannot possibly do.

Mr. J. O’Keeffe: Will the Minister answer the question?

Mr. McDowell: How can the Members opposite talk about value for the taxpayer when they have opposed all cost effective proposals—

Mr. J. O’Keeffe: If this transaction stands up, why will the Minister not subject it to independent scrutiny?

Mr. McDowell: —and schemed to block the sale of Mountjoy Prison and tried to artificially

[Mr. McDowell.]

lower its resale value? That is what members of the Labour Party on Dublin county Council did, at Deputy Costello's behest. How can I or the general public take seriously a party that proclaims it is concerned about value for the taxpayer when at the same time it argued for the redevelopment of the already obscenely overcrowded 20-acre Mountjoy site at a cost of €400 million?

Deputy McEntee says another prison should not be built to replace Mountjoy Prison.

Mr. McEntee: The Minister promised 3,000 extra gardaí to serve communities.

Mr. McDowell: I did not. The figure was 2,000.

Mr. McEntee: It is the Minister's responsibility to protect citizens. A murder is committed every week.

Mr. McDowell: How can any rational person entertain such an approach? If Opposition Members want to talk about value for the taxpayer, let us look at the finances relating to Thornton. Its development costs will be a fraction of the cost of redeveloping Mountjoy Prison. The new prison development at Thornton Hall will be more cost effective to operate, have better facilities with room for expansion and have the added benefit of the moneys obtained from the sale of Mountjoy.

Mr. McCormack: Who costed the site?

Mr. McDowell: When looking at the cost of developing Thornton Hall, one must take into account that Mountjoy Prison is old and inefficient and that the Prison Service estimates that by replacing it at Thornton, we will achieve operational savings of €30 million to €40 million per year. In addition, its cost is being funded in part by the sale of Shanganagh, which will eventually yield between €15 million and €20 million, and the sale of the Mountjoy site which should realise between €60 million and €90 million. Furthermore, freeing up the site of the Central Mental Hospital in Dundrum will bring more than €100 million to the State.

Mr. Costello: It is worth €200 million.

Mr. McDowell: That may be true and I will be glad if it proves to be so. When Deputy Costello has the courage to examine that place, justify its retention and say it is the correct environment in which to keep psychiatrically ill people, I will be glad to hear his arguments.

Mr. Costello: Nobody wants a psychiatric hospital on the same site as a prison.

Mr. J. O'Keeffe: The Minister should say why he is afraid of the Comptroller and Auditor General's verdict.

Mr. McDowell: There were not even television sets in the rooms when I visited yet those detained in Dundrum are mainly innocent of any criminal misdemeanour.

If we are really interested in value for money we should have the Comptroller and Audit General examine the significant amounts of money wasted when Labour and Fine Gael were last in Government. The amount wasted on prison overtime alone because of their failure to tackle that problem would have bought the site at Thornton without any difficulty.

Mr. Hayes: What about electronic voting?

Mr. McDowell: I remember writing an article in 1995 for the Sunday Independent asking the last Fine Gael Minister for Justice, Equality and Law Reform to deal with the overtime issue. Nothing was done. Diddly squat.

Fine Gael and Labour were a disaster for the criminal justice system. Like a swarm of locusts, they left devastation in their wake.

Mr. J. O'Keeffe: What about openness and transparency?

Mr. McGinley: What about the CAB?

Mr. McDowell: At a time when there was gross overcrowding and appalling conditions in our prisons, to the extent that the revolving door policy was operating at warp speed with prisoners being released shortly after they arrived, when one in five prisoners was out on temporary release, the rainbow Government, that slump coalition, cancelled plans to develop more prison capacity and cut back on expenditure generally.

Mr. McGinley: The Minister's Government wanted to release the murderers of Detective Garda Jerry McCabe some months ago.

Mr. McDowell: That coalition chose populist and profligate policies which neglected law and order. Can it really be the same Labour and Fine Gael that presided over the revolving door syndrome who are now saying, as one of their number has said today, that we do not need a replacement for Mountjoy Prison?

Mr. Costello: Will the Minister respond to the question?

Mr. McEntee: The Minister is talking rubbish.

Mr. J. O'Keeffe: Why is the Minister running from the Comptroller and Auditor General?

Mr. McDowell: Have those parties forgotten how they brought the criminal justice system to its knees? Let me remind them that when the then Minister for Justice, Equality and Law Reform tried to take action to alleviate the overcrowding that spawned the revolving door, her own Cabinet colleagues pulled the rug from under her feet. Opposition Members have short memories.

Mr. McEntee: The Minister should be working to protect citizens in their communities.

Mr. McDowell: As to the cost of the land, every person in Dublin knows one cannot purchase land suitable for future development in the Dublin area at farm land prices.

I will conclude by making one further point.

Mr. McEntee: The Minister has said nothing of substance.

Mr. McDowell: I am confident that in five or seven years, when the full campus at Thornton Hall is completed, the public will look back on these days and be grateful for the foresight and leadership the Government has shown in making a major investment on its behalf in the Prison Service.

Mr. J. O’Keeffe: Why will the Minister not allow the Comptroller and Auditor General to examine the deeds?

Mr. McDowell: I am equally confident the public will look back with derision at Deputy Jim O’Keeffe’s argument that Coolquay, at €320,000 per acre, represented value for money while Thornton Hall, at €199,000 per acre and just 2,500 yd. away, was a rip-off.

Mr. J. O’Keeffe: People are not concerned with what will happen in five or six years’ time. They are worried about money that is being wasted now.

Mr. McDowell: Tonight’s debate is a classic example of the politically bankrupt efforts of those who can do nothing and have never done anything but attack those who are doing something.

Mr. J. O’Keeffe: Will the Minister answer the question? Why will he not allow the Comptroller and Auditor General to examine the deeds?

Mr. McDowell: There is no scandal here. Opposition Members have displayed nothing but opportunism combined with cluelessness. It is bad enough that it should come from Deputies Jim O’Keeffe and Costello but worse that they should find allies in some sections of the media, on

whom we should have been able to rely to distinguish between truth and falsehood.

Mr. J. O’Keeffe: We are all out of step except the Minister.

Mr. McCormack: Where are the Minister’s colleagues?

Mr. Hayes: I propose to share time with Deputies Neville and Perry. I want to bring the Minister to task in regard to the issues he has addressed in this debate. This is a simple debate on the question of why he wasted so much taxpayers’ money in buying land for a prison. That is the subject of the motion but the Minister spent the last 20 minutes defending himself and his position in Government and trying to derail the record of other parties when in government. The visitors in the Gallery are here to discover why this prison is being built on their doorstep.

As a member of the Committee on Public Accounts I listened in utter frustration as this matter was discussed. We are all aware of the reasons put forward by the Minister and the Governments that this prison should be built at Thornton Hall. The reality is that the Committee on Public Accounts, the sole watchdog for the Oireachtas which has monitored the spending of public money for many years, could not examine the wastage for which the Government is responsible in the last number of months. This is where the problem lies. The Comptroller and Auditor General should have been allowed the independent voice to consider whose position is correct on this matter, whether the Minister or RTE.

What is missing in this debate is openness and transparency.

Mr. McEntee: That is all we want.

Mr. Hayes: The Minister’s role is to represent and defend the policies of his Government but he has spent 20 minutes criticising RTE, defending himself and criticising the Opposition. All that was required was simply to allow the Committee on Public Accounts or the Comptroller and Auditor General to examine this matter. We were told that because the deal was not finalised, we could not examine it until the money was spent and wasted. This represents a slap in the face for the Committee on Public Accounts and this House. The Government has shown no regard for the concerns of the public, those listening in the Gallery in particular. The proposed new prison is located miles from my home — I have no particular interest in that regard — but I contend it is a scandalous waste of money by the Minister. Moreover, he is afraid to permit the only form of independent scrutiny available in these matters.

This debate is useless unless we allow for some transparent mechanism of scrutiny. However, it

[Mr. Hayes.]

serves to bring into focus the necessity that this type of issue should never arise in future. That is the only contribution I will make to this debate. It is unfair of the Government to lecture RTE and Opposition Members without providing any transparent way for the public to examine how this money was spent. It should never happen again.

Mr. Neville: I welcome the opportunity to deal with this matter. I am pleased the Minister of State at the Department of Health and Children, Deputy Tim O'Malley, is also in attendance. My contribution will be somewhat low-key because of the sensitivity around this issue.

I am extremely concerned about the placing of a psychiatric hospital beside a prison. Such an approach may be beneficial from the point of view of management but it serves to stigmatise psychiatric illness. I notice the Minister of State is looking to the ceiling.

Mr. T. O'Malley: I am wondering what the Deputy's party ever did about the issue. We have taken some positive action.

Mr. Neville: I am aware much discussion took place on this issue between the Departments of Health and Children and Justice, Equality and Law Reform. The former was initially dissatisfied with the proposal. Obviously, the senior Minister's view prevailed and a lot of concern exists within the psychiatric service—

Mr. McDowell: Is there anything stigmatising about a person lying on the floor of a padded cell in a foetal position and dressed only in underwear? What did Deputy Neville's party ever do about padded cells? Absolutely nothing.

Mr. Neville: The Minister's answer —

Mr. McEntee: What was done about the hunger strikes?

An Ceann Comhairle: Order please.

Mr. McDowell: Long on talk, no action.

Mr. McEntee: Charlie Haughey and his Government did nothing during the hunger strikes when people were dying.

An Ceann Comhairle: Members will allow Deputy Neville to speak without interruption.

Mr. Neville: The Minister's answer to everything is that if it was not done within any two years in the past 20, he should not be held accountable. That is what he is saying.

Mr. Perry: Give them the money.

Mr. Neville: The Government now has the money and the opportunity. A lot of concern exists with regard to the stigmatising of mental health. One of the reasons that mental health is not prioritised is because it is not a political issue. People do not raise the issue because of the stigma that surrounds mental health. Regardless of whether it is called a campus, by putting a mental hospital beside a prison, the two will go together in the public mind. That is not acceptable. The matter should be re-examined if possible.

Mr. McDowell: Does Deputy Neville know the rate of mental illness among prisoners?

Mr. J. O'Keefe: The Minister should listen to someone with a genuine point of view on the matter.

Mr. Neville: The Irish Penal Reform Trust informs us that up to 40% of prisoners suffer from psychiatric conditions. Professor Anthony Clare made strong comments on this issue but due to time constraints I will not quote him.

Mr. McDowell: Should there be a convenient psychiatric facility to deal with their illnesses?

Mr. Neville: A psychiatric facility should exist within prisons and a proper psychiatric service should be available to prisoners. Anybody with a serious psychiatric illness should be in hospital. If somebody breaks a leg, suffers pneumonia or has a heart attack, he or she is taken to hospital. However, somebody who contracts a serious psychiatric illness is dealt with inadequately in prison. The Minister must admit that fact.

Mr. McDowell: The Opposition did nothing about that issue.

Mr. Neville: The Minister mentioned padded cells. He organised a committee to investigate that issue but did not include a psychiatrist or psychologist on it.

Mr. McDowell: I am doing something. I did not ask psychiatrists how to do the job. It is being done.

An Ceann Comhairle: Deputy Neville without interruption.

Mr. Ring: We want to get a few of them to look at the Government.

Mr. Neville: The Minister admitted that 78% of those put in padded cells are there for their own safety because they are suicidal. However, he did not even consider that a psychiatrist would have an opinion in dealing with this issue.

Mr. McDowell: I modernised the padded cell system to comply with best international standards.

Mr. Neville: I do not accept that.

Mr. Costello: The Minister knows best.

Mr. Neville: The Minister knows best in everything, does he not?

Mr. McDowell: The Minister does, others talk.

Mr. Neville: Maybe the Minister would consider the idea of special psychiatric courts for people with mental illnesses. Many prisoners are imprisoned for petty crimes. Alternatives to prison might involve a detailed psychiatric programme to address their psychiatric problems. We have examined this service in other countries. It would be a means of getting at the problem prior to imprisoning those people. It is accepted that in prison, the psychiatric condition deteriorates substantially because of confinement. We must have realistic programmes.

Mr. McDowell: I agree.

Mr. Neville: I ask the Minister to re-examine the proposal to put a psychiatric hospital beside a prison.

Mr. Perry: If I had my way, I would have this Government in padded cells.

Mr. J. O'Keeffe: Well done.

Mr. Perry: This is another rip-off Government which is intoxicated in power. That is clear in every move it makes.

Mr. McGinley: There is no Government there at all.

Mr. Perry: I have the Comptroller and Auditor General's report in my hand, which is a catalogue of misappropriations and unwise spending. Some €48 billion is spent through different Departments. The appropriation account for 2004 makes alarming reading. I am sure the Minister's decision will be scrutinised and will not stack up. Due diligence was not carried out.

The exorbitant costs and haste involved in this deal by the Minister has left a sour taste in many mouths. The Government committee responsible for this spent eight months looking at alternative sites to Thornton Hall but only spent eight days considering Thornton Hall before it committed to buying that site. The Minister raised the €3 million deposit but I am certain that, in terms of the amount of money which is being paid for that site, the owner would allow the deferral of the sale beyond 1 October and wait for his lotto prize.

There is not reason to rush to close this deal. Groups in the locality are calling on the Minister to halt proceedings before the final sale goes through.

Was approval given by the Comptroller and Auditor General and the Department of Finance according to the 1994 guidelines? Was the evaluation carried out and was clearance given by the Minister for Finance to agree the sale? That is equally important.

There were 30 expressions of interest from other parties regarding sites. The owner of Thornton Hall made no such expression of interest. On the contrary, the committee approached the owner of the land and tendered for it. As has been well documented, €30 million of taxpayers' money was used to pay for this site. I do not call this rip-off Ireland but rip-off Government. The country is being ripped off. The Government has a large cheque book yet it asks what previous Governments have done. The State never had more money to spend but it is misspending it. On the open market the site would have sold for €6 million. The Government cannot ignore this fact. It is paying 500% more than the going price. It confounds reason. This Government must explain its decision to pay over the odds for the site. The Government is getting money left, right and centre. There is taxation of tax. The best contract of all is a Government one. If a Government cheque book is used to buy land, an auctioneer will quadruple the price.

There have been objections from the psychiatric profession over the suitability of this site for the relocation of the Central Mental Hospital. If the committee had taken longer than eight days to discuss the site's merits, they may have realised this themselves. Due diligence, assessment and evaluation were not carried out. This Government is riding an ego train. Intoxication by power is a dangerous ailment. Padded cells would suit some in this Government. The current site of the Central Mental Hospital and Mountjoy Prison are obviously worth a lot of money, up to €250 million. The concerns of people in the region are also important. It is appalling to think that flashing euro signs have allowed the Government to negotiate with taxpayers' money in such a haphazard way.

Even disregarding the huge mark up of the cost of the site, serious questions remain about its suitability. Consideration must be given to the fact that 1,000 prison staff will need to access the area, as well as visitors for those who are incarcerated. However, there is no suitable road access to the site. The surrounding area has a small population and a three teacher national school is located nearby. The water and sanitation services needed to service a prison and hospital are currently unavailable. These costs will add up. Another example of the inadequacy of the area is that there is no public lighting. The infrastructure is

[Mr. Perry.]

unsuitable for this type of development. I have no doubt that there will not be much change from €250 million when this site is complete. I guarantee that the Comptroller and Auditor General will carry out an assessment. We have witnessed an example, given by Mr. John Purcell, of public private partnerships and the inability to get value for money.

Millions of euros of taxpayers' money will be spent dragging this vanity project through the courts. A €3 million deposit was put down for the 150 acre site. The remaining 90% of the money needed to close the deal has to be put down by 1 October.

It is a desperate indictment of the Government's inefficiency that it is continuing to evade questions on this issue, so close to the deal being closed.

What has the Minister to say about the women's prison built only six years ago at a cost of €20 million? There is no forward planning.

Mr. McDowell: Drugs are going into it over the wall.

Mr. Perry: What about those people who live in the locality? They have been denied and frustrated by the Minister.

Mr. J. O'Keefe: Is the Minister afraid of the auditors? He has no answer.

Mr. Costello: He is too busy talking to listen.

Mr. Perry: The Minister is arrogant and intoxicated with power.

Mr. J. O'Keefe: The Government will get its answer from the people fairly soon.

Mr. Perry: It is clearly evident that the newly found affection of the Minister for the well-being of many people is not washing well.

Debate adjourned.

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) Deputies Cregan and O'Sullivan — if the Minister will restore full transport to first year students attending second level schools in County Limerick (details supplied); (2) Deputy Breen — that the Minister immediately deploy a special Garda unit to assist local garda in their efforts to deal with the ongoing and escalating acts of vandalism and anti-social behaviour in the west Clare town of Kilrush where people are now living in fear; (3) Deputy Jan O'Sullivan — the need

for the Minister to ensure the provision of transport for children travelling to a school in County Limerick (details supplied); (4) Deputy Finian McGrath — on the new proposal 'Preparing for Life' a plan to enable children to be ready for school and the urgent need to tackle educational disadvantage; (5) Deputy Neville — school transport for first year students to a school (details supplied) from Limerick City; (6) Deputy Healy — the urgent need for the Minister to implement the High Court agreement for the provision of hospital services at Cashel and Clonmel, County Tipperary by providing funds for the completion of units and for the revenue and running costs of these units and granting approval for the commencement of the tender process for Phase 2 at Cashel and commencement of the planning process for Phase 2 at Clonmel and to ask the Minister to meet a deputation of Oireachtas Members and local authority mayors and chairmen from south Tipperary on the matter; (7) Deputies Howlin and Broughan — the serious implications for labour relations and the future of social partnership as well as the future of the maritime sector in Ireland of the plan by Irish Ferries to seek the redundancy of 543 Irish staff with a view to replacing them by lower paid workers from abroad and the need for the Government to intervene; (8) Deputy Ring — to ask the Minister the progress that has been made in relation to the release of five people (details supplied) from jail; (9) Deputy Boyle — to ask the Minister when his Department became aware of the difficulties surrounding the closure of the ADM plant in Ringaskiddy, County Cork; (10) Deputy Gogarty — the need to urgently introduce a refundable deposit on beverage containers to reduce litter; (11) Deputy Crowe — the necessity for the Minister to address the bullying of staff in Irish Ferries into taking "voluntary redundancy" as was allowed to happen in Aer Lingus, lest management now see this as a legitimate tactic, and to send a clear signal that this type of behaviour is unacceptable; (12) Deputy Morgan — the necessity for the Minister to make a statement on the fact that competition law is being mischievously used to attack the rights of certain workers, in particular actors, musicians, film crews and freelance journalists, to be collectively represented and the necessity for the Minister to amend the Industrial Relations Acts in respect of the definition of employee in order to rectify this unacceptable situation; (13) Deputy Hogan — to clarify his view in respect of the application made to Waterford City Council to extend its administrative boundary into an area currently under the jurisdiction of Kilkenny County Council and if he will take the necessary steps to terminate this process; (14) Deputy McGinley — to ask the Minister what are his plans to replace the 570 jobs being lost at Hospira, Donegal town; and (15) Deputy Enright — to ask the Tánaiste and Mini-

ster to explain why following the abolition of health boards, a patient is still being refused a bed in a nursing unit (details supplied) because it is one eighth of a mile into a different health board area from that in which he resides.

The matters raised by Deputies Ring, Boyle, Cregan and O'Sullivan, and Neville have been selected for discussion and will be taken at the conclusion of business.

Adjournment Debate.

Health and Safety Regulations.

An Leas-Cheann Comhairle: Before calling Deputy Ring I remind Members of the *sub judice* rule which provides, *inter alia*, that a matter should not be raised in such an overt manner that it appears to be an attempt by the Oireachtas to encroach on the functions of the courts or the Judiciary.

Mr. Ring: I offer my support to the people of Dublin. They now realise what the people of the west have put up with for a long time as five of my constituents are in prison for fighting for their rights. People should not go to the new prison to fight for their rights but should go to Mountjoy if they have to.

I raise this matter on the Adjournment because five innocent men are in prison on a health and safety issue. I shall speak on three aspects of the matter one of which is that we gave away our natural resources to an English company which probably will never pay a cent in tax here. I shall not speak about the former Minister for Communications, Marine and Natural Resources, Deputy Fahey, because I hope he will come into the House some day and explain his role in this whole project. People thought there would never be a tribunal of inquiry here. There have been tribunals of inquiry and there will be more because many questions remain to be answered on this matter.

I ask the Minister and the Government to immediately step in and ask Shell, which has had great co-operation with the Government, to collapse the injunction. The Taoiseach met Mr. Andy Pyle, managing director of Shell in his offices in September 2003 but to this day we do not know what was discussed. The then Minister for Communications, Marine and Natural Resources, Deputy Fahey, opened the door for Shell on many occasions and Mayo County Council opened the door on many occasions for Shell and Mr. Pyle. The only door the Minister and his colleagues opened for my five constituents was that of Mountjoy Prison.

Members of the Dáil and Seanad flew out to Colombia when three Irish citizens travelled on

illegal passports and were arrested in that country. I listened here, morning after morning, to Members asking what the Taoiseach and the Irish Government was doing about the case. While a delegation of Fianna Fáil TDs and Senators flew out to Colombia to do something for them, I did not see many Fianna Fáil Deputies in Cloverhill or in Rosspport since the issue arose some months ago. I ask the Minister of State, the Taoiseach and the Government to ensure Shell suspends the injunction immediately to enable us to sit down with those who wish to resolve this problem. There are some who do not wish to resolve the problem.

While there were three other ways Shell could have brought the pipeline onshore it insisted on bringing it within 70 metres of the doors of these people, which would put their lives at risk. That is wrong. This is a health and safety issue. These people do not want the pipeline passing their doors. They want the gas but they do not want it to pass by their doors. Why should the people of Rosspport and County Mayo have their lives put at risk when there is no gain for the people of Mayo. Not one town in the county of Mayo will get natural gas. It is a disgrace that a natural resource is being taken out of County Mayo and all it is getting in return is headaches and the danger.

We have listened to many speeches about dialogue. The Government has an opportunity to have some dialogue. I ask that the Taoiseach make a telephone call tomorrow to the managing director of Shell, Mr. Pyle, asking that it immediately suspend the injunction so that serious negotiations can take place to resolve this very serious problem. It is wrong that five men should spend so long in jail not having committed a serious crime. I accept they broke the law and I know the Judiciary had no choice but to put them into jail, but these men will immediately purge their contempt if Shell suspends the injunction and then the negotiations can be got up and running.

I would like to hear from the Minister of State what the Government has done either publicly or behind the scenes to resolve this issue. The Taoiseach has tried to get people out of jail in Colombia. What has he done for his own Irish citizens who are in jail having done nothing wrong? Given that many of the Minister of State's constituents come from that area I am sure he has been contacted by many to try to resolve the problem. Nobody wants to see innocent men in jail fighting for their land, their homes, their families and to feel safe in their beds at night. We all know that one can no longer believe any institution in the State because we have seen what has happened with tribunals of inquiry. Why should these people have to listen to anybody from outside the State?

I wrote to Lord Oxborough in the House of Commons who is a director of Shell. He told me

[Mr. Ring.]

he visited north Mayo, which is more than many of our Ministers did. Had he told us he would visit we would have had a hero's welcome for him. He was delighted to see the support of Mayo County Council and the Government. I would like to see the same support for my constituents who are in jail and I would like to see the issue resolved. I call on the Government to ask Shell to collapse the injunction.

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Deputy Ring will be aware that the Minister, Deputy Noel Dempsey, dealt with this matter yesterday at the Joint Committee on Communications, Marine and Natural Resources. It was dealt with by the Taoiseach on Leaders' Questions today when the Deputy's constituency colleague and party leader raised the issue.

On behalf of the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, I assure the House that the development of the Corrib gas field has received all required approvals and consents from the Department as required by law. These approvals and consents were only given after intense scrutiny, including reports and assessments of consultants of international reputation where warranted, as is the case in regard to the onshore pipeline.

Authorisations were granted for the Corrib gas field under a number of provisions. Under the Continental Shelf Act 1968, authorisation was given for the construction of the sub-sea facilities within the continental shelf designated areas. Consent was also given for the plan for the development of the field under the Petroleum and Other Minerals Development Act 1960. Under the Gas Act 1976, as amended, consent was given for the construction of a gas pipeline from the gas field through the offshore to the terminal. A foreshore licence was also granted under the Foreshore Acts. In accordance with EU directives, an environmental impact assessment was carried out and an environmental impact statement was submitted with each application for consent or approval.

In regard to the five Rosspoint men, as the Minister Deputy Noel Dempsey has stated, it is regrettable that anyone should be committed to prison as a result of their opposition to the development of the Corrib gas field. It has been a traumatic time for the men and their families.

Deputies will appreciate that the Minister as a member of the Government cannot intervene in a decision by the High Court. The Minister has nonetheless made every effort to create the conditions that would allow the men to purge their contempt. Initially, the Minister contacted the five men in prison through an intermediary to discuss their concerns. He proposed a safety review by an independent body as a response to those

concerns. Despite this and his willingness to meet the men if they purged their contempt, the men decided not to purge their contempt. Despite this also, the Minister ordered an additional comprehensive safety review of the onshore, upstream gas pipeline to be carried out by independent internationally recognised experts. Advantica was identified as the successful bidder and appointed on 25 August. The company is a world leader in the development and application of advanced hazard and risk assessment technologies for gas pipelines. This safety review will examine critically all relevant documentation on the design, construction and operation of the pipeline and associated facilities.

A particular issue of concern to local residents has been the proximity of the pipeline to inhabited dwellings. This will be addressed by the safety review. Advantica has been asked to identify any deficiencies in safety and to make recommendations as to how these, if identified, can be remedied.

It is important that people who have views on the safety of the pipeline should have the opportunity to have those views considered. Views are now being invited from local residents, communities and any interested party during the period of the review.

Mr. McCormack: Why was that not done at the beginning?

Mr. Gallagher: The Advantica company is visiting the Corrib site as part of its work. A two-day public hearing will also be held in Mayo next month and will be chaired by Mr. John Gallagher, Senior Counsel.

Mr. Sargent: Not long enough.

Mr. Gallagher: The issue of the appointment of an intermediary who would attempt to seek some common ground between the parties and perhaps be able to map a way forward out of the current impasse has been raised. On a number of occasions, the Minister has indicated his willingness to seek out such a person. However, for such a process to work there needs to be the prospect of some movement by both parties towards some common ground. While there has, unfortunately, been no evidence of this to date, the Minister remains strongly supportive of the idea of appointing such an intermediary.

A second area of concern expressed by local people was the level of monitoring and supervision. The Minister has put new monitoring and verification procedures in place to ensure the developer complies with all legal consent issues. Extra personnel have been assigned to the petroleum affairs division of the Department. A new technical advisory group, independent of the petroleum affairs division, has been established to

advise, monitor and verify works being carried out on this project.

The Deputy has raised the question of consents for the project. There appears at times to be some confusion about pipeline consents so I would like to clarify the process. On 15 April 2002, the Minister, Deputy Fahey, issued consent to construct a pipeline for the Corrib gas field development.

Mr. McCormack: That is when it started.

Mr. Gallagher: He did so under section 40 of the Gas Act 1976, as amended. It was subsequently agreed between the Department and the developers that the consent would be split into seven phases to reflect actual timing as well as the different equipment spreads for each activity. The seven phases are as follows: near-shore construction, landfall, onshore pipeline and umbilical, offshore pipeline, offshore umbilical, manifold installation and in-field works, and hook-up, testing and commissioning. Applications for phases 1, 2, 3, 4 and 6 have been submitted by the developers and substantially approved. Phases 5 and 7 have yet to be submitted. The Minister has met with Shell and discussed these consents process with them as well as the safety review and the wider economic aspects of the Corrib project.

It has been commented incorrectly that there is no State agency with specific responsibility for onshore, upstream pipeline safety. This is simply untrue. The Minister has specific powers concerning the safety of the gas pipelines and he will use all legislative mechanisms available to him to ensure that safety in the installations and operation of such pipelines is being addressed and policed properly.

I assure the House that the Minister is committed to the safe and effective exploration of natural resources. He very much regrets that anyone should be committed to prison as a result of their opposition to the Corrib onshore gas pipeline. The Minister is extremely conscious that residents in the vicinity of the pipeline have concerns about health and safety issues and he is committed to setting up all the necessary mechanisms, including a comprehensive safety review and public hearing, to deal with these issues.

Job Losses.

Mr. Boyle: I am grateful for the opportunity of raising this issue which, because of the length of our summer recess, has lost some of its immediacy but has lost none of its importance. I am further grateful that my constituency colleague, the Minister for Enterprise, Trade and Employment, has chosen to respond to this issue. I know he shares my concerns, not only as a Minister, but also as a constituency Deputy, about what will

happen from here. That is the motivation for my having raised this issue today.

We need to address the loss of 146 jobs at the Archer-Daniels-Midland Company, ADM, in Ringaskiddy and the replacement of gainful, long-term employment for those concerned. There are ongoing difficulties that need to be examined in a wider context and I am prepared to debate them at another time but I do not think there will be any disagreement between the Minister and myself as regards to necessary response to this set of workers.

I would like the Minister to respond concerning the amount of foreknowledge that might have been available to his Department and other State agencies concerning forthcoming difficulties that may provide workers in such situations a better sense of preparedness. As a constituency colleague, the Minister will be aware of industrial difficulties that existed in the recent past that resulted in a lock-out of workers in this particular factory. The management cited economic difficulties and the need to change the cost structure, which in itself was a warning sign.

As a Green Party Deputy, I am quite prepared to acknowledge the degree of environmental difficulties, although I do not believe they are linked to the commercial or economic difficulties, but were themselves another signal that there were wider problems with the company concerned. In order to avoid similar circumstances arising in future, I would like to know what kind of early-warning systems exist. How do the Minister's Department and State agencies respond to such warning signals? How can workers who might find themselves in such a situation be given sufficient advance notice in order to find alternative employment? I suspect the Minister will reply by citing his other efforts, which I welcome, including the new positions that will be found in the Centocor factory and the opening of the Recordati factory in the next few weeks.

I am not making the argument about additional jobs, however. We are talking about a specific set of people who have worked for ADM which is not a pharmaceutical company *per se*, but a food additive one. It was established as part of a wider facility that was Pfizer's and then became Archer-Daniels-Midland. Therefore, something that had been part of a wider whole, became a separate entity but has now ceased to exist.

Two issues need to be addressed by the Minister and his Department: first, the 146 people who have lost their employment and, second, the existence of an industrial installation in that area that could be put to alternative use. There is a history in Cork south-central of working collectively to address those issues. I am grateful the Minister has attended the House to outline how we as constituency Deputies, including himself as the Government Minister responsible, can respond to this issue.

Minister for Enterprise, Trade and Employment (Mr. Martin): I thank the Deputy for raising this matter. I accept the spirit in which he has raised it for debate.

Unfortunately, the Archer-Daniels-Midland Company, or ADM, announced the closure of its facility at Ringaskiddy with the loss of 146 jobs on 14 September 2005. This is a major blow to the workers and their families. I want to reassure the House, as I did on that occasion, that every effort will be made via the State agencies to respond to their needs and secure alternative employment for those workers.

The redundancies will take place from October 2005 to January 2006. The company has cited what it terms “non-viability of the business” as the reason for the plant closure. We were not informed about the actual closure until the day of the announcement. I will give some of the background issues later as to how the IDA was dealing with the company on an ongoing basis.

Following our instructions I met with FÁS personnel. FÁS met with senior managers of ADM Ringaskiddy and all staff will be registered with FÁS. The full range of FÁS services will be offered to the staff. Indeed, FÁS has already met with some ADM workers and there has been a good deal of interest in pursuing the courses on offer.

ADM in Ringaskiddy manufactures citric acid, sodium citrate, potassium citrate, gluconic acid and other products for the food industry. The biggest single product is citric acid, which is an ingredient in soft drinks. The business and site was acquired from Pfizer in 1990. Employment at the time of the closure announcement earlier this month was 150 people.

It gives me no satisfaction to have to say the site in Cork has had a turbulent recent past. As an essentially commodity-based business there has been increasing cost pressures on production facilities. In early 2003, I understand that suggested changes on the site were rejected locally. The company then closed the site and there were many disputes at the time. I met the workers concerned. The company then conducted a fundamental review of the viability of future operations at Ringaskiddy. The plant remained closed for more than five months while the review was undertaken and subsequent negotiations with SIPTU were completed. At that time 180 people were employed and 70 of those availed of a severance deal. A new package of conditions was agreed.

ADM Ringaskiddy is a client company of IDA Ireland and the agency maintained contact with the local and parent companies throughout the difficulties in 2003. As I mentioned, the business in Cork is commodities-based and there was concern over the company’s medium-term future in manufacturing, particularly with the bulk of the world’s citric acid being sourced in China. In part-

icular, meetings were held between IDA and the company in early 2004 to discuss additional responsibilities for the Cork operation.

ADM has grown substantially in Europe over the past 15 years by acquisition. The European headquarters has at various times in the recent past been in the Netherlands and London before moving to its current site in Hamburg. The company generally operates a divisionalised and decentralised structure in Europe. However, ADM is in the final stages of implementing a standard IT platform for its financial affairs. The Irish company spotted an opportunity to take control of the European treasury function for all ADM businesses early last year. Treasury activities are controlled from Cork but with the bulk of the transactions outsourced. The company is undertaking a major overhaul of its banking relationships and arrangements throughout Europe. This is the only function that will remain in operation in Cork but only four people will be employed.

IDA Ireland has recently met company representatives to discuss ways and initiatives in marketing the existing facility and lands as an option for potential foreign direct investment. The industrial development agencies will be making every effort to secure alternative employment for the area. Over the past 11 years direct employment in IDA-supported companies in Cork city and county has grown from 10,345 in 1993 to 18,648 in 2004. The sectors contributing to this growth are ICT, pharmaceuticals and medical technologies, and international services. Over the past five years IDA Ireland has approved new projects for the Cork area with a job potential of up to 5,000 people at full operation. This growth is expected to continue into the future. There are currently 137 IDA supported enterprises in Cork city and county.

In July 2005, Pfizer Incorporated, the largest pharmaceutical company in the world, announced it is to invest €20 million to establish a high containment development facility at Pfizer Ireland Pharmaceuticals, Ringaskiddy, County Cork. In July 2004, Centocor, a wholly owned subsidiary of Johnson and Johnson, announced plans to construct a new biopharmaceutical centre of excellence at Ringaskiddy. The project, regarded as a key strategic biopharmaceutical investment, will employ an estimated 330 people over five years. This follows the announcement in 2003 of investments by Italian pharmaceutical company Recordati and GlaxoSmithKline in new research and development activities in Ringaskiddy. We would hope that some of the workers from ADM could be recruited to these new enterprises. FÁS will endeavour to use its placement service with this in mind and will retrain people for the biopharmaceutical sector.

Other recent new project announcements in Cork include Ellison, Engenio, McAfee, AK

9 o'clock

Pharmaceuticals, Altera, Ecora and Centocor, which will all add to the value and depth of overseas industry in Cork. Enterprise Ireland will continue to do what it can to increase employment in the area. Since January 2004 Enterprise Ireland has approved funding to client companies totalling €18.9 million. I assure the Deputy that the State development agencies, under the auspices of my Department, will continue to work closely together and with local interests in promoting Ringaskiddy for further job creation and investment.

The Department has an early warning system and generally companies alert IDA Ireland which then alerts me or my officials regarding potential difficulties. While there would have been overall concern over the medium-term prospects, this matter did not feature on such a system until I got it on the day.

School Transport.

Mr. Cregan: I wholeheartedly welcome the improvements in safety standards introduced during the summer months for all students on school buses. Safety measures are of paramount importance to our children travelling on school buses twice daily. However, I raise this matter to highlight the difficulties experienced by a group of first year students who cannot avail of school transport. Many of my constituents and their children are experiencing great distress, frustration and uncertainty because of the withdrawal of school transport from 38 students attending the Salesian College in Pallaskenry. When I tabled the motion, the same problem existed in Askeaton. Thankfully that issue was resolved.

I will outline my understanding of the sequence of events since the early 1980s when the Department of Education found it necessary to grant full eligibility to students who had no choice but to take up places in Pallaskenry and Askeaton second level colleges because they were unable to secure places in second level colleges within the city catchment area. This remained the case up to 2001 when a letter issued from the Department of Education and Science that the *status quo* would remain in place until a review of the catchment areas could take place. No such review has taken place. A central applications system was introduced for the 2004 school year to ensure pupils would be given their choice of places in secondary schools and vocational colleges in the city catchment area. Transport was then to be withdrawn. However, I understand this decision was postponed.

In 2005 schools expressed concern at the withdrawal of transport and meetings took place. I understand no decisions were made in the absence of the central applications system finalising its business. Schools were notified in late June and parents were notified in late July. Unfortu-

nately from the parents' point of view children had been enrolled, uniforms purchased and I cannot condone the timing of the notification to parents.

Unfortunately we have now reached an impasse. I can see only one way to resolve the issue, which is by dialogue. I have never seen a dispute resolved without dialogue and negotiation. I appeal to all concerned to step back from the brink in the interest of the children involved and find a solution acceptable to all sides. I am asking for a meeting to be convened involving all interested parties — Bus Éireann, the VEC transport liaison officer, Department officials, parents' representatives, school representatives if necessary and the Minister or her representatives. I believe a solution can and should be found to resolve the issue.

Ms O'Sullivan: I agree with Deputy Cregan on the safety matter. I welcome the Minister of State. That representatives from three different parties have raised this matter indicates its importance. If we were not here we would be at a meeting in Ballybrown GAA club to discuss the matter. We have attended such meetings each Wednesday in recent weeks. I agree with Deputy Cregan that we need to resolve the issue through dialogue. However, the parents who enrolled their children in Pallaskenry believed that the *status quo* would remain because of the letter sent out in 2001 when the Minister for Defence, Deputy O'Dea, was the Minister of State with responsibility for school transport.

In May I received a reply to a parliamentary question which indicated no decision had been made and that it would be decided in the context of the school places issue in Limerick city. That issue is central in that insufficient places exist on that side of the city. While it can be said that places exist in Limerick city, there is no logic in parents having to send their children to the other side of the city when they could be sent a few miles out the road to Pallaskenry, which is their choice of school. There is not availability in terms of the choices parents made last year and the previous year. More than 50% of the children at school in Pallaskenry are from outside the catchment area.

In my role as education spokesperson, I am aware of what goes on in other parts of the country. Extra buses have been provided in these cases and children outside catchment boundaries, in some cases in numbers as large as those involved in Pallaskenry, have been facilitated in recent weeks. I ask the Minister of State to reopen this issue because there has been a suggestion that somehow it has been decided and cannot be re-opened. In the interests of parents it must be re-opened. The Minister of State should listen to some of the stories we have heard about parents who were losing earnings, who were try-

[Ms O'Sullivan.]

ing to return from night work and get their children to school, and who are now car-pooling. They cannot go on like this much longer. They are determined to send their children to the Salesian college in Pallaskenry and they know they cannot get their children into city schools. They were not able to do so in the past year. I dealt with many parents who now have their children in the Salesian college in Pallaskenry who had nowhere to send their children in the city.

This is an issue of catchment as well as one about not having sufficient places in the city catchment. The Minister of State must find a resolution in the context of that overall situation. This is not simply a matter of the children being able to go to school within their own catchment area. The demographics have changed greatly in the Limerick area since 1967, when the boundaries were drawn up. The city has extended greatly on the western side in areas such as Raheen, Mungret and Clarinagh. All children in those areas are outside the catchment area for Pallaskenry. They are in the city catchment, but there is no logic in their parents having to drive right across the city traffic to the other side of Limerick if they could have a school bus which would bring them to the Salesian college in Pallaskenry. For many reasons, that makes much more sense. I ask the Minister of State to please resolve this issue.

Mr. Neville: I support my colleagues in asking for a review of this issue and an understanding of the special problem which has arisen with regard to Pallaskenry and the catchment area of the old Mungret college, which closed in the early 1970s. Children who live close to Pallaskenry are now in the city catchment area. Because of the difficulties with regard to schools in the city, parents have sent their children to the Salesian college in Pallaskenry. The siblings of those children are not now being allowed the facility while their brothers and sisters are being allowed it. I ask the Minister of State to understand the situation of parents who over a long period of time planned that their children would attend the college in Pallaskenry.

I raised this question on 5 February last. I will quote from the Adjournment Debate in which I participated on 5 May. At that time the Minister of State informed me that the continued provision of full school transport for the pupils and new applicants for school transport was being reviewed. That is on the record of the Dáil. On 20 February 2001 the Salesian college received a letter stating:

The position regarding the need to transport pupils out of the Limerick city centre to the Salesian college is that the status quo should be maintained pending a review of the present arrangements and the catchment boundary

areas. You will appreciate that this will involve extensive discussion with the relevant interested parties.

That was the guarantee given then, that nothing would happen until the catchment areas were reviewed. The letter confirming that pupils arriving in the Limerick city catchment area, enrolling for the first time, would not get a school transport service from that area, was dated 30 June. Telling pupils on 30 June, who have enrolled in a school and bought their uniforms, that they must switch schools is not acceptable. The school nearest those pupils is the Crescent comprehensive college. That school is in their catchment area but they have no chance of getting places there.

A letter sent to the Department of Education and Science by the chief executive officer of the County Limerick VEC, who is dealing with the matter, states:

Taking cognisance of the seriousness of the matter and taking into account the various circumstances of the situation, including the lateness of the decision which was communicated during the school holiday period, I urge and reiterate with the greatest temerity that the matter be revisited with a view to deferring the decision.

This letter came from a highly respected senior official in the County Limerick VEC, one of the most respected people in public service in the Limerick area.

The Minister of State will talk about costs, but they are minimal in terms of the total education budget. This is a very serious situation for the families involved and for the pupils. Can the Minister of State understand the pressure on those kids? They do not know what will happen to them.

I am confused. The Minister of State tells us he has the agreement of the Taoiseach and of the Minister for Education and Science. For years we sought a Cabinet Minister in the Limerick area. We now have one. The former Minister, Deputy Des O'Malley, delivered a lot to Limerick city. The former Minister, Deputy Tom O'Donnell, was one of the best Ministers we ever had. When he was Minister, Deputy Noonan totally revamped the Limerick regional hospital. Yet the Minister for Defence, Deputy O'Dea, cannot deliver a bus.

Minister of State at the Department of Education and Science (Miss de Valera): I thank Deputies Cregan, O'Sullivan and Neville for their contributions. I welcome the opportunity to discuss this matter and to outline my position on school transport to the Salesian college in Pallaskenry and Scoil Mhuire in Askeaton, County Limerick.

One of the main objects of the school transport scheme is to provide a basic level of service for

children who live long distances from schools and who might otherwise experience difficulty in attending regularly. There are about 138,000 primary and post-primary pupils using the school transport scheme on a regular basis. The allocation for school transport in 2005 is €116.533 million, an increase of 6% on last year's out-turn. Some 30% of the allocation will be expended this year on transport costs and grant aid for children with special needs, who represent about 6% of the overall number of children carried each day.

For the purposes of post-primary education provision, the country is divided into catchment areas, each of which has its own post-primary centre. Under the terms of the post-primary school transport scheme, a pupil is eligible for school transport if he or she resides 4.8 kilometres or three miles or more, from the post-primary centre in the catchment area in which he or she lives. A post-primary centre is not necessarily a school building. It is usually a central point in the catchment area to which the distance from home is measured.

Eligible pupils who wish to attend post-primary schools in another catchment area may be allowed transport on school services from within the catchment boundary of the school being attended, subject to there being room available on the school transport service and to there being no additional cost to the State. Pupils are responsible for getting to the nearest school bus service within that catchment area. An eligible pupil who is approved for catchment boundary transport is not guaranteed school transport for the duration of his or her education at that centre. As a concessionary measure, continued transport will depend on the availability of space on the school service to that centre each school term.

A large number of pupils who reside in the Limerick city catchment area have been provided with full transport facilities to the Salesian college in Pallaskenry because of difficulties encountered in previous years in securing placements in certain schools in Limerick city. A lesser number of such pupils were provided with full transport to Scoil Mhuire, Askeaton, for the same reason. However, as a result of the introduction of the central applications facility for the allocation of places in Limerick city post-primary schools for the current school year, it became apparent that there were enough places in the city for all applicants from the catchment. Every child who applied for a place got one and 95% received offers within their first three preferences.

In the circumstances, it was decided to discontinue the practice of offering a special service to new catchment boundary pupils travelling to Pallaskenry and Askeaton. Existing passengers were reassured that they would have a place for the rest of their schooling but new applicants were told they would have to be treated in the same way as catchment boundary applicants in other

parts of the country. Catchment boundary transport will continue to be available to pupils enrolling in the Salesian college in Pallaskenry and in Scoil Mhuire, Askeaton, subject to the terms of the scheme. I do not propose to reverse my decision which was made following a full assessment of all relevant factors.

On the issue of catchment boundaries, there have been calls for local and general reviews of these boundaries to enable pupils to be accommodated with school transport to attend a school of their choice. The catchment boundaries have their origins in the establishment of free post-primary education in the late 1960s. For planning purposes, the country was divided into geographic districts, each with several primary schools feeding into a post-primary centre with one or more post-primary schools. The intention was that these defined districts would facilitate the orderly planning of school provision and accommodation needs. They also facilitated the provision of a national school transport service, enabling children from remote areas to get to their nearest school.

While the service has been developed over the years to take account of linguistic and denominational considerations in the matter of school choice, it was never the intention that such choice would be unlimited. Clearly, the cost of operating such a scheme would be unsustainable, especially in the context of competing demands, including the major safety programme we are implementing at present.

It is reasonable for parents to exercise educational choice. However, expectation as to the extent to which choice can be facilitated must be tempered with realism. A review of catchment boundaries may be appropriate where, for example, a new post-primary school is established in an area where previously there was none or, conversely, where a "sole provider" school closes due to declining enrolment. However, to revise boundaries to provide school transport for pupils to their school of choice would not be appropriate and it is not my intention to undertake such reviews. Any other approach would make it impossible to operate the school transport service on a cost effective basis and could well give rise to additional costs related to additional teacher posts and accommodation.

I thank the Deputies for referring to the work being done on the safety programme. It has been an expensive programme and I thank them for their acknowledgement of that. However, with regard to the issue of Askeaton and Pallaskenry which is under discussion this evening, it saddens me to hear from Deputy Neville that people are confused about the situation. I have never attempted to play politics with this issue. I have always been up front about my decision. I accept that the Deputy is not accusing me of being duplicitous but I am saddened that some who are

[Miss de Valera.]

not present might be using this situation as a political manoeuvre. If that is so, it is sad.

I have not added to the confusion. I have stated where I stand to the parents when I met them, on more than one occasion. The confusion does not

emanate from me and I believe the Deputy appreciates that.

The Dáil adjourned at 9.25 p.m. until 10.30 a.m. on Thursday, 29 September 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 38 answered orally.

Questions Nos. 39 to 138 resubmitted.

Questions Nos. 139 to 148 answered orally.

National Competitive Council Report.

149. **Mr. G. Murphy** asked the Minister for Enterprise, Trade and Employment his views on the recently published annual competitiveness report of the National Competitive Council; and if he will make a statement on the matter. [25040/05]

160. **Ms O. Mitchell** asked the Minister for Enterprise, Trade and Employment the measures he intends to take to remedy Ireland's weakness in the area of competition policy as identified by the National Competitive Council's annual competitiveness report; and if he will make a statement on the matter. [25037/05]

180. **Mr. Stagg** asked the Minister for Enterprise, Trade and Employment if he will report on the recently published annual competitiveness report; the steps he intends to take to address the issues raised in the report; and if he will make a statement on the matter. [25442/05]

192. **Mr. G. Mitchell** asked the Minister for Enterprise, Trade and Employment the measures he intends to take to remedy Ireland's weakness in the area of ICT as identified by the National Competitive Council's annual competitiveness report; and if he will make a statement on the matter. [25038/05]

208. **Mr. J. Higgins** asked the Minister for Enterprise, Trade and Employment if he has received the annual competitiveness report of the National Competitiveness Council; and if he will make a statement on the matter. [25347/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 149, 160, 180, 192 and 208 together.

The answer to these questions has previously been addressed in my answer to Parliamentary Question. No. 139. The National Competitiveness Council's, NCC's, annual competitiveness report 2005 benchmarks Ireland's competitiveness relative to our 15 main trading partners and competitors using a compendium of 170 indicators. The

indicators contained in the report are published by a wide variety of international sources.

The NCC's annual competitiveness report is published separately this year while the council expects to publish its annual competitiveness challenge in late October. That document, which will draw on the analysis of the annual competitiveness report, will highlight the main challenges facing the Irish economy and policy options required to meet them. The NCC provides a valuable input to the formation of Government policies through its work on competitiveness benchmarking as it highlights where the economy is strong in competitiveness terms but also warns us about competitiveness issues. Upon publication of the competitiveness challenge the Government will give careful consideration to the policy recommendations proposed by the council.

The NCC highlights some important indicators of robust economic performance that show that we have broadly implemented the right mix of policies. In 2004, the number of people in employment in Ireland grew strongly with almost 1.9 million in employment by the end of the year. Consumer inflation stabilised and in fact by mid 2005 Ireland's rate of inflation was below the euro zone average. Government finances remained healthy and our investment in infrastructure as a percentage of GDP is approximately twice the EU average at 5%. Ireland remains highly competitive in terms of taxation with Ireland ranked first for both personal and corporation taxes. The report also shows that Ireland has performed remarkably well in terms of growing national incomes. The indicators reflect that living standards in Ireland both in terms of GDP where we are first out of 15 and GNP where we are sixth out of 16 have grown significantly.

However, despite these notable successes the NCC's annual competitiveness report highlights several areas where Ireland's performance can be improved. However, it should be noted that the council acknowledges that given the differing economic, political and social goals of various countries and their differing physical geographies and resources it is not realistic or desirable for any country to seek to outperform other countries on all measures.

I have noted the NCC comments in relation to competition policy and I reaffirm the Government's commitment to removing unwarranted constraints on competition in the economy. In relation to ICT, this sector is a vital component of the Irish economy accounting for 82,100 jobs and 17% of total value added in industry and services. The Government recognises the importance of this sector and is currently undertaking significant investment in the roll-out of broadband through the metropolitan area networks and the schools broadband programme.

[Mr. Martin.]

I draw some very strong conclusions from the report and in particular recognise its importance as an input, which should inform the forthcoming partnership talks. In the context of concerns about the pace of growth in labour costs, wage moderation combined with a renewed emphasis on increased productivity levels will be critical in maintaining national competitiveness. This is at the core of the NCC message and I look forward to the council's specific policy recommendations in these areas when the council produces its competitiveness challenge report later in the year.

Shannon Development.

150. **Ms O'Sullivan** asked the Minister for Enterprise, Trade and Employment if he will proceed with plans to transfer a substantial part of the asset base of Shannon Development to the new Shannon Airport Authority; if so, when this transfer will take place; if his attention has been drawn to serious concerns expressed by the chief executive of Shannon Development regarding the implications for this company of such a development; and if he will make a statement on the matter. [25418/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): On 28 July last, following detailed consultations with the board of the company, other stakeholders and regional interests, I announced a decision on a future mandate for Shannon Development. The terms of that decision are quite clear and do not involve the transfer any part of the company's asset base to the new Shannon Airport Authority.

As I have indicated in response to previous similar parliamentary questions, there have been a number of recent developments that impact on the future role of Shannon Development, the most significant of which are: the proposed relocation of the headquarters of Enterprise Ireland to Shannon as part of the decentralisation programme, the enterprise strategy group recommendation that Shannon Development should disengage from industrial development functions and the establishment of an independent Shannon Airport Authority.

Discussions commenced with Shannon Development early last year and, in March 2005, the company submitted proposals for a revised strategy. These proposals provided that the company would exit certain tourism and enterprise support activities and they would focus on strategic value added activities that would contribute to the economic development of the region. Following an examination of these proposals and after consultation with the company and other stakeholders, I decided on the revised mandate for the company. The main features of the new mandate are: the company will place an increased

focus on the regional development aspects of its mandate and special emphasis will be placed on addressing the needs of the less developed parts of the mid-west region; the company will retain ownership of industrial property in the Shannon region and responsibility for managing the Shannon Free Zone and will have responsibility for providing appropriate property solutions for both indigenous and overseas enterprises; the support functions in relation to indigenous enterprises in the Shannon region, that are carried out by Shannon Development on behalf of Enterprise Ireland, will revert to Enterprise Ireland; the IDA will assume responsibility for promoting investment in, and supporting, FDI companies in the Shannon Free Zone; and the company will produce a new three year corporate plan to reflect the new mandate and this will be reviewed annually.

All the interested parties in the region agree that Shannon Airport is vital to its economic well-being and that Shannon Development is ideally placed to support the new airport authority and to complement its activities. How this should be done will, however, have to await consideration by the Minister for Transport of the authority's business plan. Similarly, any changes to Shannon Development's tourism remit will be decided by the Minister for Arts, Sport and Tourism in consultation with the company.

The Shannon Development board and executive raised issues of concern during the consultation process. I believe that my decision addressed these concerns. I recently met members of the board and I believe that there is both support for the new mandate and energy present to implement it. Discussions between departmental officials and the executive have already commenced in this regard. I am also facilitating clarification of specific elements of the new mandate between my departmental officials and the main trade union, SIPTU.

National Consumer Agency.

151. **Ms Lynch** asked the Minister for Enterprise, Trade and Employment the progress made to date with regard to the establishment of the new National Consumer Agency; if the membership of the board of the agency has been finalised; the number of meetings held by the board to date; the number of full time staff the agency will have; the numbers appointed to date; and if he will make a statement on the matter. [25415/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The core recommendation of the Consumer Strategy Group is that a new statutory body, the National Consumer Agency, be established to be an advocate on behalf of consumers. The Government fully approved this

recommendation and has agreed to establish the new agency as soon as practicable.

The establishment of the NCA will require primary legislation. My Department has already commenced the necessary preliminary legislative and organisational work to ensure that the NCA is established as soon as possible, with the approval of the Government, I recently appointed a board to the National Consumer Agency to act in an interim capacity until such time as the agency is established on a statutory footing. The board which comprises a chairperson and 12 other members has held two meetings to date.

Given its non-statutory status, the interim board does not have any staff itself. However, it has the assistance of Forfás in carrying out its activities. Forfás has currently assigned 4.5 staff to assist the interim board in this regard. This number will increase considerably in 2006 to cater for the significant increase in activities which the interim board intends to undertake in the course of next year.

With regard to the numbers of staff that the NCA might have when formally established, it is not possible to give a precise estimate of that number at this stage. It is the case, however, that one of the interim board's priority tasks is to prepare a detailed estimate of staffing, resource and budget requirements of a fully operational and statutory based National Consumer Agency.

I very much welcome the Government's decision to approve the establishment of a National Consumer Agency. I am certain that the agency will have a key role in advocating the consumer case and in the development of future consumer policy. I am also of the view that the appointment of an interim board until the NCA is formally established is most important. The interim board will ensure that the momentum of the Consumer Strategy Group's report is maintained, that the consumer's voice will be heard and that the construction of a fully operational NCA can begin.

Grocery Industry.

152. **Ms Burton** asked the Minister for Enterprise, Trade and Employment the progress made to date with regard to the public consultation process on the groceries order; when a decision will issue; and if he will make a statement on the matter. [25414/05]

169. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment if he will provide evidence to show that small, local grocers are adequately protected from predatory pricing by the larger multiple superstores, should the groceries order 1987 be repealed; and if he will make a statement on the matter. [25501/05]

652. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment his views on whether the groceries order is keeping prices in supermarkets here higher than they should be; his plans to amend this legislation; and if he will make a statement on the matter. [24559/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 152, 169 and 652 together.

The public consultation process on the groceries order has generated over 550 submissions which were received from a wide range of parties, including a significant number from the general public. The submissions have all been considered and a comprehensive report on the consultation process is currently being finalised within my Department. I expect that the report will include recommendations as to what action is appropriate in relation to the order and I will carefully consider its findings before making recommendations to Government, hopefully by the end of October. If it is decided that the order should be amended or revoked, then primary legislation would be required.

Question No. 153 answered with Question No. 148.

Disabled Workers.

154. **Caoimhghín Ó Caoláin** asked the Minister for Enterprise, Trade and Employment the progress which has been made since 2002 to increase the participation of disabled workers in the labour force. [25505/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): This Government is committed to addressing the needs of those with disabilities. In particular, we are committed to removing the obstacles which make it difficult for people with disabilities to participate in the labour market. We have already done a lot in this area. Under the Government's mainstreaming policy, my Department through FÁS is seeking to increase the participation of disabled workers through a three-pronged approach involving: facilitating progression into sustainable employment through skills development; stimulating awareness among employers of the contribution that disabled people can make; and encouraging them to recruit them; and providing specific employment supports for disabled people and employers.

As I said, we have done a lot. People with disabilities now benefit from the full range of FÁS training programmes and services. Since 2002 FÁS has realised approximately 25,000 placements of people with disabilities in employment, training and other options. Since 2002 the FÁS budget for vocational training and employment

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for people with disabilities has increased from €54 million to €64 million.

Of this €64 million, €45 is being used by specialist training providers, €10 million is for the new wage subsidy scheme, €7 million is for the supported employment programme and €2 million is being used for disability support awareness. FÁS provides an extensive range of schemes and grants specifically to promote the employment of people with disabilities in the private sector. These include: the workplace or equipment adaptation grant; the employee retention grant scheme; the job interview interpreter grant; and the personal reader grant.

Earlier this year I launched a new wage subsidy scheme. This is a significant new initiative, which has a 2005 budget of €10 million, administered by FÁS. The scheme offers financial support to employers outside the public sector to encourage them to employ disabled people who work in excess of 20 hours per week. Unlike other schemes, the potential exists for both the employee and the employer to receive an incentive.

The sectoral plan which my Department is currently preparing for its area of responsibility in the context of the Disability Act will help set the agenda for addressing the remaining issues for people with disabilities participating in the labour market. It is an agenda which this Government is committed to implementing.

Cost of Living Survey.

155. **Mr. Broughan** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the results of a recent worldwide cost of living survey (details supplied) which found that Dublin was the thirteenth most expensive of the 144 cities surveyed and the eighth most expensive in Europe; the steps he will take to combat increases in the cost of living reflected in these findings; and if he will make a statement on the matter. [25417/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I am aware of the findings of the Mercer Human Resource Consulting 2005 Worldwide Cost of Living Survey. This survey, which was conducted last March, measures the cost of a wide range of items such as housing, transport and food.

An increase in the cost of living has been one of the consequences of the rapid economic growth that Ireland has enjoyed over the past decade — indeed, it is worth noting that the Mercer survey found that many cities in the new EU accession countries have risen sharply in ranking this year as they make strides to bring their economic infrastructure up to EU standards.

In this context of trying to balance economic growth and the cost of living, the annual economic review and outlook, published by the Department of Finance on 18 August last, found that inflation continued to moderate in 2004. The consumer price index fell to 2.2% from 3.5% in 2003. The latest Central Statistics Office figures show that the annual rate of inflation fell from 2.4% to 2.3% between July and August last. I would also like to direct the Deputy's attention to the finding of the National Competitiveness Council's annual competitiveness report 2005 released on 7 September last that Irish inflation converged towards the EU average over the past 12 months. This area is one which continues to be monitored by the anti-inflation group established under Sustaining Progress, which is chaired by the Department of the Taoiseach and on which my Department is represented.

I am firmly of the opinion that promoting competition and empowering consumers are key policy instruments in this area and I support the ongoing work of the Competition Authority, the Office of the Director of Consumer Affairs and the interim board of the National Consumer Agency, which operate under the aegis of my Department.

Job Losses.

156. **Aengus Ó Snodaigh** asked the Minister for Enterprise, Trade and Employment the action he has taken to address the plight of those affected by recent job losses in County Donegal. [25514/05]

193. **Ms Enright** asked the Minister for Enterprise, Trade and Employment if he is considering any new initiative in respect of replacement employment for those who recently lost jobs in County Donegal; and if he will make a statement on the matter. [25387/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 156 and 193 together.

I very much regret the recent job loss announcements by Hospira and Clubman Omega. FÁS has written to both companies offering its full range of services for employees who may become redundant. This will include registration interviews to assess suitable career progression options, a skills analysis report, re-training and upskilling needs, with follow-up courses in-house or contracted training, as required, and ongoing support and information to keep people in touch with the labour market. Enterprise Ireland has also been in touch with the companies to offer assistance to the workforce and local management team that might be interested in establishing a new enterprise. The full support of

the Donegal County Enterprise Board is also being made available.

The Deputies will be aware that there have been significant job announcements in Donegal recently, with over 210 new jobs announced last week by Zeus Industrial Products and Power-Board. These projects are being supported by the Industrial Development Agency and Enterprise Ireland, respectively. This was in addition to 423 jobs I announced earlier this year for the north-west region. I assure the Deputies that the State development agencies, IDA, Enterprise Ireland, FÁS and the CEB, under my auspices, are fully committed to supporting and promoting job creation and job retention in Donegal.

In addition to recent job announcements, this commitment is also evidenced by ongoing development and support by the agencies for a number of business parks and enterprise centres in Donegal. These include the completion of the IDA Letterkenny business park, the provision of a 25,000 sq. ft. advance office building at Windyhall, the completion of site development work at Ballyshannon for a new facility and Bunrana, where IDA is working with a local developer to provide new manufacturing and office buildings. In addition to providing support for nine community enterprise centres in Donegal, Enterprise Ireland has also provided substantial support for the expansion of the Letterkenny Institute of Technology business development centre and the development of a marine biotechnology centre.

I recognise that there have been significant job losses in Donegal in recent years, particularly in traditional sectors such as textiles and clothing. I have visited Donegal twice since becoming Minister for Enterprise, Trade and Employment and have met many groups and companies on these visits to discuss both difficulties and positive developments in the county. My colleagues in Government also recognise the particular difficulties in Donegal and, in that context, we will be working together to assist in improving the overall environment to increase the attractiveness of Donegal as a location for enterprises.

Job Creation.

157. **Mr. Kehoe** asked the Minister for Enterprise, Trade and Employment if he has developed a policy to reduce Ireland's cost base, thus encouraging investment and job creation; and if he will make a statement on the matter. [25042/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The National Competitiveness Council's, NCC, annual report gives an opportunity to benchmark our competitiveness against 15 important trading partners and competitors for mobile investment. The NCC's latest annual report was published last month and

shows that earlier increases in prices and costs have stabilised and are no longer increasing at a rate faster than elsewhere in the EU. The council states that the ultimate objective of competitiveness is to achieve sustainable improvements in living standards and quality of life. The report acknowledges that by this measure, Ireland's competitiveness performance remains very impressive.

Last year we had the highest real growth rate in the OECD in terms of GDP and over the past ten years the growth in national income has been more than double that of the US and close to triple the average growth rate of the euro zone economy. This does not suggest an economy held back by low investment and shackled by low growth and employment prospects.

The climate for enterprise investment remains one of the most attractive in Europe and we continue to be one of the most successful of the NCC benchmark countries for attracting foreign investment. US companies, for example, earn the highest rate of return on their investments in Ireland as compared with other investment locations and in 2003 accounted for about 6% of all US foreign direct investment coming into Europe. Hard nosed investment decisions are not made in favour of uncompetitive and lowly rated economies.

The economy is also generating a relatively high rate of indigenous entrepreneurial activity. The NCC's analysis shows that Ireland is ranked second in the EU and seventh among the OECD countries on this measure. Furthermore the 2004 global entrepreneurship monitor shows there is a growing, positive cultural disposition towards entrepreneurship and this is one of the factors contributing to the high total entrepreneurial activity rate picked up in by the NCC's analysis. Pro enterprise policies and the obvious success and reward from business activity are changing the climate for indigenous investment and entrepreneurship.

Meanwhile there is a real transformation taking place in how we earn our living in the global economy. Since 1997, our share of the world's services trade has grown from under .5% to over 2%. This is quite an achievement for a small nation in a global economy dominated by countries that have deep rooted and long established services sectors.

These achievements underpin continued job creation right across the economy. The latest quarterly national household survey shows the number of persons in employment grew by 93,000 in the year to reach almost 1.93 million in the second quarter of 2005. This is the highest annual growth rate, plus 5.1%, recorded since the second quarter of 2000.

Over the past decade, extensive, sustained and real improvement in our economic performance shows we have broadly implemented the right mix of policies. Indeed, the president of the Euro-

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pean Central Bank last week positively cited Ireland and its policies as an example to other economies attempting structural reform to stimulate growth.

Equality Legislation.

158. **Mr. Sargent** asked the Minister for Enterprise, Trade and Employment the role his Department has had in relation to the lobbying by Aer Lingus management for an exemption to equality law, in view of recent revelations regarding same. [25503/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): My Department has had no involvement with this issue. I understand that the Departments of Transport and Justice, Equality and Law Reform were in contact in relation to this issue. Both Departments have refused to take the parliamentary question.

Consumer Strategy Group.

159. **Mr. Rabbitte** asked the Minister for Enterprise, Trade and Employment if, arising from the report of the Consumer Strategy Group, it is intended to implement the recommendation to expand social partnership to include consumer representatives on both the Government and voluntary sides, which the group indicated was the responsibility of his Department. [19106/05]

170. **Mr. Rabbitte** asked the Minister for Enterprise, Trade and Employment if, arising from the report of the Consumer Strategy Group, it is intended to implement the recommendation that consumer considerations should be incorporated into all regulatory analysis procedures and the consumer proofing of all relevant Government decisions, which the group indicated was specifically the responsibility of his Department; and if he will make a statement on the matter. [19104/05]

677. **Mr. Rabbitte** asked the Minister for Enterprise, Trade and Employment if, arising from the report of the Consumer Strategy Group, it is intended to implement the recommendation to introduce standardised statutory codes of practice across all public sector bodies, which the group indicated was the responsibility of his Department; and if he will make a statement on the matter. [19105/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 159, 170 and 677 together.

The Consumer Strategy Group was established in March 2004 to advise and make recommendations on the development of a national con-

sumer strategy. The group's final report, Make Consumers Count, was published in May this year. The report contains over 30 separate recommendations, including the three recommendations mentioned in the Deputy's questions, covering a variety of different of Departments and agencies whose activities directly impact upon the interests of consumers.

The scope and breath of the group's recommendations required a co-ordinated response. For that reason a high level inter-departmental committee was established to examine the CSG's recommendations and to report back to Government with a detailed implementation plan.

It is expected that the committee's report in relation to the implementation of the CSG's recommendations, including those referred to in the Deputy's parliamentary questions, will be submitted to Government shortly. The implementation of all the CSG's recommendations will then be considered by Government in the light of the high level committee's report.

Question No. 160 answered with Question No. 149.

Departmental Investigations.

161. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment if, in regard to the direction issued to an authorised officer to cease his inquiries into three companies being carried out under section 19 of the Companies Act 1990, if the authorised officer has completed his reports; if he has received these reports; if so, the action it is intended to take arising from the reports; and if he will make a statement on the matter. [25434/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The current position in relation to these investigations is that following the completion of the review to which I referred in response to a previous parliamentary question on 31 May 2005, I directed the authorised officer to place at the disposal of relevant public authorities, including tribunals, whatever information arising from his investigative work was required for the purpose of the performance by those authorities of their statutory functions. This process is currently in progress and I hope that it will be completed within a reasonable time. My objective in giving this direction is to achieve the earliest possible pursuit by the appropriate authorities of any matter which may require action by them.

Employment Rights.

162. **Mr. M. Higgins** asked the Minister for Enterprise, Trade and Employment his proposals for the implementation of the report of the review group on the employment rights bodies; if the chair of the Employment Appeals Tribunal

has expressed concern regarding the impact of proposed changes in the role of that body; and if he will make a statement on the matter. [25425/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): In response to the recommendations of the employment rights review group and following a process of extensive consultations with interested parties, a programme of action was agreed by Government, in May of this year, which will facilitate the simplification of procedures and provide ease of access for all users of the services of the employment rights bodies.

In the course of the consultation process it was found that there was a considerable degree of consensus on the way forward in relation to most of the recommendations of the review group. However, the requisite degree of consensus did not exist for the recommendation of the review group that the Labour Court and EAT should be amalgamated. The Government decided that the EAT should continue as a stand alone body but that all cases which are currently heard in the EAT on a first instance basis would instead be referred to the rights commissioner service of the Labour Relations Commission, in the first instance. This will mean that the EAT will become an exclusively appellate body.

Following the Government decision, an employment rights group comprising representatives of a small number of Departments, the social partners and the employment rights bodies has been established. This group is to consider the operational implications of implementing the terms of the Government decision. The ERG first met in June and the chairman of the Employment Appeals Tribunal and all other members of the group are participating fully in its deliberations which include consideration of the new role for the EAT. It is considered that the work of the ERG is likely to take about 18 months. This issue was raised by Deputy Hogan and responded to on 31 May 2005.

Shannon Development.

163. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment when his policy in respect of the abolition of Shannon Development and its merger with Enterprise Ireland will be clarified; and if he will make a statement on the matter. [25386/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): On 28 July last, following detailed consultations with the board of the company, other stakeholders and regional interests, I announced a decision on a future mandate for Shannon Development. The terms of that decision are quite clear and involve neither the

abolition of Shannon Development nor its merger with Enterprise Ireland.

As I have indicated in response to previous similar parliamentary questions, there have been a number of recent developments that impact on the future role of Shannon Development, the most significant of which are: the proposed relocation of the headquarters of Enterprise Ireland to Shannon as part of the decentralisation programme; the Enterprise Strategy Group recommendation that Shannon Development should disengage from industrial development functions; and the establishment of an independent Shannon Airport Authority.

Discussions commenced with Shannon Development early last year and, in March 2005, the company submitted proposals for a revised strategy for the company. These proposals provided that the company would exit certain tourism and enterprise support activities and would focus on strategic value added activities that would contribute to the economic development of the region. Following an examination of these proposals and after consultation with the company and other stakeholders, I decided on the revised mandate for the company. The main features of the new mandate are: the company will place an increased focus on the regional development aspects of its mandate and special emphasis will be placed on addressing the needs of the less-developed parts of the mid-west region; the company will retain ownership of industrial property in the Shannon region and responsibility for managing the Shannon Free Zone and will have responsibility for providing appropriate property solutions for both indigenous and overseas enterprises; the support functions in relation to indigenous enterprises in the Shannon region, that are carried out by Shannon Development on behalf of Enterprise Ireland, will revert to Enterprise Ireland; the IDA will assume responsibility for promoting investment in, and supporting, FDI companies in the Shannon Free Zone; and the company will produce a new three year corporate plan to reflect the new mandate and this will be reviewed annually.

All the interested parties in the region agree that Shannon Airport is vital to its economic well-being and that Shannon Development is ideally placed to support the new airport authority and to complement its activities. How this should be done will, however, have to await consideration by the Minister for Transport of the authority's business plan. Similarly, any changes to Shannon Development's tourism remit will be decided by the Minister for Arts, Sport and Tourism in consultation with the company.

The Shannon Development board and executive raised issues of concern during the consultation process. I believe that my decision addressed these concerns. I recently met members of the board and I believe that there

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is both support for the new mandate and energy present to implement it. Discussions between departmental officials and the executive have already commenced in this regard. I am also facilitating clarification of specific elements of the new mandate between my departmental officials and the main trade union, SIPTU.

Proposed Legislation.

164. **Mr. Sherlock** asked the Minister for Enterprise, Trade and Employment the progress made with regard to the Government's proposals to provide legal protection on a sectoral basis for whistleblowers who may wish to expose illegalities or wrongdoing on the part of their employers; and if he will make a statement on the matter. [25438/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Whistleblowers Protection Bill 1999 is still retained on the Government legislative programme. However, as previously stated in this House on a number of occasions, it is now considered, on reflection, that the provision of statutory protection for whistleblowers on a sectoral basis might provide a better and more focused approach to dealing with this issue. Recent legislative initiatives in this regard are: section 27 of the Safety, Health and Welfare at Work Act 2005, which has come into effect from 1 September 2005, provides for protection against dismissal and penalisation of employees who, in good faith, take steps to protect themselves or others in a workplace situation; and section 124 of the Garda Síochána Bill 2004. This section of the Bill provides for regulations relating to the reporting corruption and malpractice in the Garda Síochána.

As part of this approach, it is proposed to move a Government amendment on Committee Stage of the Employment Permits Bill 2005 to include whistleblowing provisions in this Bill. This amendment will be prepared in consultation with the Office of the Parliamentary Counsel to the Government. The Employment Permits Bill 2005 will be before this House during the current session.

I am currently considering proposals, which will formalise this sectoral approach. To that end, I am looking at the possibility of requiring that draft legislation either on the Government's legislative programme for the current autumn 2005 Oireachtas session or currently in the course of preparation, in consultation with the Office of the Parliamentary Counsel to the Government, should include, where appropriate, whistleblowing provisions. I hope to bring specific proposals in this regard to Cabinet shortly.

Employment Rights.

165. **Ms Shortall** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the call made by the President of ICTU, Mr. Peter McLoone for the establishment of a joint labour committee to protect the interests of domestic workers; if he will act on the call made; and if he will make a statement on the matter. [25439/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I have met ICTU and heard its concerns in relation to the employment of domestic workers. ICTU has suggested to me that a joint labour committee could be established for these workers. Joint labour committees, JLCs, are established by the Labour Court and determine minimum rates of pay and conditions of employment for workers in their respective sectors. JLCs operate in areas where collective bargaining is not well established and wages tend to be low. The pay and conditions agreed by the joint labour committees are given the force of law in employment regulation orders made by the Labour Court on foot of proposals made to the court by the JLCs.

Legislation provides that an application for the establishment of a joint labour committee can be made to the Labour Court by myself, as Minister, or a trade union or any organisation or group of persons claiming to be representative of such workers or of such employers. In consultation with the Labour Court and the Labour Relations Commission my Department is considering the practicalities of establishing a new JLC for domestic workers.

The Labour Relations Commission commissioned the University of Limerick to carry out a review of the JLC system in 2005. My Department has commenced bilateral discussions with relevant stakeholders regarding implementation of the recommendations contained in the review. The issue of a JLC for domestic workers will be considered in this context also.

Legislative Review.

166. **Mr. Costello** asked the Minister for Enterprise, Trade and Employment the progress made to date with regard to the review of the 1971 Employment Agency Act, as agreed under the Sustaining Progress agreement; if the proposed policy paper has now been finalised and circulated; when this process will be completed; and if he will make a statement on the matter. [25422/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): In June 2005, my Department issued a White Paper on the Review of the Employment

Agency Act 1971. The deadline for submissions was 15 July 2005. A total of nine submissions were received.

My Department is currently examining these submissions. Following further consultations with the various interests, the heads of a Bill will be prepared and Government approval sought to have a Bill drafted by the Office of the Parliamentary Counsel to the Government. It is hoped to publish this Bill by early 2006.

Departmental Inquiries.

167. **Mr. Penrose** asked the Minister for Enterprise, Trade and Employment the position regarding each of the inquiries being carried out by or on behalf of his Department; if he will give a projected date for the conclusion of each such investigation; the inquiries in respect of which reports have been referred to the DPP; and if he will make a statement on the matter. [25432/05]

183. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment the costs incurred by the State, at the latest date for which figures are available, arising from the various inquiries instigated by or on behalf of his Department; the element of these costs which have been recovered from any of the other parties involved; and if he will make a statement on the matter. [25433/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions 167 and 183 together.

Sixteen investigations into company law matters were initiated by my predecessor in the period since 1997. In three cases, the High Court appointed, on an application by the Minister, inspectors under section 8 of the Companies Act 1990. The inspectors appointed to Ansbacher (Cayman) Limited presented their report to the High Court on 10 June 2002. The report was subsequently published and referred to the DPP.

The inspectors appointed to National Irish Bank Limited and National Irish Bank Financial Services Limited presented their report to the High Court on 12 July 2004. The report was subsequently published. The court ordered that a copy of the report be referred to several relevant authorities, including the DPP. I note that the Director of Corporate Enforcement has initiated proceedings in the High Court under section 160 (2) of the Companies Act 1990, as amended, seeking the disqualification of nine persons against whom adverse comment was made by the inspectors. I welcome the director's action in this case.

One investigation under section 14 of the Companies Act 1990 was completed in 1998. The report on this was referred to the DPP. One investigation was undertaken under section 59 of

the Insurance Act 1989. The report on this was referred to the DPP as well as to the inspectors who undertook the section 8 investigation into that company.

Eleven investigations were initiated by the Minister under section 19 of the Companies Act 1990. Six of these have been concluded. Of the six investigations completed, two of the reports were referred to the DPP. A number of summary prosecutions have since been successfully concluded in one case. One report provided an input into the successful application to the High Court for the appointment of inspectors under section 8 while the fourth report was passed to the relevant High Court inspectors. One report was completed in September 2002 and a further report was completed in March 2003. Both reports have been referred to the Director of Corporate Enforcement.

Two of the 11 section 19 investigations were held up in legal appeals. These inquiries are now the responsibility of the Director of Corporate Enforcement. In relation to the three remaining section 19 investigations, I refer Deputies to my reply to Deputy Quinn's Parliamentary Question No. 161 of today.

The costs incurred since 1997 on company investigations initiated by or on behalf of my Department currently amount to approximately €10.9 million. This amount does not include the salary costs of Civil Service staff working on a number of these investigations or the legal costs which are primarily being borne by the Vote of the Chief State Solicitor. Of the €10.9 million expended, €1.6 million relates to section 19 investigations by authorised officers and the remaining €9.3 million was incurred by High Court inspectors appointed under section 8, €5.8 million in the case of National Irish Bank Limited-National Irish Bank Financial Services Limited and €3.5 million in the case of Ansbacher (Cayman) Limited.

The question of recovering costs from the section 8 investigations does not arise until such time as the inspectors complete their investigations. In the case of the Ansbacher inquiry, the High Court proceedings taken by the State to recover the costs of the inquiry were settled out of court for the sum of €1.25 million in favour of the State.

In the case of National Irish Bank Limited-National Irish Bank Financial Services Limited, the court ordered that National Irish Bank pay the full costs of the investigation. I understand that the Department of Justice, Equality and Law Reform, which had borne the costs of the investigation, has received payment of those costs from National Irish Bank. Section 19 as originally enacted did not provide for the recoupment of costs. This has now changed with the enactment of the Company Law Enforcement Act 2001.

Job Creation.

168. **Ms Enright** asked the Minister for Enterprise, Trade and Employment the progress being made to implement the stated policy to promote greater regional development and more job creation in all regions outside Dublin; and if he will make a statement on the matter. [25388/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Regional development is a significant focus of Government policy and its importance has been confirmed in the national development plan and the national spatial strategy. Operational responsibility for job creation and investment on a regional or local basis is a matter for the industrial development agencies; IDA Ireland which is actively marketing individual areas as a location for foreign direct investment and Enterprise Ireland which is concentrating on the development of indigenous industries.

A major objective for the agencies is the achievement of balanced regional development. I believe successful development of the gateway and hub locations, as outlined in the Government's national spatial strategy, NSS, is crucial to providing each region with the locations of scale that will possess the population, skills base, business services, infrastructure and existing enterprise base necessary to attract and win new or additional investments, in particular overseas investments, against a background of strong competition from other locations, both nationally and internationally.

Ultimately, it is the investor who decides on the location, including what areas to visit as potential locations. What overseas investors are indicating to IDA is that they are seeking an urban base close to third level educational facilities that provides infrastructure and services that are international in focus.

The NSS provides a framework for IDA Ireland, working in partnership with other public bodies and the private sector, to successfully market individual regions and areas for new overseas investments or expansions, including, in particular, adding higher value activities, to existing operations. These companies not alone bring high wage jobs to individual areas but also have knock-on benefits in other sectors such as supply, distribution and transport, thus creating further investment-employment opportunities for local people in the immediate vicinity and surrounding areas.

In tandem with the NSS IDA Ireland is encouraging investment in the regions by making significant investments in the provision of focused regional property solutions and encouraging the creation of magnets of attraction. The objective of this is to ensure that key locations have the appropriate facilities, tailored to specific sectoral needs, to attract new investments. This involves

networking and collaboration with local authorities and a range of organisations at local level to develop the essential infrastructure, business support services, telecoms and educational programmes; designing its itineraries around regional locations; providing reduced or zero grant assistance for investments in Dublin; and leveraging the higher grant rate permitted in regions outside Dublin, where possible, to encourage more FDI to areas which are traditionally more difficult to market.

In 2004 some 41% of all new greenfield jobs were located in the BMW region compared to about 25% in 1999, indicating that the agency's strategy is working well. Enterprise Ireland's policy objectives for balanced regional development are reflected in the structure of its financial offer to clients, which reflects preferential bias for companies located outside of the Dublin and mid-east region. Over the past five years the new job gains associated with Enterprise Ireland clients has shown strong growth in the regions. In 2004, 68% of employment gains were in client companies located in all regions outside of Dublin compared with 54% in 2000.

This growth is in part attributable to the significant investment being made in supporting new high potential start-up companies and facilitating the development of Irish companies through investments in research and development, productivity improvements and management and staff training.

I am confident that the strategies and policies being pursued by the development agencies, together with the ongoing commitment of Government to regional development will bear fruit in terms of additional sustainable investment and jobs outside of the Dublin region.

Question No. 169 answered with Question No. 152.

Question No. 170 answered with Question No. 159.

Ticket Sales.

171. **Mr. O'Shea** asked the Minister for Enterprise, Trade and Employment if he has received any report from the Competition Authority on the level of competition for the sale of tickets for concerts and other events; if his attention has been drawn to public concerns at the dominance of the market in concert and theatre ticket sales by a small number of companies whose charges seem to have no economic justification; and if he will make a statement on the matter. [25429/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): As I have previously advised the House, I am aware of the concerns expressed by the public about the sale of concert and thea-

tre tickets. I understand, however, that the Competition Authority's investigation into the market is not yet complete. Therefore, given the authority's independent status and the confidential nature of its investigation, it would not be appropriate for me to comment further at this stage.

North-South Co-operation.

172. **Mr. Crowe** asked the Minister for Enterprise, Trade and Employment if he has satisfied himself with the level of co-operation between the enterprise development agencies North and South. [25512/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I acknowledge the very important role that all the enterprise development agencies, North and South, play in developing a strong all-island economy. In relation to the work of InterTradeIreland, the all-island trade and business development body, it should be noted that all of the body's programmes are all-island in nature and are open equally to business from across the island. Under its corporate plan 2005-2007, InterTradeIreland recognises the need for and the value of collaboration with other enterprise agencies. Such collaboration includes consultation in the definition of all the enterprise development agencies' respective strategic and business plans. In addition, there are meetings between the planning managers of all the economic development agencies on the island of Ireland to discuss areas of common interest.

InterTradeIreland's commitment to working with its sister agencies at an operational level can be seen in initiatives such as: GO-SOURCE.COM, the all-island public procurement portal, which is a collaborative effort between InterTradeIreland, Enterprise Ireland and Invest Northern Ireland; the Irish Benchmarking Forum which is chaired by InterTradeIreland and has representatives from Invest Northern Ireland, Forfás, IDA, Shannon Development, FÁS and Údarás na Gaeltachta; the governance and management structures of major InterTradeIreland projects, such as FUSION technology transfer project and the ACUMEN sales and marketing project, which include steering committees whose membership comprise representatives from other economic development agencies.

In relation to the work of IDA Ireland, the board of IDA and the board of Invest Northern Ireland hold an annual joint board meeting to update each other on issues such as strategy, opportunities for collaboration, EU affairs and other topics of mutual interest. These high level board meetings have resulted in a commitment to establish a cross-Border Virtual Technology Park initiative centred on Derry and Letterkenny. This is being progressed by executives from both agen-

cies and is the most current and practical example of joint efforts to create a platform for the development of new economy enterprises in the north west.

In addition to its day to day activities, Enterprise Ireland liaises frequently at senior level with InterTradeIreland. Enterprise Ireland met the board of InterTradeIreland recently to brief it on its new strategy as part of the ongoing relationship between the two agencies. Enterprise Ireland also works with its counterpart Invest Northern Ireland across a range of activities. The Enterprise Ireland student enterprise awards are sponsored by the two bodies and Ulster Bank. Other areas of co-operation include sectoral studies, such as furniture, fashion and textiles, and exchanges of experience at a senior level on the development of innovation. In addition to a meeting between the chief executives of Enterprise Ireland and Invest Northern Ireland, together with their senior management teams, a meeting of the boards of Enterprise Ireland and Invest Northern Ireland was held in November 2004 in Dundalk to discuss their respective strategies. A further meeting between the board of Enterprise Ireland and Invest Northern Ireland is planned for November 2005.

On an ongoing basis the county enterprise boards, CEBs, engage with their Northern counterparts, Enterprise Northern Ireland, ENI, the umbrella organisation for the North's local enterprise agencies, LEAs. Together these agencies identify and implement various initiatives to encourage and bring about increasing levels of cross-Border trade, joint ventures, joint marketing strategies and business linkages between companies which operate in the micro-sectors of the economies North and South. Many such initiatives are under way at the present time, the two most important of which are: Tradelinks, a partnership between the six Border county CEBs and ENI, whose aim is to assist 600 micro-businesses North and South to identify and address obstacles which hinder their engagement in cross-Border trade and economic co-operation, and the micro-trade programme, a partnership between the CEBs and the LEAs, which is a wider North-South programme of co-operation aimed at enhancing cross-Border trade within the micro-sector generally across the island.

In the context of globalisation and ever increasing competition, the enterprise development agencies, North and South, must continue to liaise frequently on matters of mutual concern and continue to explore areas of fruitful co-operation.

Company Liquidation.

173. **Ms McManus** asked the Minister for Enterprise, Trade and Employment the position regarding the liquidation process for Irish Fertiliser Industries; if he has satisfied himself that all

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possible steps have been taken to protect the interests of former employees of this company, who lost their jobs as a result of the liquidation of the company; if, he has any information as to the proportion of pension entitlements that former workers, including those in Northern Ireland, are likely to receive; and if he will make a statement on the matter. [25426/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I understand that the liquidator has made considerable progress in realising the assets of the company and establishing the full extent of its liabilities and that he hopes to complete the liquidation process later this year. At this stage, the production sites at Arklow and Cork remain the principal assets yet to be realised. It is understood that contracts have been signed for the sale of both sites and that it is hoped that the sales will be closed over the coming months. It is a matter solely for the liquidator to determine whether to accept any particular offer made.

The State has already made a significant financial contribution to assist the former employees of Irish Fertiliser Industries. Following the decision by the board of IFI to put the company into liquidation, ICI and the State, the shareholders in IFI, while there was no legal obligation to do so, established a special fund with almost €24.5 million to provide *ex gratia* severance payments to the former employees of IFI. Payments from the fund were made were in accordance with the basis for distribution determined by the trustee of the fund, which has been endorsed by a ballot open to all employees.

In addition, the liquidator has admitted, as unsecured creditors in the liquidation, claims from the employees of the company to have entitlements in respect of the voluntary severance terms traditionally paid by the company. However, the dividend payable to the workers concerned, if any, can only be determined when all the assets of the company have been realized and all liabilities established. It must be emphasised, of course, that the amount, if anything, to be paid in due course in respect of such claims is a matter solely for determination by the liquidator.

As regards pensions, I understand that the two main schemes covering employees in the Republic have sufficient funds to meet all of the entitlements provided under the schemes. While I understand that the schemes may not be in a position to provide some additional discretionary benefits that members had hoped to receive, it would appear that the payment of such benefits would always have been conditional on sufficient funding being available to meet the costs involved.

I am aware that employees based in Belfast, who are deferred pensioners of the Richardsons'

pension fund, are likely to receive much reduced pension entitlements. The specific financial position of the Richardsons' fund appears to have arisen primarily from a combination of the statutory rules which currently apply on the winding up of a pension fund in the UK and a shortfall in the assets of the Belfast fund compared with its liabilities as a result of the fund trustees' investment strategy coupled with a significant fall in the equities market.

I understand that the liquidator has accepted, in principle, that a claim on the liquidation, submitted by the trustees of the Richardsons' scheme, is admissible. However, the amount of claim has yet to be established while the amount that might be recovered from the liquidation in due course will depend on the dividend rate for unsecured creditors generally. In addition, I understand that the UK government has announced proposals to deal with the issue of pension shortfalls arising from insolvencies but I am not aware of the impact, if any, this may have on the shortfall in the Richardsons' scheme. Depending on the outcome of these developments, there is the prospect of some alleviation in the position faced by the active members of the Richardsons' scheme.

While I have the utmost sympathy for the plight of the members affected by the shortfall that has arisen in the scheme, I am satisfied that the Government does not have any obligations in respect of the shortfall that the pension scheme faces.

Skill Shortages.

174. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment if he will bring forward proposals to address the shortage of skills in certain sectors of the economy; and if he will make a statement on the matter. [25385/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Government's action plan to implement the recommendations of the Enterprise Strategy Group will move our economy to one that is knowledge-based and innovation-driven. The action plan includes measures to address skills shortages.

Skills shortages are identified by the expert group on future skill needs, which is convened under the auspices of Forfás. My Department has recently asked that group to commission a study to focus on possible future skills shortages at levels below graduate level. This will facilitate the formulation of a national skills strategy to provide a strategic framework for the One Step Up, Lifelong Learning and other training initiatives.

The action plan's measures to address skills shortages include both: the development of a stra-

tegic skills-based immigration policy and the raising of the skills levels of those resident here. As far as a skills-based immigration policy is concerned, the Employment Permits Bill 2005 published on 29 June last, contains provisions that will empower me to introduce a green card-type system for skilled labour immigration. My intention is that the legislation will be enacted during the current parliamentary session. I envisage that the green card arrangements for skilled migrants will be introduced in 2006.

Extensive research and consultations have been undertaken by Forfás and by the expert group on future skill needs. This will inform the provisions of an economic migration policy to address the skills needs of the economy into the future. The Forfás work has indicated that the sectors where there are shortages include the following: construction, financial, engineering and information and communications technologies.

As regards raising the skill levels of those resident here, both those at work and those seeking to enter the labour market, I recently launched the One Step Up initiative which is funding a variety of training projects including basic skills provision for low skilled employees, occupational specific training in various sectors and SME entrepreneurial development. This is another contribution to advancing the Life Long Learning agenda. FÁS are implementing the initiative and I have provided a budget of €35 million for this purpose in the current year. One Step Up will contribute to ensuring that workers have the necessary competencies and flexibility in line with the developing needs of the undertakings for which they work.

Accordingly, we will continue to remedy skills shortages by bringing in necessary highly skilled migrants that are not available within the confines of the European Economic Area, and by enhancing the skills of those already resident here.

Manufacturing Industry.

175. **Mr. Kehoe** asked the Minister for Enterprise, Trade and Employment if he will set up a national forum on manufacturing comprising all major players in the industry in order to address the continuing loss of jobs in the sector; and if he will make a statement on the matter. [25043/05]

685. **Mr. Howlin** asked the Minister for Enterprise, Trade and Employment the steps he intends to take to deal with the continuing serious level of job losses in the manufacturing industry; his views on the rate of job losses in the traditional manufacturing sector; the steps which are being taken to provide replacement jobs in these areas; and if he will make a statement on the matter. [25670/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 175 and 685 together.

Job losses in the manufacturing sector are of ongoing concern and the Government is doing all in its power to create structures through its enterprise development and training agencies, which will facilitate those who have lost jobs to gain new ones, particularly ones that offer more opportunity both in terms of skills and permanence. However, there is no escaping the fact that job losses occur and will continue to occur as our economy changes. Ireland cannot continue to compete in low-value activities with countries that have a much lower cost base and wage base.

My objective and the Government's objective is to ensure that our economy remains a globally competitive, profitable and secure location for business. I believe we can best help enterprise, including the manufacturing sector, by continuing to implement policies that are pro business and by implementing the right balance of enterprise supports and at the right time to help business. When provided with the best supporting and competitive environment, business and industry will develop to capitalise on investment and growth opportunities. It is the Government's intention to enable enterprise growth by policies tailored to address the competitive pressures transforming the global economy.

Manufacturing has been a key driver of prosperity across the economy for many years and enterprise policies will continue to emphasise the strategic importance of the sector to future economic growth. Indeed, the Enterprise Strategy Group, ESG, recognised the importance of the sector in providing a foundation of skills and technologies on which to build a high performance, high value added and technologically orientated manufacturing sector into the future. We must realise, however, that global competition from fast developing economies is placing unprecedented competitive pressures on manufacturing plants, and particularly those involved in low margin activities. Some firms are unable to compete in these new competitive circumstances.

The success of many world class plants gives us some solid cause for optimism that our manufacturing base will continue to operate at the leading edge of technologies and processes, while sustaining significant employment. From a policy perspective it is important to put in place selective initiatives to maximise this potential. Both IDA Ireland and Enterprise Ireland have specific programmes to assist their manufacturing clients tackle competitiveness problems.

I am also very encouraged by the continued ability of the industrial development agencies to secure new projects. I am satisfied that the strategies and policies being pursued by the Government and by the State development agencies under the aegis of my Department, will continue

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to maximise sustainable job creation and investment opportunities. The capacity of our economy to consistently expand quality employment opportunities, not only for our own labour force but for thousands of immigrants as well, strongly suggests that we have significant competitive strengths in the global context.

Consumer Awareness.

176. **Ms Burton** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the claim made by a person (details supplied) that lack of consumer awareness was costing the consumer almost €1 billion per year; his views on this estimate; the steps he is taking to promote greater consumer awareness; and if he will make a statement on the matter. [25416/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Consumer Strategy Group in its recently published report, *Make Consumers Count*, estimated the loss or damage experienced by consumers when purchasing goods or services that do not meet their requirements, are faulty, over-priced or sub-optimal to be in the order of approximately, €810 million per annum or €204 per person per year.

In compiling this figure for consumer detriment, the group had regard to factors such as consumer income, impact and frequency of purchase, place of delivery, availability of dispute procedures, vulnerability, time availability, etc. Given the subjective nature of some of these factors, the group itself accepts that it is difficult to accurately calculate a precise figure for consumer loss.

Notwithstanding the difficulties in calculation, I have no doubt that the extent of consumer loss in this country is very significant. The Deputy will be aware that the Government has already approved the main recommendation of the Consumer Strategy Group, namely, the establishment of a new statutory body, the National Consumer Agency, to advocate on behalf of consumers. The core functions of the National Consumer Agency will include statutory functions in the areas of consumer advocacy, information, education and awareness.

I recently appointed a board to the new agency to act in an interim capacity until the NCA is established on a statutory basis. The interim board has been requested as part of its terms of reference to engage in targeted consumer awareness campaigns. I understand that the board is currently developing proposals for launching such campaigns later this year.

I entirely agree with the Consumer Strategy Group that raising consumers' consciousness and awareness is most important in terms of ensuring

that the levels of consumer loss in Ireland are significantly reduced. I am confident that the interim board of the National Consumer Agency will have a key role to play in this regard as will the agency itself when it is formally established.

Property Management Companies.

177. **Mr. O'Dowd** asked the Minister for Enterprise, Trade and Employment the status of his review of the law regarding the regulation of apartment complex management companies; and if he will make a statement on the matter. [22301/05]

660. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment the progress which has been made on the promise contained in the programme for Government to consider the introduction of legislation to regulate the establishment and operation of apartment complex management companies. [24962/05]

681. **Ms Shortall** asked the Minister for Enterprise, Trade and Employment the reason for the long delay in introducing new legislation to protect apartment owners against unscrupulous management companies; the action he intends to take in the short term to address this growing problem and curb overpricing of insurance, maintenance costs and so on by some companies; and if he will make a statement on the matter. [25697/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): I propose to take Questions Nos. 177, 660 and 681 together.

Apartment complex management companies are generally constituted as companies limited by guarantee under the Companies Acts and are required to comply with the relevant provisions of company law. The operation of such companies under their relevant memorandum and articles of association, including choice of a management entity and of insurance provider, is a matter for determination by the company members, who are the owners of the properties in question.

The Company Law Review Group is currently reviewing the legal provisions relating to companies limited by guarantee with a view to simplifying the law in this as in other areas of company law. In its annual report for 2004, the review group indicates that among its recommendations it will propose that: there should be no limitation on the maximum number of members a guarantee company may have; and an audit exemption provision should be introduced for guarantee companies. I anticipate bringing the comprehensive set of proposals emerging from the review group to Government for approval to draft a Bill at the end of this year.

Proposed Legislation.

178. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment if he will introduce legislation to enshrine the right of parents of children under the age of five to work part-time. [25510/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The question of the introduction of flexible working hours is a matter for negotiation between employees or a trade union acting on their behalf and employers. I have no plans to introduce flexible working hours on a statutory basis for all employees.

Work Permits.

179. **Mr. M. Higgins** asked the Minister for Enterprise, Trade and Employment the number of work permits issued to date under the new arrangements to give access to employment to the spouses of non-EEA nationals working in this country; and if he will make a statement on the matter. [25427/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The work permits section of my Department granted 1,559 work permits under the special arrangements for spouses of certain non-EEA nationals since these arrangements were introduced in 18 February 2004. The categories in the scheme cover persons working here on working visas-work authorisations, certain intra company transferees and certain academics, researchers and registered medical professionals on work permits.

Question No. 180 answered with Question No. 149.

Labour Inspectorate.

181. **Mr. Gilmore** asked the Minister for Enterprise, Trade and Employment if, in regard to his announcement of the recruitment of an additional 11 labour inspectors, the number that have been appointed to date; when the full number will be appointed; if they will be concentrated on any particular area of work; the current ratio between the number of labour inspectors and the total numbers in the workforce; and if he will make a statement on the matter. [25424/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): In January 2005 the complement of labour inspectors was 17 officers. When all currently sanctioned posts are filled there will be 31 officers assigned to labour inspector posts. A selection interview process was undertaken following the announcement of additional labour

inspectorate posts earlier this year. Arising from that process four officers were appointed. A second round of interviews is underway at present to identify suitable personnel to fill the remaining vacancies. The interviewing process has commenced at the earliest opportunity following the summer annual leave cycle and will be completed by the end of the month. It is intended that these assignments will be completed by the end of October this year.

The strengthened inspectorate will concentrate on those sectors of the economy where workers tend to be more vulnerable to suffering the effects of non-compliance with employment legislation. It is these sectors also that appear to have high concentrations of non-national workers.

Regarding the ratio of labour inspectors to the total numbers in the workforce — employment indicators show that there are approximately 2 million persons, representing all strata of economic activity, in work, at present. It should be noted that there is a wide corpus of employment rights legislation administered by various State organisations and services. These include the Employment Appeals Tribunal, the redundancy and insolvency sections of this Department, the rights commissioner service provided by the Labour Relations Commission and the services provided by the Labour Court. The labour inspectorate is a unit within the employment rights compliance section which also includes the employment rights information unit and a further separate unit that administers the referral of cases for prosecution and legal enforcement of orders. Between them these various services have a complement of staff in excess of 140 people.

Business Associations.

182. **Mr. Ferris** asked the Minister for Enterprise, Trade and Employment his Department's policy in relation to encouraging the development of the co-operative sector. [25508/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): The policies and programmes administered by my Department and agencies recognise and make provision for all forms of business association including the co-operative form of association. This form of association is particularly relevant to the development of the social economy in addition to the contribution it has made over the years to the agricultural, fishing, credit union, public utility and community development sectors.

Question No. 183 answered with Question No. 167.

Labour Inspectorate.

184. **Ms O'Sullivan** asked the Minister for Enterprise, Trade and Employment the progress made to date with regard to consideration of the discussion document covering the operation of the labour inspectorate; and if he will make a statement on the matter. [25419/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): Arising from paragraph 12.4 of the mid-term review of Sustaining Progress, and in order to assist in the preparation of proposals for consideration by Government, a discussion document was prepared by the labour inspectorate in relation to its mandate and resourcing. This comprehensive discussion document was prepared and circulated to the social partners early this year.

The various proposals in the discussion document, together with some recent additions, now form the basis for the work being undertaken by the employment rights compliance group that was established for that purpose. The Departments of the Taoiseach and Finance are represented on this group together with officials from this Department. IBEC, ICTU, CIF and SIPTU participate on the employment rights compliance group also.

The inaugural meeting took place on 12 September last at which a programme of work was agreed that anticipates a series of meetings every Tuesday up to 8 November 2005. It is intended that the conclusions of the employment rights compliance group will feed into the national social partnership negotiations at that stage.

Redundancy Entitlements.

185. **Aengus Ó Snodaigh** asked the Minister for Enterprise, Trade and Employment if he will increase redundancy entitlements to three weeks' pay per year of service. [25513/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): Redundancy entitlements were last discussed in the context of Sustaining Progress and agreed at two weeks' pay per year of service plus a bonus week. There are no plans at present to increase statutory redundancy entitlements.

Labour Inspectorate.

186. **Mr. Gilmore** asked the Minister for Enterprise, Trade and Employment the number of inspections carried out by the labour inspectorate and the number of prosecutions initiated by the inspectorate in respect of the years 2002, 2003, 2004 and to date in 2005; and if he will make a statement on the matter. [25423/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The number of workplace inspections-visits undertaken by the labour inspectorate during and after normal business hours and prosecutions initiated in respect of the years 2002, 2003, 2004 and to date in 2005 is set out in the following tabular statement.

The primary function of the labour inspectorate is to seek compliance and rectification of any breaches identified, including payment of any arrears due to employees. Inspectors pursue allegations of worker mistreatment and seek redress for the individual or individuals concerned and, if appropriate, a prosecution is initiated. Successful prosecution can be dependent on adequate support from witnesses.

Year	Inspections/Visits	Prosecutions Initiated
2002	8,323	25
2003	7,168	20
2004	5,160	14
2005	3,213	23

EU Funding.

187. **Mr. Stagg** asked the Minister for Enterprise, Trade and Employment if he will report on the implications for his Department of the decision of the European Court of Justice to repay €15 million to the EU Commission due to alleged irregularities surrounding claims made for European Social Fund funding; and if he will make a statement on the matter. [25441/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Arising from audits by the European Commission in 2000, the Commission took a decision in February 2003 to reduce ESF aid to Ireland by €15.614 million in respect of three operational programmes from the 1994 to 1999 period, that is, the human resources development operational programme, the tourism operational programme and the industrial development operational programme. The sum involved represents less than 1% of the amount allocated to these programmes for the period.

While the Commission accepted that all expenditure incurred under the programmes in question was eligible and no allegation of fraud was made, the Commission decided that the particular methodologies used in submitting the claims in question resulted in an over-claim of ESF by Ireland. The European Court of Justice has now dismissed Ireland's application to overturn the Commission's decision and has upheld the Commission's decision.

The Commission had already withheld the total €15.614 million from Ireland by reducing the final

ESF payments for the three programmes concerned. The withheld funding was allocated between a number of Departments and agencies, including one non-governmental organisation. The issue of the implications of the decision for departmental budgets is currently under consideration.

Health and Safety Regulations.

188. **Caoimhghín Ó Caoláin** asked the Minister for Enterprise, Trade and Employment the action he is undertaking to tackle the growing problem of work-related stress. [25506/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Health and Safety Authority, in partnership with the British Health and Safety Executive, HSE, and Health Scotland have developed Work Positive, an audit tool with guidance materials for in-house application. Work Positive is a comprehensive risk management tool that incorporates a risk assessment template covering the known causes of workplace stress. It provides a step-by-step guide to assessing risks of stress, outlining the aims of each step and thereby helping managers eliminate these risk factors in their organisation.

The authority is currently working on a cross-Border programme in conjunction with the Health and Safety Executive Northern Ireland, HSENI, using Work Positive in eight companies, with the aim of reducing stress at work. The authority also continues to provide expert advice and assistance to organisations regarding work related stress.

The Health and Safety Authority expects every employer to conduct risk assessments for health and safety hazards, including work-related stress, where appropriate, in accordance with the requirements of the Safety, Health and Welfare at Work Act 2005.

It is important that the risk assessment includes consulting with employees and their representatives to identify problem areas, taking action to address these problems in partnership with employees and their representatives, and a commitment to review action plans.

Manufacturing Industry.

189. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to a growing lack of competitiveness in manufacturing industry with resultant relocation to lower wage economies; the steps he has taken to address this issue having particular regard to the number of such manufacturing jobs lost to this economy in the past five years; and if he will make a statement on the matter. [25472/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Competitiveness is an issue of national importance that deserves careful monitoring and corrective policy intervention where necessary, but it must be pointed out that competitiveness does not affect the manufacturing sector alone. An uncompetitive economy will never be able to consistently create employment and increase its citizens' standard of living, as we have done over the past decade.

The Irish economy has consistently created increased levels of employment and improved the quality of living of our citizens. According to the latest data from the Central Statistics Office's quarterly national household survey for the second quarter of 2005, employment increased by 93,000 on the corresponding period in 2004. This means that the total number of people in employment is now a record 1,929,200.

The National Competitiveness Council's recently published annual competitiveness report 2005 shows that we continue to perform extremely well in terms of income and economic growth where we are first out of 15 in terms of GDP and sixth out of 16 in terms of GNP. This is a remarkable performance highlighting the significant resilience of the Irish economy to increasing international competitive pressures from fast developing regions.

As Ireland's economy fundamentally changes so too do our competitive strengths and advantages. We are no longer a low cost economy, but one typified by high output, high value added, high returns to labour and improving living standards. Clearly, a more attractive cost environment abroad will inevitably attract some firms that are unable to produce in high wage, high reward economies such as ours. However, it is equally clear that we are managing well the inevitable transition to a knowledge economy that is less reliant on low cost, basic manufacturing employment.

The continuing structural transformation of our economy is inevitable and will continue as high value added services and technology savvy products increasingly become the wealth and employment drivers of the future. With this evolution, plant transfers and other adjustments are bound to come, but where relocation has occurred to date, it has largely been limited to relatively low-technology, labour-intensive activities — those least suited to the competitive characteristics of our modern economy.

I recognise that this adjustment process is not without difficulty either for the economy or for individuals whose employment is affected. To offset the competitive threat from lower wage economies, the Government is implementing a series of policies to encourage a move to higher productivity and the use of technology to invigorate enterprise. Ireland's future economic success lies in our ability to create sustainable employment

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by both attracting and growing companies with higher profitability and operating at the more sophisticated end of the value chain. These enterprises are more technologically advanced and are a better fit with Ireland's competitive strengths.

The enterprise support agencies under my Department have been mandated to adjust their support strategies to meet both the needs of society in terms of high quality employment opportunities and the more sophisticated needs of businesses that generate and sustain those jobs. For example, Enterprise Ireland, EI, is implementing a new strategy to transform Irish industry and increase its profitable connections to the global economy. As part of this determinedly pro-business support environment, EI has launched a €20 million productivity improvement fund to help indigenous firms invest in the very technology, equipment and employee training that will give them the opportunities to win more business and survive against international competition. In boosting productivity this new programme will considerably strengthen the competitive position of Irish enterprise by increasing firms' value added output, making them less susceptible to cost pressures and giving them the capacity to grow and expand against global competition.

Enterprise Strategy Group Report.

190. **Mr. O'Shea** asked the Minister for Enterprise, Trade and Employment the position regarding his consideration of the report of the Enterprise Strategy Group; if the Government has specifically decided not to implement certain recommendations of the report; if such recommendations in respect of which decisions have been made will be outlined; and if he will make a statement on the matter. [25430/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Government has considered and endorsed the report of the high level committee that was asked to look at the most appropriate implementation arrangements for the Enterprise Strategy Group, ESG, recommendations. The Government is broadly supportive of the policy directions recommended by the ESG as underlined by its intention to implement, either in full or with some modifications, most of the its recommendations.

The most important overall theme to emerge from the ESG's analysis and prescriptions is that we are broadly on the right track as regards enterprise support policies. The ESG endorses the general direction of policy development and confirms the thrust of the approach taken by other advisory bodies such as NESC, NCC and various science advisory bodies.

As regards recommendations, which it is specifically not intended to implement we have decided not to implement the recommendation that existing regulators for networked sectors should be replaced by a new regulatory body covering all networked sectors. In looking at international experience, the Government remains to be convinced that regulatory amalgamation on the scale proposed would be an efficient model. For example, there is a danger that a single regulator could give rise to slower decision making and less focus on smaller sectors compared with more dominant ones. This matter is one for my colleague the Minister for Communications, Marine and Natural Resources.

The Government decided to consider further the potential for the disaggregation of State procurement contracts for telecommunication services and my colleagues the Ministers for Communications, Marine and Natural Resources and Finance are dealing with this matter.

The central theme of the ESG recommendations concerns a strategic evolution to a more competitive, innovative and knowledge centred economy. To help create quality and sustainable employment we have to make sure Ireland continues to be an attractive place in which to invest and from which to undertake increasingly profitable business. The ESG's report makes a valuable contribution to embedding strategies appropriate to the new realities and challenges facing the Irish economy. The ESG policy prescriptions are particularly relevant to my Department and the enterprise support agencies that report to me.

As part of the ESG implementation process some significant progress has been made in making important strategic changes to enterprise support policies and how they will deliver real and tangible benefits to SMEs. Already I have agreed a fundamental reorganisation of Enterprise Ireland that will change and improve its operational engagement with indigenous firms. This is set out in Enterprise Ireland's new direction to transform Irish industry that I launched some months ago.

In the context of deep changes taking place at Enterprise Ireland, many ESG's recommendations about new programmes are either being designed for pilot testing or have been launched. Others will follow over the coming months so that each recommendation is carefully implemented to achieve measurable targets with a defined target group.

Health and Safety Regulations.

191. **Mr. S. Ryan** asked the Minister for Enterprise, Trade and Employment when the draft regulation drawn up by the Health and Safety Authority more than 15 months ago to improve safety standards on building sites will be implemented; the reason for the long delay in

bringing same into operation; and if he will make a statement on the matter. [25436/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I am pleased to say that the Health and Safety Authority, on 19 September 2005, published proposals for draft new Safety, Health and Welfare at Work (Construction) Regulations, for public consultation in accordance with the new provisions of the Safety, Health and Welfare at Work Act 2005, which I brought into operation on 1 September last.

The deadline for receipt of submissions by the authority is 18 October 2005 and I look forward to receiving the authority's final proposals as soon as possible thereafter to facilitate the formal legal settlement of the regulations and their implementation at workplace level.

The proposed draft Safety, Health and Welfare at Work (Construction) Regulations 2005 follow from a review by the Health and Safety Authority of the Safety, Health and Welfare at Work (Construction) Regulations 2001. The current proposals also take into account the outcome of extensive consultations with the HSA advisory committee on construction safety, the social partners and other interested bodies.

The proposed new regulations are designed to enhance the legislative provisions in the construction sector and to facilitate the implementation of the requirements of the Temporary and Mobile Sites EU Directive, particularly as regards issues concerning design and management and general duties of various parties.

The proposed changes compared with the Construction Regulations 2001 fall within three main categories: the addition of requirements to make existing obligations more explicit and tangible; the reallocation of duties between duty holders to ensure clarity and achieve more effective and timely intervention by key persons, and the removal generally of provisions relating to work at height and to lifting operations, which it is intended to cover in the proposed new Safety, Health and Welfare at Work (General Application) Regulations and in proposed new Lifting Operations Regulations, respectively.

The coming into operation of the 2005 Act, the new construction regulations and new general application regulations within a relatively short period of each other will provide a modern framework to assist in ensuring that appropriate occupational safety and health standards are attained and maintained in the construction sector.

Question No. 192 answered with Question No. 149.

Question No. 193 answered with Question No. 156.

Shannon Development.

194. **Mr. Boyle** asked the Minister for Enterprise, Trade and Employment the changes he proposes for the development of Shannon further to the Enterprise Strategy Group report. [25496/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): On 28 July last, following detailed consultations with the board of the company, other stakeholders and regional interests, I announced a decision on a future mandate for Shannon Development. The terms of that decision are quite clear and take account of the Enterprise Strategy Group's recommendations.

As I have indicated in response to previous similar parliamentary questions, there have been a number of recent developments that impact on the future role of Shannon Development, the most significant of which are: the proposed relocation of the headquarters of Enterprise Ireland to Shannon as part of the decentralisation programme; the Enterprise Strategy Group recommendation that Shannon Development should disengage from industrial development functions; and the establishment of an independent Shannon Airport Authority.

Discussions commenced with Shannon Development early last year and, in March 2005, the company submitted proposals for a revised strategy. These proposals provided that the company would exit certain tourism and enterprise support activities and they would focus on strategic value added activities that would contribute to the economic development of the region. Following an examination of these proposals and after consultation with the company and other stakeholders, I decided on the revised mandate for the company. The main features of the new mandate are: the company will place an increased focus on the regional development aspects of its mandate and special emphasis will be placed on addressing the needs of the less-developed parts of the mid-west region; the company will retain ownership of industrial property in the Shannon region and responsibility for managing the Shannon Free Zone and will have responsibility for providing appropriate property solutions for both indigenous and overseas enterprises; the support functions in relation to indigenous enterprises in the Shannon region, that are carried out by Shannon Development on behalf of Enterprise Ireland will revert to Enterprise Ireland; the IDA will assume responsibility for promoting investment in, and supporting, FDI companies in the Shannon Free Zone; and the company will produce a new three year corporate plan to reflect the new mandate and this will be reviewed annually.

All the interested parties in the region agree that Shannon Airport is vital to its economic well-

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being and that Shannon Development is ideally placed to support the new airport authority and to complement its activities. How this should be done will, however, have to await consideration by the Minister for Transport of the authority's business plan. Similarly, any changes to Shannon Development's tourism remit will be decided by the Minister for Arts, Sport and Tourism in consultation with the company.

The Enterprise Strategy Group recommendation, which is now government policy, is that the company disengage from industrial development activities, which should be left to the national agencies.

Health and Safety Regulations.

195. **Mr. Crowe** asked the Minister for Enterprise, Trade and Employment if his Department has received any communication regarding the installation of sub-standard driver seating on public transport buses and the possible health effects on employees; if, in view of the heightened public awareness regarding safety on public transport, he has satisfied himself that adequate mechanisms to ensure the health and safety of passengers and drivers are in place throughout the public transport system; if he has received any communications on these issues; and if he will make a statement on the matter. [21476/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Department has no record of communication of the nature referred to in the Deputy's question. However, I am aware that the Health and Safety Authority has received representations concerning whole-body vibration as it affects bus drivers. My Department does not have overall responsibility for public transport matters, or public transport safety matters specifically, except to the extent that occupational safety, health and welfare legislation, which is administered and enforced by the Health and Safety Authority, applies to employees in the sector, as it does to employees in every sector of the economy.

Directive 2002/44/EC of the European Parliament and of the Council of 25 June 2002 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents — vibration — applies to activities in which workers are or are likely to be exposed to risks from mechanical vibration during their work. It relates to hand-arm vibration and whole body vibration and will include vehicles with poor suspension or with badly designed or positioned controls which require drivers to adopt a poor driving posture.

The Health and Safety Authority is currently consulting publicly on proposals for draft new

Safety, Health and Welfare at Work (General Application) Regulations, one part of which concerns the transposition of Directive 2002/44/EC.

County Enterprise Boards.

196. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment his plans to review the eligibility criteria for funding from county enterprise boards; and if he will make a statement on the matter. [25008/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I have no plans at present to review the eligibility criteria for funding from the city and county enterprise boards, CEBs. Within the last two years my Department, through Forfás, commissioned a review of the role and functions of the CEBs in the development of micro-enterprises. The review represents the most comprehensive examination of the role and functions of the CEBs since their inception over ten years ago. It largely endorsed the activities and operations of the CEBs and concluded that there is justification for continued State support to micro-enterprises and that the CEB network can continue to play a useful role in the overall national enterprise development policy.

The review recommended that, in providing assistance to micro-enterprises, CEBs should focus more on economic, rather than social or local development, objectives; that there should be a renewed focus on the core enterprise mission; that the issues of potential deadweight, displacement and duplication should be more systematically and rigorously addressed; and that there should be a move away from grants to repayable finance as well as to soft supports.

In addition, as funding for the CEBs is provided by the Exchequer, through the National Development Plan 2000-2006, support for the development of micro-enterprise as offered by the CEBs must operate within the parameters and eligibility criteria laid down in the relevant operational programmes of the national development plan, NDP.

The current NDP specifically states that there will be a progressive shift, over the lifetime of this NDP, from providing direct financial assistance to other non-financial supports such as advice, mentoring, and management development. As a result, where finance is provided, this is increasingly in the form of equity and refundable grants. In addition, the CEBs will continue to give priority to manufacturing and internationally traded services companies, which over time may develop into strong export entities. Taking account of the foregoing factors I am satisfied that the current eligibility criteria are appropriate and I have no plans for any further review of them at this time.

Grant Payments.

197. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment if he will review the Enterprise Ireland eligibility criteria for companies to include import substitution as an acceptable enterprise for grant support; and if he will make a statement on the matter. [24270/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Enterprise Ireland has primary responsibility for the development of indigenous small and medium enterprises, SMEs, in the manufacturing and internationally traded services sectors. I should point out that the decision whether or not to provide funding to a company is a day-to-day matter for the agency itself, and is not one in which I have a direct function.

Enterprise Ireland offers a range of supports aimed at assisting client companies to expand and compete in the international marketplace. As each company has its own distinctive ambitions, capabilities and needs, Enterprise Ireland delivers a flexible set of solutions tailored to the needs of individual circumstances of Irish enterprises. Each client company is assigned a development adviser who works with the company in assessing its needs and capabilities, formulating an agreed growth plan and in assisting the company access the range of services and resources it needs to execute that plan.

The key focus of Enterprise Ireland's policy is to work with companies which have the potential to develop sustainable export sales and in order to qualify for support a company should demonstrate clear potential to do this.

Within this general policy context however, each business development plan is considered on its merits. Import substitution by itself is typically considered insufficient to justify the investment of significant resources in funding and support services. Enterprise Ireland believes that companies should also strive to supply such goods into overseas markets. To this end Enterprise Ireland has a range of supports available to assist Irish companies to develop their businesses in a manner that will facilitate them to effectively target and win customers in overseas markets, and will work closely with companies to achieve increased sales and exports in this regard.

It is important for companies to recognise that Ireland operates within a global market and that supplying the domestic market will be carried out in competition from suppliers in other countries. However, it is well recognised that import substitution can contribute to the viability of a new or growing enterprise and to that extent it can be a valuable and welcome constituent part of the company's target market.

Question No. 198 answered with Question No. 148.

Labour Inspectorate.

199. **Mr. Costello** asked the Minister for Enterprise, Trade and Employment the number of inspections carried out by the labour inspectorate of his Department to ensure payment of the national minimum wage in 2004 and to date in 2005; if his attention has been drawn to concerns expressed by labour inspectors that they do not have adequate resources to police the national minimum wage; the steps he will take to address the situation; and if he will make a statement on the matter. [25421/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): In 2004, labour inspectors of my Department undertook 462 inspections under the National Minimum Wage Act 2000. So far this year, the inspectorate has undertaken 335 inspections under the legislation. Inspectors operate on the basis of achieving compliance. Where an inspection occurs leading to a detection of infringements the employer is required to rectify the infringements detected. Failure to do so to the satisfaction of the labour inspectorate within a specified period results in the initiation of legal proceedings.

The Deputy should be aware that rights commissioners of the Labour Relations Commission — a body independent of my Department — also hear complaints concerning breaches of the National Minimum Wage Act 2000.

The Deputy should also be aware that there are some 19 employment regulation orders, EROs, drawn up through the joint labour committee system that regulate statutory minimum rates of pay and conditions of employment for workers employed in the various sectors where these apply. Ensuring compliance with the minimum pay amounts, terms and conditions forms a major element of the work of the inspectorate. In 2004, 486 inspections were made under EROs and so far this year 272 inspections have been undertaken.

Earlier this year I sanctioned a further ten labour inspector posts together with an additional manager. A selection process was undertaken in June, 2005 and four of the successful candidates were appointed in July. A further selection process has commenced and I anticipate that the remaining positions will be filled shortly. When all officers are in place the inspectorate will have 31 labour inspectors assigned to it.

Arising from the mid-term review of Sustaining Progress the inspectorate were asked to draw up a discussion document for the Social Partnership process — they did so by identifying 39 key proposals, including proposals relating to staffing of

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the inspectorate. All of the issues contained in the discussion document are currently being discussed with the social partners.

Health and Safety Regulations.

200. **Mr. S. Ryan** asked the Minister for Enterprise, Trade and Employment the number of deaths and injuries reported arising from industrial accidents in each year from 2000 to 2004 and to date in 2005; the further steps he intends to take to reduce the level of such accidents; and if he will make a statement on the matter. [25435/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The number of workplace accidents and deaths recorded for the years from 2000 to 2005 — 23 September has been forwarded to the Deputy. The statistics show that the rate of workplace accidents per 100,000 employers has shown

a steady decline since the year 2000. I am confident that the Health and Safety Authority will continue through its various prevention and enforcement programmes to achieve improvements in safety and health at work.

The Government's commitment to ensuring appropriate standards of health and safety in Irish workplaces is reflected in the Safety, Health and Welfare at Work Act 2005, which came into operation on 1 September 2005. The Act replaced the Safety, Health and Welfare at Work Act 1989 and provides a modern legal framework to guarantee best international practice in regard to health and safety in Irish workplaces.

The Act also strikes an appropriate balance between imposing duties, encouraging better consultation at workplace level on occupational safety and health matters, and providing for an improved focus on better prevention systems.

The following statistics for workplace accidents are based on the number of occupational injuries claims, OIB, accepted in the Department of Social and Family Affairs.

Workplace accidents for years 2000 to 2004.*

	Number of OIB claims accepted	Number of Employees in the workforce overall	Rate per 100,000 employees
2000	11,995	1,355,600	885
2001	12,050	1,406,400	857
2002	12,280	1,440,000	852
2003	11,096	1,502,800	738
2004	11705	1,835,900	638

*2005 figures unavailable as yet.

Equal Opportunities Employment.

201. **Mr. Ferris** asked the Minister for Enterprise, Trade and Employment the steps he is taking to encourage more women to participate in entrepreneurial activity. [25507/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The county and city enterprise boards, CEBs, exist alongside a number of other nationally and locally delivered supports for micro-enterprises, including Enterprise Ireland and local Leader groups, which support small enterprise.

The CEBs can assist in the establishment and/or development of eligible new and existing enterprises from individuals-sole traders, companies and community groups, primarily in the traded services, manufacturing and tourism sectors. In order to be eligible for such support, projects must be: in the commercial sphere; demonstrate a market for the product-service; and, most importantly, have a capacity for growth and new job creation.

As part of their ongoing commitment to enterprise development, the CEBs support the provision of Women in Business training, a programme which promotes successful female entrepreneurs as role models. By developing appropriate management development programmes and using mentoring and networking opportunities they target the confidence-building needs of emerging female entrepreneurs for the purpose of exchanging information and experience between them. More generally, and with a view to optimising levels of gender equality, CEBs seek to incorporate the principle of gender mainstreaming into the planning and implementation of their operational activities and associated structures. During 2004 a total of 2,471 women participated in the Women in Business programme.

An important aspect of the programme is the way in which CEBs promote successful female entrepreneurs, by bringing together women who are already successfully running their own businesses, and women who aspire to emulate them, for the purpose of sharing information and experience. The networks provide an ongoing programme of activities on business-related top-

ics such as insurance and taxation. High profile women entrepreneurs frequently appear as guest speakers at the network events.

The CEBs also actively encourage the participation of women in training and development programmes such as Start Your Own Business courses and management development programmes. In 2004, over 8,925 women received training on CEB — measure 2 — programmes throughout the country and over 1,347 women completed certified training.

As regards larger enterprises, Enterprise Ireland provides business development assistance to such enterprises under policy directions given by my Department, in accordance with the relevant Industrial Development Acts. All supports provided through Enterprise Ireland are available to eligible companies, subject to criteria, and there is no gender qualification for any such support.

Enterprise Ireland represents Ireland in the EU-sponsored network to promote women's entrepreneurship, WES, a network of European public sector bodies. Enterprise Ireland is also represented on the national development plan-community support framework, equal opportunities and social inclusion co-ordinating committee.

Enterprise Ireland also co-sponsors the annual global entrepreneurship monitor, GEM, report, which tracks Ireland's entrepreneurial activity rate year on year and compares Ireland's performance with a range of other countries. The GEM report analyses total entrepreneurial activity in Ireland over a range of specific indicators, including gender.

As regards training, the national training and employment authority, FÁS, provides courses which are open to both men and women equally. In particular, Expanding the Workforce Process — a process which aims to provide a gateway for women returners into the labour market — is one of the ways in which FÁS is adopting more flexible methods of delivering services. Part of the mainstreaming of this process this year and in 2006 will be to focus on enterprise development for women looking to enter-re-enter the labour market, with a particular focus on women's needs in this area. During the pilot of this process, in the period January 2002 to 2004, women returners who identified and expressed an interest and ability in entrepreneurial activity were directed to the Start Your Own Business course.

EU Survey.

202. **Mr. Sherlock** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the recent findings of an EU survey published by the European Foundation for the Improvement of Living and Working Conditions which found that Irish workers

had among the lowest number of days of annual leave and public holidays; his plans to provide for any additional holiday entitlements or to create additional public holidays; if these issues are likely to be addressed in any discussions on a new national agreement; and if he will make a statement on the matter. [25437/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen):

The Organisation of Working Time Act 1997, which implemented EU Council Directive 93/104/EC of 23 November 1993 concerning certain aspects of the organisation of working time, provides for an annual leave entitlement of four working weeks for full-time employees and pro rata entitlements for part-time employees. The Act also provides for an entitlement to nine public holidays per annum. Notwithstanding these provisions, it is possible for employers and employees to negotiate a longer annual leave entitlement between themselves if they so wish. The average public holiday entitlement in the EU at present is approximately 11 days per annum. I have no proposals at the moment to increase either annual leave or public holiday entitlements. However, should these issues arise in the context of discussions on a new social partnership agreement, talks on which, are due to commence in the autumn, they will be considered at that stage.

EU Directives.

203. **Mr. Penrose** asked the Minister for Enterprise, Trade and Employment when the Government will be in a position to implement the terms of EU Directive 2002/14/EC regarding information and consultation with employees; the date by which the directive was to have been implemented; and if he will make a statement on the matter. [25431/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen):

The objective of EU Directive 2002/14/EC is to establish a general framework setting out minimum requirements for the right to information and consultation of employees in undertakings or establishments over a certain employee threshold within the EU. The deadline for transposition of the directive into Irish law was the 23 March 2005.

The Employees (Provision of Information and Consultation) Bill 2005 was published on the 19 July. Second Stage in the Seanad is scheduled for 29 September. I aim to have the Bill enacted at an early date but this is dependent on securing Oireachtas time.

Shannon Development.

204. **Mr. Howlin** asked the Minister for Enterprise, Trade and Employment if he will report on his proposals announced on 28 July 2005 for a revised mandate for Shannon Development; if his attention has been drawn to the serious concerns expressed by trade unions and business interests in the area regarding the implications for the area of these changes; the number of jobs expected to be lost at Shannon Development as a result of the changes; and if he will make a statement on the matter. [25412/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): On 28 July last, following detailed consultations with the board of the company, other stakeholders and regional interests, I announced a decision on a future mandate for Shannon Development. As I have indicated in response to previous similar parliamentary questions, there have been a number of recent developments that impact on the future role of Shannon Development, the most significant of which are: the proposed relocation of the headquarters of Enterprise Ireland to Shannon as part of the decentralisation programme; the Enterprise Strategy Group recommendation that Shannon Development should disengage from industrial development functions; and the establishment of an independent Shannon Airport Authority.

Discussions commenced with Shannon Development early last year and, in March 2005, the company submitted proposals for a revised strategy for the company. These proposals provided that the company would exit certain tourism and enterprise support activities and they would focus on strategic value added activities that would contribute to the economic development of the region. Following an examination of these proposals and after consultation with the company and other stakeholders, I decided on the revised mandate for the company. The main features of the new mandate are: the company will place an increased focus on the regional development aspects of its mandate and special emphasis will be placed on addressing the needs of the less-developed parts of the mid-west region; the company will retain ownership of industrial property in the Shannon region and responsibility for managing the Shannon Free Zone and will have responsibility for providing appropriate property solutions for both indigenous and overseas enterprises; the support functions in relation to indigenous enterprises in the Shannon region, that are carried out by Shannon Development on behalf of Enterprise Ireland will revert to Enterprise Ireland; the IDA will assume responsibility for promoting investment in, and supporting, FDI companies in the Shannon Free Zone; and the company will produce a new three

year corporate plan to reflect the new mandate and this will be reviewed annually.

The Enterprise Strategy Group recommendation that the company disengage from industrial development activities and transfer these to the national agencies, Enterprise Ireland and IDA Ireland, was, of course, central to my consideration of this issue. No job losses in Shannon Development will result from the implementation of the new mandate.

All the interested parties in the region agree that Shannon Airport is vital to its economic well-being and that Shannon Development is ideally placed to support the new airport authority and to complement its activities. How this should be done will, however, have to await consideration by the Minister for Transport of the authority's business plan. Similarly, any changes to Shannon Development's tourism remit will be decided by the Minister for Arts, Sport and Tourism in consultation with the company.

The Shannon Development board and executive raised issues of concern during the consultation process. I believe that my decision addressed these concerns. I recently met members of the board and I believe that there is both support for the new mandate and energy present to implement it. Discussions between departmental officials and the executive have already commenced in this regard. I am also facilitating clarification of specific elements of the new mandate between my departmental officials and the main trade union, SIPTU.

Consumer Strategy Group Report.

205. **Ms Lynch** asked the Minister for Enterprise, Trade and Employment the progress made to date with regard to the implementation of the recommendations contained in the report of the Consumer Strategy Group; and if he will make a statement on the matter. [25413/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Consumer Strategy Group's Report, *Make Consumers Count*, was published on 18 May of this year. The Government have already approved the report's core recommendation namely that a new statutory body, the National Consumer Agency, be established to advocate on behalf of consumers. Given that this will require primary legislation, a board has been appointed to the NCA to act in an interim capacity until the new agency is established on a statutory footing. The Deputy will be aware that since its appointment the interim board has been very active in terms of articulating the consumer's case on issues such as the groceries order, etc. In addition to being a forceful advocate on behalf of the consumer, the interim board as part of its terms of reference will have a

key role in preparing the way for the fully operational agency itself.

The other significant recommendation in the consumer strategy group report related to the abolition of the groceries order. The Deputy will be aware that following the publication of the CSG report, my Department embarked upon a public consultation process in relation to the future of the order. A total of in excess of 550 submissions were received in the course of the consultation process. These submissions are currently being examined and I expect to bring proposals in relation to the future of the order to Government shortly.

In addition, to the above mentioned recommendations, I have accepted a number of the recommendations relating to my own Department, some of which have already been implemented. For example, the fines for breaching consumer protection laws have recently been significantly increased as recommended by the CSG, the fundamental review of the existing code of consumer protection law, as recommended by the CSG, is already underway and additional resources have been dedicated by my Department to this task.

The Consumer Strategy Group report contains more than 30 separate recommendations involving a variety of different of Departments and agencies whose activities directly impact upon the interests of consumers. The scope and breath of the recommendations required a co-ordinated response from Government. For that reason, a high level inter-departmental committee was established to prepare a detailed plan for the implementation of the recommendations. The report of the high level committee is expected to be submitted to Government shortly.

I am confident that the Consumer Strategy Group's report offers the way forward in developing a robust and effective national consumer policy. Considerable progress has been made in implementing the CSG's report in the short time since its publication. I am anxious that progress continues to be made in this regard and I am confident that together with the interim board of the NCA progress will continue to be made to the benefit of consumers.

Company Liquidation.

206. **Mr. Timmins** asked the Minister for Enterprise, Trade and Employment when the liquidator appointed to IFI will complete the liquidation process; the terms of reference or job description for this person; and if he will make a statement on the matter. [25444/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I understand that the liquidator has made considerable progress in realising the assets of the company and establishing the full

extent of its liabilities. While it may take some more time to finalise all outstanding matters, I understand that the liquidator hopes to be in a position to make at least an interim payment to creditors before the end of the year.

The liquidator was appointed to the company concerned in accordance with the provisions of the Companies Acts. The main legislative provisions concerning liquidators are set out in Part VI of the Companies Act 1963, Part VI of the Companies Act 1990 and Part 5 of the Company Law Enforcement Act 2001. The general functions of liquidators are to: inquire into the company's affairs; realise its assets; pay its debts; and distribute any surplus to the members.

Job Creation.

207. **Mr. McGinley** asked the Minister for Enterprise, Trade and Employment if he will consider providing extra resources to those State agencies involved in job creation in view of the huge levels of job losses in the manufacturing sector; and if he will make a statement on the matter. [25041/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The total Oireachtas grants to the industrial development agencies under my remit amount to over €560 million in 2005. Enterprise Ireland delivers a wide range of supports to Irish companies, targeted at the specific requirements of clients throughout all regions to ensure that they develop to their full potential in terms of employment, innovation and exports. Enterprise Ireland's financial supports to industry amounted to €107 million in 2004, while client companies created 11,898 new jobs in 2004, of which 7,934 were first-time job gains.

In 2004, overall client exports increased by 5.6% to €10.2 billion with 107 first time exporters and 154 companies establishing a new market presence in overseas locations. In 2004, €50 million was invested in companies to undertake research and development projects. In May, I announced the launch of the productivity improvement fund, which will provide supports leading to sustainable improvements in productivity in recipient manufacturing companies.

The employment level at Shannon Development assisted companies for 2004 remained stable at 19,739. The agency has a number of initiatives aimed at stimulating new enterprise and sustaining existing companies. Shannon Development's knowledge network is focused on transforming the Shannon region into Ireland's leading knowledge-based business location. Since its launch in 2001, the company has invested over €40 million of its own resources in developing the network and significant progress has been achieved at all five knowledge network locations.

[Mr. Martin.]

IDA Ireland reports that foreign direct investment, FDI, jobs in less technologically advanced sectors or companies are now beginning to be counter-balanced to some degree by several significant new investments in high technology projects, including some notable research and development investments, which require high skill levels and are, therefore, a better fit with the competitive attributes of Ireland today. Between 1995 and 2004, full-time employment in manufacturing increased by approximately 6% from 79,000 to 84,000.

These activities are well complemented by the work of the county enterprise boards, CEBs. Since their establishment to the end of 2004, the CEBs have assisted 17,050 projects worth over €155 million in grants. The actual net employment creation in CEB-supported enterprises has yielded 28,296 jobs nationwide.

Furthermore, other agencies are contributing to the creation of an innovation climate. Through its investments, Science Foundation Ireland is supporting knowledge creation and human capital development, which are the corner stones of a knowledge economy. By the end of August 2005, SFI had awarded over €464 million to more than 600 projects to support in excess of 1,000 outstanding researchers and their teams in creating the knowledge and driving the discoveries to underpin future competitiveness in key industries. The SFI programme is part of our research and development effort in the national development plan, under which we are increasing the research and development spend in 2000 to 2006 to five times what it was in the previous period.

I am confident that the agencies will continue to contribute to shaping our economy into one that supports businesses with the ambition and capability to succeed, as well as providing employees with the opportunities to gain skills of lifelong usefulness and jobs of value, and that they have been allocated sufficient resources to carry out these functions.

Question No. 208 answered with Question No. 149.

Industrial Wage.

209. **Mr. Durkan** asked the Taoiseach the average industrial wage here and in the other EU member states; and if he will make a statement on the matter. [25994/05]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The average gross earnings of industrial workers in all industries for March 2005, the latest date for which figures are available, are as follows: average earnings per week — €572.84 — and average earnings per hour — €14.35. The category industrial worker includes operatives, maintenance workers, storekeepers, packers, cleaners, basic supervisory staff and apprentices. Annual mean monthly earnings of all

employees in the industrial sector, based on the 2002 structures of earnings survey for European Union member states, the latest date for which figures are available, are as follows:

	€
25 European Union (25 countries)	2,104
15 European Union (15 countries)	2,448
Belgium	2,554
Czech Republic	457
Denmark	3,529
Federal Republic of Germany (including ex-GDR from 1991)	2,778
Estonia	394
Greece	1,355
Spain	1,613
France	2,242
Ireland	2,672
Italy	1,841
Cyprus	1,429
Latvia	291
Lithuania	328
Luxembourg	2,786
Hungary	468
Netherlands	2,528
Austria	2,311
Poland	582
Portugal	763
Slovenia	880
Slovakia	341
Finland	2,366
Sweden	2,548
United Kingdom	3,155

Departmental Funding.

210. **Mr. Kenny** asked the Taoiseach the amount of his Department's budgetary allocation for 2004; the amount of this allocation which was returned to the Department of Finance at year's end; the Vote head from which such returned allocations were derived; and if he will make a statement on the matter. [24248/05]

The Taoiseach: The Estimates provision for my Department in 2004 was €37.5 million, of which €8,760,730 was surrendered to the Department of Finance at year-end. This was mainly due to a saving of €6.7 million from subhead K — Moriarty tribunal — as the provision which had been made for the possible award of legal costs on completion of the work of the tribunal was not required in 2004. There were also modest savings in a number of other subheads on the Department's Vote.

This included a saving of €910,000 in the administrative budget, subheads A1-A8, allo-

cation for my Department. Approval was given by the Department of Finance for carryover of savings of €821,000 to 2005 under the administrative budget agreement which allows for the carry-over of certain savings to the following year.

Dublin-Monaghan Bombings.

211. **Aengus Ó Snodaigh** asked the Taoiseach the result of his meeting with the British Prime Minister on 27 June 2005; and if there has been a decision on taking the British Government to the European Court of Human Rights over its failure to co-operate with the inquiry into the Dublin and Monaghan bombings. [23966/05]

The Taoiseach: I met Prime Minister Blair at the British Irish Intergovernmental Conference on 27 June. A number of issues were raised, including the issue of co-operation of the British authorities with the Barron inquiry into the Dublin and Monaghan Bombings. I have sought preliminary advice from the Attorney General on this matter. That advice is currently in preparation. Contacts with the British Government aimed at securing further co-operation are also ongoing.

Departmental Contracts.

212. **Mr. Morgan** asked the Taoiseach the name of each company which secured a contract over €100,000 in value with his Department in each of the past five years. [24397/05]

The Taoiseach: The following table details suppliers who secured a written contract over the value of €100,000 with my Department in each of the past five years.

Administration	
Year	Supplier
2001	PA Consulting Group
2002	Oracle
2002-to date	In.Vision Research Ltd
2004	Langley Freeman Design Group Ltd
2005	Boyd Freeman Design

Bodies under the aegis of Department of the Taoiseach.

Information Society Commission.

Year	Supplier Name
2003	Fleishman Hillard-Saunders

Private Rented Accommodation.

213. **Mr. Morgan** asked the Taoiseach the number of households and the percentage of all households living in private rented accommodation. [24459/05]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The most recent information on housing characteristics relates to the April 2002 census of population. Of the 1,279,617 occupied private dwellings distinguished in the 2002 census, 141,459, or 11.1%, were private rented dwellings.

Publication of Report.

214. **Mr. Costello** asked the Taoiseach the reason he has not published Mr. Justice Barron's report on the killing of a person (details supplied); if he will refer the report to the Joint Committee on Justice, Equality, Defence and Women's Rights for publication and examination; and if he will make a statement on the matter. [24789/05]

The Taoiseach: Mr. Justice Barron's third report relates specifically to the murder of Seamus Ludlow and it was presented to the Government last year. The Government would wish to publish the report to the greatest extent possible in the form that it was received from Mr. Justice Barron. In that context, certain aspects of the report have required careful consideration and were the subject of legal advice, including on the protection of the rights of persons named in the report.

Many of these issues were progressed during the Dáil recess, but unfortunately not all of them have been resolved as yet. This matter is being dealt with as a priority and I expect to be in a position to have it passed on to the Joint Committee on Justice, Equality, Defence and Women's Rights shortly.

Enactment of Legislation.

215. **Mr. Quinn** asked the Taoiseach if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commencement of which his Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [24894/05]

The Taoiseach: In the context of Acts enacted during the lifetime of the current Government,

[The Taoiseach.]

the Civil Service Regulation (Amendment) Act 2005 which was enacted on 9 July 2005 is the only Act for which my Department has yet to arrange the commencement of a specific provision. The Act comes mainly under the Department of Finance and is the subject of a separate reply from the Minister for Finance.

Part 9, dealing with arrangements for local State solicitors, is the responsibility of the Department of the Taoiseach. A review of the work of local State solicitors is currently being carried out. When this is completed — hopefully, before the end of this year — arrangements will be made to transfer responsibility for the solicitors from the Attorney General to the Director of Public Prosecutions.

Murder Inquiry.

216. **Mr. Quinn** asked the Taoiseach if he has met with the family of a person (details supplied); if so, the undertakings he gave the family; the action he proposes to take to ensure that the person or persons responsible for the murder are charged and brought before the courts; and if he will make a statement on the matter. [24936/05]

The Taoiseach: I met the family of the late Mr. Joseph Rafferty on Tuesday, 27 September. I expressed the Government's sympathies on their tragic loss, along with the hope that the person or persons involved would be brought to justice at the earliest possible time. I confirmed to the family that I had raised the shooting of Mr. Rafferty during my meeting with the leadership of Sinn Féin on Friday, 23 September. I indicated that I will continue to follow developments in this case and I will raise the matter again with Sinn Féin in the near future. Any actions in relation to charges and court proceedings against the person or persons responsible for the murder are matters for the appropriate authorities.

Labour Force Statistics.

217. **Mr. Morgan** asked the Taoiseach the percentage of the female population in the workforce in June 2002 and at present. [25147/05]

Minister of State at the Department of the Taoiseach (Mr. Kitt): Statistics on labour force estimates are compiled from the quarterly national household survey. The latest statistics available are for the period March to May 2005. The information regarding percentages of females aged 15 or over in the labour force from 2002 to date are set out in the following table.

Participation Rates for females 2002 to date.

	%
Dec-Feb-02	48.7
Mar-May 02	48.8
Jun-Aug 02	50.1
Sep-Nov-02	48.8
Dec-Feb 03	48.8
Mar-May 03	49.1
Jun-Aug 03	50.7
Sep-Nov-03	49.6
Dec-Feb 04	49.5
Mar-May 04	49.4
Jun-Aug 04	51.0
Sep-Nov 04	50.8
Dec-Feb 05	50.9
Mar-May 05	51.4

Source: Quarterly National Household Survey, Central Statistics Office.

Decompression Chambers.

218. **Mr. Sargent** asked the Tánaiste and Minister for Health and Children her plans to increase the number of decompression chambers available here; and if the location of the decompression chamber will be regionally balanced. [24392/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, including responsibility for the provision of decompression chambers, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

National Learning Network.

219. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the present rates of income supplement to persons who are undertaking work of a rehabilitative nature under the national learning network; if these rates apply universally to all sheltered work environments; and if she will make a statement on the matter. [25630/05]

Tánaiste and Minister for Health and Children (Ms Harney): The service provided by the national learning network and funded by the Health Service Executive is rehabilitative and is not work. Rehabilitative training focuses on the enhancement of an individual's core functional skills, life skills and social skills. All trainees participating on rehabilitative training programmes

retain their primary and secondary benefits and also receive a weekly training bonus of €31.80.

Health Services.

220. **Mr. Connaughton** asked the Tánaiste and Minister for Health and Children if an occupational therapy assessment will be arranged for a person (details supplied) in County Galway; if her attention has been drawn to the fact that this family has been informed that their child cannot be further assessed by the Health Service Executive due to staff shortages; if her attention has further been drawn to the fact that Enable Ireland is primarily dedicated to under 12 assessments; and if she will make a statement on the matter. [25641/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

221. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the steps she has taken to address the problem of children who entered the State as unaccompanied minors going missing from the care of the Health Service Executive; and if she will make a statement on the matter. [25731/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

222. **Mr. P. Power** asked the Tánaiste and Minister for Health and Children the reform programme and specific actions which she will undertake arising out of the report of the Joint Oireachtas Committee on Health and Children in relation to the orthodontic services here published in June 2005; and if she will make a statement on the matter. [26065/05]

399. **Mr. Cregan** asked the Tánaiste and Minister for Health and Children if she plans to implement the findings of the recent report on orthodontics of the Joint Oireachtas Committee

on Health and Children; and if she will make a statement on the matter. [25372/05]

423. **Ms O'Sullivan** asked the Tánaiste and Minister for Health and Children when she will implement the recommendations of the Oireachtas Committee on Health and Children in relation to orthodontic services; and if she will make a statement on the matter. [25716/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 222, 399 and 423 together.

The recent report by the Joint Oireachtas Committee on Health and Children is a follow up to its earlier report of 2002, The Orthodontic Service in Ireland. As the committee makes clear, the report should be read as an appendix to the 2002 report. I am pleased to advise the Deputy that a number of measures have been adopted to improve orthodontic services on a national basis.

The grade of specialist in orthodontics has been created in the orthodontic service. My Department and the Health Service Executive, HSE, are currently funding 13 dentists from various HSE areas for specialist in orthodontics qualifications at training programmes in Ireland and at three separate universities in the United Kingdom. These 13 dentists will take up posts with the HSE on 1 October 2005. At that time almost half the orthodontists in Ireland will be working in the public health service. These measures will complement the other structural changes being introduced into the orthodontic service, including the creation of an auxiliary grade of orthodontic therapist to work in the orthodontic area.

Furthermore, the commitment of the Department to training development is manifested in the funding provided to both the training of specialist clinical staff and the recruitment of a professor in orthodontics for the Cork Dental School. This appointment at the school will facilitate the development of an approved training programme leading to specialist qualification in orthodontics. My Department has given approval in principle to a proposal to further substantially improve training facilities for orthodontics at the school, which will ultimately support an enhanced teaching and treatment service to the wider region under the leadership of the professor of orthodontics.

My Department has been informed by the HSE that at the end of the June 2005 quarter, there were 23,216 patients receiving orthodontic treatment in the public orthodontic service. This means that there are over twice as many patients getting orthodontic treatment as there are waiting to be treated and more than 7,000 extra patients are getting treatment from the HSE since the end of the June 2001 quarter.

[Ms Harney.]

My Department has met the HSE regarding the latest joint Oireachtas committee report. Since that meeting the HSE, in order to ensure ongoing training, has committed funding for the training of a further four orthodontists. My Department, in conjunction with the HSE, is considering each of the recommendations set out in the report of the joint Oireachtas committee.

General Medical Services Scheme.

223. **Mr. Allen** asked the Tánaiste and Minister for Health and Children if she will investigate the case of a person (details supplied) in County Cork. [24250/05]

Tánaiste and Minister for Health and Children (Ms Harney): The common list of reimbursable medicines for the general medical services and drug payment schemes is reviewed and amended monthly, as new products become available and deletions are notified. For an item to be included on the list, it must comply with published criteria, including authorisation status as appropriate, price and, in certain cases, the intended use of the product. In addition, the product should ordinarily be supplied to the public only by medical prescription and should not be advertised or promoted to the public. A person who experiences financial difficulty in obtaining products not on the list of reimbursable items should approach the local health office of the Health Service Executive.

Crisis Pregnancies.

224. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children her views on the increasing number of teenage pregnancies at young ages each year; and if she will make a statement on the matter. [24251/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Crisis Pregnancy Agency, CPA, has compiled figures for Ireland on the number of teenage pregnancies to females aged 15 to 19 years per 1,000 females in the same age group. This is known as the teenage pregnancy rate and is an aggregate of the births and abortions in this age group. The figures show that the teenage pregnancy rate increased from 21.17 in 1991 to 25.67 in 2001 but the rate has been falling since, and last year it was 22.86.

The CPA also published this year the first in a series of statistical reports on reproductive decision making and childbearing in Ireland. Data on the Irish teenage fertility rate, the number of live births per 1,000 females aged 15 to 19 years, show that it has declined slightly between 1973 and 2003. In addition, figures from

the Central Statistics Office on the number of births to teenagers aged 12 to 14 years show that the number of teenage births at young ages each year is not increasing.

The CPA has funded 11 sex education and sexual health promotion projects and services nationally that are designed to prevent unwanted teenage pregnancies. For example, the CPA has developed a DVD and accompanying booklet called *You Can Talk to Me* intended to help parents communicate with their children about relationships and sex. Supporting parents in their role as the primary educators of their children is a key aim of the CPA's strategy to address the issue of crisis pregnancy.

In addition, the CPA is co-funding a large scale research project with the Department of Education and Science that is examining policy level barriers and facilitators to implementing a course in schools on relationships and sex education.

Health Promotion.

225. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children the measures being taken to combat the drink and drugs culture from a health promotion perspective; and if she will make a statement on the matter. [24252/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Government is concerned about alcohol related harm and about the increase in consumption in the total population as well as the increased prevalence of high risk drinking. This problem calls for a concerted cross-departmental approach involving a range of key Departments and stakeholders. The two reports of the Strategic Task Force on Alcohol, STFA, provide a blueprint for tackling alcohol related harm. The reports have been approved by the Government and the Department of Health and Children and other relevant Departments have been authorised to implement the recommendations coming within their remit.

Significant progress has been made in implementing the recommendations of the first report of the STFA in areas such as advertising, responsible serving, education, research, etc. Further to the Government decision supporting the second report of the Strategic Task Force on Alcohol, a working group to achieve targeted and measurable reductions in alcohol related harm has been established. The working group comprises the social partners and other key stakeholders. Issues such as underage drink, harmful drinking and drink driving are currently being considered.

It is recognised that drug misuse, whether of legal or illegal substances, has the capacity to cause harm, at a physical and psychological level,

not just for the individual but also for their family and broader community. The health promotion unit is committed to the implementation of the education and prevention recommendations of the national drugs strategy 2001-2008. To that end the unit has developed strong links with the Department of Education and Science in the roll out of the social personal and health education programme — primary and post-primary — and in providing support and guidelines for the development of schools substance use policies.

The unit also has responsibility for the development and implementation of the national drugs awareness campaign. The campaign's aim is to raise awareness of current problem drug use and its consequences across society. The campaign, consisting of both advertising and public relations, consists of different phases with each phase dealing with different population groups and topics. In addition to the advertising and public relations elements, a range of information materials, a website and a national helpline have also been developed. Recent phases deliver targeted messages on cocaine and cannabis use.

Action 43 of the national drugs strategy called for all schools to develop, through a process of consultation and partnership, a school substance use policy. To facilitate this process the Departments of Education and Science, Health and Children and the Health Services Executive have produced guidelines for schools to assist in developing substance use policies. These have been circulated to all schools nationwide. These guidelines highlight the importance of SPHE as the core preventative strategy for schools. Further support has been made available to schools through the HSE health areas, the primary curriculum support programme, the SPHE post primary support service and local drugs task forces.

Health Services.

226. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the current number of persons on orthodontic waiting lists in County Kerry; the number in categories A and B; the average waiting time involved; the steps being taken to reduce waiting lists; and if she will make a statement on the matter. [24269/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter inves-

tigated and to have a reply issued directly to the Deputy.

Nursing Home Subventions.

227. **Mr. Coveney** asked the Tánaiste and Minister for Health and Children the reason a person must fund their entire nursing home care (details supplied); and the entitlements which accrue to a person who has made PAYE and PRSI contributions for almost 80 years. [24302/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The nursing home subvention scheme was introduced to give financial assistance to people who avail of private nursing home care. The payment of a subvention is contingent on the applicant passing a dependency and means assessment. The scheme is set up to ensure that those most in need, medically and financially, benefit from the scheme in the context of increasing demands on available resources. Eligibility for a subvention payment is assessed by the HSE based on a person's circumstances at the time of the assessment, not on the amount of PAYE, PRSI or any other contributions that the person may have made prior to the assessment.

Elder Abuse.

228. **Mr. Cuffe** asked the Tánaiste and Minister for Health and Children the reason only two health boards have to date drawn down the amount of €75,000 committed by the Government in 2003 to each health board to establish specialist teams to combat elder abuse; and if she will make a statement on the matter. [24306/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I advise the Deputy that it has not been possible, within the time-frame allowed, to collate the information requested by him. The Department will forward the information he has requested to him as soon as it has been collated.

Services for People with Disabilities.

229. **Ms McManus** asked the Tánaiste and Minister for Health and Children if, in view of the change in policy on the issue of the position of separated non-custodial parents as treated by the HSE in regard to guardianship as described in the referrals procedure of Louth disability services, this policy will be extended nationwide. [24307/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are

[Mr. T. O'Malley.]

the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Home Help Service.

230. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in Dublin 9 was refused home help service; and if the situation will be changed. [24313/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has requested the parliamentary affairs division of the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Food Industry.

231. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if the population will be informed that it can contract CJD by means other than by eating contaminated meat and that one of the components in vaccines being given to babies is the addictive substance monosodium glutamate. [24322/05]

Tánaiste and Minister for Health and Children (Ms Harney): The public has been alerted on two occasions about possible links between blood transfusion and vCJD. The National Haemophilia Council held a press conference on 20 September 2004 to inform the public that two cases of vCJD in the UK were possibly linked to blood transfusion. As a result of the cases, persons who had received clotting factor concentrates manufactured from blood products and used in the treatment of haemophilia were considered "at risk" of infection with vCJD for public health purposes. None of the implicated batches had been imported into or used in Ireland. On 30 June last, the Irish Blood Transfusion Service issued a press release noting that a blood donor had developed symptoms considered to be due to vCJD. It was the first such case in Ireland. The donor had given just one blood donation. Two patients were treated with different components of the donation. One patient subsequently died shortly afterwards of an unrelated underlying condition. The recipient of the other blood component has

been informed and is receiving support from the hospital in question.

While a number of precautionary measures have been put in place to reduce the risk of transmitting vCJD by blood transfusion in Ireland, no universally effective measure exists to prevent its transmission. At the end of June 2005 the Irish Blood Transfusion Service reported that there had been 178 cases of vCJD worldwide, one of which was due to blood transfusion. The rest were probably caused by contaminated meat products. Some 156 of the cases were in the UK, 13 were in France and three were in Ireland. Over 20 blood donors in the UK and France were included in the cases. The Irish Blood Transfusion Service has taken a number of precautionary measures since the possibility of transmission of vCJD by blood transfusion first emerged and additional measures will be introduced as they become available.

The Irish Medicines Board, which has statutory responsibility for licensing all pharmaceutical products for use in Ireland, has provided information about monosodium glutamate. Two of the vaccines used in the childhood immunisation programme contain very small quantities of monosodium glutamate as an excipient. These are the BCG SSI vaccine and MMR 11 vaccine. The board has no reason to be concerned about the safety of this level of monosodium glutamate in the vaccine.

Medical Cards.

232. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the plans she has to extend the range of alternative therapies such as acupuncture being made available to medical card holders when recommended as part of ongoing treatment; and if she will make a statement on the matter. [24330/05]

Tánaiste and Minister for Health and Children (Ms Harney): The general medical services scheme, under which medical cards are distributed, gives persons with full eligibility an entitlement to general practitioner services from GPs who hold general medical service contracts. They are also entitled to a range of approved prescribed medicines free of charge. Acupuncture is not covered under the general medical services scheme. I have no plans for it or other alternative therapies to be provided free of charge to general medical services patients.

Health Service Staff.

233. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she will respond to correspondence (details supplied);

and if she will make a statement on the matter. [24332/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to human resource management issues within the Health Service Executive. As such issues are matters for the executive under the Health Act 2004, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

234. **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 5 and their case given priority. [24338/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Civil Registration.

235. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children if section 65 of the Civil Registration Act 2004 has come into law; and if she will make a statement on the matter. [24344/05]

Tánaiste and Minister for Health and Children (Ms Harney): An tArd-Chláráitheoir, or the Registrar General, is the person with statutory responsibility for civil registration in Ireland. I have made inquiries of the Registrar General and will set out the position as it stands. Section 65 of the Civil Registration Act 2004 makes provision for the holding of an inquiry by the Registrar General about whether a particular life event has been registered and, if so, whether the registration has been correct and complete. This section came into law through the Civil Registration Act 2004 (Section 65) (Commencement) Order 2004.

Social Welfare Benefits.

236. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the status of the implementation of home care grants in County Wexford; if funding will be made available to

provide this vital service; and if she will make a statement on the matter. [24345/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Health Services.

237. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason persons (details supplied) in Dublin 3 are being treated in such a bad manner by the HSE; if urgent action will be taken to assist their case in relation to noise pollution from HSE equipment; and if the situation will be brought to an end. [24359/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Learning Support Hours.

238. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children if additional learning support hours will be made available to a person (details supplied) in County Monaghan; and if she will make a statement on the matter. [24390/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Departmental Contracts.

239. **Mr. Morgan** asked the Tánaiste and Minister for Health and Children the name of each company which secured a contract over €100,000

[Mr. Morgan.]

in value with her Department in each of the past five years. [24398/05]

Tánaiste and Minister for Health and Children (Ms Harney): The information requested by the Deputy is as follows:

Company	Year in which contract was secured	Nature of Contract
Colgan & Associates	2001	Consultation programme for the development of the National Health Strategy. The main objective was to gather the views of members of the public, service users, service providers, staff and management of the health service and to channel these views into the development of the Health Strategy.
Spectrum	2001	Storage and Distribution of Health Promotion Materials
Corporate Graphics	2001	Design and publication of National Health Strategy and associated documents, material for launch etc
Carr Communications	2001	Performance Management Development System (PMDS) Training (phase 1 and II)
Change Management Training Company	2001	Business skills training for Department of Health and Children
Mercer Human Resource Consulting Ltd.	2001 for 2nd phase of work (1st phase contract was in 1999)	Phase 2 of the project produced a detailed feasibility study and analysis of the available options, for an Insurance scheme for persons infected by Hepatitis C and HIV by blood and blood products administered within the State. Mercer also produced a draft insurance scheme in 2003.
IT Force & Associates	2001	Development of information and communications technology strategy
Lan Communications	2001	Firewall & Security service
Micromail	2001	Microsoft Select Agreements
CIRCA Healthcare Consulting	2001	Provision of Medical Indemnity Report, Provision of Clinical Indemnity Scheme Helpline service on behalf of State Claims Agency. Professional advice on the Clinical Indemnity Scheme, STARS implementation project, and advice to the Department on negotiations with the Medical Defence Union.
Marsh Consulting	2001	Enterprise Liability Project professional fees
Convenience Advertising	2001	Advertising: Sexual Health Campaign
Prospectus Strategy Consultants	2002	Audit of Structures and Function in the Health System <ul style="list-style-type: none"> • The Purpose of the Audit was to make recommendations, which would ensure clear lines of accountability and communication between each part of the health system, no overlap or duplication between organisations, and a proper alignment of the structure as a whole with the vision and objectives outlined in the National Health Strategy. • The Audit was one of the foundation reports underpinning the Health Service Reform Programme announced by the Government in June 2003.
Grayling	2002	Public relations service across multiple health promotion campaigns and two major EU presidency conferences.
Ogilvy/Wilson Hartnell Public Relations	2002	Advertising and Public Relations for the National Drugs Awareness Campaign
QMP D'Arcy	2002	Advertising services for multiple health promotion campaigns
Abtran	2002	Storage and Distribution of Health Promotion Materials
Booz/Allen/Hamilton	2002	A feasibility study on the costs and benefits associated with the introduction of a dedicated Helicopter Emergency Medical Service (HEMS). The study was jointly commissioned by the Department of Health and Children (DOHC) and the Department of Health, Social Services and Public Safety (DHSSPS). The cost to DOHC was €64,230.62

Company	Year in which contract was secured	Nature of Contract
Carr Communications	2002	Performance Management Development System (PMDS) Training (Phase III)
Indecon International Consultants	2002	Evaluation of Pharmacy Regulations
Deloitte and Touche	2002	Review of Governance and Accountability in the General Medical Services Scheme
Deloitte	2002	The Evaluation of 'Cancer Services in Ireland' A National Strategy
Gibneys	2002	Advertising, Information materials, Public Relations
O'Donnells & Associates	2002	Accounting Services
Blue Wave Technology	2002	Software development, maintenance and Support
Micromail	2002	Microsoft Select Agreements
Version 1 Software	2002	Oracle software licences, development, support and maintenance services
Carr Communications	June 2003 to December 2004	Business skills training for Department of Health and Children
Carr Communications	Oct 2003 — Oct 2004	Consultancy and facilitation services in relation to the work of the Expert Group on Mental Health Policy.
Direct Cleaning Services	2003	Office Cleaning
Deloitte and Touche	2003	Rostered Year Replacement Ratio Project (Nursing Degree Students)
Deloitte and Touche	2003	This contract related to the engagement of professional business consultancy to provide assistance in respect of two project headings: Review of internal controls in the Department of Health and Children with a view to implementing the recommendations of the Mullarkey Report; and consultancy assistance with respect to the structure of the Management Information Framework (MIF) in the Department.
Dell Computers	2003	Hardware
Lan Communications	2003	Security Infrastructure, NOC -management and monitoring
PC Peripherals	2003	Desktop Computers and peripherals
Tomorrows World	2003	Helpdesk and maintenance
PMI Software Ltd.	2003	Development of capital investment project management software
RGC Technologies	2003	Project management of software development
Kieran McKeown Limited	2003	Review of Family Support Services. Appraisal of current patterns of provision and management of Family Support Services by former Health Boards and analysis of the issues arising within the terms of reference of the steering group.
Hewlett Packard Ltd	2003	Managed Service Provider for Civil Registration System(CRS)
Marsh (STARS)	2003	Supply, implementation and maintenance of STARS IT system for State Claims Agency.
NYCI (National Youth Council of Ireland)	2003	Dáil na nÓg 2003
Penhouse Design	2003	Design of National Children's Office publications
Irish Lift Services Ltd.	2004	Lift Maintenance
Eneclann Ltd.	2004	AIRR Indexing Project
Tribal Secta Ltd.	2004	Preparation of Primary Care ICT Strategy and Action Plan
Trinity College Dublin	2004	Intercountry Adoption Research Project
IMS	Contract Awarded Dec 2004	Software Development
Accenture Ltd	2004	Computer consultancy, software development and support for Civil Registration System (CRS)
Quantum EMB	2004	Actuarial analysis of MDU Obstetrics Claims and associated professional advice.
Eircom	2004	ICT services for health related Presidency events
NYCI (National Youth Council of Ireland)	2004	Dáil na nÓg 2005

[Ms Harney.]

Company	Year in which contract was secured	Nature of Contract
Carr Communication in partnership with PriceWaterhouseCoopers	January 2005 to June 2006	Business skills training for Department of Health and Children
Hunter Red Cell	2005	Radio advertising campaign in connection with the launch of the National Adoption Contact Preference Register.
McBrinn Printing	2005	Printing of application form and explanatory leaflets for National Adoption Contact Preference Register.
An Post	2005	Nationwide distribution of application form and explanatory leaflet
Indecon Economic Consultants	2005	Economic Analysis of Childcare Policy Options
IPPA (the Early Childhood Organisation)	2005	To set up and operate a National Play Resource Centre
Blue Wave Technology	2005	Software development, maintenance and support
Lan Communications	2005	Sophos Anti-Virus
Micromail	2005	Microsoft Select Agreements
Hochtief FM	2005	Delivery of Facilities Management services to the Office of the Registrar General. 3 YR Contract.

Nursing Homes.

240. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the discussions she has had with the Health Services Executive regarding the Leas Cross nursing home, including an assessment of the decision to move residents from the home; and if she will make a statement on the matter. [24429/05]

241. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children if her Department has put in place and implemented a strategy, or a revised strategy, with regard to supervision and management of private nursing homes for older persons in view of the Leas Cross scandal; if so, if this strategy includes a provision that older persons should not be moved from homes when this is avoidable, including through State agencies taking over the management of these homes; and if she will make a statement on the matter. [24430/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I propose to take Questions Nos. 240 and 241 together.

The Department of Health and Children asked the Health Service Executive for a report on the matter raised by the Deputy. The executive has informed the Department that the nursing home inspectorate in the HSE northern area had concerns about the number of high dependent residents in Leas Cross, the unsatisfactory level of staffing, the skill mix among staff, the lack of care planning and the level of complaints. The HSE contacted the management of Leas Cross in late 2004 and early 2005 to ask it to deal satisfactorily with such matters. The Deputy is aware that the RTE “Prime Time” programme about Leas Cross, which was broadcast on 30 May last, highlighted highly unsatisfactory care issues in the nursing home.

The HSE has advised the Department that prior to the programme being broadcast and immediately afterwards, senior management within the HSE northern area had a series of meetings with the management of Leas Cross. The meetings culminated in the HSE northern area assigning a director of nursing and senior nurse management to Leas Cross from 1 June. The director was charged with ensuring patient safety, improving the level of care in the home and providing training and support to suitable skilled staff, after they had been recruited. The director of nursing and her staff were very concerned by 8 June with the exceptionally low level of care throughout the home. The care was being delivered, in the main, by unskilled staff and a small number of nursing staff. Of particular concern were the staffing skill mix, the proportion of unqualified staff, infection control, record keeping and fire safety were issues of particular concern in so far as they impacted on patient care and safety.

The HSE has informed the Department that management personnel at Leas Cross were advised by the HSE of the additional numbers of appropriately skilled staff required to meet the care needs of the residents at Leas Cross. The management of Leas Cross advised it was not in a position to source and recruit such numbers of staff. The management was formally advised on 15 June that the HSE needed to fulfil its duty of care and obligations to the residents of Leas Cross immediately. In this context, it was necessary to make alternative arrangements for the provision of care to patients placed in Leas Cross by the HSE, as well as patients receiving subvention from the HSE who were resident in the nursing home. Following that decision, a programme was put in place by the HSE. The programme involved consultation with the residents of Leas Cross and their families; counselling and support

for the residents, their families and the staff of Leas Cross; sourcing and quality-assuring alternative nursing home places and presenting residents and their families with accessible alternative nursing home options; facilitating visits by families and residents to various homes, as well as facilitating patient assessments; arranging clinical assessments of all patients; and managing and supporting the transfer of residents individually to their nursing home of choice.

On 6 July 2005, the management of Leas Cross formally advised the HSE of its intention to close its nursing home as and from 1 August. The transfer of residents to their new homes took place on a phased basis, with a small number of residents moving each day. The transfers were carried out in this manner so that each resident and his or her family would have the necessary level of support from HSE staff in moving from Leas Cross and in settling into a new home. To this end, a number of experienced administrative staff were assigned to support the director of nursing. The deadline set by the management of Leas Cross was met and the final residents transferred to their new homes on 30 July. Communication is ongoing between the HSE and the management of Leas Cross about the removal of Leas Cross from the register of nursing homes. The HSE has informed the Department that it has appointed a professor of geriatric medicine to review independently the deaths at Leas Cross. This process is ongoing and the review should be available by the end of the year.

In light of recent events, the HSE is reviewing all matters relating to private nursing homes including the inspection process and the standards of care. The HSE is working in a consultative manner with private nursing home organisations to improve the overall standards of care in private nursing homes. The HSE's policy is that patients are not moved from one nursing home to another except in the interests of patient safety and when all other options have been exhausted. In this event, the HSE can take over a nursing home following mutual agreement and/or a court order.

Health Services.

242. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason Beaumont Hospital, Dublin 9, will have an unmanageable financial deficit of €10 million; and if she will make a statement on the matter. [24431/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health

and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Medicinal Products.

243. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the action she has taken since Dáil Éireann rose for the 2005 summer recess to address the threatened avian flu pandemic; if further stocks of medicines to combat the threat have been ordered; when stocks already ordered will come on stream; and if she will make a statement on the matter. [24435/05]

416. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the measures taken by her Department to prevent an outbreak of H5N1 avian flu transmutable to humans in the forthcoming winter; if an adequate supply of vaccine against this strain will be available; and if she will make a statement on the matter. [25606/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 243 and 416 together.

Pandemic influenza is a type of influenza that can be expected to occur, on average, three or four times each century when new virus subtypes emerge and are readily transmitted from person to person. Influenza experts agree that another influenza pandemic will occur. However, it is impossible to predict when it will occur. The ongoing outbreaks of avian influenza in Asia highlight the need for vigilance and preparedness. The greatest concern for human health is that the avian influenza virus will remain endemic in Asia and that continued transmission of the virus to humans and other animals will provide opportunities for human and avian viruses to exchange genes to produce a virus that can replicate in humans, is highly pathogenic and is easily transmissible between humans. In a human population with no pre-existing immunity, such a virus could trigger a global influenza pandemic. There is no evidence of sustained person-to-person transmission of avian influenza, however.

The Health Protection Surveillance Centre plays a key role in the prevention and management of infectious diseases, including influenza, in this country. The Irish approach to infectious diseases outbreaks is based on sound internationally accepted principles such as preventative measures, early identification of cases, effective clinical care including good hospital infection control, appropriate surveillance, contact tracing and management of contacts. The centre monitors the avian influenza situation in Asia on an ongoing basis through the World Health Organisation. There are no restrictions on travel to any country experiencing outbreaks of avian infection

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in poultry flocks, including countries which have reported cases in humans. However, in line with advice from the WHO, it is recommended that Irish travellers to areas experiencing outbreaks of avian influenza infection should avoid contact with live animal markets and poultry farms.

In addition, the following actions have been undertaken. Interim Irish guidelines on the investigation and management of suspected human cases of avian influenza have been circulated to all health care professionals and are also posted on the website of the Health Protection Surveillance Centre. A clinical management algorithm has been circulated to hospitals and clinicians on the appropriate management of travellers returning from countries affected by avian influenza presenting with fever and respiratory symptoms. This will assist in the early detection of any cases of this form of influenza.

The overall aims of pandemic influenza preparedness planning are to reduce morbidity and mortality and to minimise the resulting disruption to society. However, the consequences of a global pandemic are likely to be serious. Pandemic planning can only mitigate the effects. Ireland's first influenza pandemic preparedness plan was finalised in 2002. The influenza pandemic expert group is reviewing and updating the expert guidance on pandemic preparedness and response. A generic public health emergency plan was prepared in 2004 to facilitate health service providers in developing and reviewing plans for public health emergencies. The Health Service Executive is developing and implementing a national operational plan for the health services in the event of an influenza pandemic.

The main treatment for pandemic influenza is the administration of antiviral drugs. Antivirals can shorten the duration of the disease and alleviate symptoms. Arrangements have been made to purchase 1 million treatment packs of Tamiflu antivirals. This quantity is sufficient to treat 25% of the population, in line with international trends. Some 600,000 packs — enough to treat 15% of the population — will be delivered by the end of the year. The remaining 400,000 packs will be delivered next year. Vaccination is the principal measure for preventing influenza and reducing the impact of epidemics. It will be the primary public health intervention in the event of an influenza pandemic. However, the production of a vaccine tailored to a pandemic influenza strain could take six to nine months.

Developments at international level seek to expedite the pandemic vaccine production process. A vaccine that is in development could offer some protection against a influenza strain of this nature. International experts consider that a stockpile of such a vaccine could be used as a first line of defence for priority groups, such as health care staff, while a vaccine against the exact pan-

demic influenza strain is manufactured. In August, I accepted a recommendation from the influenza pandemic expert group that a limited amount of the vaccine should be purchased. This stockpile will be reserved for key workers in essential services. The Department of Health and Children is actively pursuing the matter.

Hospital Staff.

244. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children if she has received the report of the working group on medical training and education; if she will publish the report; and if there is a plan of action for the implementation of its recommendations. [24436/05]

Tánaiste and Minister for Health and Children (Ms Harney): I have received the reports of the postgraduate medical education and training group — the Buttimer group — and the working group on undergraduate medical education and training — the Fottrell group. Each report contains a detailed plan of action for the implementation of its recommendations. Both reports are under consideration in the Departments of Health and Children and Education and Science. It is intended to bring them to the Government jointly in due course, with a view to their publication.

Hospital Services.

245. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the progress made to date in her discussions with the authorities in the Six Counties on the sharing of radiation oncology facilities; and if she will make a statement on the matter. [24445/05]

246. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children if her proposed arrangements for sharing of radiation oncology facilities in the Six Counties will apply only to patients in the north west region and not to the rest of the Border region; if patients from counties Cavan, Monaghan and Louth will also be able to access services in Belfast, Derry and Letterkenny; and if she will make a statement on the matter. [24446/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 245 and 246 together.

The Government considers that the best option for improving geographic access for patients in the north-western area is to facilitate access for them to radiation oncology services as part of North-South co-operation on cancer. I have met the Minister for health for Northern Ireland, Mr. Shaun Woodward MP, to discuss access by

patients mainly in the north-west to radiation oncology services at Belfast City Hospital. This state-of-the-art facility is scheduled to open in March 2006. I will meet Mr. Woodward again to further progress the Government's position on radiation oncology. Officials from my Department will also meet shortly with officials from the Department of Health, Social Services and Public Safety in Northern Ireland. As regards cancer patients in the other counties referred to by the Deputy, a new radiation oncology centre is being provided at Beaumont Hospital on the north side of Dublin as part of the national network for radiation oncology services. The centre will meet the major radiation oncology requirements of patients in the counties mentioned. Patients from the north-east are currently referred for treatment to St. Luke's Hospital on the south side of Dublin.

Ambulance Service.

247. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children her plans to ensure that there is an increase in the overall fleet of ambulances and trained ambulance crews in the State; if special measures are being taken to address the shortage of ambulances in the greater Dublin area; and if she will make a statement on the matter. [24447/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Housing Aid for the Elderly.

248. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when a decision will be made regarding an appeal under the housing aid for the elderly for a person (details supplied) in County Clare; and if she will make a statement on the matter. [24471/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. The executive manages the housing aid for the elderly scheme on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the

HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Cancer Treatment Services.

249. **Ms O'Sullivan** asked the Tánaiste and Minister for Health and Children if she will give an assurance that adequate funding will be provided to treat public patients at the proposed radiotherapy unit to be established at the Mid-West Regional Hospital; and if she will make a statement on the matter. [24475/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

250. **Ms O'Sullivan** asked the Tánaiste and Minister for Health and Children if she will clarify the structures under which the proposed radiotherapy unit at the Mid-West Regional Hospital will operate in the context of the Government proposal that it be a satellite to the Galway centre and the previous arrangement made with the Mater Private Hospital; and if she will make a statement on the matter. [24476/05]

Tánaiste and Minister for Health and Children (Ms Harney): I recently announced the Government's plan for a national network of radiation oncology services, to be put in place by 2011. The network will consist of four large centres in Dublin, Cork and Galway and two integrated centres at Waterford Regional Hospital and Limerick Regional Hospital, conditional on their conformity to certain quality assurance measurements. A new radiotherapy unit is under construction on the site of Limerick Regional Hospital. A two linear accelerator facility is proposed, with services to commence with one machine. The former Mid-Western Health Board entered into an arrangement with the Mid-Western Hospital Development Trust, which contracted the Mater Private Hospital to run the service. It is understood that the trust has offered to pay for public patients referred for treatment over a three to five year period. The HSE is to explore with the trust the possibility of the facility at Limerick becoming a satellite to be integrated with University College Hospital Galway.

Hospital Accommodation.

251. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children if funding will be

[Mr. P. Breen.]

provided to upgrade three wards at a hospital (details supplied) in County Clare which are in urgent need of upgrading; and if she will make a statement on the matter. [24486/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Community Care.

252. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children further to the announcement of her predecessor on 29 July 2002 regarding community nursing units, when the 850 beds will be provided; the number provided to date; the costs involved; and if she will make a statement on the matter. [24490/05]

Tánaiste and Minister for Health and Children (Ms Harney): In line with Government policy, the Department of Health and Children has been examining a number of procurement options with a view to finding an approach that will deliver 850 additional long stay beds and provide the best services and value for money to the Exchequer. There have been discussions between the Department and the Department of Finance on an initiative which is based on entering into a medium-term service level agreement with the private sector to deliver additional long stay beds for highly dependant patients. The provision of beds for patients with a high dependency will help relieve pressure on the acute hospitals and community care programme. The proposal is being developed further to evaluate its cost effectiveness and to establish whether it is appropriate to ask the HSE to pursue the initiative as one of the methods to provide additional long stay bed and increase long stay bed capacity.

Hospital Staff.

253. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the steps being taken to recruit additional midwives for Kerry General Hospital in Tralee; and if she will make a statement on the matter. [24494/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and per-

sonal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Hospitals Building Programme.

254. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children when the go-ahead will be given for the extension to Kenmare Community Hospital, Kenmare, County Kerry; the reason this matter has not been progressed for five years; and if she will make a statement on the matter. [24498/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Medical Cards.

255. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the number of persons in County Kerry in possession of a medical card. [24503/05]

Tánaiste and Minister for Health and Children (Ms Harney): The number of persons in County Kerry in possession of a medical card in September 2005 is 41,289.

Hospital Staff.

256. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children if a replacement consultant oncologist has been appointed following the resignation of an oncologist (details supplied); and if she will make a statement on the matter. [24504/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Health Services.

257. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the number of persons awaiting orthodontic treatment in the HSE south region and in County Kerry; and if she will make a statement on the matter. [24506/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Cancer Screening Programme.

258. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children if she will give consideration to the introduction of a nationwide cervical screening programme in view of the high incidence of cervical cancer; and if she will make a statement on the matter. [24508/05]

396. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Question No. 120 of 28 April 2005, if she will provide an update on the progress to date; and if she will make a statement on the matter. [25311/05]

421. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children when the national cervical cancer screening service will be instituted; and if she will make a statement on the matter. [25688/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 258, 396 and 421 together.

I am committed to the national roll-out of the cervical screening programme in line with international best practice. Following the publication of the international expert's report on the feasibility and implications of a national roll-out, the Department of Health and Children undertook a consultative process with relevant professional and advocacy stakeholders. The Department will discuss options for roll-out of the programme with the Health Service Executive.

Housing Aid for the Elderly.

259. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children the status of an application 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. [24512/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. The executive manages the housing aid for the elderly scheme on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Medicinal Products.

260. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children her views on the huge difference in price between medicines purchased here and those in Spain (details supplied); her plans regarding this problem; and if she will make a statement on the matter. [24530/05]

Tánaiste and Minister for Health and Children (Ms Harney): EU member states are the main purchasers of medicines in their domestic markets, through their national reimbursement schemes. While they seek to control drug prices, the extent of control varies widely. Higher priced countries, such as the UK and Germany, rely to a greater extent on market forces to set prices. Spain, on the other hand, closely regulates and controls prices. Ireland's pricing policy is somewhere in the middle of the European league as, with its relatively small market, it must seek to balance value for money in State drug spending with reliability and continuity of supply for essential products. Price comparison in different markets is difficult. Patent protection is well established in Ireland and allows originator companies exclusive rights to the market for ten years for new medicines. In Spain, until 1992 there was no intellectual property protection for medicines and no patent protection for new products. This has kept prices down, but it may change with patent and intellectual property exclusivity, although the long lead-in time for product development and patenting will inevitably delay this. Some products which are prescription-only in Ireland are available without prescription in Spain. While the removal of prescription status for certain products may produce lower prices in Ireland, the products would no longer be available through the community drug schemes.

All aspects of the drug delivery system, from the manufacturer to the patient, are under review. The health service procurement improvement project has analysed the State's procurement of pharmaceutical goods and services. The

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National Drugs Prescribing Group is evaluating proposals for the control of drugs costs contained in various reports, such as the Brennan report and the Deloitte & Touche report, to determine their feasibility and early delivery as part of the health reform agenda. The agreement in place between the Department of Health and Children, the Irish Pharmaceutical Healthcare Association and the Association of Pharmaceutical Manufacturers of Ireland sets out the supply terms and prices of medicines supplied to the health services. The agreement covers all reimbursable prescription medicines in the general medical services and community drug schemes and all medicines supplied to hospitals and health boards. The Department will shortly be entering into negotiations for a new agreement with the associations.

Social Services Inspectorate.

261. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children her plans to introduce an independent social services inspectorate; and if she will make a statement on the matter. [24532/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Social Services Inspectorate has been in operation on an administrative basis since 1999. During this time it has inspected all children's residential centres which are operated by the Health Service Executive, or by the former health boards, and it has piloted some inspections of foster care services against national standards. Its programme of inspection is ongoing. As the Deputy may be aware, there are commitments in Sustaining Progress, An Agreed Programme for Government and A Health Strategy: Quality and Fairness For You about the establishment of the Social Services Inspectorate on a statutory basis and the extension of its remit to other social services including residential services for people with disabilities and older people. I intend to include the necessary legislative provisions in a health information and quality authority Bill, to be published later this year.

Hospitals Building Programme.

262. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children her plans to deal with car parking when the new development starts at the Mater Hospital; and if she will make a statement on the matter. [24533/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility

of the Health Service Executive under the Health Act 2004. The executive is responsible for considering new capital proposals or progressing those in the health capital programme. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Question No. 263 withdrawn.

Medicinal Products.

264. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if the drug Vioxx is available here; if it has been withdrawn; if any person suffered heart attacks while taking the drug; and if she will make a statement on the matter. [24560/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Irish Medicines Board is the statutory body that is responsible for the regulation of medicinal products in Ireland. I have been advised by the board that Vioxx was withdrawn on a worldwide basis by a company in September 2004 following new clinical trial data which indicated an association of increased risk of cardiovascular side effects. Vioxx was authorised for use in Ireland by the Irish Medicines Board in November 1999. To date the board has received 85 adverse reaction reports for the product, eight of which have been classified as cardiovascular in nature.

Housing Aid for the Elderly.

265. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when moneys will be allocated to a person (details supplied) in County Clare under the Housing Aid for the Elderly Scheme; and if she will make a statement on the matter. [24576/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. The executive manages the housing aid for the elderly scheme on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Ambulance Service.

266. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children if she will consider the provision of a 24-hour

ambulance service for Killarney, County Kerry; and if she will make a statement on the matter. [24579/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Health Services.

267. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she, the Health Service Executive and Dublin City Council will work together in order to provide a care plan with independent living for a person (details supplied) in Dublin 3; and if she will report on local services. [24586/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Hospitals Building Programme.

268. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children the progress which has been made regarding the finalised planning brief for Waterford Regional Hospital which was submitted to her Department on 25 March 2003; and if she will make a statement on the matter. [24590/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. The executive is responsible for considering new capital proposals or progressing those in the health capital programme. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Medical Aids and Appliances.

269. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children further to Question

No. 136 of 22 June 2005, if her Department has asked the parliamentary affairs division of the Health Service Executive to have the matter investigated; and if she will make a statement on the matter. [24594/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I advise the Deputy that inquiries were made on his behalf to the Health Service Executive about the individual in question. The Department of Health and Children has been advised that an occupational therapist visited the individual in early June 2005 to assess her requirements. Following the visit, the individual was offered a bed from existing HSE stock. However, the individual did not feel that the bed was sufficient for her requirements. Subsequently, a specially designed bed was ordered by the HSE to meet the individual's particular specifications. I have been advised that the expected delivery date for the bed is late October. During the occupational therapist's visit, the individual concerned expressed difficulties with her wheelchair. The occupational therapist has arranged for the individual concerned to be assessed at the wheelchair clinic on 28 September 2005.

Housing Aid for the Elderly.

270. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children the status of an application for the housing aid for the elderly scheme by a person (details supplied) in County Clare; and if she will make a statement on the matter. [24600/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. The executive manages the housing aid for the elderly scheme on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Nursing Home Subventions.

271. **Mr. Noonan** asked the Tánaiste and Minister for Health and Children if she has made arrangements for the implementation of the national repayment scheme to persons in nursing homes; and if she will make a statement on the matter. [24624/05]

316. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when the payment of

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refunds of nursing home charges to persons who were illegally charged will commence; and if she will make a statement on the matter. [24825/05]

368. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children when she intends to refund illegal payments taken from elderly patients in public nursing homes; and if she will make a statement on the matter. [25082/05]

372. **Mr. Neville** asked the Tánaiste and Minister for Health and Children her plans for refund of moneys under the national repayment scheme in relation to the overcharging of residents of public nursing institutions. [25153/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 271, 316, 368 and 372 together.

The Government has agreed the key elements of a scheme for the repayment of long stay charges for publicly funded residential care. Those who were charged and are alive and the estates of all those who were charged and died in the six years prior to 9 December 2004 will have the charges repaid in full. The scheme will not allow for repayments to the estates of those who died more than six years prior to that date. The repayments will include the actual charge paid and an amount to take account of inflation using the consumer price index since the time the person involved was charged. Legislation will be brought before the Oireachtas as soon as possible to provide a clear legal framework for the scheme. In the case of those who were charged and are still alive, the repayments will be exempt from tax and will not be taken into account in assessing means for health and social welfare benefits. The normal tax and means assessment arrangements will apply to those who benefit from repayments to estates.

I have appointed a national oversight committee to provide an independent input into the design of the scheme and to monitor its operation to ensure it is being implemented quickly and in the most equitable and effective way possible. An outside organisation with experience in handling mass claims will be engaged by the Health Service Executive to design and manage the scheme within the parameters of the key principles approved by the Government. The organisation will work closely with the HSE to ensure that co-operation is forthcoming on records held by the health agencies. It is anticipated that an organisation will be selected this autumn and will begin work on the design of the scheme. The scheme will be designed and managed with the aim of ensuring that those who are eligible for repayments receive them as soon as possible, with the minimum possible bureaucratic imposition.

Priority will be given to those who are still alive. Many of those eligible have already been identified under the *ex gratia* payments process. The scheme will include a transparent and thorough appeals process. The legislation will include appropriate safeguards to prevent the exploitation of those who receive repayments and are not in a position to manage their own financial affairs. The scheme will include a provision to allow those eligible for a repayment to waive their right to a repayment and have the money assigned to fund one-off service improvements in elderly, mental health and disability services.

The national helpline established by the HSE to allow people to register if they believe they are due a repayment will continue to operate. There is no need for anyone who has already registered to use this facility to make contact with the HSE again to register for the scheme. Any person who considers that they or a family member may be eligible for repayment may register their interest in advance with Health Service Executive, by writing to the National Refund Scheme, HSE Midland Area, Arden Road, Tullamore, County Offaly or by e-mail to refundscheme@mailq.hse.ie; or by calling the helpline 1800 777737 during office hours.

Home Help Service.

272. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she will give the maximum support in funding to the Marion and Fairview home help service and if she will work with the Health Service Executive on this issue. [24625/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Health Services.

273. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if funding is available for a club (details supplied) in Dublin 11. [24626/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked

the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Hospitals Building Programme.

274. **Mr. Haughey** asked the Tánaiste and Minister for Health and Children the advice she has given to the Health Service Executive in relation to the proposed Mater and children's hospital development; when tendering procedures will be initiated; when construction will commence; and if she will make a statement on the matter. [24629/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. The executive is responsible for considering new capital proposals or progressing those in the health capital programme, including the Mater and children's hospital development. In this regard, I wrote to the Health Service Executive on 21 June 2005 conveying my agreement to the executive to proceed with its capital programme for this year, with the condition that the development project should not proceed to tender in 2005 without the specific sanction of the Department of Health and Children. This was necessary given the significant overall capital and non-capital funding requirements associated with the largest single capital project ever undertaken in the health services. There is a clear need to ensure that the best value for money is achieved, along with an excellent building project. With regard to the other issues raised in the question, the Department has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and to issue a reply directly to the Deputy.

Home Help Service.

275. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in Dublin 5 will receive a home-help and back up service from the Health Service Executive when she moves to Dublin; and if she will give these persons the maximum support and advice. [24637/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to

arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Hospitals Building Programme.

276. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if the proposed new development at Temple Street Children's Hospital is being scrapped; and if she will make a statement on the matter. [24645/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. The executive is responsible for considering new capital proposals or progressing those in the health capital programme. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Health Service Staff.

277. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason there is a huge shortage of public health doctors; and if she will make a statement on the matter. [24646/05]

Tánaiste and Minister for Health and Children (Ms Harney): The 2003 public health doctors agreement was negotiated by the Department of Health and Children, the HSE and the IMO, which is the representative body of public health doctors. The agreement allowed for 60 posts of director of public health medicine or specialist in public health medicine, 30 specialist registrar posts, 94 senior medical officer posts and a maximum of 86 area medical officer posts. It was agreed that no further area medical officers would be recruited. A joint implementation group, comprising representatives of the Department of Health and Children, the HSE and the IMO, was established in 2003 to oversee the implementation of the agreement. The group has overseen competitions to fill specialist registrar, area medical officer and senior medical officer posts. More than €13 million was provided in 2003 for the implementation of the agreement. While most of that funding was issued on a once-off basis in respect of retrospection, the ongoing cost of the agreement will be more than €7 million per year. The competitions which were organised to fill all senior medical officer vacancies failed to yield a sufficient number of suitably qualified candidates. While the Department has no direct role to play in filling the posts it has suggested through the joint implementation group that the remaining vacancies in this grade

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should be advertised nationally and internationally. The IMO, however, is opposed to this suggestion and wants the HSE to fill the vacancies through confined competition. I have been informed by the Public Appointments Service that it is in the process of organising competitions to fill a total of 12.5 posts.

Child Care Services.

278. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason over 2,000 children are awaiting developmental checks; and if it is correct to state that there have been no nine-month checks on babies in some areas since 2003. [24647/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Hospital Waiting Lists.

279. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Clare will be facilitated with a bed in Croom Orthopaedic Hospital; and if she will make a statement on the matter. [24648/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Health Services.

280. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when an occupational therapist will carry out a visit to a person (details supplied) in County Clare to have their needs assessed; and if she will make a statement on the matter. [24649/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive

under the Health Act 2004. Accordingly, the Department of Health and Children has asked the parliamentary affairs division of the HSE to arrange to have the matter investigated and for a reply to issue directly to the Deputy.

Cancer Screening Programme.

281. **Mr. Hogan** asked the Tánaiste and Minister for Health and Children when the breast screening programme will be extended to Kilkenny City and Council; and if she will make a statement on the matter. [24651/05]

307. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if the breast cancer screening programme will be extended to County Kilkenny; if so, the timeframe involved; if women over 64 years of age will be included in the programme; and if she will make a statement on the matter. [24797/05]

449. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children when finance will be provided to extend BreastCheck to women over the age of 65 in County Kildare. [25898/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 281, 307 and 449 together.

The national breast screening programme, BreastCheck, commenced in 2000 and covered the eastern, north-eastern and midland regions of the country. In 2003, the Minister for Health and Children announced the extension of the programme to counties Carlow, Kilkenny and Wexford. Screening commenced in County Wexford in March last year and in County Carlow in April of this year. The BreastCheck programme expects to commence screening in County Kilkenny early in 2006. The roll-out of the national breast screening programme to the remaining counties in the country is a major priority in the development of cancer services. A design team has been appointed to draw up detailed plans for two new clinical units, one at the South Infirmary-Victoria Hospital in Cork and one at University College Hospital in Galway. Capital funding of approximately €21 million has been made available. The Department is in discussions with BreastCheck about the revenue requirements for the programme. There are approximately 130,000 women in the target population for screening in the southern and western regions. It is expected that screening will commence in these regions in 2007. That will ensure that all women in the 50 to 64 age group in every county have access to breast screening and follow-up treatment where appropriate. When the national roll-out of the programme is sufficiently developed and it has been assured that a quality service is being delivered at

national level, consideration will be given to including older women and continuing the screening of women in the programme who have reached 65 years of age.

Health Services.

282. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children her views on whether the privatisation of health care services will only result in additional costs being passed on to patients and their families; and if she will make a statement on the matter. [24654/05]

283. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children her views on whether the delivery, running and operation of hospitals and health services cannot be done more efficiently in the private sector than in the public sector; and if she will make a statement on the matter. [24655/05]

284. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children her views on whether the operation of hospitals and the provision of health services by the private sector involves additional costs over the public sector, in such areas as billing, marketing and paying shareholders, that make private sector operators less efficient; and if she will make a statement on the matter. [24656/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 282 to 284, inclusive, together.

I am unclear as to what the Deputy means by the privatisation of health care services. The health strategy, Quality and Fairness — A Health System for You, indicated that the Government was committed to exploring fully the scope for the private sector to provide additional capacity, and that additional capacity would be provided by a combination of public and private providers. A policy direction has recently issued to the Health Service Executive which is aimed at freeing up additional beds for public patients in public hospitals through the development of private hospital facilities on public hospital sites.

I have no direct function with regard to the operation of hospitals and health services provided by the private sector or their cost structures.

General Medical Services Scheme.

285. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children the proposals she has to re-negotiate the arrangements agreed between her Department and the Irish Medical Association; and if she will make a statement on the matter. [24657/05]

Tánaiste and Minister for Health and Children (Ms Harney): General practitioners who choose to participate in the general medical services, GMS, scheme hold contracts with the Health Service Executive to provide services for the eligible patients on their GMS patient panel. Any person, regardless of age, who wishes to be assessed as eligible for a medical card must apply to the Health Service Executive. They must choose a doctor with whom they wish to be registered. If the doctor agrees and the assessment deems the applicant eligible to receive services under the GMS scheme, a medical card will be issued.

In the case of persons who were previously private patients of solely private doctors, if they wish to avail of the benefits of being medical card holders, a benefit to which they are statutorily entitled upon reaching the age of 70, they must choose an alternative doctor from among those who hold GMS contracts with the Health Service Executive. Certain qualification criteria apply for GMS general practitioners. These include to have successfully completed a recognised general practitioner vocational training programme or have acquired rights under an EU directive. It should also be noted that general practitioners may choose not to join the GMS scheme.

Services for People with Disabilities.

286. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if further funding will be made available for personal assistants for persons with disabilities; and if she will make a statement on the matter. [24707/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

287. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the reason the gross PAYE income, less PRSI, of a person applying for a medical card is fully assessable as income; and if she will make a statement on the matter. [24708/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility

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of the Health Service Executive, HSE, under the Health Act 2004.

Decisions on applications for medical cards are by legislation a matter for the HSE. It is understood that in examining such applications an assessment is made of the income of the applicant, and spouse, if any, after income tax and PRSI have been deducted. Provision is also made for reasonable expenses in respect of child care, rent or mortgage and commuting to work.

Health Services.

288. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called for cataract removal surgery. [24709/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

Registration of Nurses.

289. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when nursing qualifications of a person (details supplied) in County Louth will be recognised by An Bord Altranais; if all aspects of this application will be investigated; when the initial application was lodged; the number of times the person had to submit or re-submit information; and if she will make a statement on the matter. [24710/05]

Tánaiste and Minister for Health and Children (Ms Harney): Under the Nurses Act 1985, An Bord Altranais is the statutory body which provides for the registration, control and education of nurses and midwives and for other matters relating to the practice of nursing and midwifery. The Minister has no statutory role in the matter of processing of applications for registration in the register of nurses.

The issue raised by the Deputy is an operational matter for An Bord Altranais, and I suggest that the Deputy should contact the board directly on this question.

Health Services.

290. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the number of children here who have been diagnosed with delayed development; the facilities which are in place for children with this diagnosis; the places, locations

and details of the help and assistance which is available for such children; and if she will make a statement on the matter. [24711/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

291. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the progress which has been made in replacing a consultant (details supplied) for the western region of the Health Service Executive; the number of persons who have been referred to consultants in other Health Service Executive regions for treatment while this recruitment process is taking place; the further number of persons currently waiting for treatment in the western region under this speciality [24712/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

292. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called for a hip operation. [24713/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

293. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be given a third date for their tonsillectomy; the reasons given for the cancellation of their second appointment date; and if she will make a statement on the matter. [24714/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

294. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called for knee surgery; if this person will be treated under the national treatment purchase fund. [24715/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

295. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the payments made on a county and individual basis to pharmacists through the GMS scheme for 2004 including the recipients name and address. [24716/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

296. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the details of payments made on a county and individual basis to doctors through the GMS scheme for 2004 including the recipients' names and addresses. [24717/05]

297. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the position regarding the funding which was awarded to doctors on a county and individual basis through the indicative drugs target saving scheme in 2004; the further position regarding the allocations of funding from this source or from the general practitioners drugs savings towards practice developments and improvements in County Mayo for 2004. [24718/05]

302. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the reason information sought by the Deputy in a letter on 13 July 2005 from the General Medical Services Payments Board and from the Minister has not been supplied in view of the fact that this information was made available to the media on 7 September 2005; and if she will make a statement on the matter. [24759/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 296, 297 and 302 together.

The Health Service Executive, HSE, was established on 1 January 2005 under the Health Act 2004. Under that Act, the executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the making of payments, including payments under the indicative drug target scheme, to contractors who hold contracts under the general medical services scheme to provide services for medical card holders, and for the collection and dissemination of such data. Accordingly, my Department has requested the chief officer of the HSE to investigate the matters raised and to reply directly to the Deputy.

With regard to the Deputy's request of 13 July 2005, my Department forwarded this to the HSE for attention. The HSE has indicated that at the time it received the request the information sought was not yet available, as it was being collated for publication in the General Medical Services (Payments) Board's annual report, which was published in September 2005. I understand from the HSE that the information sought has now been forwarded to the Deputy.

Housing Aid for the Elderly.

298. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when an application for a person (details supplied) in County Clare will be processed under the housing aid for the elderly scheme; and if she will make a statement on the matter. [24738/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for the provision of the housing aid scheme for the elderly, on behalf of the Department of Environment, Heritage and Local Government. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

299. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called for their orthodontic assessment. [24754/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

300. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when an eye specialist will take up their position in a designated health centre (details supplied) in County Mayo. [24755/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

301. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the number of persons that have been sent to the Mayo elderly assessment committee by the Health Service Executive, western area, for the past two years; the number of persons that have been placed in nursing homes outside the county; the number placed in nursing homes in the county; and the breakdown of nursing homes into which persons were put. [24756/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 302 answered with Question No. 296.

303. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the number of stand-by drivers WESTDOC has; the amount of money which was awarded to drivers and taxis in 2004 with regard to transporting doctors late at night;

the cost for 2004; the breakdown of the cost to the Western Health Board; the number of drivers WESTDOC has; the cost in the Western Health Board area; the amount which was awarded for taxis in 2004; the overall cost with regard to transporting doctors for the WESTDOC service provided by them; and if she will make a statement on the matter. [24774/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for the out of hours co-operatives which operate to provide general practitioner services outside of normal surgery hours free of charge to medical card holders. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Prescription Medicines.

304. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if she has considered the possibility of allowing cannabis use as a prescription medicine for the treatment of conditions such as multiple sclerosis; and if she will make a statement on the matter. [24784/05]

Tánaiste and Minister for Health and Children (Ms Harney): Cannabis is a schedule 1 controlled drug under the Misuse of Drugs Acts 1977 and 1984. It is also one of the controlled drugs which has been designated for the purpose of section 13 of the Misuse of Drugs Act 1977.

The nature of the controls provided under the Misuse of Drugs Acts are those which according to current UN conventions on narcotic drugs and psychotropic substances, must be applied to substances, for which there is no current recognised medical or scientific use. Under these laws, the manufacture, possession, supply, prescription and use of the drug are prohibited, except under licence from the Minister for Health and Children.

By virtue of the designation under section 13 of the Act, licences may be only granted for the purpose of research, forensic analysis, or in respect of the use of the drug as an essential intermediate or starting material in an industrial manufacturing process. Licences may also be granted in the case of certain low tetrahydrocannabinol plant varieties of cannabis for the growing of hemp.

Claims have been made in respect of cannabis about the possible benefits for patients suffering from certain conditions such as multiple sclerosis and glaucoma. The Irish Medicines Board, under the Control of Clinical Trials Acts 1987 and 1990, has in the past granted permission to a UK based pharmaceutical company to conduct a clinical research trial in Ireland to determine the effec-

tiveness of a cannabis based medicinal extract in controlling cancer related pain.

Health Capital Programme.

305. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason almost €70 million was spent on the Mater-Temple Street site to date and still there is no new hospital; and if she will make a statement on the matter. [24788/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for considering new capital proposals or progressing those in the health capital programme.

Accordingly, my Department is requesting the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

306. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a decision will be expedited in the case of a person (details supplied) in County Kilkenny. [24796/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 307 answered with Question No. 281.

Housing Aid for the Elderly.

308. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if an application for funding under the housing aid for the elderly scheme in the name of a person (details supplied) in County Kilkenny will be approved to allow work to commence; if the application will be expedited; if there is a waiting list for the scheme; the timeframe that is involved; and if she will make a statement on the matter. [24798/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for the provision of the housing aid

scheme for the elderly, on behalf of the Department of Environment, Heritage and Local Government. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Eating Disorders.

309. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the measures which have been put in place to ensure a coherent treatment programme for eating disorders including both anorexia and bulimia; the provisions which have been made to make sure all relevant personnel are properly trained and qualified in the skills necessary for treating these disorders; the back-up support groups and educational programmes which are in place for sufferers, their families and carers; and if she will make a statement on the matter. [24807/05]

436. **Mr. Perry** asked the Tánaiste and Minister for Health and Children her plans to set up a specialist anorexia unit for children under 16 years of age; and if she will make a statement on the matter. [25819/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 309 and 436 together.

Responsibility for the management and treatment of a person with an eating disorder rests with the individual patient's clinician. However, persons presenting with eating disorders are generally treated through the local psychiatric services. Outpatient psychiatric services are provided from a network of hospitals, health centres, day hospitals and day centres. Where inpatient treatment is deemed necessary, it is provided in the local psychiatric unit or hospital, beds being allocated on the basis of patient need at any particular time. A tertiary referral service for eating disorders is available to public patients in St. Vincent's Hospital, Elm Park, Dublin where three inpatient beds are designated for this purpose.

Bodywhys, the eating disorders association of Ireland was established in 1995 to provide support, information and understanding nationally to people with an eating disorder as well as their families and friends. An information and helpline service is delivered from its central office in Dublin and there are a network of support groups in Carlow, Dublin, Galway and Limerick. In addition, details of weekly on-line support meetings are available on the organisation's website. In 2004, Bodywhys delivered 44 workshops in schools and is due to launch an educational CD, on 10 October 2005, which will target 750 secondary schools throughout the country. All Bodywhys support services are delivered by trained volunteers.

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An expert group on mental health policy is currently preparing a new national framework for the further modernisation of the mental health services, updating the 1984 policy document, *Planning for the Future*. The expert group has a number of sub-groups looking at specialist issues in mental health services, including the development of services and facilities for the treatment of eating disorders. The expert group is expected to complete its work later this year.

Vaccination Programme.

310. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the reason a list of ingredients, side effects and possible adverse reactions is not automatically given to parents to read before giving their consent to have their child vaccinated with the MMR vaccine; the further reason a system of routine blood tests by general practitioners has not been implemented which would indicate whether a booster shot is necessary; and if she will make a statement on the matter. [24808/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Service Executive, HSE, which has statutory responsibility for the management and delivery of health and personal social services, has provided the following information regarding the administration of the MMR vaccine.

The HSE sends all parents a detailed information booklet when they are invited to contact their general practitioner for their first immunisation appointment. This booklet, *Your Child's Immunisations — A Guide for Parents*, is also available from general practitioners. In addition, each vial of any vaccine, including the MMR vaccine, comes with a statement of product characteristics, SPC, leaflet which contains information for parents. This includes a list of ingredients, side effects and possible adverse reactions. It is recommended as best practice that this SPC leaflet should be given to parents to read before giving their consent to have their child vaccinated with any vaccine including the MMR.

When vaccination takes place in schools, parents are sent an information leaflet with details of side effects and adverse reactions for each of the vaccines and also a consent form. The information leaflet also includes contact details for a community health doctor for any additional queries. If parents wish, they will be given an appointment to attend the school when the vaccination takes place.

The national immunisation schedule is developed based on the advice of the national immunisation advisory committee of the Royal College of Physicians. The advice of the committee is informed by the professional expertise of

its members and is based on international best practice and research. No recommendation had been received from that body stating that routine blood tests for infants are necessary in advance of booster shots of the MMR vaccine. My Department is not aware of any country with a health system similar to ours in which this testing is routine practice.

I would urge all parents to have their children immunised against the diseases covered by the childhood immunisation programme in order to ensure that both their children and the population generally have maximum protection against the diseases concerned.

Long-Term Illness Scheme.

311. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the reason ileostomy bags being used by persons for the rest of their lives are not available on the long-term illness card; and if she will make a statement on the matter. [24809/05]

324. **Ms McManus** asked the Tánaiste and Minister for Health and Children the reason ileostomy bags are not available on the long-term illness medical card just as diabetic equipment is; and if she will make a statement on the matter. [24872/05]

325. **Ms McManus** asked the Tánaiste and Minister for Health and Children if she will provide the long-term illness card to asthma sufferers who have to pay over €85 a month for inhalers, medication and doctors visits (details supplied); and if she will make a statement on the matter. [24873/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 311, 324 and 325 together.

Under the 1970 Health Act, 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 LTI scheme does not cover general practitioner fees or hospital co-payments. The conditions covered 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. There are currently no plans to amend the list of eligible conditions.

The medical card and drugs payment schemes provide assistance towards the cost of approved drugs and medicines for people with significant ongoing medical expenses. People who cannot,

without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. Non-medical card holders, and people with conditions not covered under the LTI, can use the DPS. Under this scheme, no individual or family unit pays more than €85 per calendar month towards the cost of approved prescribed medicines. There is a range of asthma products, such as inhalers, and ileostomy products on the common list of reimbursable products for the GMS and DPS.

Decisions on individual eligibility for a medical card are solely a matter for the Health Service Executive. In determining eligibility, for people other than those aged over 70, the applicant's financial circumstances are considered and income guidelines are used. However, where a person's income exceeds the guidelines, a medical card may be granted if it is considered that medical needs or other circumstances would justify this. Medical cards may also be issued to individual family members on this basis.

In November 2004, I announced changes in the income guidelines which will have the effect of extending full eligibility to a further 30,000 persons and provision for "doctor visit" cards to up to an extra 200,000 persons. Free access to general practitioner visits under the GMS scheme will be provided to individuals and families based on income guidelines which will be up to 25% in excess of the medical card income guidelines.

Organ Retention.

312. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the reason Parents for Justice was neither consulted nor included in the drawing up of the terms of reference for the Madden inquiry; the reason these terms of reference did not require Dr. Madden to deliver findings rather than recommendations; the further reason the Madden inquiry was restricted (details supplied) despite assurances given by her to Parents for Justice that all its members would be included in the inquiry; and if she will make a statement on the matter. [24810/05]

313. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the reason the organ retention inquiry is the only inquiry in the history of the State that has been abandoned before reaching a conclusion; if she will never at any time put the interests of any pharmaceutical company before that of the citizens of Ireland; and if no human tissue or organs will ever again be retained during post-mortem and used for research or teaching or sold to any pharmaceutical company or other institution without the full informed consent of the next of kin. [24811/05]

314. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if she will be in a position to provide the answers and subsequent closure (details supplied) to parents and relatives at the end of the Madden inquiry; if she will take steps to ensure that the outcome of the Madden report will be delivered to the public in an open and transparent way; if the ethics committees in hospitals were aware of the practise of organ retention; and if she will make a statement on the matter. [24812/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 312 to 314, inclusive, together.

On 1 September 2004, following an examination of the work of all inquiries by the Attorney General, the Government decided that the post mortem inquiry should furnish its final report not later than 31 March 2005 and that the inquiry would then cease to exist. The chairman of the inquiry, Ms Anne Dunne, SC, was so advised and requested to furnish her report to me on or before that date.

She submitted her report on the due date. However, having examined the content of the report, the Attorney General advised me in April that it could not be published, for a number of legal reasons. Government subsequently approved the appointment of Dr. Deirdre Madden, a distinguished expert on medical law and ethics, on 3 May 2005 to provide me with a report on post mortem policy and practice by 21 December 2005.

Following her appointment and prior to finalisation of her terms of reference, Dr. Madden met various groups including Parents for Justice. She has also spoken to key persons in Northern Ireland and the UK who were involved in similar inquiries. In view of the tight timeframe for her work, and in order to deliver a comprehensive report by the December deadline, it was decided to concentrate on children born alive and under 12 years of age. Her terms of reference also include inquiring into allegations that pituitary glands were removed from children undergoing post mortem examination for sale to pharmaceutical companies within and outside the State. On 14 July Government agreed the terms of reference for Dr Madden's work.

I am hopeful that Dr. Madden's analysis of the material available and her contact with relevant agencies will result in a comprehensive report that will help to put closure on the matter for the many families and next of kin affected by post mortem practice and organ retention. Dr. Madden has assured me that it is her intention that I will receive her report at the end of December.

I am unsure whether the issue of organ retention would have been brought to the attention of, or discussed by hospitals' ethics committees until

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the period in 1999 when the matter was first highlighted.

In late 1999, my Department wrote to all health boards and hospitals requesting that they ensure that a policy of informed consent should operate in relation to the retention of organs following post mortem examination. In February 2000 the faculty of pathology issued its guidelines for post mortem consent and retention of tissues at post mortem examination. The Health Service Executive has confirmed that guidelines and protocols are in place for families with regard to both coroners' and non-coroners' post mortems. In accordance with these guidelines, families are to be informed when retention takes place in a coroner's post mortem and permission is to be sought to retention in the case of a non-coroner's post mortem.

Housing Aid for the Elderly.

315. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if the HSE will carry out works approved for a person (details supplied) in County Mayo under the special housing aid for the elderly scheme. [24824/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for the provision of the housing aid scheme for the elderly, on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 316 answered with Question No. 271.

Health Services.

317. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if the review of home help hours given to a person (details supplied) in County Mayo will be investigated; if the hours will be restored to one hour per day, five days a week; and the reason for the reduction and review of hours in this case. [24832/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the

Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

318. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children if she has considered a proposal from the HSE, southern area, for a 24-hour ambulance service for Killarney, County Kerry; when a decision will be made on the matter; her views on the need for such a service; and if she will make a statement on the matter. [24835/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

319. **Mr. G. Mitchell** asked the Tánaiste and Minister for Health and Children her plans to reduce the waiting list for platelet function testing for patients, especially for children (details supplied); and if she will make a statement on the matter. [24848/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

320. **Ms O. Mitchell** asked the Tánaiste and Minister for Health and Children the reason staff in Stewart's Hospital were not notified immediately following discovery of two patients suffering from legionnaires' disease. [24850/05]

321. **Ms O. Mitchell** asked the Tánaiste and Minister for Health and Children if the source of the legionnaires' disease which killed a patient recently in Stewart's Hospital has been identified; and the protocols which have been put in place to ensure there is no reoccurrence. [24851/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 320 and 321 together.

The Deputy's questions relate to the management and delivery of health and personal social services, which are the responsibility of the

Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

322. **Ms M. Wallace** asked the Tánaiste and Minister for Health and Children the home support which is available to parents of children with autism in County Louth, County Wexford and County Meath; the reason for the variation in this service; and if it depends on the county one lives in. [24863/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

323. **Ms McManus** asked the Tánaiste and Minister for Health and Children when she will set up the provision of proper living conditions for patients within the mental health services (details supplied); and if she will make a statement on the matter. [24871/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Government policy in the area of mental health care is to provide care in the community by offering the right level of intervention and support to enable people with psychiatric and psychological difficulties to achieve the maximum independence and control over their lives. We are continuing to develop a modern comprehensive community-based mental health service. This has resulted in a continuing decline in the number of inpatients with a corresponding increase in the provision of a range of care facilities based in the community to complement inpatient services.

The expert group on mental health policy is currently preparing a new national policy framework for the further modernisation of the mental health services, updating the 1984 policy document, *Planning for the Future*. The expert group which is examining the future direction and delivery of all aspects of our mental health services, has a number of sub-groups looking at particular issues in mental health services. The group is expected to complete its work later this year.

Questions Nos. 324 and 325 answered with Question No. 311.

Infectious Diseases.

326. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children her Department's policy in regard to the provision of acute care for patients in State run nursing homes who have acquired MRSA; if there is a regular testing protocol for such patients; and if she will make a statement on the matter. [24877/05]

Minister of State at the Department of Health and Children (Mr. S. Power): If a resident in a State-run nursing home acquires MRSA, and requires treatment in an acute hospital, that resident is transferred to an acute hospital for appropriate treatment. There are policies and procedures in place in public nursing homes to prevent the spread of MRSA.

327. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children the implications for employers and for her Department under health and safety legislation of hospital workers acquiring MRSA in the course of their work; and if she will make a statement on the matter. [24878/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have a reply issued directly to the Deputy in relation to this matter.

Cancer Screening Programme.

328. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children her proposals, pending the introduction of BreastCheck, to provide access for public patients from the HSE south eastern area to the mammography facilities at Barrington's Hospital, Limerick, on the basis that the required follow-up treatment can be provided at Waterford Regional Hospital; and if she will make a statement on the matter. [24879/05]

Tánaiste and Minister for Health and Children (Ms Harney): BreastCheck has considered a proposal from Barrington's Hospital in Limerick and has advised my Department that the implementation of the national breast screening programme is the best approach to ensuring that a quality assured service is available to all women in the target age group.

The national breast screening programme commenced in 2000 and covered the eastern, north-eastern and midland regions of the country. In 2003, the Minister for Health and Children announced the extension of the programme to part of the south eastern region to include counties Carlow, Kilkenny and Wexford. Screening

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commenced in county Wexford in March last year and in county Carlow in April this year. BreastCheck expects to commence screening in county Kilkenny early in 2006. Women diagnosed with breast cancer under the BreastCheck programme in these counties are referred for primary treatment to the BreastCheck clinical units at St. Vincent's Hospital, Dublin and the Mater Hospital, Dublin.

BreastCheck is preparing for the national expansion of the BreastCheck programme to the other regions in the country. This will include the remaining south eastern counties of Waterford and Tipperary south riding. The BreastCheck clinical centre that will provide services for women in these counties will be located at the South Infirmery-Victoria Hospital Cork. A design team has been appointed for the construction of this unit and BreastCheck is confident that the target date of 2007 for commencement of screening in the remaining regions will be met. Women diagnosed with breast cancer under the programme in these counties will be referred to the centre at Cork as soon as it is operational. Any woman who has concerns with regard to breast cancer should contact her general practitioner who will, where appropriate, refer her to the appropriate symptomatic services in her area.

Hospital Services.

329. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children when the sub-committee set up to report on the designated transport arrangement for cancer patients required to travel for radiotherapy treatment will report to her; if she intends to publish the report; and if she will make a statement on the matter. [24880/05]

330. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children if she plans to set up an earmarked fund to provide for designated transport and accommodation for cancer patients who must travel long distances for radiotherapy treatment; and if she will make a statement on the matter. [24881/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 329 and 330 together.

As I have previously indicated to the House, I consider that appropriate transport arrangements for patients requiring radiotherapy should be made available, where necessary, by the Health Service Executive. My Department raised this matter with the HSE last May to ensure that appropriate transport arrangements are put in place on a national basis for patients who are required to travel to obtain radiotherapy. Transport solutions are already a feature of the current provision of radiation oncology services. My

Department has asked the HSE to advise the Deputy directly in relation to current and proposed transport arrangements for radiation oncology patients nationally.

Last July I announced the Government's plan for a national network of radiation oncology services to be put in place by 2011 and commencing in 2008. The network will consist of four large centres in Dublin, Cork and Galway and two integrated satellite centres at Waterford Regional Hospital and Limerick Regional Hospital. Appropriate transport arrangements will form part of the planning and implementation of this plan, given the significant increase in capacity involved.

The national radiation oncology coordinating group, NROCG, provides advice to my Department and the HSE on radiotherapy. In light of the above and the fact that under the Health Act 2004, the HSE has responsibility for the management and delivery of health and personal social services, the NROCG does not intend to prepare a specific report on transport.

Housing Aid for the Elderly.

331. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the position regarding the application for special housing aid for the elderly for a person (details supplied) in County Wexford; when the application will be processed and work will commence; and if she will make a statement on the matter. [24882/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for the provision of the housing aid scheme for the elderly, on behalf of the Department of the Environment, Heritage and Local Government. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

332. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Clare will be called for speech and language therapy; and if she will make a statement on the matter. [24886/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are

the responsibility of the Health Service Executive under the Health Act 2004.

Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 333 withdrawn.

Hospital Accommodation.

334. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the number of persons with intellectual disability in psychiatric hospitals. [24888/05]

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 service requirements.

Departmental Legislation.

335. **Mr. Quinn** asked the Tánaiste and Minister for Health and Children if she will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of her Department, or for the commencement of which her Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if she will make a statement on the matter. [24895/05]

Tánaiste and Minister for Health and Children (Ms Harney): The following are the Acts or sections or provisions of Acts which have not yet been commenced.

1. The Mental Health Act 2001. The main vehicle for the implementation of the provisions of the Mental Health Act 2001 is the Mental Health Commission which was established in April 2002. To facilitate the establishment of the commission, sections 1 to 5, 7 and 31 to 55 of the Act were commenced at that time. The commission's primary function is to promote and foster high standards and good practices in the delivery of mental health services and to ensure that the interests of detained persons are protected.

The detailed work programme of the commission is a matter for it to determine, in accordance with its statutory functions under the Mental Health Act 2001. One of the priorities for the commission is to put in place the structures required for the operation of the mental health tribunals, as provided for in Part 2 of the Act.

The commission is currently in discussion with my Department, the Health Service Executive and other relevant agencies to ensure that all elements of the organisational and support systems required are in place prior to the commencement of Part 2 of the Act. It is expected that Parts 4, 5 and 6 of the Act will be commenced simultaneously with Part 2 of the Act. A commencement order will be made when my Department is advised by the Mental Health Commission and the HSE that all necessary arrangements are in place.

2. The Children Act 2001. The Department of Justice, Equality and Law Reform has the lead role in the implementation of the Children Act 2001. There are three Parts in the Children Act 2001 which specifically relate to the health area. Part 2 establishes for the first time on a statutory basis the family welfare conference. Part 3 amends the Child Care Act 1991 by inserting two new parts, Part IVA, which imposes duties on the Health Service Executive with regard to a child who may be in need of special care or protection, and Part IVB, relating to private foster care. Part 11 provides for the establishment of the special residential services board on a statutory basis to coordinate residential services for children detained in detention schools and in special care units. Part 11 was fully commenced on 7 November 2003 and almost all of Parts 2 and 3 were commenced in September 2004. Regulations for family welfare conferences and special care units were also commenced in September 2004. The certification process of special care units which is due to start in the near future has been delayed because of the requirement to amend those regulations as a consequence of the Health Act 2004. These amended regulations are currently being finalised.

The sections of the Children Act 2001, which the Minister for Health and Children has a responsibility for commencing and which have not yet been commenced because of resource and service implications, are sections 23D, section 77 and sections 7(1)(a), 10(2) and 13(2), which relate to section 77.

My Department is working closely with the Health Service Executive, the Departments of Education and Science and Justice, Equality and Law Reform and the National Children's Office in the context of the coordinated phased implementation of the Children Act 2001. The commencement of section 77 and its associated sections and section 23D is being examined in this context and in the light of available resources. It may be necessary to amend some aspects of the Children Act once the Government has considered the report of the youth justice project team.

3. The Health (Miscellaneous Provisions) Acts 2001. Section 1(1)(b) of the Health (Miscellaneous Provisions) Act 2001 has not been

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commenced and it is not intended to commence it. This section would have allowed regulations to be made to amend section 59 of the Health Act 1970. These regulations would have referred to: (i) regulation involving community pharmacy contracts, in conjunction with the Pharmacy Act, and (ii) regulation dealing with the approval of drugs for reimbursement under the community drugs schemes. The reason for the non-commencement relates to legal advice from the Attorney General's office that regulation in these areas should be dealt with by primary legislation.

With regard to (i), in keeping with the principles outlined in the Government's White Paper on better regulation, in particular the principles of transparency and effectiveness, issues concerning pharmacy contracts will be addressed in the Pharmacy Bill.

It is not proposed to re-establish quantitative restrictions on the pharmacy sector, rather any regulation will deal with qualitative issues relating to delivery of service. This will allow for the assessment and maintenance of pharmacy service standards in an accountable and transparent manner.

Section 3 of the 2001 Health (Miscellaneous Provisions) Act which amends section 7 of the Health (Nursing Homes) Act 1990 and relates to regulations governing the nursing homes subvention scheme has not been commenced.

4. The Health Insurance (Amendment) Act 2001. Sections 6 and 7, and sections 5 and paragraph (b) of section 13 in so far as they relate to section 6, of the Health Insurance (Amendment) Act 2001 have not been commenced. These provide for the application of "lifetime community rating" by insurers. Related regulations are in the course of being drafted. The sections will be commenced when the regulations have been finalised.

5. The Public Health (Tobacco) Act 2002 and Public Health (Tobacco)(Amendment) Act 2004. Sections 1, 8, 33 to 45 of the Public Health (Tobacco) Act 2002 and sections 1, 4 to 14 and the Schedule to the Public Health (Tobacco)(Amendment) Act 2004 have not yet been commenced. Sections of the Acts are the subject of a constitutional challenge in the High Court by the tobacco industry and others. A trial date has not yet been fixed. Commencement of the sections involved is kept under review in the context of the legal challenge in the courts.

The sections of the Public Health (Tobacco) Acts 2002 and 2004 which have been commenced have provided, *inter alia*, for the introduction of the smoke-free workplaces measure and the establishment of the Office of Tobacco Control as a statutory body.

6. The Health Act 2004. Section 42 of the Health Act 2004, which provides for the making of regulations providing for the establishment of

regional health forums, Part 9 of the Act which provides for the establishment of a statutory complaints framework to apply to complaints about the actions of the HSE or a service provider providing a service under an arrangement with the HSE and section 79 of the Act which provides for the making of regulations regarding the dealings which the HSE has with Members of the Oireachtas have not yet been commenced. I intend to introduce the regulations required under sections 42 and 79 soon. With regard to Part 9, a consultation process with the various stakeholders has taken place. The views expressed during the process are being taken into account in the drafting of the regulations required to give effect to this Part. This Part will be commenced when these regulations are completed.

7. The Civil Registration Act 2004. All sections other than sections 27 and section 65 of the Civil Registration Act 2004 have yet to be commenced.

The Civil Registration Act 2004 is a major piece of reforming legislation and is an essential part of the modernisation of the civil registration system. The other parts are the computerisation of registration, the electronic capture of historic data and the reorganising of the delivery of the service at local level.

The Act will replace a variety of old legislation some of which dates back to 1844. It provides for the strengthening of management and administration of civil registration; simplification of registration procedures; reform of marriage law; and establishment of registers of decrees of divorce and nullity and a single register of adoptions. A great deal of work is therefore required to be done in advance of commencement. A good deal of preparatory work had been done with a view to commencing Parts 1, 2, 3, 5 and 8 of the Act when, in March of this year, legal advice indicated that it would be necessary to introduce amending legislation before any commencement could proceed. This amending legislation, Civil Registration (Amendment) Act 2005, was signed into law on 9 July 2005. The above parts deal with administrative arrangements, the registration of births, stillbirths, deaths and some general matters.

Work is now at a very advanced stage towards the commencement of the following: sections 1 to 30, excluding section 13(1)(c) and (e) and section 27 which is already commenced; and sections 36 to 44 and section 60 to 73, excluding section 65 which has already been commenced. It is intended to commence these sections during October 2005.

The balance of the Act, namely, section 13(1)(c) and (e), sections 31 to 35 and 45 to 58 will be commenced in late 2006. The lengthy preparatory period is required because the Act involves a major overhaul of marriage law including the establishment of a register of solemnisers

and a register of approved venues for civil marriages.

8. The Disability Act 2005. The Minister for Health and Children, following consultation with the Minister for Education and Science, is responsible for the commencement of the provisions of Part 2 of the Disability Act 2005, section 1(3). This Act was passed by the Houses of the Oireachtas in July 2005. My Department is undertaking a consultation process as part of the preparation of the necessary statutory regulations required under Part 2. This process is currently under way.

Health Services.

336. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if a person who is occupying a bed in a private nursing home which has been contracted by the Health Service Executive is obliged to sign a separate contract of care with the nursing home in respect of the care that will be provided; if the Health Service Executive has set stipulations in relation to such a contract of care; if the new charges which are applied in respect of a contracted bed are being collected on an agency basis by the nursing home; and the authority which is granted to the nursing home in respect of the recovery of these charges when they are acting as agents on behalf of the Health Service Executive. [24916/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

General Medical Services Scheme.

337. **Mr. Haughey** asked the Tánaiste and Minister for Health and Children the position regarding the provision of shoe arches on prescription from a podiatrist; if these are provided free of charge under the general medical scheme; and if she will make a statement on the matter. [24921/05]

Tánaiste and Minister for Health and Children (Ms Harney): Under the general medical services scheme, GMS medical card, eligible persons are entitled to general practitioner services from GMS contract holding GPs and to a range of approved, prescribed medicines free of charge. There is no provision for the issue of items prescribed by other medical or paramedical specialists under the GMS scheme.

Care of the Elderly.

338. **Mr. Haughey** asked the Tánaiste and Minister for Health and Children the reason the Leas Cross nursing home in Swords, County Dublin, was closed; if reports on this matter are due to be published shortly; and if she will make a statement on the matter. [24922/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I wish to inform the Deputy that my Department requested a report on this matter from the Health Service Executive. The Health Service Executive has informed the Department that the nursing home inspectorate in the HSE northern area, HSENA, had concerns with regard to the number of high dependent residents in Leas Cross, unsatisfactory level of staffing-skill mix, lack of care planning and level of complaints. It was in contact with the management at Leas Cross in late 2004 and early 2005 to satisfactorily deal with those matters.

As the Deputy is aware, the RTE "Prime Time" programme on Leas Cross on 30 May 2005 highlighted highly unsatisfactory care issues in the nursing home. The HSE has advised that prior to the programme being presented and immediately afterwards, senior management, HSENA, had a series of meetings with the management of Leas Cross that culminated in the HSENA assigning a director of nursing and senior nurse management to Leas Cross from 1 June to ensure patient safety and improve the level of care, and following the recruitment of the necessary level of suitable skilled staff, as advised to management, to provide training and support to them.

By 8 June, the director of nursing and her staff were very concerned with the exceptionally low level of care throughout the home being delivered, in the main, by unskilled staff and a small number of nursing staff. The matters of particular concern relating to how they impacted on patient care and safety were staffing skill mix, namely, unqualified staff, infection control, record keeping and fire safety. The HSE has informed the Department that management of Leas Cross had been advised by the HSE of the additional numbers of appropriately skilled staff required to meet the care needs of the residents at Leas Cross. Management advised that it was not in a position to source and recruit these staff. Management of Leas Cross were formally advised on 15 June that the HSE must fulfil its duty of care and obligations immediately to the residents of Leas Cross and in this context alternative arrangements would have to be made for the provision of care to patients placed in Leas Cross Nursing Home by the HSE and patients receiving subvention from the HSE who were residents in Leas Cross Nursing Home.

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Following on from this decision, a programme was put in place by the HSE as follows: consultation with the residents in Leas Cross and their families, counselling and support for the residents, their families and staff at Leas Cross, sourcing and quality assuring alternative nursing home places and presenting residents and their families with accessible alternative nursing home options, facilitating visits by families-residents to various homes, as well as facilitating patient assessments, arranging clinical assessments of all patients and managing and supporting the transfer of residents individually to the nursing home of choice.

On 6 July 2005 management of Leas Cross formally advised the HSE of its intention to close its nursing home as and from 1 August. The transfer of residents to their new homes took place on a phased basis with a small number of residents moving daily. The transfers were carried out in this manner so that each resident and his or her family would have the necessary level of support from HSE staff in his or her moving from Leas Cross and in settling in to his or her new home. To this end, a number of experienced administrative staff were assigned to support the director of nursing. The deadline set out by management of Leas Cross was met with the final residents transferring to their new homes on 30 July.

Communication is ongoing between the HSE and the management of Leas Cross concerning the removal of Leas Cross from the register of nursing homes. The HSE has informed the Department that it has appointed a professor of geriatric medicine to independently review the deaths at Leas Cross. This process is ongoing and the review should be available by the end of the year. The HSE has also informed the Department that it has appointed an independent committee to investigate complaints highlighted in the RTE “Prime Time” programme and other matters. The HSE has informed the Department that it is not possible to indicate when this report will be available.

Health Services.

339. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if urgent assistance will be given to persons (details supplied) in County Waterford; and if she will work with the HSE to provide a service for them. [24923/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): My Department understands that the Health Service Executive has recently written to the Deputy on the matter.

340. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children the position in regard to the provision of a CT scanner for

Monaghan General Hospital; if she proposes to deliver on the commitment by her predecessor to provide such a scanner; and if she will make a statement on the matter. [24924/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department is requesting the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

341. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the number of physiotherapists currently employed by the HSE in County Mayo; the number of physiotherapists that provide a community based service; the plans of the HSE to increase or decrease the number of physiotherapists providing the community based service, giving the reasons for same; and if she will make a statement on the matter. [24938/05]

Tánaiste and Minister for Health and Children (Ms Harney): I should explain that the quarterly health service personnel census collects employment information on the basis of grade and employing agency rather than on a county or service basis. As the information requested by the Deputy relates to human resource management issues that are the responsibility of the Health Service Executive under the Health Act 2004, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

342. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Clare will receive a special chair from the Health Service Executive; and if she will make a statement on the matter. [24939/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Housing Aid for the Elderly.

343. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when a person

(details supplied) in County Clare will be assessed under the housing aid for the elderly scheme; and if she will make a statement on the matter. [24944/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for the provision of the housing aid scheme for the elderly on behalf of the Department of Environment, Heritage and Local Government. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

344. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the position regarding St. Luke's Hospital, Dublin, in respect of funding future plans; if the maximum support will be given to the Friends of St. Luke's; and if she will make a statement on the matter. [24945/05]

Tánaiste and Minister for Health and Children (Ms Harney): On 25 July 2005 I announced the Government's plan for a national network for radiation oncology services to be put in place by 2011. The plan will consist of four large centres in Dublin, Cork and Galway and two integrated satellite centres at Waterford Regional Hospital and Limerick Regional Hospital. I am convinced that it is essential to retain the commitment, expertise, tradition and ethos of St. Luke's Hospital and its staff as an integral part of the new national network. The Government has agreed that the radiation oncology staff and services at St. Luke's Hospital will relocate to the St. James's Hospital facility on a managed and phased basis over the full transition period to 2011.

I recognise the need for additional capacity nationally by 2008. For that reason I have approved two additional and two replacement linear accelerators for St. Luke's to facilitate maintenance and appropriate development of the services in the interim. A project team has been established to progress this development. I wish to acknowledge the substantial financial contribution that the Friends of St. Luke's has made to the development of radiation oncology services. I am anxious to see that role strengthening as radiation oncology develops in line with best international practice. I am open to meeting with the Friends of St. Luke's to set out the Government's

plans, which are widely recognised as being in the best interests of cancer patients nationally.

Health Services.

345. **Mr. Cregan** asked the Tánaiste and Minister for Health and Children when a third geriatrician will be appointed to the mid west region of the HSE, catering for the Limerick city and county area; and if she will make a statement on the matter. [24947/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Care of the Elderly.

346. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the current budget for orthopaedic services for the elderly in County Wexford. [24950/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy regarding this matter.

Health Services.

347. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the length of time it takes for a person to see an occupational therapist in County Wexford. [24951/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

348. **Mr. Nolan** asked the Tánaiste and Minister for Health and Children when a report will issue from the subcommittee which was set up by her Department to study the needs from a neurological perspective and the possibility of establishing

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a third neurological unit in Galway; if an interim report will be published; when the final report is due to be published; and if she will make a statement on the matter. [24952/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Comhairle na nOspidéal published a report of a review of neurology and neurophysiology services in April 2003. The report recommended significant enhancement of these services, including increases in consultant staffing. It also made a number of recommendations relating to the development of services, including the continued development and expansion of neurology services in Galway. The future development of these services is a matter for the Health Service Executive, having regard to available funding and other competing service priorities.

At the request of the Department of Health and Children, a committee was established by the former Comhairle na nOspidéal, currently the National Hospitals Office-Comhairle, to review the existing arrangements for the provision of neurosurgical services and consultant staffing nationally, and following consultation with the interests concerned, to make recommendations on the future organisation and development of neurosurgical services. My Department has been informed that this committee is in the process of completing its report. It is not proposed to publish an interim report.

Medical Cards.

349. **Ms McManus** asked the Tánaiste and Minister for Health and Children the cost per annum of providing medical cards to all children under 16 years of age; and if she will make a statement on the matter. [24967/05]

Tánaiste and Minister for Health and Children (Ms Harney): On the basis of the figures contained in the 2004 annual report of the former payments of the General Medical Services Payments Board, now the Health Service Executive, Shared Services and Primary Care Reimbursement Service, it is estimated that the additional cost involved if medical cards were to be provided to all those aged under 16 years would be approximately €86 million. This estimate is calculated by reference to the average capitation fees paid to general practitioners and the average costs of drugs and medicines and fees paid to pharmacists at the end of 2004. There would, of course, be other costs such as allowances payable to GPs, superannuation in respect of GPs and benefits to medical card holders under the dental and ophthalmic schemes. The estimate does not take account of fee increases which would apply under the terms of the Labour Relations Com-

mission's recommendations of 20 June 2005 and any additional costs which might result from future industrial relations negotiations.

Mental Health Services.

350. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position regarding the provision of an Alzheimer's unit at St. Ita's Hospital, Newcastle West, County Limerick. [24969/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 351 withdrawn.

Grant Payments.

352. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children if she will provide immediate supplementary funding to clear the waiting list for the curam home care grant in the Southern Health Board and HSE southern area; if this pilot grant scheme will be continued into the future by her Department; and if she will make a statement on the matter. [24981/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

353. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children her proposals to bring to an end the practice whereby persons over 70 years of age with medical cards are charged for the medical examination in regard to renewal of their driving licences; and if she will make a statement on the matter. [24986/05]

Tánaiste and Minister for Health and Children (Ms Harney): Under the terms of the general medical services scheme, GMS, contract, participating GPs undertake to provide a range of treatments and general practitioner services for the

patients on their GMS panel. Their GMS contract obliges them to provide the first and last certificates to explain work absence for their patients. All other requested certificates in respect of requirements for driving licences or life or assurance policies may incur charges. I have no plans to change this arrangement.

Health Services.

354. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children the position concerning the cancer services for the north west; and if she will make a statement on the matter. [24993/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has asked the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

355. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children when approval will be given to appoint the design team to a project (details supplied) in County Donegal; and if she will make a statement on the matter. [24994/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for considering new capital proposals or progressing those in the health capital programme. Accordingly, my Department is requesting the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

356. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if assistance will be given to CASA in its request for core funding for its respite programme for persons with disabilities. [24995/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

357. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if, in view of the fact that Ireland has one of the highest incidences of cystic fibrosis in the world and that it is generally accepted that existing services for those with this disease are below basic international standards, she will allocate the necessary funding to address the immediate short-term and long-term requirements; if she will put forward a special case that will allow the permanent recruitment of staff; if the Health Service Executive working group endorses the findings of the Pollock report; if the safety of cystic fibrosis patients is being compromised due to inadequate staffing and facilities; and if she will make a statement on the matter. [25064/05]

358. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children when she is prepared to meet the Cystic Fibrosis Association of Ireland; when she will receive the recommendations from the Health Service Executive working group; and if she will make a statement on the matter. [25065/05]

359. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if she will consider public or private partnerships as an option to speed up the provision of internationally acceptable services for cystic fibrosis patients; if she will give a commitment for adequate funding for the resourcing of services to address the needs of these patients; the steps she will take to ensure that these patients are in single rooms in view of the massive risk of cross-infection in cystic fibrosis patients; her views on whether a hospital were to deny access to a cystic fibrosis patient due to overcrowding and the risk of exposure to such cross-infection; and if she will make a statement on the matter. [25066/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 357 to 359, inclusive, together.

The Deputy is aware that, following the publication of the Pollock report commissioned by the Cystic Fibrosis Association of Ireland, the Health Service Executive established a multi-disciplinary working group to review the current configuration and delivery of services to persons with cystic fibrosis in Ireland. The working group is also to make recommendations for the reconfiguration, improvement and development of those services. The provision of additional resources for the development of services for persons with cystic fibrosis will be considered in the light of the group's recommendations. I understand that the work of the group is at an advanced stage. I will be glad to meet the Cystic Fibrosis Association

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of Ireland when the working group has finalised its report.

Cancer Screening Programme.

360. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 116 of 25 May 2005 if short-listing, interviews and fee negotiations have been completed; and if she will make a statement on the matter. [25074/05]

Tánaiste and Minister for Health and Children (Ms Harney): The short-listing, interview and fee negotiation process for the appointment of a design team for the proposed BreastCheck developments at Cork and Galway was completed in August last. The design team has now commenced its work.

Health Services.

361. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children her plans to expand the services available to diabetics in County Roscommon; and if she will make a statement on the matter. [25075/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

362. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children if she will approve the appointment of three rheumatologists to cater for patient needs in the Western Health Board region and a paediatric rheumatologist; the additional rheumatology services which will be provided in the region in 2005; and if she will make a statement on the matter. [25076/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

363. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No 165 of 24 May 2005 when a person (details supplied) in County Roscommon will be called for a cataract operation; the reason for the delay; the reason a response has not been issued to date; and if she will make a statement on the matter. [25077/05]

Tánaiste and Minister for Health and Children (Ms Harney): I understand that the Health Service Executive western area issued a detailed reply to the Deputy on 1 June 2005.

Pre-School Services.

364. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 334 of 26 January 2005 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. [25078/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The review of the Child Care (Pre-School Services) Regulations 1996 and (Amendment) Regulations 1997 has been completed. I expect to be in a position to introduce the revised regulations in the near future. Training issues for pre-school inspection staff that may arise as a result of the requirements of the revised regulations will be a matter for the Health Service Executive as part of their implementation.

Irish Blood Transfusion Service.

365. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the reason persons with haemochromatosis cannot donate blood; the plans there are to review this situation; and if she will make a statement on the matter. [25079/05]

Tánaiste and Minister for Health and Children (Ms Harney): I understand that the Irish Blood Transfusion Service, IBTS, does not currently accept blood donations from people with haemochromatosis. Blood donors must donate on a voluntary basis and a significant reason donations are not taken from people with haemochromatosis is that blood is taken from them as part of the treatment for their condition rather than for the specific purpose of donating. The IBTS is working with the Irish Haemochromatosis Association to identify practicable solutions that would address the concerns of people with haemochromatosis in this regard.

Health Services.

366. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the action she is taking to develop the haemochromatosis clinic at the County Hospital, Roscommon; and if she will make a statement on the matter. [25080/05]

Tánaiste and Minister for Health and Children (Ms Harney): As the Deputy will be aware, responsibility for the provision of health services, including the establishment of haemochromatosis clinics, rests with the Health Services Executive. Accordingly, my Department has asked the parliamentary affairs division of the executive to examine the matters raised by the Deputy and to respond to him directly.

Hospital Services.

367. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No 208 of 30 November 2004, if the board has made a decision on the reduction in bed numbers; if this decision is being postponed until the health executive is appointed; the future plans for this facility; and if she will make a statement on the matter. [25081/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 368 answered with Question No. 271.

Services for People with Disabilities.

369. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 332 of 26 January 2005 when she intends to complete the strategic review of existing service provision for persons with disabilities; and if she will make a statement on the matter. [25083/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): As the Deputy is aware, my Department is currently carrying 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 is being carried out in accordance with the Department's commitment in Sustaining Progress, the Social Partnership Agreement 2003-

2005, in consultation with relevant interests. It is expected that the review of existing service provision will be completed by the end of 2005. As the Deputy may be aware, section 31 of the Disability Act 2005 requires this Department to prepare and publish a sectoral plan by July 2006. As there is an interdependence between the strategic review and the sectoral plan, it is intended that, where possible, consultation with relevant interests will take place in tandem early in 2006. Following the consultation exercise referred to above, my Department will prepare a new statement of policy sign-posting the future direction of health and personal social services for people with disabilities.

Departmental Schemes.

370. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 235 of 12 April 2005, the current status of the review; when a compensation scheme will be put in place; and if she will make a statement on the matter. [25084/05]

Tánaiste and Minister for Health and Children (Ms Harney): My officials are continuing to examine the feasibility of introducing a vaccine damage compensation scheme. A preliminary review of the vaccine damage compensation schemes in place in a number of other countries was undertaken by my Department earlier this year in order to establish general details of schemes already in existence. More recently my officials have been carrying out an investigation to identify the most relevant models from a clinical, administrative and fairness point of view. When this investigation has been concluded 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.

371. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 72 of 22 March 2005 if she intends to fulfil a written commitment given by her predecessor to establish a no fault compensation scheme for psychiatric nurses; and if she will make a statement on the matter. [25085/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Report of the Taskforce on Assaults on Psychiatric Nurses was discussed at the Cabinet meeting on 13 July 2005. After considering the taskforce report, the Government decided not to introduce a no fault compensation scheme for psychiatric nurses. Complex legal and financial issues had emerged regarding aspects of the proposed scheme and their implications for the health service and the wider public service. The Government, however, decided to ask the

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State Claims Agency, SCA, to examine the possibility of amending the revised serious physical assaults scheme 2001 to include a fixed redress fund for physical injury caused by assault at work. The SCA has been requested to report on the feasibility and implications of this option. Upon receipt of the report from the SCA and further consultations with the Department of Finance and the Office of the Attorney General, the Government will give further consideration to this matter.

Question No. 372 answered with Question No. 271.

Suicide Incidence.

373. **Mr. Neville** asked the Tánaiste and Minister for Health and Children the position in respect of the publishing of the report on the death by suicide of a person (details supplied) on 20 September 2002; and the position regarding the implementations of the recommendations of the review and treatment of the person in the course of their admission to the acute psychiatric in-patient unit in the Mid-Western Regional Hospital. [25159/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Office of the Attorney General has advised my Department that it would not be appropriate to publish the report referred to by the Deputy. Therefore, on the basis of this advice it is not my intention to have this report published. The Deputy's second question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

374. **Mr. Neville** asked the Tánaiste and Minister for Health and Children if she has received the report from the Mental Health Commission on the death of a person (details supplied); and if she will initiate a sworn independent public inquiry as requested by the family of this person. [25160/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I have not yet received the report referred to by the Deputy. I will await the findings of the Mental Health Commission before making any further decisions in the matter.

Redress Board.

375. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children when the report of the investigation into the obstetrics and gynaecology unit at Our Lady of Lourdes Hospital, Drogheda, will be published; if she has considered the report; the action she proposes to take; and if she will make a statement on the matter. [25162/05]

389. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children when the Lourdes hospital, Drogheda, inquiry report will be published; and if she will make a statement on the matter. [25288/05]

390. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children when the proposed redress board for the victims of unnecessary surgical procedures at Our Lady of Lourdes Hospital, Drogheda, will be established; and if she will make a statement on the matter. [25289/05]

459. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children when the Lourdes inquiry report will be published; when the redress board will be established; and if she will make a statement on the matter. [25961/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 375, 389, 390 and 459 together.

My Department is advised that the work of the inquiry is at an advanced stage. In March 2005, I met representatives of Patient Focus, a group representing a number of patients who attended the maternity unit at Our Lady of Lourdes Hospital, Drogheda. I advised the group that I would await the report of the inquiry before consulting with Government on the request for the establishment of a redress board. I intend to meet the group again following receipt of the report of the Inquiry.

Health Services.

376. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children her views on the assessment made by a person (details supplied) of the Health Service Executive that it will take at least two years to sort out problems in the accident and emergency departments; and if she will make a statement on the matter. [25168/05]

Tánaiste and Minister for Health and Children (Ms Harney): It is recognised that a range of short-term, medium-term and long-term measures are needed that transcend the immediate operational issues in accident and emergency departments and that are integrally linked to the development of primary care services and sup-

port services for the elderly. Actions specifically identified in the ten point plan to improve the delivery of accident and emergency services are aimed at improving patient flows through those departments, freeing up acute beds and providing appropriate longer term care for patients outside of the acute hospital setting. These actions are being implemented by the Health Service Executive.

Proposed Legislation.

377. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the reason the Chiropractic Association of Ireland has not yet been included within the framework of the Health and Social Care Professionals Bill 2004; if there are plans to include it; and if she will make a statement on the matter. [25171/05]

Tánaiste and Minister for Health and Children (Ms Harney): The 12 professions selected for inclusion in the Health and Social Care Professionals Bill 2004 were chosen because they are long established providers of health and social care within the public health service and, in most instances, also have experience of self-regulation. In addition, the qualifications of the majority of these professions are already currently regulated within the public health service. Section 4 of the Bill provides for the inclusion by regulation of additional professions in the proposed system of statutory registration. This section also sets out the criteria the Minister shall have regard to in considering the designation of further professions under the legislation. The Deputy will appreciate that the future inclusion of any profession must be dependent upon its meeting this criteria. I favour the programme and orderly inclusion of additional health and social care professionals in this new statutory framework and I will consider the case with respect to chiropractors in that light.

Medical Cards.

378. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the reason a medical card has been refused in the case of a person (details supplied) in County Roscommon; if this case will be reviewed as a matter of urgency; and if she will make a statement on the matter. [25219/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter inves-

tigated and to have a reply issued directly to the Deputy.

Health Services.

379. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if and when services will be available to children suffering from dyspraxia; if the required resources to meet requirements will be available to assist in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [25221/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Accommodation.

380. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 189 of 11 May 2005, the reason the latter half of the question was completely unanswered; when a full and complete reply to same will be furnished in this regard; and if she will make a statement on the matter. [25222/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department previously requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy. The Department has again raised this matter with the HSE.

Health Services.

381. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if a refund will be offered to a person (details supplied) in County Wicklow in view of ongoing dental treatment; and if she will make a statement on the matter. [25244/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has

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requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

382. **Mr. J. Higgins** asked the Tánaiste and Minister for Health and Children the steps she is taking to implement the recommendations contained in the last annual report of the inspector of mental health services. [25269/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I welcome the publication of the report of the inspector of mental health services and acknowledge the important role that the inspector plays in providing a clear and accurate account of services in the mental health sector throughout the country.

The report highlights the serious structural and operational challenges that exist within the mental health system as well as the opportunities that exist to make significant improvements. In this regard, the expert group on mental health policy, which I established in 2003 is currently preparing a new national policy framework for the further modernisation of the mental health services, updating the 1984 policy document, *Planning for the Future*. The expert group is examining the future direction and delivery of all aspects of our mental health services and is expected to complete its work later this year.

This year an additional €15 million has been invested in mental health service development and this is being complemented by €26 million capital funding to improve or replace outdated and inadequate infrastructure. My Department will continue to work closely with the inspector of mental health services, the Mental Health Commission and the Health Service Executive to facilitate the service providers in bringing about the improvements and developments identified by the inspector as quickly as possible. I am fully committed to ensuring that the recommendations made in the report are followed up as soon as possible.

Health Services.

383. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the serious difficulties that families with autistic children are having accessing appropriate services in the HSE north east area; and the steps she is taking to improve the HSE north east's delivery of these services. [25276/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's

question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

384. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children her views on the European autism charter, adopted as a formal resolution of the Committee on Social Affairs of the European Parliament in 1993 and by the European Parliament as a written declaration in May 1996; and if the State abides by the charter. [25277/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The philosophy underpinning the planning and delivery of health services to people with disabilities, including those with autism, is that people with disabilities should be given the opportunity to live as full a life as possible, to live with their families and as part of their communities for as long as possible. The Government's overall objective is to put in place the most effective combination of legislation, policies, institutional arrangements and services to support and reinforce equal participation for people with disabilities. As such, the approach in the health services to the provision of support for people with autism incorporates the key principles outlined in the charter of autism Europe.

385. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the strategy her Department is putting in place to improve the monitoring of autism and to research indicators for autism. [25278/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The national intellectual disability database was established in 1995 to ensure that information is available to enable the Department of Health and Children, the Health Service Executive and the voluntary agencies in Ireland to provide appropriate services designed to meet the changing needs of people with intellectual disability and those with autism and their families. The database incorporates three basic elements of information: demographic details, current service provision and future service requirements. The objective is to obtain this information for every individual known to have an intellectual disability and/or autism and assessed as being in receipt of, or in need of, an appropriate service.

Information pertaining to diagnosis is specifically excluded, as the database is not designed as a medical epidemiological tool. The data held in any individual record represent the information available for that person at a specific point in time only. The record is updated whenever there are changes in the person's circumstances or during the annual review process in the spring of each year.

The national intellectual disability database enables those involved with the planning and delivery of service to people with an intellectual disability and those with autism to identify not only the level of need amongst those awaiting placement in services but also the service changes required by those already in receipt of services.

In addition, my Department has committed €5 million in funding to an Irish research project participating in an international genetics project designed to map the human genome in the search for autism susceptibility genes.

386. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in Dublin 7 had to travel abroad for a service; and if she will make a statement on the matter. [25284/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

387. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if her Department, the Health Service Executive and service providers will put a long-term independent care plan in place for a person (details supplied) in Dublin 3; and if she will work closely with these persons on this issue. [25285/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

388. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if her Department and the Health Service Executive will assist, with proper back-up services, persons with a mental illness and a history of violence; and if assistance will be given to their families and assaults in the community reduced; and if she will make a statement on the matter. [25286/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

As the Deputy may be aware the expert group on mental health policy is currently preparing a new national policy framework for the further modernisation of the mental health services, updating the 1984 policy document, Planning for the Future. The expert group is currently examining the future direction and delivery of all aspects of our mental health services including the provision of appropriate services for those with behavioural difficulties and is expected to complete its work later this year.

Questions No. 389 and 390 answered with Question No. 375.

Health Services.

391. **Mr. Connolly** asked the Tánaiste and Minister for Health and Children when a replacement community ophthalmologist will be appointed to service the Monaghan area (details supplied); and if she will make a statement on the matter. [25290/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

392. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the number of children and adults with an intellectual disability (details supplied) in the State and the services

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available to the families of these persons.
[25294/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

393. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when a decision will be made regarding a dementia unit (details supplied) for County Clare; and if she will make a statement on the matter. [25295/05]

397. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to a letter (details supplied) regarding dementia care in County Clare and stating that the HSE intends to provide a mild moderate day care unit in Clarecastle, County Clare; if this is still HSE policy; and if she will make a statement on the matter. [25362/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I propose to take Questions Nos. 393 and 397 together.

The Deputy's questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

394. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if she will provide a report on a person (details supplied) in County Mayo in relation to their orthodontic needs; if this person was assessed by the consultant for orthodontic treatment; the outcome of the assessment; the reason this person does not qualify for treatment; and if she will make a statement on the matter. [25298/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has

requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

395. **Mr. Wall** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Kildare has not had completion of their tests to determine the reason for their health symptoms; when these tests will be completed; and if she will make a statement on the matter. [25310/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 396 answered with Question No. 258.

Question No. 397 answered with Question No. 393.

National Repayment Scheme.

398. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the position regarding an application for refund under the national repayment 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. [25368/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Government has agreed the key elements of a scheme for the repayment of long stay charges for publicly funded residential care, some of whom may be resident in private nursing homes.

All those who were charged and are alive and the estates of all those who were charged and died in the six years prior to 9 December 2004 will have the charges repaid in full. The scheme will not allow for repayments to the estates of those who died more than six years prior to that date. The repayments will include both the actual charge paid and an amount to take account of inflation, using the consumer price index, since the time the person involved was charged.

Legislation will be brought before the Oireachtas as soon as possible to provide a clear legal framework for the scheme. In the case of those who were charged and are still alive, the repayments will be exempt from tax and will not be taken into account in assessing means for

health and social welfare benefits. The normal tax and means assessment arrangements will apply to those who benefit from repayments to estates.

A national oversight committee has been appointed by the Tánaiste to provide an independent input into the design of the scheme and to monitor the operation of the scheme in order to ensure that it is being implemented quickly and in the most equitable and effective way possible.

An outside organisation with experience in handling mass claims will be engaged by the Health Service Executive, HSE, to design and manage the scheme within the parameters of the key principles approved by Government. The organisation selected will work closely with the HSE to ensure that the co-operation is forthcoming on records held by the health agencies. It is anticipated that an organisation will be selected this autumn and will begin work on the design of the scheme. The scheme will be designed and managed with the aim of ensuring that those who are eligible for repayments receive them as soon as possible and with the minimum possible imposition in terms of bureaucracy. Priority will be given to those who are still alive. Many of those eligible have already been identified under the *ex gratia* payments process. The scheme will include a transparent and thorough appeals process.

The legislation will include appropriate safeguards to prevent exploitation of those who receive repayments and are not in a position to manage their own financial affairs. The scheme will include a provision to allow those eligible for a repayment to waive their right to a repayment and have the money assigned to fund one-off service improvements in elderly, mental health and disability services.

The national helpline set up by the HSE to allow people to register if they believe they are due a repayment will continue to operate but there is no need for anyone who has already registered using this facility to make contact with the HSE again to register for the scheme. Any person who considers that they or a family member may be eligible for repayment may register their interest in advance with the Health Service Executive, by writing to the National Refund Scheme, HSE Midland Area, Arden Road, Tullamore, County Offaly, by e-mail to refundscheme@mailq.hse.ie, or by calling the helpline 1800 777737 during office hours.

Question No. 399 answered with Question No. 222.

Health Services.

400. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Donegal will be called for orthodontic treatment; and if she will make a statement on the matter. [25376/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

401. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Donegal will be called for orthodontic treatment; and if she will make a statement on the matter. [25378/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

402. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Donegal will be called for orthodontic treatment; and if she will make a statement on the matter. [25379/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

403. **Mr. J. O'Keeffe** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that the waiting time for medical card patients in West Cork to be seen initially by an orthopaedic consultant is now three and a half years; if she agrees this is an outrageous level of service; and her proposals in this regard. [25399/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter inves-

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tigated and to have a reply issued directly to the Deputy.

General Medical Services Scheme.

404. **Mr. J. O’Keeffe** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the difficulties being experienced by children at school, particularly at second level, who require hearing aids and who are not supplied under the GMS system with a second or replacement set and who may not be able to keep up with classes at school when their hearing aids are broken or damaged or become defective or are otherwise out of commission involving periods of time of up to two weeks to be repaired; if she will make funding available to ensure that all such children are supplied automatically with a second set of hearing aids; and if she will make a statement on the matter. [25400/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

405. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children the position regarding the orthodontic needs of a person (details supplied) in County Wicklow; if this person will be seen again by the dentist; and if she will make a statement on the matter. [25409/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Staff.

406. **Mr. Stanton** asked the Tánaiste and Minister for Health and Children the number of night superintendants in each Health Service Executive area; the number of these who are in the assistant director of nursing pay scale; the number who are not in this pay scale; and if she will make a statement on the matter. [25464/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act, 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Medical Aids and Appliances.

407. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if she has received a report from the Health Service Executive regarding obstacles in the roll out of digital hearing aids for which a tender for supply has been approved; and if she will obtain a critical path analysis of the steps that need to be completed before persons waiting for this technology can receive a service. [25470/05]

Tánaiste and Minister for Health and Children (Ms Harney): In 2003, the former Eastern Regional Health Authority produced a report on a pilot project to evaluate the appropriateness of introducing digital and digitally programmable hearing aids into the community audiology service. My Department has been informed by the Health Service Executive, HSE, that an approach with regard to the implementation of digital hearing aids has been agreed and that a tender for supply has been awarded.

The Deputy’s question relates to the management and delivery of health and personal social services, which are the responsibility of the HSE under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

National Drugs Strategy.

408. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children the number of drug and alcohol treatment centres catering for young persons and her plans to expand existing services. [25518/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy’s question relates to the management and delivery of addiction services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospitals Building Programme.

409. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children when the redevelopment of Our Lady's Hospital, Cashel and Tipperary General Hospital, Clonmel will be fully completed. [25519/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

410. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children the number of times the working group established by the Health Service Executive to review the current configuration and delivery of services to persons with cystic fibrosis here has met; and when it will publish its recommendations. [25520/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

411. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children the number of persons in south Tipperary currently waiting to receive orthodontic treatment. [25521/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Accommodation.

412. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the position regarding the funding and the commencement date of an extension to Clontarf Orthopaedic Hospital, details supplied. [25522/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

413. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the daily average number of beds not in use in each of the past six quarters; and the total number of bed days lost in each of Dublin's acute hospitals. [25523/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Ambulance Service.

414. **Mr. Curran** asked the Tánaiste and Minister for Health and Children the number of ambulances which are available in the greater Dublin area to respond to emergency calls; when the number was last increased; her plans to increase the number of ambulances available to respond to emergency calls in view of the growing population of Dublin and increasing congestion; and the average response time to an emergency call. [25524/05]

Tánaiste and Minister for Health and Children (Ms Harney): Ambulance services in Dublin are provided by the Health Service Executive and by Dublin City Council, Dublin Fire Brigade, by arrangement with the executive. My Department has therefore requested the parliamentary affairs division of the executive to have the matters raised by the Deputy examined and to reply directly to him.

General Practitioner Co-operatives.

415. **Mr. Connaughton** asked the Tánaiste and Minister for Health and Children her views on whether the territory covered by the Westdoc services with regard to the out-of-hours general practitioner service in the north Galway, Castlerea and Mayo area is too expansive; if her attention has been drawn to the fact that the general practitioner is supposed to be supported by a second on-call general practitioner from

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each of the three cells that comprise the overall service area; her further views on whether smaller cells would be likely to provide a far better service; if she will provide funding to the Westdoc scheme to enable this to happen; and if she will make a statement on the matter. [25605/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Since the first out-of-hours co-operative began in 2000, in excess of €104 million has been provided by my Department to allow their development. The Health Service Executive, western area — formerly the Western Health Board — has received over €11 million in respect of general practitioner out-of-hours co-operatives between 2000 and 2005. These funds do not include fees paid to participating general practitioners for attending patient calls.

Question No. 416 answered with Question No. 243.

Health Services.

417. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the help which is available for young persons under the age of 16, who travel on a regular basis to hospital appointments; and if she will make a statement on the matter. [25642/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

418. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the reason a query to the patients accounts section of University College Hospital, Galway, on behalf of a person (details supplied) was not replied to. [25685/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility

of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

Hospital Accommodation.

419. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children when extra beds will be provided for Letterkenny General Hospital in order to help ease the pressure on the accident and emergency unit; and if she will make a statement on the matter. [25686/05]

420. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children the position regarding the new accident and emergency unit at Letterkenny General Hospital; and if she will make a statement on the matter. [25687/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 419 and 420 together.

The Deputy's questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

Question No. 421 answered with Question No. 258.

Ambulance Service.

422. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children the reason for the continuing delay in establishing an ambulance base in the Mulranny, Achill and Ballycroy areas of Mayo; if her attention has been drawn to the dangerous situation whereby the health of those residing in these areas is at a serious risk due to the unacceptable time lapse that exists between the time an ambulance is called and the time it arrives; if she will undertake this project; her views on this matter; when it will be a priority in practice; and if she will make a statement on the matter. [25700/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter inves-

tigated and to have a reply issued directly to the Deputy.

Question No. 423 answered with Question No. 222.

Health Research.

424. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if any investigation has been carried out by her Department in the past 20 years regarding the effects of overhead power lines on human health. [25717/05]

433. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if she will consider asking that a new investigation be carried out by her Department to look at the effects of overhead power lines on human health; and if she will consider issuing guidelines to the ESB networks to avoid placing pylons next to houses or schools. [25778/05]

435. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if her Department officials' attention has been drawn to studies over the past 20 years which looked at the effects of overhead power lines on human health; if any of these studies were consulted; the conclusions reached; and if officials liaised with the ESB with regard to the findings. [25780/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 424, 433 and 435 together.

My Department has not commissioned research with regard to the issue referred to by the Deputy and there are no proposals to do so. The Department of Communications, Marine and Natural Resources leads with regard to the health impact of the technology concerned and officials from my Department are in regular contact with their counterparts in that Department.

Extensive international research has been undertaken regarding this issue. To date, there is no conclusive evidence of a causal relationship between electromagnetic radiation from overhead power lines and ill health, however, research in this area is ongoing. The World Health Organisation, WHO, has identified a need for further research to better assess possible health risks and has established the international electromagnetic fields — EMF — project to assess the scientific evidence of possible health effects of EMF. This project brings together current knowledge and available resources of key international and national agencies and scientific institutions in order to arrive at scientifically sound recommendations for health risk assessments. Officials of the Department of Communications, Marine

and Natural Resources participate in the EMF project, which I understand is in its final stages.

In the absence of conclusive evidence of a causal relationship between electromagnetic radiation and ill health, the approach adopted in Ireland is to minimise exposure in accordance with the 1999 recommendations of the European Community on the limitation of exposure of the general public to electromagnetic fields. These recommendations are based on the 1998 guidelines of the international commission on non-ionising radiation, ICNIRP, covering the frequency range from 0-300GHz. I am advised that the ESB complies with these guidelines.

Planning issues concerning the siting of pylons and overhead power lines are matters for the Department of the Environment, Heritage and Local Government and the local authorities. My Department will continue to monitor developments concerning the possible health effects of exposure to electromagnetic fields.

Nursing Home Subventions.

425. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the reason the figure for savings is to be disregarded when means-testing a subvention for a nursing homes application. [25718/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health (Nursing Homes) Act 1990 allows for the payment of a subvention towards the cost of private nursing home care based on a dependency and means assessment. The criteria used in determining a person's eligibility for subvention is set out in the Nursing Homes Regulations 1993.

The subvention scheme was introduced to assist with the cost of private nursing home care and it was never intended that a subvention payment would meet the full costs of private nursing home care. It should be noted that the regulations governing means assessment were devised to try to provide an equitable system of payment and to direct available resources to those most in need. It is in order to avoid a situation where a person's entire savings are taken into account that the regulations prescribe an amount of savings that will be disregarded when assessing an application for subvention. My Department is currently reviewing the subvention scheme and the current thresholds set out in the regulations will be examined as part of that review.

Missing Persons.

426. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the number of children missing from the care of the Health Service Executive who entered the State as unaccompanied minors; the number missing from each

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Health Service Executive area; and the countries of origin of the missing children. [25719/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Care of the Elderly.

427. **Mr. Neville** asked the Tánaiste and Minister for Health and Children when a reply will issue to Parliamentary Questions Nos. 136 to 138, inclusive, of 29 June 2005, details supplied; and if she will make a statement on the matter. [25751/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department previously requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy. The Department has again raised this matter with the Health Service Executive.

Health Service Reform.

428. **Mr. Neville** asked the Tánaiste and Minister for Health and Children when the new health representative structures will be established; if she will report on the composition of these; and if she will make a statement on the matter. [25752/05]

Tánaiste and Minister for Health and Children (Ms Harney): Part 8 of the Health Act 2004 provides for public representation and user participation in the health system. Section 42 of the Act provides for the establishment by the Minister for Health and Children of not more than four regional health forums. These forums will comprise members appointed from each city and county council within the functional area of the forum. The function of a forum, as provided for in the 2004 Act, is to make such representations as it considers appropriate to the Health Service Executive on the range and operation of health and personal social services provided within its functional area.

Section 42 provides that details relating to the establishment, composition and operation of the regional health forums will be set out in regulations to be made by the Minister for Health and Children, following consultation with the Minister for the Environment, Heritage and Local Government. These regulations are being drafted by my Department at present. It is my intention that they will be finalised as soon as possible so as to enable the regional health forums to be established at an early date.

Section 43 of the Health Act 2004 enables the executive to establish advisory panels in order to consult with local communities or other groups about health and personal social services. It is a matter for the executive to determine the terms of reference, the membership and the rules and procedures for each panel.

The executive has informed my Department that it has begun the process of examining the different structures that exist in each of the former health board areas for involving consumers at local level and is further developing the consumer panels that already exist. The executive wishes to foster an open approach to service user feedback and comment and is using national and international best practice in developing the new structures.

Arising from the national health strategy, a national health consultative forum has been convened annually. The participants are drawn from senior management in the health system, the voluntary sector, patient and client groups, service providers, trade unions, professional bodies, Government Departments and other sectoral interests. This year, the forum will be held in the month of December. This will be subsequently replaced by a national health consultative forum to be convened by me pursuant to section 41 of the Health Act 2004. My Department is currently preparing a ministerial order with regard to the membership, rules and procedures of the national health consultative forum.

Health Services.

429. **Mr. Wall** asked the Tánaiste and Minister for Health and Children the reason a person, details supplied, had to hire a taxi to transport their child to a clinic; and if she will make a statement on the matter. [25753/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's questions relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

430. **Mr. Neville** asked the Tánaiste and Minister for Health and Children further to Parliamentary Questions Nos. 715 of 27 January 2004 and 55 of 16 June 2005, if the Mental Health Commission has inquired into the alleged abuse of a person. [25754/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Under section 55 of the Mental Health Act 2001, the Minister may request the Mental Health Commission to cause the inspector to enquire into any matter in respect of which an inquiry is appropriate. I invoked my powers in this regard with regard to the case referred to by the Deputy. I can confirm that the Inspector of Mental Health Services completed her inquiry and that her report was forwarded to my Department by the Mental Health Commission last March. My Department subsequently sought and obtained legal advice with regard to the contents of the report and whether it might be made public. As the matter is now the subject of court proceedings, it would be inappropriate to make any further comment at this time.

Health Services.

431. **Mr. Neville** asked the Tánaiste and Minister for Health and Children when physiotherapy treatment will be made available to a person, details supplied, in County Limerick. [25755/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

432. **Mr. Haughey** asked the Tánaiste and Minister for Health and Children the measures she is taking to reduce hospital outpatient waiting lists to see hospital consultants; and if she will make a statement on the matter. [25756/05]

Tánaiste and Minister for Health and Children (Ms Harney): The management of outpatient waiting lists is, in the first instance, a matter for the National Hospitals Office and the individual hospitals concerned. However, earlier this year I asked the national treatment purchase fund, NTPF, to examine the position with a view to further assessing the needs of patients waiting longest on outpatient waiting lists and the most

appropriate clinical pathways and protocols required for their care.

As a result, the NTPF set up a number of pilot projects around the country. The intention is that the longest waiters in a number of specialties will receive consultations at outpatient level in private hospitals. It is envisaged that between 4,000 to 5,000 patients will have outpatient appointments arranged for them. Monitoring and evaluation arrangements will be put in place by the NTPF in order to assess the outcome of the outpatient pilot projects. I understand that the pilot projects are under way and I expect to receive a report from the NTPF in due course.

Question No. 433 answered with Question No. 424.

Sudden Cardiac Death Syndrome.

434. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the measures the Government has taken or intends to take in order to highlight the danger of sudden death syndrome; and if it will consider implementing a programme of cardiovascular screening of children. [25779/05]

Minister of State at the Department of Health and Children (Mr. S. Power): In September 2004, a national task force on sudden cardiac death was established in order to address the problem of sudden cardiac death in Ireland. The task force, chaired by Dr. Brian Maurer, will make recommendations on the prevention of sudden cardiac death and on the detection of those at high risk. The task force will also advise on equipment and training programmes to improve the outcome in those suffering from sudden cardiac collapse and on the establishment of appropriate surveillance systems. I understand that the task force has been involved in widespread consultation and that a report is currently being finalised. The recommendations of the task force will inform future policy in this area.

Question No. 435 answered with Question No. 424.

Question No. 436 answered with Question No. 309.

Health Services.

437. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if she will intervene with officials in the Western Health Board and have a person, details supplied, put on the panel for nursing care; and if she will make a statement on the matter. [25821/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's ques-

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tion relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

438. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if a public bed will be made available to a person, details supplied, in County Roscommon; and if she will make a statement on the matter. [25822/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

439. **Mr. Perry** asked the Tánaiste and Minister for Health and Children when a person, details supplied, in County Sligo will be called for an appointment; and if she will make a statement on the matter. [25823/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Organ Retention.

440. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if she received correspondence dated 15 August 2005 from a person, details supplied, in County Sligo; and if she will make a statement on the matter. [25824/05]

Tánaiste and Minister for Health and Children (Ms Harney): I have received correspondence from the Deputy on behalf of a constituent, relating to the terms of reference of the inquiry into post mortem practice and organ retention and a

specific query relating to medical records. On 3 May last, the Government approved the appointment of Dr. Deirdre Madden, BL, a distinguished expert on medical law and ethics, to provide me with a report on post mortem practice and organ retention by 21 December 2005.

In view of the tight timeframe for her work and in order to deliver a comprehensive report by the December deadline, it was decided to concentrate on children born alive and under 12 years of age. Her terms of reference also include inquiring into allegations that pituitary glands were removed from children undergoing post mortem examination for sale to pharmaceutical companies within and outside the State. With regard to the specific questions raised by the person concerning hospital records and Sligo General Hospital, I have asked the Health Service Executive to reply directly to the Deputy.

Hospitals Building Programme.

441. **Mr. G. Murphy** asked the Tánaiste and Minister for Health and Children when the promised extension to Kanturk Community Hospital in County Cork will commence. [25851/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

442. **Ms Burton** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the proposal to have a primary care centre in Mulhuddart, Dublin 15; if she will respond to the report introduced by the local community; her proposals to provide additional general practitioner services in this area and to provide access for GMS patients to a local general practitioner service to be based in Mulhuddart, north of the Navan road. [25859/05]

Tánaiste and Minister for Health and Children (Ms Harney): I am aware of a proposal by the Health Service Executive, HSE, to construct a primary health care centre in Mulhuddart, Dublin 15. I am also aware of a proposal by a private medical group to open a primary care centre in Mulhuddart and the intention of its promoters that it should be available to both public and private patients. The responsibility for the provision of health services in the Mulhuddart area

rests with the HSE. I welcome any increase in the provision of primary health care services in the Mulhuddart area.

Health Services.

443. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the waiting time for eye tests in County Kildare for both adults and children; and the waiting time for the provision of glasses following eye tests. [25879/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

444. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the waiting time for hearing tests in County Kildare for both adults and children; and the waiting time for the provision of hearing aids following hearing tests. [25880/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter inves-

tigated and to have a reply issued directly to the Deputy.

Care of the Elderly.

445. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the reason this Deputy has not yet received a written response regarding a matter discussed, details supplied, during the adjournment debate of 27 April 2005. [25881/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Health Service Executive, HSE, responded to the Department's enquiry into the matter on 26 September 2005. The home help hours provided for older persons in Kildare west/Wicklow was as follows: 2003 — 440,883; 2004 — 349,408, including some young chronic sick, families under stress and mental health; 2005 — 138,900, Jan-June. The home help hours provided for all disciplines in Kildare west/Wicklow was as follows: 2003 — 516,044; 2004 — 428,686; 2005 — 192,767, Jan-June.

I am informed that the trend in the figures above can be explained by way of efficiencies in the management of the service and better alignment of service provision with need and that is not as a result of financial considerations. I understand that there is a much higher provision of home help hours per head of population in Kildare/west Wicklow than in the rest of the region.

Details on the home help hours provided across the region are shown in table 1 below. This shows the home help hours provided for older persons in the region during 2003 and 2004. Table 2 shows the home help hours provided across the region for all disciplines.

Table 1 — home help hours for the eastern region for older persons only.

HSE area	2003	2004	Jan-June 2005
HSE east coast	288,643	301,005	150,059
HSE south western Area	Not available	660,241	294,860
HSE northern area	538,600	578,756	Not available at present

Table 2 — home help hours for the eastern region for all disciplines.

HSE area	2003	2004	Jan-June 2005
HSE east coast	Not available at present	Not available at present	Not available at present
HSE south western area	933,185	889,996	410,085
HSE northern area	579,894	614,847	Not available at present

The HSE has informed the Department that the home help hours for 2001 and 2002 were not collated in the same manner across the former eastern region and indeed, unfortunately, were not collected at all in some instances. Therefore,

there are discrepancies in the figures for these years which render them not capable of comparison. The HSE is reviewing the systems and procedures in place to ensure that routine information can be produced which verifies for the

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purposes of public accountability and management decision making the level of home help service delivered on an ongoing basis. I understand that the HSE would be happy to have the Deputy briefed on the outcome of this exercise.

Services for People with Disabilities.

446. **Mr. Gregory** asked the Tánaiste and Minister for Health and Children if, in view of the parents' efforts in securing sponsorship for their autistic child, details supplied, for three months at the Bangor Centre, Wales, her Department will consider the recommendations of the centre at the end of that period with a view to providing funding for a further stay at the centre if that is required. [25886/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Department of Education and Science and the Health Service Executive have offered a comprehensive integrated educational and health support service to the individual concerned. This service was judged by the High Court to be "objectively adequate and in compliance with the constitutional duties" of the State. I understand that the placement remains available to the individual concerned if he wishes to avail of it.

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Care of the Elderly.

447. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the reason for the delay in a response issuing from the HSE following Parliamentary Question No. 128 of 1 June 2005. [25889/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive, HSE, under the Health Act 2004. Accordingly, the Department previously requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy. The Department has again raised this matter with the HSE.

448. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the reason for the delay in the HSE responding to the issue raised in Parliamentary Question No. 271 of 28 June 2005. [25897/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive, HSE, under the Health Act 2004. Accordingly, the Department previously requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy. The Department has again raised this matter with the HSE.

Question No. 449 answered with Question No. 281.

Community Care.

450. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children if the full complement of beds is in use at the Maynooth community care unit in 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. [25903/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Care of the Elderly.

451. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the number of elderly persons awaiting allocation of a long term care place in State nursing homes in County Kildare; and the plans she has to provide additional community care units in County Kildare. [25904/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have

this matter investigated and to have a reply issued directly to the Deputy.

Hospital Accommodation.

452. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the phases completed in the redevelopment of Naas General Hospital; the phases in which work is ongoing; the phases which have yet to be sanctioned; the details of each phase; and the costings and proposed costings of same. [25908/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. This includes responsibility for considering new capital proposals or progressing those in the health capital programme. Accordingly, my Department is requesting the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

453. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children if all the concerns of the Health and Safety Authority regarding its inspection of Naas General Hospital in March 2005 have been addressed; and if she will make a statement on the matter. [25911/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

454. **Mr. Stagg** asked the Tánaiste and Minister for Health and Children the number of children awaiting orthodontic treatment in County Kildare; the average waiting time; the number of dentists on hire at present to clear the waiting list; and if she will make a statement on the matter. [25912/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of

the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

455. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children her plans to provide extra physiotherapists for the community services in County Louth; and if she will make a statement on the matter. [25937/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

456. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children when replies will issue from the Health Service Executive — south east area — and the Health Service — north-west area to Parliamentary Question No. 216 of 18 May 2005. [25938/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Service Executive's National Hospitals Office has advised my Department that a reply to the matter raised in the Deputy's question of 18 May 2005 issued directly to the Deputy on 15 July 2005.

Health Services.

457. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children when a reply will issue from the Health Service Executive to Parliamentary Question No. 219 of 28 June 2005. [25939/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has again requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

458. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children when a reply will issue from the Health Service Executive

[Caoimhghín Ó Caoláin.]

to Parliamentary Question Nos. 115 and 116 from 30 June 2005. [25940/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Health Service Executive has advised that the information requested has recently been forwarded to the Deputy.

Question No. 459 answered with Question No. 375.

Ambulance Service.

460. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason an ambulance took 40 minutes to get to a seriously ill child on 22 July 2005; and if steps will be taken to ensure that such delays never happen again; and if she will make a statement on the matter. [25962/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

461. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the reason the contract with a foundation, details supplied, in County Kildare is being terminated; and if she will make a statement on the matter. [26017/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Motor Fuels.

462. **Ms O. Mitchell** asked the Minister for Finance his proposals to mitigate the impact of rising petrol and diesel prices on the distribution sector and the many other businesses dependent on road transport in order to prevent fuel induced generalised inflation. [24978/05]

Minister for Finance (Mr. Cowen): Fuel prices are driven by a range of factors including the price of oil on international markets, exchange rates, production costs and refining costs. The rise in oil prices over the last year also reflects additional factors such as geopolitical uncertainty, supply disruptions and strong economic growth in "catch-up" countries such as China. Mineral oil taxes are, of course, also a factor influencing fuel prices.

The position in relation to VAT is that the rating of goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. The supply of petrol and diesel is subject to the standard VAT rate of 21%. EU law requires petrol and diesel to be standard rated. Therefore it would not be possible to reduce the rate of VAT applicable to motor fuel.

Changes in taxation are made in the context of the annual budget and, accordingly, any requests made regarding changes in tax rates are considered in the period leading up to the budget. You will appreciate that it is neither practical nor prudent to adjust tax rates between budgets. However, I would point out that I did not increase taxation on motor fuels in budget 2005. In addition it should be noted that Ireland's mineral oil tax on petrol and diesel is below that of our main EU trading partners.

At the recent informal ECOFIN meeting, EU Finance Ministers emphasised their continuous effective co-ordination in reaction to rising oil prices and agreed that distortional fiscal and other policy interventions that prevent the necessary adjustments should be avoided.

Information Society Initiative.

463. **Mr. Kenny** asked the Minister for Finance the number of projects developed under the information society initiative in 2004, including those intended to go live in 2004; the funding allocated to each project and the amounts drawn down for each project in 2004; the information society projects intended to be developed in 2005; the date when they are due to go live; the funding allocated for each project; and if he will make a statement on the matter. [24303/05]

Minister for Finance (Mr. Cowen): Overall Government policy on the information society was initially set out in the report *Implementing the Information Society in Ireland: An Action Plan* published by the Department of the Taoiseach in January 1999. A new action plan entitled *New Connections* was approved by Government in March 2002 covering the next three-year period 2003-05.

In response to the first action plan, my Department established a special dedicated funding

mechanism in 2000, the information society fund, designed to support the implementation of e-Government and e-business flagship projects identified in the action plan and to encourage Departments and bodies under their aegis, to respond to the information society agenda. Since 2001, a portion of the fund is devolved to departmental Votes and the remainder is held as a central fund under my Department's Vote. The management of and accountability for devolved

funding is the responsibility of the relevant Department.

For 2004, an overall amount of €60.027 million was made available under the fund, of which €52.696 million was devolved to 11 departmental Votes and the balance of €7.331 million resided as a central fund. Projects supported through the central fund in 2004 included: Amounts shown are rounded to nearest €1,000

2004

Project Title	Project Description	Department	Allocation	Funding Utilised
			€	€
Animal import notification scheme	Automated system to process passports.	Department of Agriculture and Food	107,000	44,000
CAP project	Electronic declaration system for CAP exports.	Department of Agriculture and Food-Revenue Commissioners	500,000	0
IT strategic implementation plan	Supporting the implementation of the CSO's e-public service strategy.	Central Statistics Office	1,000,000	556,000
ePol.net	Design, build and support for development of the ePol-NET knowledge management.	Department of Communications, Marine and Natural Resources	71,000	0
Knowledge management	Implementation tools to facilitate interoperability across the Department's information systems which will support better decision making and enhance service to the Department's customers.	Department of Communications, Marine and Natural Resources	268,000	268,000
NetSecure system	National network security awareness campaign providing basic information on network security issues and focussed on the needs of citizens and SMEs.	Department of Communications, Marine and Natural Resources	73,000	58,000
Systems hardware acquisition	Purchasing hardware for Marine Institute.	Marine Institute	21,000	20,000
Community and voluntary sector needs analysis	Analysis of requirements in the community and voluntary sector and provision of services in the sector.	Department of Environment — LGCSB	107,000	107,000
Mobhaile project	Citizens and communities information facility.	Department of Environment — LGCSB	1,330,000	1,295,000
Web hosting	Provision of hosting facilities for over 200 Government websites.	Department of Environment — LGCSB	1,175,000	1,175,000
Virtual private network, VPN	Support technology research and operation of Government VPN.	Department of Finance	1,252,000	1,127,000
Government search engine	Update of facilities.	Department of Finance	80,000	49,000
e-Government policy preparation	Development of policy on e-government initiatives.	Department of Finance	170,000	36,000
Invision e-Cabinet project	IT solution to provide cabinet papers electronically.	Department of Finance	121,000	121,000
Harmful use of the internet	Research into the harmful use of the internet and promotion of relevant discussion and publicity.	Department of Justice	127,000	127,000
Digital mapping	Digitising maps.	Land Registry	100,000	63,000
Client records data quality programme	Improving identity data completeness and quality on the central records system, CRS, in advance of developing the public service identity, PSI, services.	Department of Social and Family Affairs	200,000	169,000

[Mr. Cowen.]

Project Title	Project Description	Department	Allocation	Funding Utilised
NCPP	To provide an interactive portal to the workplace of the future for the National Centre for Partnership and Performance.	Department of the Taoiseach	€ 6,000	€ 6,000
Island of ingenuity: a strategic vision for the creative economic growth of Ireland	A strategic vision for the creative economic growth of Ireland.	Department of the Taoiseach	20,000	7,000
e-Government MSc programme	Seminars relating to the e-Government masters degree programme developed and run jointly by the University of Ulster and the Letterkenny Institute of Technology.	Department of the Taoiseach	5,000	5,000

For 2005, an overall amount of €43.984 million was made available under the fund, of which €34.984 million was devolved to 11 departmental

votes and the balance of €9 million resides as a central fund. Projects supported through the central fund in 2005 include:

2005

Project Title	Project Description	Department	Allocation	Date due to go live
Grangegorman community network project	Design, build and evaluation of a pilot e-community structure.	Department of Community, Rural and Gaeltacht Affairs	€ 400,000	Target date is end of 2005
Digital community project	To provide state of the art computer technology including technical support, software, training and advice to residents of flat complexes in Dublin's inner city.	Department of Community, Rural and Gaeltacht Affairs	100,000	Target date is December 2005
National security day	Funding for national security day	Department of Community, Rural and Gaeltacht Affairs	15,000	Completed
Dublin employment pact	Equipping citizens in six target areas in Dublin with the ICT skills necessary for the new information society	Department of Community, Rural and Gaeltacht Affairs	300,000	Target date is December 2005
Marine data exchange and query service	The development of marine data exchange and service for public funded bodies.	Department of Communications, Marine and Natural Resources	315,000	Target date is December 2005
Corporate vessel register	To improve and support the Department's management and administration of vessel related activities.	Department of Communications, Marine and Natural Resources	244,000	Target date is December 2005
Coastal zone administration system	To develop internet services to assist in the management and administration of coastal activities including aquaculture and dumping at sea.	Department of Communications, Marine and Natural resources	261,000	Target date is October 2005
Dublin inner city schools computerisation project	To provide access, opportunity and training in ICT across Dublin inner city disadvantaged schools.	Department of Education and Science	137,000	In operation
Irish spatial data infrastructure, ISDI, technical aspect research	Preparation of a report setting out best practice standards and architecture for an ISDI portal and setting out recommendations for inclusion into the draft ISDI policy.	Department of Environment and Local Government	115,000	November 2005
An Bord Pleanála online facility	Internet-accessible database providing information on cases before the board and comprehensive information on all decided cases.	Department of Environment and Local Government	11,000	Target date is November 2005

Project Title	Project Description	Department	Allocation	Date due to go live
			€	
Small areas project	Algorithm and procedure for generating homogeneous small areas within electoral divisions for the future reporting of statistical data.	Department of Environment and Local Government	37,000	Target date is end 2005
Small areas project data collection pilot	To devise and develop mechanisms that will facilitate and promote the use of a definitive set of small areas throughout the public service for the creation of public sector boundaries and for statistical data collection and analysis.	Department of Environment and Local Government	25,000	Target date is end of 2005
Web hosting	Provision of hosting facilities for over 200 Government websites.	Department of Environment — LGCSB	1,055,000	In operation
Mobhaile project	Citizens and communities information facility.	Department of Environment — LGCSB	930,000	Target date is end of 2005
Virtual private network	Support technology research and operation of Government VPN.	Department of Finance	1,170,000	In operation
HRMS application managed service provider	New and common computerised human resource system for the civil service.	Department of Finance	2,051,000	Target date is end of 2005
Internet advisory project	Measures to alleviate the illegal and harmful use of the internet.	Department of Justice, Equality and Law Reform	130,000	Get with it campaign launched September 2005
e-conveyancing project	Initial work to determine a future e-conveyancing operational model and the steps required to implement the model from a legal, procedural and technical perspective.	Law Reform Commission	250,000	Process model is due to be completed by end 2005
Client records data quality programme	To improve data completeness and quality on the central records system in advance of launch of PSI services.	Departmental of Social and Family Affairs	133,100	Target date is end of 2005
Standard authentication framework environment, SAFE, programme, initial phase	To investigate and develop a standards based framework for the public service card or token using the PPS number as an unique number.	Department of Social and Family Affairs	171,000	Target date is end of 2005
Island of ingenuity	A strategic vision for the creative economic growth of Ireland.	Department of the Taoiseach	13,000	Completed
ICT expo	ICT expo funding grant.	Department of the Taoiseach	21,000	Completed
Government online services publicity	To highlight the benefits of ICT and raise public awareness of how internet technology can be exploited.	Department of the Taoiseach	121,000	Target date is November-December 2005

Tax Code.

464. **Mr. Bruton** asked the Minister for Finance the reason persons are not allowed to use income derived from renting to make a contribution towards their pension fund; and if the review of tax reliefs which he has undertaken has resulted in any recommendations for change in this respect. [24336/05]

Minister for Finance (Mr. Cowen): Tax relief for pension contributions is available only against earned income. The purpose of tax relief for pension contributions is to encourage employees and the self-employed to provide for a pension in their retirement when their earnings cease.

Income derived from renting is treated as a separate category in the taxation code and is subject to special rules. Rental income is investment income as opposed to earned income. The cessation of income at retirement age does not arise in the case of rental income which can continue throughout a person's life. This matter is not being specifically examined in the review of various tax reliefs which is at present under way.

Consultancy Contracts.

465. **Mr. Morgan** asked the Minister for Finance the name of each company which secured a contract over €100,000 in value with his Depart-

[Mr. Morgan.]

ment in each of the past five years; and the value of each such contract. [24399/05]

Minister for Finance (Mr. Cowen): My Department had spending on contracts in each of the years in question. These contracts were mainly concerned with reports, consultancies, other advisory or PR commissions, departmental training and maintenance. The NDP-CSF unit, which operates under the aegis of my Department, also had such spending, but a breakdown of that spending is only available on a project by project basis. In addition, the Euro Changeover Board of Ireland, ECBI, which was within my Department's remit, also had such expenditure; details of the board's activities and accounts are set out in the four annual reports of the board which may be accessed on the board's website *www.euro.ie*.

The information sought by the Deputy for the years 2000-04, inclusive, is set out in the tables that follow. As will be seen from the tables, some projects involved payments in more than one year. In the case of the NDP-CSF unit, the information is provided for each individual project.

In addition to the information provided in the tables, the Department of Finance signed a contract in 2002 with a consortium comprising Eircom and Vodafone Ireland for a range of telecommunications services for the Irish non-commercial public sector. The contract can be availed of for five years; it includes review and roll-over procedures and is managed and monitored by a cross public service group. This Department acted as the contracting authority for this cross public service group specifically established to aggregate public sector telecommunications demand to achieve standardisation and best value for money. The contract established a drawdown facility for use by any non-commercial public sector body. This drawdown facility allows each public body to enter its own contract or contracts with the companies comprising the consortium at their discretion. Consequently, it is not possible for this Department to provide details of the total value. However, in view of the type and range of services available under the drawdown facility and the number of public bodies availing of it, the value per annum is significantly over €100,000. This Department's drawdown is, on average, €450,000 per annum.

Department of Finance 2000

Name of Contractor	Cost	Brief Description of Project
	€	
Deloitte & Touche	€184,632	Consultancy in connection with the competitive process to award a new licence to operate the National Lottery.
IBI Corporate Finance, Davy Stockbrokers and Donaldson Lufkin and Jenrette	478,573	Provision of corporate and financial advice with regard to the proposed merger and flotation of ACC and TSB Bank.
Northern Ireland Civil Service	102,977	Leaders for tomorrow programme.
ABN AMRO Corporate Finance and McCann Fitzgerald Solicitors	264,668	Provision of corporate and legal advice with regard to the sale of ICC Bank plc.

Department of Finance 2001

Name of Contractor	Cost	Brief Description of Project
	€	
Northern Ireland Civil Service	111,293	Leaders for Tomorrow programme.
ICAN	104,527	Launch of e-tenders website.
Deloitte & Touche	145,323	Review of the Department's management information requirements.
Xerox Corporation	522,000	Purchase of two in-house printers.
PriceWaterhouse Coopers	114,276	Review of the existing PPP structures.
Fitzpatrick Associates	103,164	Consultancy relating to benchmarking process.
Hay Management Consultants	117,640	Consultancy relating to benchmarking process.
MCG Consulting Group	172,006	Consultancy relating to benchmarking process.
Mercer Ltd.	157,200	Consultancy relating to benchmarking process.
TBP International Ltd.	195,126	Consultancy relating to benchmarking process.
ABN AMRO Corporate Finance and McCann Fitzgerald Solicitors	584,406	Provision of corporate and legal advice with regard to the sale of ICC Bank plc.
A & L Goodbody	1,545,875	Provision of legal advice in relation to IFSRA.
A&L Goodbody	155,783	Provision of legal advice in relation to sale of ACC Bank.
Price Waterhouse Cooper	855,402	Study in relation to e-procurement initiative.

Department of Finance 2002

Name of Contractor	Cost	Brief Description of Project
	€	
Northern Ireland Civil Service	115,746	Leaders for Tomorrow programme.
Price Waterhouse Coopers	103,697	Audit of completion accounts in relation to sale of ACC bank.
Hewlett Packard	156,000	Upgrade of PMG reconciliation system.
Ican Interactive Advertising	134,000	Marketing and promotion of the e-tenders website.
Hay Management Consultants	225,797	Consultancy relating to benchmarking process.
TBP International Ltd.	111,896	Consultancy relating to benchmarking process.
DLA	265,629	Consultancy relating to benchmarking process.
Watson Wyatt Partners	632,115	Consultancy relating to benchmarking process.
KPMG Consultants, now known as Bearingpoint	178,825	HRMS implementation project. Customised version of Peoplesoft human resources management system.
A&L Goodbody	212,977	Provision of legal advice in relation to sale of ACC Bank.
O'Donnell Sweeney Solicitors	162,776	Provision of legal advice regarding drafting of Unclaimed Life Assurance Policies Bill 2002.
Deloitte and Touche	122,191	Secondment of accountant to provide financial, accountancy and related advice.
Esat BT	157,702	Telecommunications: inter-building links

Department of Finance 2003

Name of Contractor	Cost	Brief Description of Project
	€	
Institute of Public Administration	272,000	Masters of economic in policy analysis.
Deloitte & Touche	120,000	Research on public sector benchmark and value for money comparison in PPPs.
Institute of Public Administration	139,500	Higher diploma in policy analysis.
Software Resources Ltd	818,609	Assistance with the implementation of the new management information system.
Deloitte & Touche	148,762	Advice and support in relation to financial system implementation and documenting of financial policies and procedures.
Esat BT	204,560	Telecommunications: inter-building links Including installation costs.
Ailsbury Contract Cleaning	120,000	Office cleaning.

Department of Finance 2004

Name of Contractor	Cost	Brief Description of Project
	€	
Institute of Public Administration	289,000	Masters of economic in policy analysis.
Consortium comprising — The Media Group, Elucidate and Ogilvy & Maher	181,500	Marketing of e-tenders website.
Institute of Public Administration	207,000	Higher diploma in policy analysis.
Citywest Golf Resort Hotel	169,172	Accommodation costs associated with informal ECOFIN during Irish presidency of EU.
Esat BT	163,847	Telecommunications: inter-building links.
Cognitronics	100,000	Upgrade of scanner.
Codec Ltd.	158,948	Development of an e-estimates system.
FTC (UK) Ltd.	112,310	Training course preparation for management information framework.
Ailsbury Contract Cleaning	120,000	Office cleaning.

[Mr. Cowen.]

Some projects covering over one year for which an annual breakdown is not available.

Name of Contractor	Cost	Brief Description of Project
	€	
Parity Systems Training Ltd.	726,000	System analysis.
Institute of Public Administration	537,647	Human resource management certificate.
Institute of Public Administration	195,000	Project management training.

NDP-CSF evaluation, information and IT units, paid out of the technical assistance programmes of the community support framework for the structural funds.

Name of Contractor	Cost	Brief Description of Project
	€	
ESRI	274,898	Ex-ante evaluation of the investment priorities for post-1999 structural and cohesion funds.
Fitzpatrick Associates	139,661	Human resources evaluation.
CMG UK Ltd.	768,811	Analysis, design and development of a computerised system for the structural and cohesion funds management.
Curtin Communications	239,152	Provision of publicity services relating to NDP-CSF.
Windmill Lane	109,221	Design and development of NDP website.
Fitzpatrick & Associates	125,964	Review of project appraisal and selection procedures in the community support framework for Ireland, 1994-1999.
Memorex	189,202	Information technology consultancy.
Web Factory	145,504	Web design.
Grayling	128,032	Consultancy fees in relation to provision of publicity services for NDP-CSF, excluding third party fees.
Grayling	104,920	Third party costs, for example purchase of advertising space in newspapers, photography, etc.

Euro Changeover Board of Ireland, ECBI, 2000

Name of Contractor	Cost	Brief Description of Project
	€	
Brindley Advertising	226,403	Design and delivery of euro changeover advertising campaign.
Adept Creative Services Ltd.	445,746	Design and delivery of euro changeover advertising campaign.
All Ireland Media Ltd.	409,467	Purchase of media space for euro changeover advertising.

ECBI 2001

Name of Contractor	Cost	Brief Description of Project
	€	
Carr Communications	117,234	Provision of public relations services in relation to the euro changeover.
Carma Ltd.	4,834,895	Convertor delivered to every household in the country.
Kelly Print Ltd.	1,941,429	Handbook on the euro delivered to every household in the country.
Mozzon Giunita S p a	459,435	Printing of information materials on the euro.
Deloitte & Touche	145,683	Assistance in development of the euro changeover oversight plan.
Adept Creative Services Ltd.	1,294,176	Design and delivery of euro changeover advertising campaign.

Name of Contractor	Cost	Brief Description of Project
All Ireland Media Ltd.	€ 4,368,925	Purchase of media space for euro changeover advertising.
Abtran (Distribution)	508,000	The ECBI's distribution requirements, involving storage, packaging, labelling and postage of information material. The figure shown covers payments in both 2001 and 2002; a breakdown is not available.
Abtran (Locall)	223,126	Provision of LoCall telephone service for the euro changeover. The figure shown covers payments in both 2001 and 2002; a breakdown is not available.

ECBI 2002

Name of Contractor	Cost	Brief Description of Project
Adept Creative Services Ltd.	€ 129,838	Design and delivery of euro changeover advertising campaign.
All Ireland Media Ltd.	1,246,651	Purchase of media space for euro changeover advertising.

Tax Yield.

466. **Mr. Morgan** asked the Minister for Finance if he will give the figures for tax as a percentage of GDP for each of the past ten years. [24412/05]

475. **Mr. Morgan** asked the Minister for Finance the amount of revenue which would be raised from an increase of 1% in the GDP to tax ratio; and if he will make a statement on the matter. [24421/05]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 466 and 475 together.

The information requested has been forwarded to the Deputy. Tax has been defined as total receipts from taxes and social contributions using the definition specified by the European System of Accounts 1995, ESA95. This is a comprehensive definition of tax and includes commercial rates, social insurance contributions, health contributions, motor tax and any other source of revenue which conforms to the standard international definition of a tax.

Assuming a neutral net impact on economic activity following the change, additional revenue of about €1.5 billion would be raised from an increase of 1% in the GDP to tax ratio, in 2004 terms.

Tax as a % of GDP

1995	34.9%	2000	32.9%
1996	34.7%	2001	31.0%
1997	33.9%	2002	29.7%
1998	33.1%	2003	30.4%
1999	33.0%	2004	31.7%

Income distribution.

467. **Mr. Morgan** asked the Minister for Finance the increase in real disposable incomes from 1990 to 2005; the percentage of these gains which went to the top 20% of income earners; and the percentage which went to the bottom 20% of income earners. [24413/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the relevant data, which would allow the information in the form requested by the Deputy to be compiled, are not readily available for the complete period in question.

Tax Yield.

468. **Mr. Morgan** asked the Minister for Finance the percentage of the tax take which was raised by way of spending taxes in each of the past five years. [24414/05]

Minister for Finance (Mr. Cowen): I assume that the Deputy is referring to the percentage of the tax take raised from excise duties and value added tax. The total net receipts from these taxes and duties for the past five years as a percentage of the total net receipts from all taxes and duties are set out in the following table:

[Mr. Cowen.]

Year	Excise as a percentage of total net tax receipts%	VAT as a percentage of total net tax receipts%	Excise and VAT as a percentage of total net tax receipts%
2000	16.27	27.46	43.7
2001	15.04	28.22	43.3
2002	15.70	30.22	45.9
2003	14.70	30.16	44.9
2004	14.16	29.96	44.1

469. **Mr. Morgan** asked the Minister for Finance the percentage of the tax take which was raised by way of property taxes in each of the past five years. [24415/05]

471. **Mr. Morgan** asked the Minister for Finance the percentage of the tax take which was raised by way of taxes on capital in each of the past five years. [24417/05]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 469 and 471 together.

I am informed by the Revenue Commissioners that the relevant information available for property taxes is in respect of the total yield from various capital taxes, namely capital gains tax, capital acquisitions tax, stamp duty on property and share transactions and residential property tax, while the taxes on capital are also these capital taxes with the addition of the net receipts from companies capital duty. The total net receipts from these taxes and duties in each of the past five years as a percentage of the total net receipts from all taxes and duties as reported in the annual reports of the Revenue Commissioners are as set out in the following table:

Taxes on (a) property and (b) capital as a percentage of total net tax receipts.

Year	Taxes on property %	Taxes on capital %
2000	7.0	7.2
2001	7.4	7.6
2002	5.9	6.0
2003	9.3	9.3
2004	9.6	9.7

It should be noted that the yield in 2002 from these taxes was lower than in earlier years mainly because the basis for the bulk of the yield from capital gains tax in that year was based on the short tax year 2001, which was a short transitional tax year running from 6 April 2001 to 31 December 2001. The yield in 2003 was inflated by the once-off cashflow yield from bringing forward to 2003 the due date for payment of some of the capital gains tax ordinarily due in 2004.

470. **Mr. Morgan** asked the Minister for Finance the percentage of the tax take which was raised by way of taxes on wealth in each of the past five years. [24416/05]

Minister for Finance (Mr. Cowen): As the Deputy may be aware, wealth tax was abolished in section 38 of the Finance Act 1978 with effect from 5 April 1978.

Question No. 471 answered with Question No. 469.

472. **Mr. Morgan** asked the Minister for Finance the percentage of the tax take which was raised by way of taxes on workers in each of the past five years. [24418/05]

Minister for Finance (Mr. Cowen): It is assumed that the Deputy has in mind the tax contribution by employees. I am informed by the Revenue Commissioners that the relevant information available is the income tax collected under the PAYE system net of any refunds for the past five years as a percentage of the total net receipts from all taxes and duties as reported in the annual reports of the Revenue Commissioners. This information is as set out in the following table:

Year	PAYE tax as a percentage of total net tax receipts %
2000	26.1
2001	26.0
2002	23.0
2003	22.4
2004	22.7

The proportion of other taxes paid by employees either could not be identified or could not be identified without conducting an extensive investigation of the Revenue Commissioners' records.

473. **Mr. Morgan** asked the Minister for Finance the estimated revenue which has been lost to the State in each of the past ten years as a result of the ability of citizens of this State to claim to be non-resident for tax purposes. [24419/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that Irish citizens, who are non-resident for tax purposes, are obliged to file Irish tax returns only in respect of income arising in Ireland, for example income from directorships, rented properties etc. and gains from the disposals of land, buildings and certain other assets in the State.

474. **Mr. Morgan** asked the Minister for Finance the number of persons who claim to be non-resident for tax purposes. [24420/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that it is not possible at present to identify the number of Irish domiciled persons claiming to be non-resident for tax purposes. Income tax returns for 2002 onwards request data from self-assessed taxpayers in relation to their residence and domicile status. This is however not captured electronically which means it is not practicable to derive overall statistics in relation to claims to non-residence status.

Question No. 475 answered with Question No. 466.

476. **Mr. Morgan** asked the Minister for Finance the estimated loss to the Revenue as a result of the reduction in corporation tax in budget 2003 from 16% to 12.5%; and if he will make a statement on the matter. [24422/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the full year cost to the Exchequer, estimated by reference to corporate profits earned in accounting periods ending in 2003, the latest year for which the relevant figures are available, of corporation tax forgone through reducing the standard rate of corporation tax from 16% to 12.5% is estimated to be of the order of €400 million.

477. **Mr. Morgan** asked the Minister for Finance the amount of taxation revenue raised from the banking sector in each of the past five years. [24423/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the estimated corporation tax paid in the years 2000 to 2004 inclusive by banks, their Irish subsidiaries and banking activities in the IFSC is as follows:

Year	Estimated corporation tax yield from the banking sector
	€ million
2000	350
2001	420
2002	490
2003	582
2004	582, provisional

The amounts do not include foreign tax paid by Irish financial institutions in respect of their overseas operations, which is likely to be significant. Specific annual contributions to the Exchequer of €103.2 million in 2003 and €102.8 million in 2004 were also made by the financial sector. Other tax remitted by the banking sector, such as PAYE, DIRT on deposit interest and stamp duties on credit cards, ATM cards and cheques, are not included in the figures given, since the tax liability is not on the banks themselves.

Motor Fuels.

478. **Dr. Cowley** asked the Minister for Finance his plans to reduce the percentage of excise duty added to fuel prices; if his Department will consider reducing its take on fuel until the current prices revert (details supplied); and if he will make a statement on the matter. [24460/05]

Minister for Finance (Mr. Cowen): As the Deputy is aware, any changes to excise duties are announced in the annual budget and it would not therefore be appropriate for me to comment on such matters in advance of the budget.

Pension Provisions.

479. **Mr. Connaughton** asked the Minister for Finance his plans to change the guidelines for certain widows of employees of the Office of Public Works who did not join the special pension rights scheme in 1979; and if he will make a statement on the matter. [24482/05]

Minister for Finance (Mr. Cowen): The Commission on Public Service Pensions gave careful consideration to the arguments for and against providing another option to join spouses' and children's pension schemes. In the event the commission decided not to recommend a further general membership option across the public service as a whole. In this regard the commission was particularly concerned about the major additional costs such an option would impose, given that it would in all probability be availed of by those who would either have an immediate entitlement or a high expectation of benefit at a later stage. The commission was also concerned that a further option would weaken the integrity of the schemes leading to pressure from individuals to enter and leave at will. Such a development could undermine fundamentally the financing of such schemes.

The commission recommended the establishment of a limited appeals process to examine individual cases and to allow appeals which meet any of the following criteria: where there is no evidence that an option was provided to the individual public servant in the first place; where there is medical evidence to indicate that the person making the decision not to join the scheme was of sufficiently unsound mind not to appreci-

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ate the consequences of his or her decision; or where a member of the original scheme declined to join the revised scheme in circumstances where there would have been no reasonably foreseeable adverse financial consequences for the individual, in terms only of his or her scheme contributions, had he or she instead opted to join the revised scheme.

The Government gave its approval to the general thrust of the commission's recommendations in September 2001 and an appeal process on the lines of the above is available. Any person who wishes to appeal on any of the above grounds can do so by contacting their personnel section or, where appropriate, the personnel section of their deceased spouse.

On a more general note, the commission recommended a number of reforms related to the future development of public service spouses' and children's pension schemes including a proposal to allow payment of a survivor's pension to a financially dependent partner in circumstances where there is no legal spouse and where a valid nomination has been made. A joint management-union working group chaired by my Department has been formed to examine the feasibility of these recommendations.

Departmental Properties

480. **Ms B. Moynihan-Cronin** asked the Minister for Finance the position regarding the acquisition of a premises for the driving test centre in Killarney, County Kerry; and if he will make a statement on the matter. [24497/05]

Minister of State at the Department of Finance (Mr. Parlon): A suitable property for a driving test centre in Killarney has been identified and negotiations to acquire it are under way.

Endowment Mortgages.

481. **Mr. Quinn** asked the Minister for Finance if he has plans to amend Part 2, section 16, paragraph 3(b) of the Central Bank and Financial Services Authority of Ireland Act 2004 (details supplied); and if he will make a statement on the matter. [24527/05]

482. **Mr. Quinn** asked the Minister for Finance if his attention has been drawn to the fact that many Irish citizens who purchased endowment mortgages in the late 1980s and early 1990s have ended up with a negative financial position and are facing a shortfall with regard to mortgages which they thought would have been completed by this time; if he proposes to take action to ensure that the financial institutions that sold such products will take responsibility for the situation; and if he will make a statement on the matter. [24528/05]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 481 and 482 together.

The Central Bank and Financial Services Authority of Ireland Act 2004 established a single statutory Financial Services Ombudsman, FSO, for all financial services firms. The ombudsman's office began operations on 1 April 2005. The ombudsman can investigate, mediate and adjudicate complaints related to conduct occurring up to six years before that complaint was made, including where the latest occurrence of the conduct being complained about happened within that period.

Prior to the establishment of the FSO, two non-statutory offices, in existence since the early 1990s, the insurance ombudsman and the ombudsman for credit institutions dealt with individual complaints in relation to financial services. The statutory ombudsman was empowered to take over the processing of any complaint being dealt with under those schemes. It is important to bear in mind also that while the Central Bank and Financial Services Authority of Ireland Acts 2003 and 2004 provided for the roles of both the regulator and the ombudsman scheme in relation to complaints about financial institutions, there is no diminution in the right of the consumer to have recourse to legal action through the courts.

There are no plans at present to amend the Central Bank and Financial Services Authority of Ireland Act 2004 with regard to the time limit for making complaints. The retrospection limit of six years provided in paragraph 3(b) is consistent with the approach adopted in the pensions ombudsman scheme. However, the Deputy may wish to note that my Department has been advised that the financial regulator has conducted a survey of the endowment mortgage market with a view to ascertaining the likely number of policies that may experience a shortfall on maturity. The main findings of the survey will be made available to my Department and the Joint Oireachtas Committee on Finance and the Public Service shortly. The financial regulator's consumer director has encouraged people to come forward if they are concerned about the possibility of having been mis-sold an endowment mortgage. The financial regulator has emphasised the importance of bringing complaints in the first instance to the financial institution from which they bought the policy.

There is already a substantial volume of legislation in place relating to these financial products. Following the enactment of the Insurance Act 1989, a code of conduct for insurance intermediaries and guidelines were drawn up by the industry in consultation with the then Department of Industry and Commerce. Key requirements of the code were that the intermediary should know the client and give best advice.

The Consumer Credit Act 1995, which commenced in May 1996, contains specific provisions in relation to endowment loans and in particular prescribes certain information which must be

included in any application form or information document issued to consumers applying for such loans. For example, since the commencement of the Act all endowment loan application forms must contain a prominent notice to the effect that “there is no guarantee that the proceeds of the insurance policy will be sufficient to repay the loan in full when it becomes due for payment”.

The Act also obliges that in instances where the borrower may be required to increase premium payments on the insurance policy during the lifetime of the loan, any document approving the loan must contain a prominent statement of this possibility. Similarly obligations apply where a policy is surrendered early resulting in a net loss to the consumer.

The Act also places an obligation upon insurers underwriting policies relating to endowment loans to issue a statement to the consumer every five years setting out not only the value of the policy at the time of issue but also a comparison of this valuation to the valuation at such date projected at the time the policy was first written and a revised estimate of the valuation at maturity.

State Property.

483. **Mr. Morgan** asked the Minister for Finance if he will provide details of all State land in the Dun Laoghaire-Rathdown County Council area. [24545/05]

Minister of State at the Department of Finance (Mr. Parlon): Properties vested in the Minister for Finance and the Commissioners of Public Works are not recorded in the local authority format. From examination of the OPW property system the following properties appear to be in the Dun Laoghaire-Rathdown local authority area: Blackrock Garda station; Dalkey Garda station; IPA offices, Clonskeagh; Clonskeagh Square; Dundrum Central Mental Hospital; Dundrum Garda station and court house; Rathfarnham Garda station; Crofton House, BIM, Dun Laoghaire; Dun Laoghaire Garda station and court house; Dun Laoghaire SWO, Cumberland Street; Kill O’ the Grange Garda station; Loughlinstown House; Rathcoole Garda station; Chantilly stud farm, Rathmichael, two sites; Sandycove martello tower; Shankill Garda station; Stepside Garda station.

Public Service Staffing.

484. **Mr. Morgan** asked the Minister for Finance the latest figure for the number of persons in public service employment in the State. [24554/05]

Minister for Finance (Mr. Cowen): At the end of March 2005, returns from Departments showed that there were 283,307 whole-time equivalents serving in the public service, comprising:

	Number
Civil servants — non-industrials	35,136
Civil Service — industrials	1,858
Health sector	99,700
Education sector	80,400
Defence	11,443
Gardaí	12,216
Local authorities	33,452
Non-commercial semi-State bodies	9,102

Banking Sector.

485. **Mr. Callanan** asked the Minister for Finance if bank drafts are legal tender; and if so, the reason all financial institutions treat them as cheques with regard to clearing. [24589/05]

Minister for Finance (Mr. Cowen): Legal tender status attaches only to bank notes and coins. Under Articles 10 and 11 of Council Regulation (EC) No. 974/98 of 3 May 1998 on the introduction of the euro, only euro bank notes issued by the European Central Bank and coins denominated in euro and cent issued by participating member states have legal tender status in Ireland. A bank draft is essentially a cheque drawn by a bank and as such is subject to similar clearance procedures to a cheque drawn by a bank customer.

Capital Projects Funding.

486. **Mr. Haughey** asked the Minister for Finance the communication he has given to the Department of Health and Children in relation to the proposed Mater and children’s hospital development; and if he will make a statement on the matter. [24628/05]

Minister for Finance (Mr. Cowen): In the context of the capital envelope framework 2005-2009, the Health Service Executive was allocated a capital budget of €564 million for 2005. On 20 June my Department conveyed sanction to proceed with a comprehensive programme of projects and works. This sanction was subject to the general terms and conditions applicable to all public capital expenditure and specific conditions surrounding how identified revenue or ongoing costs arising from certain projects would be addressed. Given the magnitude of the Mater project, this letter also stated that my Department’s specific sanction should be obtained before the project can proceed to tender. This condition was included to ensure that both my Department and the Department of Health and Children is satisfied that all proper procedures have been followed in the context of the procurement process, that the necessary capital funding is in place for the duration of the project and that ongoing staffing and resource issues arising out of

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the project are considered and addressed in advance of signing of contracts.

Tax Collection.

487. **Mr. Haughey** asked the Minister for Finance if widowers and widows are being charged the 2% health levies on their salaries; if this is provided for in legislation; the amount of over-charging which has occurred by the Revenue Commissioners in this regard; if refunds will be made; and if he will make a statement on the matter. [24630/05]

Minister for Finance (Mr. Cowen): The health contribution is not payable by widows and widowers under section 11 of the Health Contribution Act 1979 as amended by section 24 of the Social Welfare Act 1995. If the Deputy has in mind a specific case or cases where the health contribution may have been collected in error, I will arrange to have the matter examined further on receipt of relevant details from him. I might also advise the Deputy that persons who consider that they may be entitled to a refund of the health contribution may pursue their case by contacting either their employer, if the query relates to a payment made in the current year, or PRSI Refund Section, Department of Social and Family Affairs, Oisín House, Pearse Street, Dublin 2, Telephone 01-6732586, if the query relates to a payment made in a previous year.

Public Works Projects.

488. **Mr. Ring** asked the Minister for Finance if the Office of Public Works will be instructed to clean and maintain a waterway (details supplied) in County Mayo. [24720/05]

Minister of State at the Department of Finance (Mr. Parlon): The canal in question 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. The Office of Public Works will not, therefore, be carrying out any works to the waterway.

489. **Mr. Ring** asked the Minister for Finance when the Office of Public Works will clean a section of drain (details supplied) in County Mayo. [24721/05]

512. **Mr. Ring** asked the Minister for Finance if the Office of Public Works will send out an official to a person (details supplied) in County Mayo regarding the maintenance and cleaning of a section of drain. [25218/05]

Minister of State at the Department of Finance (Mr. Parlon): The drain in question, while connecting two channels of the Moy catchment drainage scheme, does not, in fact, form part of the scheme. The Commissioners of Public Works

are not, therefore, in a position to carry out any works to the drain.

Tax Code.

490. **Mr. Ring** asked the Minister for Finance the proposals the Irish Government have to phase out vehicle registration tax following the EU Commission decision to bring in a directive forcing member states to phase out vehicle registration tax over a ten year period; when vehicle registration tax will be phased out here; and if he will make a statement on the matter. [24722/05]

Minister for Finance (Mr. Cowen): While the European Commission has published a proposal for a directive in relation to car taxes, nothing has been decided. As such, there are no plans at this stage to phase out vehicle registration tax. This Government has prioritised tax reductions on income earned by employees, in preference to other areas, and this policy has helped create record employment levels. In any event, the Commission proposal has yet to be discussed by all member states.

491. **Mr. Sargent** asked the Minister for Finance his plans to provide details of payment of stamp duty, including the names of the purchasers and sellers, being made publicly available within a year of the sale; and if he will make a statement on the matter. [24764/05]

Minister for Finance (Mr. Cowen): I have been informed by the Revenue Commissioners that making public the information about stamp duty in the manner requested by the Deputy would transgress the requirements of taxpayer confidentiality. It is not the practice of the Commissioners to disclose or comment on individual taxpayers' affairs unless it is clear that the Deputy is asking on behalf of or with the consent of the taxpayers concerned or unless authorised to do so by specific legislation, for example, section 1086 of the Taxes Consolidation Act 1997 which allows for the publication, in certain circumstances, of certain categories of tax defaulters.

I have also been informed by the Revenue Commissioners that details relating to stamp duty payments, distinguishing between the various categories of charge, for example, land and property, stocks and shares, etc., are provided in the statistical report which is published annually by the commissioners. The statistical report containing figures for 2004 will be published shortly.

Disabled Drivers.

492. **Mr. Ring** asked the Minister for Finance the action he will take with regard to the large backlog of cases under appeal with the disabled drivers and disabled passengers medical board of appeal; the number of cases on appeal at present on a county basis; the average length of time for an appeal to be dealt with; the reason it is taking

so long for appeals to be dealt with; and if he will make a statement on the matter. [24868/05]

Minister for Finance (Mr. Cowen): I do not have any direct responsibility for the operation of the medical board of appeal for the disabled drivers and disabled passengers (tax concessions) scheme, which is independent in the exercise of its functions. As I have previously stated in answer to parliamentary questions, there were a number of operational difficulties with the board of appeal. The board was reconstituted earlier this year. A new chairman was appointed in March and a secretary employed in April. The chairman of the board was asked to address the backlog of appeals as a priority. To facilitate more frequent meetings of the board, thereby allowing for progress on the backlog, I made regulations in April 2005 providing for the appointment of up to ten medical practitioners to the board, up from the seven that had previously been provided for. Arising from these measures the time for dealing with an appeal has so far been reduced from three years to two and a half years.

To further facilitate the reduction in the backlog of appeals, I have in the past three weeks made further regulations to remove the restriction on the number of doctors that may be appointed to the board. A large number of doctors would be required to clear the backlog and recruiting them is not without difficulty. I hope to make further appointments to the board, on the nomination of the Minister for Health and Children, in the near future. I am advised that the backlog of appeals is contributed to by a general increase in first instance applications as well as by the fact that a significant number of persons who are aware that they do not meet the criteria, nevertheless avail of their entitlement to a full medical re-assessment on appeal.

The medical board of appeal has provided the following data relating to the number of cases on appeal at present, on a county basis:

County	Numbers
Carlow	7
Cavan	16
Clare	21
Cork	90
Donegal	25
Dublin	129
Galway	23
Kerry	12
Kildare	32
Kilkenny	8
Laois	23
Leitrim	3
Limerick	36
Longford	2
Louth	44

County	Numbers
Mayo	23
Meath	31
Monaghan	16
Offaly	10
Roscommon	15
Sligo	3
Tipperary	39
Waterford	16
Westmeath	4
Wexford	21
Wicklow	20
Total	669

493. **Mr. Ring** asked the Minister for Finance if he will review the disabled drivers and disabled passengers (tax concessions) scheme 1994 and amend the medical criteria to ensure that more persons such as stroke sufferers can avail of the scheme; and if he will make a statement on the matter. [24869/05]

Minister for Finance (Mr. Cowen): 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; 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. The report was published on my Department's website in July 2004

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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.

Budget Submissions.

494. **Mr. F. McGrath** asked the Minister for Finance if he will give the maximum support to the Spina Bifida and Hydrocephalus Association following its budget submission dealing with the cost of disability, the disability allowance, community employment, adults with significant disabilities, the disabled persons housing grant and children as carers; and if he will make these priority issues in budget 2006. [24875/05]

Minister for Finance (Mr. Cowen): I have received a pre-budget submission from the organisation concerned and the contents will be considered in the context of the forthcoming budget and Finance Bill. As Deputies are aware it would not be appropriate for me to comment in advance of the budget on possible budget decisions.

Legislative Programme.

495. **Mr. Quinn** asked the Minister for Finance if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commencement of which his Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [24896/05]

Minister for Finance (Mr. Cowen): There are currently five Acts for which my Department has responsibility which fall within the ambit of the question, namely, the Civil Service Regulation (Amendment) Act 2005, the Superannuation and Pensions Act 1976, the Central Bank and Financial Services Authority of Ireland Act 2004, the Finance Act 2003 and the Finance Act 2005.

The Civil Service Regulation (Amendment) Act 2005 was enacted on 9 July. The Act requires a commencement order to be signed by the Minister for Finance before the provisions, other than Parts 9 and 11, come into effect. Part 9 of the Act, which relates to changes in the arrangements for local state solicitors, is to be commenced on a date set by the Taoiseach. Part 11, dealing with public service superannuation, is deemed to have come into effect on 1 April 2004. It is proposed to commence section 8 of the Act, which will allow the appointment of persons over 65 to the Civil Service as “new entrants”, as soon as possible. This section must be commenced in order to be able to legally appoint any successful candi-

date over the age of 65 which is important in ensuring equality of opportunity in upcoming recruitment competitions.

The new Act introduces significant changes to the human resource management procedures in the Civil Service. It makes clear that underperformance must be dealt with as a disciplinary matter. To give full effect to this and other changes, the current disciplinary code, drafted in the context of the Civil Service Regulation Act 1956, must be revised. The code is agreed between management and staff unions under the Civil Service conciliation and arbitration scheme. Discussions on the issue are about to begin. I will be considering commencement of the remaining sections of the Act in light of progress in these discussions between my Department and the Civil Service unions. Following detailed consideration on the management side, a draft was circulated to the Civil Service unions so that discussions can begin this month. My Department is treating this issue as a matter of priority.

Sections 2(7) and section 11 of the Superannuation and Pensions Act 1976 have not come into operation. Section 2 of the Superannuation and Pensions Act 1976 provides for Civil Service superannuation schemes to be made by means of secondary legislation. Section 11 of the Superannuation and Pensions Act 1976 provides for the repeal, in whole or in part, of enactments mentioned in the Second Schedule to the Act. The provision in section 11 was made so that, in the event of a new Civil Service superannuation scheme being made under section 2 to replace the existing scheme, a simple means would have been provided for the repeal of earlier primary legislation. Section 2(12) provides that section 2(7) will come into operation on the commencement of section 11. No scheme has been made to date under section 2 which required the bringing into operation of section 11. If a scheme were to be made in the future, the advice of the Attorney General would be sought as to whether section 2 could be used or whether primary legislation would be necessary.

The Central Bank and Financial Services Authority of Ireland Act 2004, Schedule 3, Part 1, item 1 has not been commenced. Following consultation with the insurance industry, the Irish Financial Services Regulatory Authority, IFSRA, asked for its implementation to be deferred. The issue is being further considered by IFSRA and it is unlikely to be commenced for some time yet.

With regard to mandatory electronic filing and payment of tax, section 164 of the Finance Act 2003 deals with regulations to oblige specified taxpayers to file their tax returns and pay their tax liabilities electronically. This was introduced as an enabling provision, should the need arise, and it is not expected that commencement of the section will be necessary in the short term.

With regard to taxation of gains from share options of internationally mobile employees and directors, section 16 of the Finance Act 2005 amends section 128 of the Taxes Consolidation Act 1997 which imposes an income tax charge on gains realised by directors or employees from the exercise of rights granted to them, by reason of their office or employment, to acquire shares or other assets in a company. The amendment extends the charge to cases where the recipient of the rights was not resident in the State when the rights were granted. The issues involved in applying the provisions of this section are still under examination by the Revenue Commissioners and, in addition, there are ongoing discussions with practitioners on certain aspects. It is not possible, at this stage, to state when the examination and discussions will be complete and a commencement order can be made.

On further provisions for qualifying farmers, section 32 of the Finance Act 2005 continues the special incentive stock relief of 100% for certain young trained farmers for a further two years from 1 January 2005 until 31 December 2006. The section provides that the extension to this relief will be commenced by an order of the Minister for Finance. This order has not yet been signed due to the consideration of certain EU related aspects of the relief.

Section 42 amends Chapter 5 of Part 26 of the Taxes Consolidation Act 1997, which deals with the taxation of policyholders of life assurance companies in respect of new basis business, which is the regime introduced in the Finance Act 2000. It adds a new chargeable event on the ending of each seven-year period following the inception of the policy. The purpose of this is to ensure that exit tax cannot be deferred indefinitely by the continual rolling over of a life assurance policy without it becoming chargeable to tax. The section is subject to commencement by order of the Minister for Finance, and different commencement dates may be applied to different provisions of the section or to different classes of life assurance policies. It is intended to make such an order. In this regard, officials of my Department and the Revenue Commissioners met with the Irish Insurance Federation, IIF, in June 2005 to discuss the issues involved and they have been asked to respond on the matter, at which stage a further meeting will be held with the industry with a view to having the topic finalised.

Chapter 3 of Part 2 consolidates and modernises all of the law on tobacco products tax. This will be commenced in its totality but not until early next year as the Revenue Commissioners wish to prepare and finalise regulations to be made under the new legislation before commencing it. The Revenue Commissioners also want instructions for the implementation of the legislation by their staff to be drawn up before the Chapter is commenced.

Section 64(b) introduces a new schedule of rates for fuel to include for the first time a rate for sulphur free unleaded petrol. The rate will be the current rate for unleaded petrol generally, while unleaded petrol that is not sulphur free will be set at a new higher rate. A new category of sulphur free heavy oil is also included for the first time to be chargeable to excise at the current rate for low sulphur heavy oil. The reason that this is uncommenced is that arrangements for the introduction of sulphur free petrol and diesel have not yet been finalised by the Department of the Environment, Heritage and Local Government.

Tax Code.

496. **Mr. Connolly** asked the Minister for Finance if he has plans to provide tax incentives for the restoration of derelict buildings; and if he will make a statement on the matter. [24925/05]

Minister for Finance (Mr. Cowen): As I indicated to the Deputy in my reply to him of 4 May 2005, there has never been a tax incentive scheme targeted exclusively at the restoration of derelict buildings in general. However, there are provisions under the area based tax incentive schemes such as the urban renewal scheme, the town renewal scheme and the rural renewal scheme as well as under the countrywide refurbishment scheme for tax relief in respect of refurbishment and conversion expenditure incurred on certain properties, although there is no requirement under these schemes that qualifying properties must be derelict. With regard to the area based schemes in budget 2005, I announced that I had directed my Department, together with the Revenue Commissioners, to undertake a thorough evaluation of the effects of all relevant tax incentive reliefs including certain area based schemes. In this context I also confirmed in the budget that the termination dates laid down previously in Finance Act 2004 in respect of a number of area based tax incentive schemes would remain unchanged.

I have been informed by the Minister for the Environment, Heritage and Local Government that section 23 of the Derelict Sites Act 1990 provides for the imposition of an annual derelict sites levy in respect of urban land registered by the relevant local authority for the purposes of the Act. The amount of this levy is three per cent of the market value of the urban land concerned, and remains payable until such time as the land ceases to be derelict. Revenues from the derelict sites levy may be applied by a local authority for the purpose of their functions generally, and may be directed to the purchase of lands at the discretion of the local authority. I am satisfied that this levy, consistently applied and rigorously enforced, constitutes a sufficient financial incentive to property owners to eliminate dereliction

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and consequently I have no proposals at this time to introduce a tax incentive scheme for the restoration of derelict buildings.

497. **Mr. Haughey** asked the Minister for Finance the reason for stamp duty on second-hand houses; his views on whether the present system penalises purchasers trading up to their second or third house; his further views on whether the present system is unfair due to the fact that the salary of the buyer is not taken into account, the fact of the purchase being undertaken by a single person or a couple is not taken into account and the equity earned on the existing property is not taken into account; if the stamp duty regime unduly penalises persons buying houses in Dublin; if he will review these issues; and if he will make a statement on the matter. [24926/05]

Minister for Finance (Mr. Cowen): Stamp duty is a duty on the transfer of title to property. It has been in existence in some form since the 1690s and has not in general hindered persons moving, trading up or settling down. As the Deputy will appreciate, stamp duty is a significant contributor to the Exchequer which permits Government spending on public services such as health and education. Stamp duty receipts also allow for a broader tax base than would otherwise be possible. The stamp duty yield from residential property in 2004 was €752 million.

All owner-occupiers are generally exempt from stamp duty on new houses where the property is 125 sq. m. or less. In addition, 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. Capital taxation is always based on the market value of the property and, accordingly, stamp duty is calculated by reference to the value of the residence being transferred. The only distinction made for stamp duty is between owner-occupiers and investors, particularly the owner-occupiers of new houses. Accordingly, there are no plans to change the stamp duty code to take account of the issues raised by the Deputy.

498. **Mr. Bruton** asked the Minister for Finance the full range of stamp duties which apply to the issue of bank cards and the conduct of bank transactions; his views on the unfair system whereby a double stamp duty is applied when a bank card fulfils two functions such as ATM and Laser; and if he will consider reforming these changes so that they better promote the use of cost efficient electronic transfer mechanisms. [24927/05]

Minister for Finance (Mr. Cowen): Stamp duty exists on various financial cards in order to

provide Exchequer revenue. The stamp duty on cheques, bills of exchange and promissory notes has existed for many years and when electronic means of money transfers were subsequently introduced, stamp duty was gradually extended to these products to ensure that the stamp duty from cheques, etc., was not eroded. The current annual rates of stamp duty are as follows: credit card account and charge card — €40; ATM card without a Laser function — €10 — Laser card without an ATM function — €10; combined ATM and Laser card — €20.

The stamp duty applies irrespective of the volume of bank transactions made. I do not believe that these charges are excessive, and there is no evidence that they significantly discourage people from using these forms of transaction. Combined ATM and Laser cards carry a higher stamp duty than the single function ATM or Laser cards, reflecting the wider use of the double-function card. It would not seem equitable to charge the same for a single function card as a double function card.

Stamp duties on financial cards are significant contributors to the Exchequer and are in accordance with the overall taxation policy of widening the tax base in order to keep tax rates generally low. In 2004, the stamp duty on ATM, Laser and combined cards contributed €35.3 million to the Exchequer while the yield from credit cards was €59 million. As the Deputy will be aware, I indicated in my 2005 budget speech that the Finance Bill would contain measures to eliminate a double stamp duty charge on the switching of financial cards. These measures were contained in section 128 of the Finance Act 2005. There are no plans to amend these charges.

Customs and Excise Investigations.

499. **Mr. Quinn** asked the Minister for Finance the proportion of aircraft with a declared origin or destination of Andrews Air Force Base, Washington DC, which landed in the State during each of 2004 and 2005 to date and which were examined by Customs and Excise to ensure that they complied with their obligations on declaration of the persons and cargo being carried, especially in regard to the transportation of weapons, munitions and explosives, categorised by airport landed at in the State and by final destination of the aircraft; if Customs and Excise intends to make any such investigations during the remainder of 2005; if he intends to instruct Customs and Excise in any manner regarding this issue; and if he will make a statement on the matter. [24930/05]

Minister for Finance (Mr. Cowen): I presume what the Deputy has in mind are aircraft used by the United States forces that have landed in Shannon Airport for refuelling and then departed

for destinations outside the State. I am advised by the Revenue Commissioners that there is no obligation on any aircraft engaged in third country traffic landing in the customs-free Airport at Shannon for refuelling, not unloading or loading goods, and then departing the State, to make a declaration to customs. In the circumstances, customs has no role in relation to the examination or investigation of such aircraft.

Oil Prices.

500. **Mr. Hogan** asked the Minister for Finance the reason there is such a difference in prices in respect of red and white hydrocarbon products; and if he will make a statement on the matter. [24966/05]

Minister for Finance (Mr. Cowen): I assume the Deputy is referring to the price differential between auto-diesel, which is used in vehicles such as cars, vans, lorries and buses, and the type of diesel known as marked gas oil, which is used for other purposes including use as fuel for agricultural machinery. The price of mineral oils is a function of a number of factors, only one of which is tax. However, in this context, mineral oil tax would account for the main difference in price and is charged on auto-diesel at a rate of €368.05 per 1,000 litres while marked gas oil has a reduced rate of €47.36 per 1,000 litres. A number of other EU countries allow a reduced rate of excise for diesel used in similar circumstances.

Urban Renewal Schemes.

501. **Ms O. Mitchell** asked the Minister for Finance if, in view of the large number of planning applications for urban renewal schemes which received permission in late 2004 due to various delays in the planning system, he will give consideration to the extension of the 2006 deadline in order to ensure that these projects qualify for the tax incentives as intended. [24976/05]

Minister for Finance (Mr. Cowen): The deadline for the urban renewal scheme was extended from 31 December 2004 to 31 July 2006 in budget 2004 to cater for pipeline projects and to ensure an orderly winding-down of the scheme. In budget 2005, I directed my Department, together with the Revenue Commissioners, to undertake a thorough evaluation of the effect of various tax incentive reliefs including the urban renewal scheme. In this context, I also confirmed to the House that the termination dates for the various schemes, laid down previously in Finance Act 2004, remain unchanged. I am aware of the issues alluded to by the Deputy and these can be taken into consideration in the context of the ongoing reviews.

Departmental Properties.

502. **Cecilia Keaveney** asked the Minister for Finance if a site has been selected for a new test centre (details supplied) in County Donegal; and if he will make a statement on the matter. [25001/05]

Minister of State at the Department of Finance (Mr. Parlon): A potential site has been identified for the provision of a new driving test centre. The suitability of the potential site is currently being technically assessed by OPW personnel.

Garda Stations.

503. **Mr. P. Breen** asked the Minister for Finance further to Parliamentary Question No. 294 of 28 June 2005, if he will consider allocating a room in the old Garda station at Kilrush, County Clare, to the local Red Cross; and if he will make a statement on the matter. [25012/05]

Minister of State at the Department of Finance (Mr. Parlon): Discussions between the Commissioners of Public Works and the Department of Defence, in relation to the possible future use of the former Garda station at Kilrush, County Clare by the FCA, are nearing completion. It is envisaged that the entire premises will be used by the FCA.

Flood Relief.

504. **Mr. N. O'Keeffe** asked the Minister for Finance the reason for the delay in holding a public exhibition in a town in County Cork to exhibit plans (details supplied). [25060/05]

Minister of State at the Department of Finance (Mr. Parlon): I am pleased to inform the Deputy that, in line with my reply to him on 23 March of this year, the proposals for the flood relief scheme for the Munster Blackwater in Fermoy will be placed on formal public exhibition on 14 November 2005, as required by the Arterial Drainage Acts.

Freedom of Information.

505. **Mr. Naughten** asked the Minister for Finance further to Parliamentary Question No. 186 of 10 May 2005, when he envisages that the organisation will come under the terms of the Freedom of Information Act 1997; and if he will make a statement on the matter. [25071/05]

Minister for Finance (Mr. Cowen): Proposals to extend the Freedom of Information Act are currently being finalised. Pending publication of the details, I will not be making any further statements about the position of individual bodies.

Tax Code.

506. **Mr. Naughten** asked the Minister for Finance his plans to introduce tax relief for child care fees; and if he will make a statement on the matter. [25072/05]

Minister for Finance (Mr. Cowen): As the Deputy will be aware, the Government is already providing support to parents through child benefit, grants under the equal opportunities child care programme, capital allowances for expenditure on child care facilities and an exemption from a benefit-in-kind charge where employers provide free or subsidised child care facilities for their employees. I believe there is a need to examine pragmatically and practically what can be done in regard to providing child care support to parents. The introduction of any further supports through the tax system would, of course, be a matter for consideration in the context of the annual budget and Finance Bill.

507. **Mr. Naughten** asked the Minister for Finance if he will introduce roll-over relief on capital gains tax for landowners who have had their lands purchased for road construction; and if he will make a statement on the matter. [25073/05]

Minister for Finance (Mr. Cowen): As previously advised to the Deputy in replies to parliamentary questions on 30 November 2004 and on 28 June 2005, capital gains tax, CGT, is a tax on a capital gain arising on the disposal of assets. A 20% rate of CGT applies on the gains arising on the disposal of assets, including land which is the subject of a compulsory purchase order, CPO. It was announced in the 2003 budget that no roll-over relief would be allowed for any purpose on gains arising from disposals on or after 4 December 2002. This relief was introduced when CGT rates were much higher than current levels. In effect, it was a deferral of tax to be paid, where the proceeds of disposal were reinvested into replacement assets. The taxation of these gains would take place following the eventual disposal of the new assets without their replacement.

The abolition of this relief was in accordance with the overall taxation policy of widening the tax base in order to keep direct tax rates low. Reliefs and allowances made sense when CGT rates were 40% and above. In budget 1998, the rate was halved from 40% to 20%. Taxing capital gains when they are realised is the most logical time to do so, and this change brought CGT into line with other areas.

Departmental Properties.

508. **Mr. Naughten** asked the Minister for Finance the status of the Office of Public Works pro-

ject for the district veterinary office in Drumshanbo, County Leitrim; the reason for the delay in purchasing the site; and if he will make a statement on the matter. [25137/05]

Minister of State at the Department of Finance (Mr. Parlon): Purchase of the site was completed on 22 August 2005. Completion of the purchase had been subject to the grant of planning permission to the development of a district veterinary office building on the site. The grant of permission to the development was confirmed by Leitrim County Council on 12 May 2005. A changed brief of requirements has been received from the Department of Agriculture and Food, and this is currently being examined by the Commissioners.

Decentralisation Programme.

509. **Mr. Gormley** asked the Minister for Finance the progress made to date in implementing the Government's decentralisation programme for civil servants; the number of civil servants who have agreed to co-operate to date; the amount it has cost to date; the amount it will cost; and if he will make a statement on the matter. [25170/05]

Minister for Finance (Mr. Cowen): On 7 July 2005 the latest report of the Decentralisation Implementation Group chaired by Mr. Finbarr Flood was published. The recommendations in the report have been accepted by the Government. The report is available on the Department of Finance's website at www.finance.gov.ie. The report outlined the progress that had been made since the previous report of the implementation group was published in November 2004 under various headings: Property solutions have been identified for most of the "early mover" locations; agreement has been reached on a number of the human resources and industrial relations issues and discussions are continuing in other areas; and, detailed implementation plans have been prepared by the organisations selected as "early movers".

On 7 September 2004, the closing date for priority applications, over 9,200 civil and public servants had lodged applications or expressions of interest with the Central Applications Facility. Since then almost 1,300 new applications or expressions of interest have been made. These are being analysed at present.

When details of the Government's decentralisation programme were first announced in budget 2004 it was stated that the overall objective would be to ensure that property being acquired at a regional level is matched as closely as possible, both in time and in cost terms, by the disposal

of property currently held in the Dublin region, whether held on lease or otherwise. In November 2004 the implementation group submitted a report on the procurement methodology and financial assessment of the property aspects of the programme, including a financial model, based on a property finance study carried out by the Office of Public Works. Using current assumptions this model shows that the break even position in relation to property will be reached in 2026. The total amount contractually committed to date by the OPW on site acquisition costs, excluding VAT, is €35.7 million. Expenditure to date this year is €9.9 million.

In relation to the non-property aspects of the programme, a report was prepared by Deloitte at the request of the implementation group. This report provided a model for identifying non-property costs and savings that might arise both during the relocation phase and in the context of a post-decentralised civil service. Decentralising organisations have now been asked to use this model to make periodic reports identifying costs incurred and savings made since the programme was announced and going forward. The first reports are being received and analysed at present.

Tax Collection.

510. **Mr. Durkan** asked the Minister for Finance the reason the company trading address of a person (details supplied) in County Kildare has been changed by the Revenue Commissioners; when same will be changed back; and if he will make a statement on the matter. [25216/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the taxpayer's address was changed in error and that this has now been corrected.

511. **Mr. Durkan** asked the Minister for Finance when a tax refund will issue to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [25217/05]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that there is no record of any claim to interest relief from the taxpayer for the year 2004. Relevant details have now been requested from the taxpayer and any allowable relief due will be processed on receipt of a reply.

Question No. 512 answered with Question No. 489.

Tax Code.

513. **Mr. P. McGrath** asked the Minister for

Finance the cost of introducing a flat income tax rate of 20% while allowing the first €17,000 of a single person's income and the first €34,000 of a couple's income to be tax free; and if he will make a statement on the matter. [25220/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the full year cost to the Exchequer, based on projected 2006 incomes, of the changes mentioned by the Deputy is tentatively estimated to be in the region of €4 billion to €5 billion per annum. This tentative estimate is based on the assumption that a full flat tax system is introduced and that the existing income tax structure would be replaced in its entirety by the system outlined by the Deputy. In such an event, the personal tax credits and allowances and tax reliefs in general would no longer apply. This is normally a feature of flat tax systems. For example, contributions to approved superannuation schemes would no longer attract tax relief and mortgage interest relief and medical insurance relief which are provided at source would cease to apply. Other schemes and reliefs which it is assumed would be abolished for the purpose of this costing include capital allowances, property reliefs generally, the various savings related tax reliefs, tax relief on redundancy payments, the business expansion scheme and film relief. The statutory exemption in respect of tax on child benefit payments would also be removed. To the extent that any of these reliefs were continued, the costs would be higher.

Garda Stations.

514. **Mr. Carey** asked the Minister for Finance when construction will begin on the new Finglas Garda station; and if he will make a statement on the matter. [25235/05]

Minister of State at the Department of Finance (Mr. Parlon): A revised sketch Scheme for a new Garda station at Finglas is with the Department of Justice, Equality and Law Reform for approval. Following approval, planning consultation under Part 9 will commence. It is expected that construction will start in summer 2006.

Tax Code.

515. **Mr. Connolly** asked the Minister for Finance if he will consider dropping VAT on defibrillators; and if he will make a statement on the matter. [25291/05]

Minister for Finance (Mr. Cowen): The position is that the VAT rating of goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. Under the sixth VAT directive, member states may

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retain the zero rates on goods and services which were in place on 1 January 1991, but cannot extend the zero rate to new goods and services. As the majority of defibrillators were not subject to the zero rate on 1 January 1991 it is not possible to apply the zero rate to the supply of such products. Implantable defibrillators are subject to the zero rate.

In addition, member states may only apply the reduced VAT rate to those goods and services which are listed under Annex H of the EU sixth VAT directive. While Annex H does include the supply of medical equipment for the exclusive personal use of a disabled person, it does not include defibrillators for general use. The reduced rate cannot be applied to the supply of defibrillators. Therefore, the only rate of VAT that can apply to the supply of defibrillators is the standard VAT rate of 21%.

Departmental Properties.

516. **Mr. Ring** asked the Minister for Finance if the Office of Public Works will develop a property (details supplied) in County Mayo so that commercial vehicle testing can recommence in Castlebar. [25308/05]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works are currently looking at a number of property solutions to meet the long-term requirements for commercial vehicle testing in Castlebar. The details supplied by the Deputy refer to one of the possible solutions.

Tax Code.

517. **Mr. Connaughton** asked the Minister for Finance the reason PRSI is deducted from pensioners who worked for the ESB; and if he will make a statement on the matter. [25383/05]

Minister for Finance (Mr. Cowen): I understand from inquiries made by my Department that the deduction to which the Deputy refers is the health contribution. The health contribution is currently charged at 2% once a person's income exceeds €400 per week or €20,800 per year. Once the threshold for liability is exceeded, the contribution is payable on all reckonable income unless the income or the person in receipt of same falls within an exempt category. The exempt categories include certain social welfare recipients as well as holders of medical cards, including those aged 70 years of age or over, or their EU equivalents. The exemptions in question are provided for in the Health Contributions Act 1979, as amended.

Financial Services Regulation.

518. **Mr. Bruton** asked the Minister for Finance if a new order is being considered which will restrict the investment options open to credit unions; the aims of the proposed changes; the consultation he is having with the credit union movement on the proposals. [25457/05]

Minister for Finance (Mr. Cowen): My Department has requested the Registrar of Credit Unions in the financial regulator to examine and make recommendations on what are appropriate investments for credit unions. I understand that the registrar has not yet completed his examination and is continuing to consult and communicate with the credit union movement. As soon as the registrar submits his report to my Department it is my intention to refer it to my advisers on credit union matters, the Credit Union Advisory Committee, for its views on its recommendations.

Tax Collection.

519. **Mr. Bruton** asked the Minister for Finance if his attention has been drawn to the lengthy delays in the refund of stamp duty on share transactions where the shares are sold within 20 days; the value of refunds outstanding; and the duration of time over which they have been outstanding. [25458/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that reclaims in relation to share transfers that have been executed electronically through the CREST operating system are currently in arrears to 2 August 2005. Every effort has been made to process reclaims that have been correctly presented with all supporting evidence in a speedy manner and substantial progress has been made in reducing what was previously a four to six month backlog.

Reclaims are submitted for various reasons one of which relates to the relief for closing of transactions under section 73 of the Stamp Duties Consolidation Act, 1999. Stamp duty is repayable on shares purchased if the shares are re-transferred on sale within 25 days of the date of the earliest contract and if both contracts were intended to be settled on the same day. It is assumed this is the relief referred to in the Deputy's question. Revenue have advised me that there are 64 such reclaims on hands since 2 August 2005, representing 658 individual transactions and totalling approximately €658,000. Revenue has further informed me that the position regarding reclaims submitted prior to 2 August 2005 is that they have either been (a) processed, (b) queried with the claimant or (c) withheld due to compliance issues of the claimant.

In the case of reclaims that have been queried there are various reasons this might happen. It could be that the basis for the reclaim is unclear; insufficient supporting evidence has been provided; the amount being reclaimed is greater than amount paid; the reclaim is in incorrect currency; the transaction identity provided is invalid, etc. In the case of queried reclaims, they are back with the claimant to be resolved and nothing can happen with them until they are properly re-submitted.

In the case of withheld reclaims there have been issues of compliance by certain member firms of the Irish and London stock exchanges, in particular regarding section 75 of the Stamp Duties Consolidation Act 1999 where exemptions have been claimed by member firms but the reports required under the section have not been submitted or have been submitted in an incomplete manner. The absence of these reports does not allow the Revenue Commissioners to verify the entitlement to claim the exemption or to quantify what underpayments, if any, have arisen.

Tax Code.

520. **Mr. Bruton** asked the Minister for Finance if his attention has been drawn to the fact that new houses valued at under €317,000 and under 125 square metres in size can lose their exemption from stamp duty when sold to first-time buyers if they do not have a compliance certificate showing they conform to building regulations; the reason such first time buyers should be so penalised; and if the Department of the Environment, Heritage and Local Government will be informed that it should find a new way of enforcing compliance with building standards other than through the stamp duty code. [25599/05]

Minister for Finance (Mr. Cowen): I should point out that there is no stamp duty on the purchase of new residential property for owner-occupiers where the dwelling is not greater than 125 square metres and where it complies with certain conditions in relation to building standards.

The Finance Act 2004 substituted a requirement for a floor area compliance certificate for new houses with a floor area under 125 square metres, for the previously required floor area certificate which certified that the floor area of a house was within the required size for the stamp duty exemption. This size requirement was also a condition for eligibility under the now ceased first-time buyers grant scheme operated by the Department of the Environment, Heritage and Local Government. A further requirement of that scheme was that the house had to comply with required building standards. The purpose of the new floor area compliance certificate issued by

the Department of the Environment, Heritage and Local Government is to certify that not only is the floor area of the new house under 125 square metres but also that the house complies or will comply with required building standards. The stamp duty exemption for owner-occupiers of such houses is conditional on the existence of a floor area compliance certificate at the time of transfer thereby ensuring that purchasers of small new houses are fully protected in relation to the building standards of such houses.

Following the 2004 changes, the policy decisions behind these changes were reinforced in the Finance Act 2005 by confirming that new houses under 125 square metres could not otherwise avail of an exemption from stamp duty without having a floor area compliance certificate. This change was made because otherwise the raising of the stamp duty exemption limit for first time buyers to €317,500, in budget 2005, would have had the effect that new houses purchased by first-time buyers within this price range and with a floor area under 125 square metres also became exempt from stamp duty, without having to have a floor area compliance certificate. I do not have plans at present to change this system, because to do so would reduce the level of protection for first-time buyers and other owner-occupiers of new houses.

521. **Mr. Perry** asked the Minister for Finance if a refund of stamp duty will issue to a person (details supplied) in County Sligo; and if he will make a statement on the matter. [25800/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that, in the case referred to by the Deputy, a deed dated 28 February 2001 was received by the Dublin Stamp Office on 26 March 2001. The deed or accompanying documentation did not contain any claim for owner-occupier relief. Stamp Duty was assessed on the deed as submitted. An application for repayment of stamp duty, dated 13 April 2004, was received from the solicitor acting for the purchaser. The application was responded to on 27 May 2004 seeking the basis on which the application was made. No response was received from the solicitor's office.

A purchaser of second-hand residential property for a consideration of less than €127,000 would have been exempt from stamp duty at that time where certain conditions as to use of the property for five years after the date of the conveyance or transfer were met. The main conditions are that it is used by the purchaser as his/her only or principal place of residence and that no person derives any rent from the dwelling, other than under the rent-a-room scheme.

Garda Stations.

522. **Mr. Perry** asked the Minister for Finance if his attention has been drawn to the fact that €65,000 was granted in 2004 for refurbishment work in Tubbercurry Garda station, County Sligo; the reason that documents have not yet been sent out for tender; and if he will make a statement on the matter. [25801/05]

Minister of State at the Department of Finance (Mr. Parlon): I am advised by the Commissioners of Public Works that tender documents for improvement works to Tubbercurry Garda station were returned on Monday, 26 September 2005. These are currently being assessed with a view of placing contracts in the very near future. The proposed scheme will include the provision of an emergency escape, wheelchair ramp and steps, new windows and the upgrading of the heating and electrical installations.

Tax Code.

523. **Mr. Perry** asked the Minister for Finance the reason a person (details supplied) in County Sligo has to pay tax on their spouse's unemployment supplement; and if he will make a statement on the matter. [25802/05]

Minister for Finance (Mr. Cowen): In common with the majority of payments made by the Department of Social and Family Affairs, unemployment supplement, which is an addition to disablement pension, is chargeable to income tax under the Taxes Consolidation Act 1997. I am advised by the Revenue Commissioners that the person in question is the assessable spouse for her own and her husband's tax liabilities and, hence, is the person liable for the tax on her husband's unemployment supplement.

524. **Ms Burton** asked the Minister for Finance the rate of income tax paid by persons earning in excess of €100,000 per annum and upwards in bands of €20,000 per annum from 2000 for each year to date, distinguishing between single persons and couples, between PAYE taxpayers and those who are self employed and including taxpayers paying 0% and taxpayers paying tax at 20% and below. [25862/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the

most recent basic data on incomes available from which information of the type requested by the Deputy could be derived are in respect of the income tax year 2002. The information requested is set out in the following tables for the income tax years 2000-01, 2001 short year and 2002.

However, because of the Revenue Commissioners' obligation to observe confidentiality in relation to the taxation affairs of individual taxpayers and small groups of taxpayers, the breakdown by income bands requested by the Deputy is not provided in relation to incomes exceeding €1 million due to the small numbers of income earners with incomes in excess of that level.

The 2001 short income tax year was a short transitional tax year running from 6 April to 31 December 2001 which preceded the first full calendar tax year 1 January 2002 to 31 December 2002. It should be noted that as PAYE taxpayers were charged to tax on their earnings in the period from 6 April to 31 December 2001 and self-employed taxpayers were assessed to tax for the short year on 74% of the profits earned in a 12 month accounting period, the income figures will not be directly comparable with those of earlier or later years. A married couple who have elected or been deemed to have elected for joint assessment is counted as one tax unit. Married couples and individuals with income chargeable to tax under both schedule E and schedule D have been classified in the following tables by reference to the schedule under which the larger amount of income is taxable.

The designation of a tax rate to an income earner in the tables is based on identifying the top tax rate applying to the taxable income of each earner. To arrive at the figure for taxable income, the gross income is reduced by various relevant deductions and allowances such as capital allowances, losses, allowable expenses and retirement annuities. In some cases, these will reduce the taxable income to nil.

Caution is required in comparing between years because data for 2002 take account of DIRT paid by taxpayers, whereas the figures for 2000-2001 and the short tax year 2001 do not do so. I am arranging for further data to be compiled in this regard and I will have it sent to the Deputy as soon as may be. The information on incomes is based on income returns on Revenue records at the time the data were compiled for analytical purposes, representing about 95 per cent of all returns expected.

INCOME TAX 2000/2001.

Numbers of all income earners with incomes exceeding €100,000.

Range of Gross Income*	No net liability for income tax			Liable for tax at the standard rate (22%) or marginal relief			Liable for tax at the higher rate (44%)			Overall Total
	Single*	Married	Total	Single*	Married	Total	Single*	Married	Total	
100,000 120,000	15	43	58	3	68	71	1,501	8,383	9,884	10,013
120,000 140,000	7	33	40	1	42	43	840	4,664	5,504	5,587
140,000 160,000	5	20	25	3	21	24	508	3,007	3,515	3,564
160,000 180,000	9	25	34	2	15	17	301	1,999	2,300	2,351
180,000 200,000	1	8	9	3	15	18	223	1,454	1,677	1,704
200,000 220,000	1	13	14	0	7	7	177	1,075	1,252	1,273
220,000 240,000	2	7	9	0	3	3	143	869	1,012	1,024
240,000 260,000	2	6	8	2	7	9	104	680	784	801
260,000 280,000	1	5	6	1	3	4	102	531	633	643
280,000 300,000	1	1	2	0	4	4	66	471	537	543
300,000 320,000	1	0	1	1	2	3	56	381	437	441
320,000 340,000	1	4	5	0	0	0	54	303	357	362
340,000 360,000	1	2	3	0	2	2	40	249	289	294
360,000 380,000	0	0	0	0	2	2	30	223	253	255
380,000 400,000	0	3	3	0	1	1	29	229	258	262
400,000 420,000	0	3	3	0	0	0	23	146	169	172
420,000 440,000	1	5	6	0	1	1	19	131	150	157
440,000 460,000	1	1	2	0	0	0	22	120	142	144
460,000 480,000	2	1	3	0	1	1	15	109	124	128
480,000 500,000	0	3	3	0	0	0	19	88	107	110
500,000 520,000	0	4	4	0	0	0	15	90	105	109
520,000 540,000	0	3	3	0	1	1	14	65	79	83
540,000 560,000	1	4	5	0	1	1	9	69	78	84
560,000 580,000	2	2	4	1	0	1	12	61	73	78
580,000 600,000	0	0	0	0	0	0	11	48	59	59
600,000 620,000	0	0	0	0	2	2	5	54	59	61
620,000 640,000	0	1	1	0	0	0	7	47	54	55
640,000 660,000	0	0	0	0	0	0	5	42	47	47
660,000 680,000	0	0	0	0	0	0	7	43	50	50
680,000 700,000	2	2	4	0	0	0	2	29	31	35
700,000 720,000	0	2	2	0	1	1	3	37	40	43
720,000 740,000	0	2	2	0	2	2	4	30	34	38
740,000 760,000	0	0	0	1	1	2	5	23	28	30
760,000 780,000	0	0	0	0	0	0	8	32	40	40
780,000 800,000	0	0	0	0	0	0	2	23	25	25
800,000 820,000	0	0	0	0	0	0	1	27	28	28
820,000 840,000	0	1	1	0	0	0	5	24	29	30
840,000 860,000	0	0	0	0	0	0	1	16	17	17
860,000 880,000	0	0	0	0	0	0	1	13	14	14
880,000 900,000	0	0	0	1	0	1	2	22	24	25
900,000 920,000	0	0	0	0	0	0	3	12	15	15
920,000 940,000	0	0	0	0	1	1	3	17	20	21
940,000 960,000	0	0	0	0	0	0	4	13	17	17
960,000 980,000	0	0	0	0	0	0	4	11	15	15
980,000 1,000,000	0	0	0	0	0	0	2	14	16	16
Over 1,000,000	0	10	10	1	0	1	64	329	393	404
	56	214	270	20	203	223	4,471	26,303	30,774	31,267

*“Single” includes widowed persons.

[Mr. Cowen.]

INCOME TAX “short year” 2001

Numbers of all income earners with incomes exceeding €100,000

Range of Gross Income	No net liability for income tax			Liable for tax at the standard rate (20%) or marginal relief			Liable for tax at the higher rate (42%)			Overall Total
	Single*	Married	Total	Single*	Married	Total	Single*	Married	Total	
100,000 120,000	15	38	53	7	32	39	866	5,122	5,988	6,080
120,000 140,000	10	24	34	3	23	26	497	3,055	3,552	3,612
140,000 160,000	6	14	20	3	21	24	310	1,970	2,280	2,324
160,000 180,000	4	14	18	1	16	17	208	1,307	1,515	1,550
180,000 200,000	2	15	17	1	5	6	159	1,015	1,174	1,197
200,000 220,000	0	6	6	2	6	8	123	736	859	873
220,000 240,000	2	5	7	1	4	5	68	596	664	676
240,000 260,000	3	6	9	0	3	3	66	433	499	511
260,000 280,000	0	5	5	0	2	2	53	369	422	429
280,000 300,000	2	6	8	0	1	1	45	294	339	348
300,000 320,000	0	7	7	1	3	4	38	249	287	298
320,000 340,000	0	0	0	0	0	0	26	206	232	232
340,000 360,000	1	3	4	2	1	3	23	157	180	187
360,000 380,000	0	1	1	0	2	2	28	163	191	194
380,000 400,000	0	3	3	0	0	0	29	147	176	179
400,000 420,000	0	1	1	0	0	0	19	104	123	124
420,000 440,000	1	2	3	0	0	0	21	106	127	130
440,000 460,000	1	2	3	0	0	0	11	103	114	117
460,000 480,000	0	1	1	0	1	1	11	62	73	75
480,000 500,000	0	1	1	0	1	1	7	60	67	69
500,000 520,000	0	2	2	0	2	2	6	60	66	70
520,000 540,000	0	2	2	0	0	0	9	54	63	65
540,000 560,000	1	5	6	0	0	0	7	36	43	49
560,000 580,000	0	1	1	0	0	0	10	40	50	51
580,000 600,000	2	3	5	0	1	1	5	38	43	49
600,000 620,000	0	1	1	0	0	0	5	37	42	43
620,000 640,000	0	1	1	0	2	2	4	26	30	33
640,000 660,000	0	2	2	0	0	0	3	28	31	33
660,000 680,000	1	0	1	0	0	0	3	15	18	19
680,000 700,000	0	0	0	0	0	0	7	27	34	34
700,000 720,000	0	0	0	0	0	0	4	14	18	18
720,000 740,000	0	1	1	0	0	0	3	20	23	24
740,000 760,000	0	0	0	0	0	0	3	8	11	11
760,000 780,000	0	0	0	0	0	0	2	16	18	18
780,000 800,000	0	1	1	0	0	0	2	12	14	15
800,000 820,000	0	0	0	0	0	0	1	18	19	19
820,000 840,000	0	2	2	0	0	0	1	12	13	15
840,000 860,000	0	0	0	0	0	0	0	11	11	11
860,000 880,000	0	2	2	0	1	1	2	15	17	20
880,000 900,000	0	0	0	0	1	1	1	8	9	10
900,000 920,000	0	2	2	0	0	0	2	7	9	11
920,000 940,000	0	0	0	0	0	0	1	12	13	13
940,000 960,000	0	0	0	0	0	0	0	7	7	7
960,000 980,000	0	0	0	0	0	0	2	8	10	10
980,000 1,000,000	1	0	1	0	0	0	0	11	11	12
Over 1,000,000	2	9	11	0	0	0	34	158	192	203
	54	188	242	21	128	149	2,725	16,952	19,677	20,068

*“Single” includes widowed persons.

INCOME TAX 2002.

Numbers of all income earners with incomes exceeding €100,000.

Range of Gross Income *	No net liability for income tax			Liable for tax at the standard rate (20%) or marginal relief			Liable for tax at the higher rate (42%)			Overall Total
	Single*	Married	Total	Single*	Married	Total	Single*	Married	Total	
100,000 120,000	11	36	47	14	154	168	2,112	13,289	15,401	15,616
120,000 140,000	4	35	39	6	90	96	1,127	6,728	7,855	7,990
140,000 160,000	7	19	26	3	49	52	686	4,026	4,712	4,790
160,000 180,000	2	8	10	2	41	43	472	2,765	3,237	3,290
180,000 200,000	6	10	16	5	27	32	327	2,023	2,350	2,398
200,000 220,000	1	11	12	1	18	19	265	1,493	1,758	1,789
220,000 240,000	1	12	13	1	16	17	191	1,084	1,275	1,305
240,000 260,000	1	0	1	1	2	3	136	922	1,058	1,062
260,000 280,000	1	6	7	3	14	17	113	709	822	846
280,000 300,000	2	3	5	0	2	2	97	579	676	683
300,000 320,000	2	4	6	0	5	5	70	499	569	580
320,000 340,000	0	3	3	0	5	5	68	399	467	475
340,000 360,000	1	1	2	1	4	5	55	367	422	429
360,000 380,000	0	2	2	0	3	3	43	276	319	324
380,000 400,000	0	2	2	1	2	3	33	234	267	272
400,000 420,000	1	6	7	0	2	2	48	221	269	278
420,000 440,000	0	0	0	0	3	3	26	187	213	216
440,000 460,000	1	2	3	0	1	1	31	170	201	205
460,000 480,000	0	1	1	0	0	0	23	152	175	176
480,000 500,000	0	0	0	1	1	2	18	122	140	142
500,000 520,000	0	1	1	0	3	3	20	128	148	152
520,000 540,000	0	0	0	0	2	2	21	99	120	122
540,000 560,000	0	0	0	0	1	1	10	93	103	104
560,000 580,000	0	0	0	0	0	0	9	90	99	99
580,000 600,000	0	0	0	0	0	0	5	68	73	73
600,000 620,000	0	0	0	0	1	1	11	61	72	73
620,000 640,000	0	3	3	0	1	1	15	65	80	84
640,000 660,000	0	1	1	0	0	0	9	63	72	73
660,000 680,000	0	2	2	0	1	1	6	51	57	60
680,000 700,000	0	0	0	0	0	0	8	60	68	68
700,000 720,000	0	0	0	0	1	1	7	51	58	59
720,000 740,000	0	0	0	0	0	0	10	49	59	59
740,000 760,000	0	1	1	0	0	0	5	41	46	47
760,000 780,000	0	0	0	0	0	0	2	29	31	31
780,000 800,000	0	0	0	1	2	3	3	30	33	36
800,000 820,000	0	1	1	0	0	0	1	19	20	21
820,000 840,000	0	1	1	0	0	0	3	22	25	26
840,000 860,000	0	0	0	0	0	0	4	26	30	30
860,000 880,000	0	1	1	0	1	1	2	22	24	26
880,000 900,000	0	0	0	0	2	2	2	16	18	20
900,000 920,000	0	0	0	0	0	0	2	18	20	20
920,000 940,000	0	0	0	0	0	0	5	14	19	19
940,000 960,000	0	0	0	0	1	1	1	11	12	13
960,000 980,000	0	0	0	0	0	0	3	10	13	13
980,000 1,000,000	0	0	0	0	0	0	1	14	15	15
Over 1,000,000	1	4	5	1	5	6	67	359	426	437
	42	176	218	41	460	501	6,173	37,754	43,927	44,646

"Single" includes widowed persons.

[Mr. Cowen.]

525. **Ms Burton** asked the Minister for Finance the changes which have been made in classifying tax paid by high income earners (details supplied) at 0%, 20%, and 42%; the date from which the proposed changes will apply; and the items which will be included in the classification of income tax paid. [25863/05]

Minister for Finance (Mr. Cowen): The Deputy may be referring to the Revenue Commissioners' study, Effective tax rates of the top 400 earners: Report for the tax year 2001, which was published by my Department in March of this year. The Revenue Commissioners in paragraph 4 of that report set out a new methodology to be applied in future in such studies in terms of quantifying and classifying tax paid. The changes are: deposit interest retention tax, DIRT, deducted at source from any deposit interest earned will be included in the figure for income tax payable in all cases in computing the effective tax rate; and individuals paying some tax, although amounting to an effective rate of less than 1%, will be excluded from the 0% range and included in the less than 5% range. This new methodology will be applied in the next report of the Revenue Commissioners on the effective tax rates of persons with high incomes.

526. **Ms Burton** asked the Minister for Finance if he has had undertaken a consultancy study or other review of persons who are non-resident here for tax purposes; if such a review was requested by the Taoiseach; his estimate of the number of persons non-resident for tax purposes for each of the past three tax years; and if the Revenue Commissioners have undertaken any additional steps to clarify the number of visits made to the country by such non-residents. [25869/05]

Minister for Finance (Mr. Cowen): The rules on residency are not a specific tax relief scheme as such and are therefore not included in the review of tax relief schemes that I announced in the 2005 Budget. However, as already outlined to the House on 1 June last, I have asked the chairman of the Revenue Commissioners to monitor the application of the current non-resident rules, through examination of cases handled in the Revenue large cases division, and to provide me with a report once this examination is complete.

I am informed by the Revenue Commissioners that it is not possible at present to identify the number of Irish domiciled persons claiming to be non-resident for tax purposes. Income tax returns for 2002 onwards request data from self-assessed taxpayers in relation to their residence and domicile status. This is, however, not captured electronically which means it is not practicable to

derive overall statistics in relation to claims to non-residence status.

I am further informed by the Revenue Commissioners that the procedures adopted in relation to validating a claim to non-residence status depend on the circumstances in each case. The administration of these validation procedures is a matter for the Revenue Commissioners and I am informed by them that these procedures are kept under review. I am, however, informed that the methods used to verify claims to non-residence include a range of tests and an intelligence dimension which for obvious reasons they do not publicise. In addition, Revenue has statutory powers to make all relevant enquiries in relation to any aspect of tax returns including claims to non-residence status.

I am also informed by the Revenue Commissioners that a number of audits are at present under way in their large cases division into claims to non-residence as part of the risk-based programmes operated by Revenue.

527. **Ms Burton** asked the Minister for Finance when he expects to receive the consultant's report in respect of tax breaks as per the study outlined by him as part of the announcements in budget 2005; when the report will be made available to him and if he will publish it. [25870/05]

Minister for Finance (Mr. Cowen): Final reports from the consultants have not yet been received. However, the reviews are scheduled to be completed in time to inform the development of the 2006 budget and Finance Bill. I am not yet in a position to indicate any likely publication date for these studies.

528. **Ms Burton** asked the Minister for Finance if, as a consequence of the many submissions made to his Department in respect of the review being undertaken by consultants of tax breaks, his officials have examined any of these submissions; and if he has received any reports in relation to them. [25871/05]

Minister for Finance (Mr. Cowen): All of the submissions made to my Department under the public consultation process relating to this review have been examined. The discussions held in the Joint Committee on Finance and the Public Service and in the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs have also been noted. I am aware of these submissions and will bear them in mind in the context of my consideration of the schemes in question and the decisions to be taken for budget 2006.

Decentralisation Programme.

529. **Ms Burton** asked the Minister for Finance

the situation in respect of decentralisation; the number of decentralisation projects which have been established; the cost of same; the number of civil servants which will have transferred to decentralised locations by the end of 2005; the cost of same; the cost per acre of land acquired for Departments and semi-State bodies; and the cost of professional services such as legal and auctioneering fees in respect of each decentralised location. [25876/05]

Minister of State at the Department of Finance (Mr. Parlon): The OPW is currently in the process of procuring appropriate properties in the designated locations for the departments and agencies involved in the Government's decentralisation programme. Property acquisition negotiations are completed or are significantly advanced at more than 20 locations. The total amount committed to-date on site acquisition in these locations is approximately €35.7 million. The average cost per acre is in the region of €430,000.

In its most recent report of June 2005 the decentralisation implementation group gave indicative construction completion dates for Civil Service organisations and locations, commencing in 2006. However, a number of Departments and offices are likely to have advance parties in place before then. For example, the Department of Agriculture and Food has already transferred 50 staff under the decentralisation programme to Portlaoise and a further 50 staff will relocate there later this year. Garda headquarters is also planning to transfer around 50 staff to Thurles to populate a new Garda vetting unit later this year. The cost to-date of professional services, including fees, site investigations etc. is €1.6 million.

Tax Code.

530. **Ms Burton** asked the Minister for Finance if he will report on the current situation in relation to the stallion tax exemption and the position of the European Commission in respect

of same; and if he will make a statement on the matter. [25877/05]

Minister for Finance (Mr. Cowen): Consideration of the issues involved in relation to the tax exemption for stallion stud fee income is still ongoing and I understand that the Commission has not yet concluded its deliberations on the matter. In the normal course, any proposals for change in tax exemptions are considered in the context of the annual budget.

531. **Ms Burton** asked the Minister for Finance the expected distribution of income earners for income tax payments for 2005 broken down in number and percentage terms into the categories of exempt, marginal relief, standard rate, higher rate; and if he will give the comparative figures for each year from 1998 to date. [25878/05]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the information requested by the Deputy is set out in the following table.

The figures for the years 1998-1999 to 2002 inclusive are based on incomes data derived from income tax returns held on Revenue records and have been grossed-up to an overall expected level to adjust for incompleteness in the numbers of returns on record at the time the data were extracted for analytical purposes. For the years 2003 to-date, the figures are estimates from the Revenue tax forecasting model using actual data for the year 2002 adjusted as necessary to take account of more up-to-date estimates of income levels and numbers at work for the years in question. From the 1999-2000 tax year onwards the personal tax credits — formerly personal allowances — and employee credit — formerly PAYE allowance — are deducted after tax is calculated rather than before the tax calculation as was previously the case. This should be taken into account in comparing numbers with the 1998-1999 tax year. It should be noted that a married couple who have elected or have been deemed to have elected for joint assessment is counted as one tax unit.

Distribution of Income Tax Payers by Tax Band from 1998/1999 to 2005

Numbers expressed as a percentage of ALL income earners.

Tax Year	Exempt		Marginal Band		Standard Rate		Higher rate		All Cases
	No.	%	No.	%	No.	%	No.	%	
1998/1999	397,900	25.11	73,700	4.65	631,300	39.83	482,000	30.41	1,584,900
1999/2000	458,700	27.52	20,500	1.23	645,000	38.68	543,000	32.57	1,667,200
2000/2001	502,400	28.47	15,800	0.90	706,300	40.02	540,400	30.62	1,765,000
2001	528,000	29.50	7,500	0.42	719,500	40.20	535,000	29.89	1,790,000
2002	632,700	33.56	13,700	0.73	731,800	38.82	506,800	26.89	1,885,000
2003*	659,400	34.22	19,500	1.01	688,400	35.73	559,500	29.04	1,926,900
2004*	685,100	34.48	18,700	0.94	641,800	32.31	641,100	32.27	1,986,800
2005*	721,400	35.56	17,100	0.84	624,000	30.75	666,400	32.85	2,028,900

* Provisional and likely to be revised.

Note: Figures in the table are rounded to the nearest hundred and any apparent discrepancies in totals are due to this.

Garda Stations.

532. **Mr. Stagg** asked the Minister for Finance if the Office of Public Works is in a position to seek planning permission for the new Leixlip Garda station in County Kildare; and when construction will commence. [25895/05]

539. **Mr. Durkan** asked the Minister for Finance the progress in relation to the provision of the much anticipated and long awaited new Garda station for Leixlip, County Kildare; if all possible obstacles relating to the project have been satisfactorily removed; the date by which the station is likely to open; and if he will make a statement on the matter. [26012/05]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works have recently forwarded a revised sketch scheme for the new Garda station at Leixlip, County Kildare to the Department of Justice, Equality and Law Reform and the Garda Síochána. On receipt of their approval, planning permission will be sought under the Part 9 of the planning process. It is expected that the construction work on the new station will commence in 2006.

Schools Refurbishment.

533. **Mr. Stagg** asked the Minister for Finance further to Parliamentary Question No. 71 of 16 June 2005, when work will commence on this project. [25899/05]

Minister of State at the Department of Finance (Mr. Parlon): An outline scheme to replace the asbestos based roof at the above school has been prepared by the consulting architects commissioned to design and oversee the project. A full report, including budget costs, is expected within the next couple of weeks. Work will commence as soon as possible on completion of the various processes involved, including planning and tendering, but at this stage it is not possible to give a precise starting date.

Flood Relief.

534. **Mr. Stagg** asked the Minister for Finance if the Commissioners of Public Works have completed their examination of the proposed flood relief works in Leixlip, County Kildare submitted by Kildare County Council and the outcome of their examination. [25905/05]

Minister of State at the Department of Finance (Mr. Parlon): Due to the considerable number of reports, and related issues, currently being dealt

with in relation to areas prone to flooding throughout the country as well as reports on general flood policy issues, the Commissioners of Public Works have not yet been in a position to examine the flood relief study relating to Leixlip, County Kildare. The Commissioners are aware of this report and it will be examined as soon as resources are available and at the earliest opportunity.

State Property.

535. **Mr. Stagg** asked the Minister for Finance the position regarding a letter issued on 15 July 2005 in relation to the purchase of lands at Castletown, Celbridge; and if he will make a statement on the matter. [25913/05]

Minister of State at the Department of Finance (Mr. Parlon): The acquisition of the lands referred to in the letter of 15 July 2005 is at present being reviewed in the context of the County Kildare development plan. The Office of Public Works is hopeful of acquiring these lands.

Public Works Projects.

536. **Mr. Stagg** asked the Minister for Finance the amount spent to date on the agreed schedule of works for Lucan Demesne; the amount to be spent up to 31 December 2005; and if he will allow the balance of the €4.7 million to be spent in 2006. [25920/05]

Minister of State at the Department of Finance (Mr. Parlon): Total expenditure of €2.749 million has been incurred to date on the agreed schedule of works for Lucan Demesne. It is expected that the balance of the funding will be spent in 2006-2007 on receipt of the appropriate certification of expenditure from the local authorities involved.

Tax Code.

537. **Ms Burton** asked the Minister for Finance the number of workers here who are on a remittance basis as resident but not domiciled here for each year from 1998 to date; and the analysis of the industry, professions and job. [25981/05]

538. **Ms Burton** asked the Minister for Finance the number of workers here who are now availing of arrangements similar to those enjoyed by Gama workers of exemption from PRSI and the use of the remittance basis for tax purposes; the employments these persons are in; the cost to the state of the loss of PRSI and income tax for each year from 2000 to date; the categories filled by such workers; the number who are employed in the IFSC or related employment; if he will review

the remittance basis; and if he will make a statement on the matter. [25983/05]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 537 and 538 together.

The remittance basis of taxation is a long-standing statutory tax relieving provision, which is contained in section 71(3) of the Taxes Consolidation Act 1997. In brief, the remittance basis of taxation means that the foreign income, that is, the non-Irish and non-UK income, of certain individuals working here is liable to Irish tax only to the extent that this foreign income is remitted or brought into the State. The foreign income to which the remittance basis applies includes investment income, rental income and employment income. This remittance basis of taxation may apply to an individual who may or may not be resident in Ireland for tax purposes but who is either not domiciled in the State or, being an Irish citizen, is not ordinarily resident in the State.

I am informed by the Revenue Commissioners that individuals, including those on the remittance basis of taxation pay tax on such foreign income under the self-assessment system of taxation. The Revenue Commissioners have further informed me that information is not currently captured in such a way as to provide the data sought by the Deputy because: all foreign income is grouped together and assessed to tax under what is known as case III of schedule D; and the individual makes a tax return only of the amount of the foreign income received in, or remitted to, the State. Any proposals for changes in these tax rules are a matter for consideration in the context of the annual budget and Finance Bill. Issues relating to PRSI are a matter for my colleague, the Minister for Social and Community and Family Affairs.

Question No. 539 answered with Question No. 532.

Alternative Energy Projects.

540. **Cecilia Keaveney** asked the Minister for Communications, Marine and Natural Resources if he intends to introduce grant aid towards wood pellet burners; and if he will make a statement on the matter. [24992/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In December 2003, my Department established a bio-energy strategy group to make recommendations on policy options for the development of bio-energy in Ireland. The group comprised representatives of my Department, Sustainable Energy Ireland, the Department of Agriculture and Food, the Department of the Environment, Heritage and Local Government, COFORD, Teagasc and industry representatives. In parallel

with this development, my Department launched a consultation process on options for renewable energy support and established a renewable energy development group, REDG. The findings of the bio-energy strategy group are being considered by the REDG in the context of overall policy recommendations.

Sustainable Energy Ireland, SEI, has supported a number of biomass facilities to date and the biomass sector has attracted the largest amount of support under SEI's renewable energy research, development and demonstration. Among the specific projects addressed to date are as follows. Funding of €732,000 towards a combined heat and power system, using sawmill residues at Grainger sawmill in Cork. The plant is designed to generate both 1.83 MW electrical energy and 3.5 MW of thermal energy in a single process. Funding of €91,626 towards a 100 kW capacity wood chip-wood pellet biomass boiler at the State forestry company Coillte's headquarters. Coillte recently relocated its corporate headquarters to a 100% sustainable, timber-constructed building. The cost and installation of the boiler including automatic fuel supply auger amounted to €27,500. The remaining support from SEI is provided for the solar heating system, monitoring programme and the energy centre. The solar and wood heating systems are located in a purpose-built energy centre that is open to the public. Funding of €40,000 towards the provision of a 500 kW wood boiler and solar panels at Inchadoney Lodge and Spa hotel in Clonakilty, County Cork. Funding of €18,000 towards the provision of a 100 kW wood chip boiler at Camphill community, Jerpoint, County Kilkenny.

In addition to the RERD&D programme, SEI's House of Tomorrow Programme has committed over €7.5 million funding covering 39 projects and a total of 1,818 housing units. The scheme encourages housing developers to incorporate design and technology packages for high standard energy and CO₂ performance. The range of technologies included in these packages included wood pellet boilers that have been installed in 93 homes. The SEI renewable energy information office is also providing a free information service on wood heating. A free video-DVD on bioenergy, including wood heating and procurement guidelines for installers and others, is being made available as part of this initiative. SEI is also developing training courses for renewable energy installers, as part of a joint initiative with Action Renewables in Northern Ireland. The first of these courses, which will include training for the installation of biomass boilers, is scheduled to be available in 2006.

Offshore Exploration.

541. **Dr. Cowley** asked the Minister for Communications, Marine and Natural Resources

[Dr. Cowley.]

if an Irish oil and gas exploration company will be established in view of the good example of the Norwegian Government; if his attention has been drawn to the benefit this will have on the Irish economy; the effect this will have on other Departments (details supplied); and if he will make a statement on the matter. [25945/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government do not consider that there is a case for a State exploration company and I would offer the following facts to the Deputy to support that view. Between the late 1960s and 1987 Ireland had made one commercial discovery — the Kinsale Head gas field, KHGF — with recoverable reserves of 1.7 trillion cubic feet, TCF, equivalent to 48.113 standard cubic metres. In the same period Norway had made 60 commercial finds, several of which dwarfed KHGF, including Ekofisk in 1969 at 12 times KHGF, Statfjord in 1974 at 13 times KHGF and Troll in 1979 at 18 times KHGF. By end-1987 the total of recoverable reserves of oil, gas, natural gas liquids, NGL, and condensate amounted to 120 times KHGF. Many of the early finds provided positive evidence of Norway's prospectivity as well as the resources and confidence for a State exploration and production company. Norway's emergence as a petroleum province also coincided with the 1973 oil crisis, and gave the Norwegian government a strong hand with which to negotiate with the oil industry. Up to 1999 Norway had made a total of 89 commercial finds with recoverable reserves amounting to 84 times the combined reserves of KHGF and the Corrib gas field.

Given the significant cost of exploration — a well in the Atlantic margin costs approximately €20 million — the Government cannot and will not gamble taxpayers' money on the high-risk, highly speculative and expensive endeavour.

Communications Masts.

542. **Mr. Hogan** asked the Minister for Communications, Marine and Natural Resources the system that is in place for monitoring ionisation and non-ionisation regarding the erection of communication masts; and if he will make a statement on the matter. [24264/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There is no ionising radiation associated with communications masts. In June of 2003 my Department instigated an extensive communications site survey programme to measure non-ionising radiation from telecommunications mast sites, which was carried out by the Commission for Communication Regulation, ComReg, during 2003 and 2004. The total number of sites surveyed was 401.

Not one of these sites was found to be in breach of international guidelines. Details of the results of this survey are available at the ComReg website, www.comreg.ie. Comreg continues to conduct site surveys and is currently preparing a further survey programme.

Offshore Exploration.

543. **Mr. Hayes** asked the Minister for Communications, Marine and Natural Resources if he will provide the terms and details of the deal between the Government and Shell. [24339/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There was no deal done between the Government and Shell in relation to the development of the Corrib gas field. Approvals and consents were given in accordance with the various legislative provisions governing petroleum development both onshore and offshore Ireland. The details of the approvals and consents issued are available on my Department's website, www.dcmnr.ie.

All statutory approvals required from the Minister for Communications, Marine and Natural Resources for offshore, onshore and foreshore developments have been granted. Three outstanding phases remain of the seven phase pipeline installation and commissioning conditions. These are phase 3, onshore pipeline, phase 5, offshore umbilical, and phase 7, hook-up, testing and commissioning. An Bord Pleanála granted planning permission in October 2004 for the terminal and what remains outstanding is an integrated pollution control licence from the Environment Protection Agency.

Separate consents were required in respect of six separate elements of the overall project as follows. Under the Continental Shelf Act 1968 for construction of the offshore installation within the continental shelf designated areas, consent was given on 15 April 2002 by the then Minister for Marine and Natural Resources. Under the Petroleum and Other Minerals Development Act 1960, the plan of development approval, subject to a number of conditions, was given on 15 April 2002 by the then Minister for Marine and Natural Resources. Under the Gas Act 1976, as amended, consent was given on 15 April 2002 by the then Minister for Marine and Natural Resources for the construction of a gas pipeline from the gas field through the offshore up to the terminal building — this is an integral part of the plan of development approval of 15 April 2005. Under the Foreshore Act 1933, as amended, a foreshore licence was granted by the then Minister for Marine and Natural Resources on 17 May 2002 in respect of the routing of the pipelines through the foreshore connecting the gas field to the land-based installation. Under the Planning Acts, in respect of the land-based installation (terminal)

— this was a condition of the plan of development approval and under the Environmental Protection Agency Act 1992, an IPC licence is required for the operation of the terminal — this is a condition of the plan of development approval and is under negotiation with the EPA at present. In addition, the then Minister for Marine and Natural Resources made 35 compulsory acquisition of rights orders over land and one compulsory purchase of land order to allow EEI to use certain privately owned lands for the installation of a pipeline from the gas field up to the proposed terminal building at Bellanaboy bridge. These were only made when the developer failed to obtain the voluntary agreement of landowners permitting the onshore pipeline to cross their lands.

In accordance with the EU directive on environmental impact assessment, an environmental impact statement was submitted with each application for statutory approval, consent and licences and examined in the Department. Before any consents issued Shell's applications went through detailed scrutiny by officials of my Department as well as technical experts in the Department and by outside consultants, who examined the technical aspects of the applications. In addition, a specialised group, the Marine Licensing Vetting Committee, which has expertise in many environmental aspects of the applications, and outside environmental experts examined the environmental aspects of the development.

While the safety aspects of the case have already been examined and found to be in order, in the interest of allaying fears expressed among some members of the public about the safety of the pipeline, I have commissioned a comprehensive health and safety review of the proposed onshore pipeline. This study is in addition to the comprehensive assessment undertaken both within the Department and by an independent pipeline consultant of the original proposals that were submitted to my predecessor in connection with the application for consent to construct a pipeline. All documentation received from the developer, including the quantified risk assessment and the independent assessors' opinions on this, will be assessed in that context. It is intended that the new review will address issues around the risks of disruption of the pipeline due to third party interference and otherwise. I have also asked the company to examine engineering adaptations to the pipeline installations at the landfall with a view to isolating the onshore section of the pipeline from ever experiencing reservoir pressures. I await the company's responses in that regard.

Telecommunications Services.

544. **Mr. Morgan** asked the Minister for

Communications, Marine and Natural Resources if he will provide a list of all towns and localities across the State which still do not have access to broadband. [24362/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully-liberalised market, regulated by the independent Commission for Communications Regulation, ComReg. My Department's website *www.broadband.gov.ie* gives full details of broadband availability in all areas, including digital subscriber lines, cable, fibre, satellite and fixed wireless. The website also lists prices of the various service levels on offer and contact details for each service provider.

Departmental Contracts.

545. **Mr. Morgan** asked the Minister for Communications, Marine and Natural Resources the name of each company which secured a contract over €100,000 in value with his Department in each of the past five years. [24400/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In the time available, it has not been possible to identify and assemble the information requested. My Department is compiling the data sought by the Deputy in this regard and I shall forward it to him as soon as possible.

Coastal Protection.

546. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources the priority his Department gives to coastal erosion; the proposals he has to provide adequate funding for coastal protection works in 2006; and if he will make a statement on the matter. [24439/05]

550. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources the priority his Department gives to coastal erosion; his proposals to provide adequate funding for coastal protection works in 2006; and if he will make a statement on the matter. [24535/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I propose to take Questions Nos. 546 and 550 together.

The Department's coast protection programme seeks to address the most urgent instances of erosion on the Irish coastline. Coastal erosion affects all coastal counties and is particularly prevalent on the softer coastline in the east and south-east

[Mr. Gallagher.]

of the country. Allocation of funding for coast protection projects is currently made on the basis of initial project proposals from local authorities, subsequently screened and augmented by the Department's staff on the basis of a small number of selection criteria.

A value for money report in March 2002 highlighted the need for a more strategic focus in addressing the problem of coastal erosion in Ireland. In this respect the coastal protection strategy study commenced in 2003. The study addresses the nature and extent of erosion at various locations and different types of coastline in Ireland and seeks to identify the most effective means, technically, financially and environmentally, in responding to particular instances and types of erosion. It is expected that when this study is completed a more targeted approach to programme delivery will enable a greater level of efficiency to be achieved.

Under the coast protection measure of the National Development Plan 2000-2006, €52.01 million is identified for expenditure. Expenditure under this measure in 2002 was €6.509 million, €2.9 million in 2003, €2.687 million in 2004 and an allocation of €2.88 million for the coastal protection programme has been made available in 2005.

547. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the fact that Waterford County Council has received little or no money for coastal protection works in the past few years; the proposals he has to rectify this situation in 2006; and if he will make a statement on the matter. [24440/05]

551. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the fact that Waterford County Council has received little or no money for coastal protection works in the past few years; his proposals to rectify this situation in 2006; and if he will make a statement on the matter. [24536/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I propose to take Questions Nos. 547 and 551 together.

Responsibility for coast protection rests with the property owner whether it be a local authority or a private individual. During the period 2000-2004 the Department provided funding of €1,546,143.35 to Waterford County Council towards coastal protection works at Tramore, Cunnigar, Ballyvoile and Helvick. Exchequer funding of €2.88 million was made available for the 2005 national coastal protection programme. Cunnigar and Bunmahon were allocated funding of €75,000 and €30,000 respectively for the design

of protection schemes under the current programme.

The question of providing Exchequer funding for coast protection works in County Waterford in 2006 will depend on the amount of Exchequer funding available for coast protection works generally and overall national priorities.

548. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources if he intends to provide adequate funding in 2006 for coastal protection works at Ardmore, Helvick, Cunnigar, Ballyvoile and Tramore in County Waterford; and if he will make a statement on the matter. [24441/05]

552. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources his plans to provide adequate funding in 2006 for coastal protection works (details supplied) in County Waterford. [24537/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I propose to take Questions Nos. 548 and 552 together.

Responsibility for coast protection rests with the property owner whether it be a local authority or a private individual. In July 2002 the Department requested all coastal local authorities to submit proposals, in order of priority, for consideration in the context of the 2003-2006 national coast protection programmes. Waterford County Council submitted proposals for coast protection works at Cunnigar phase 2, estimated at €1 million, and this was their number one priority. Ballyvoile phase 1 was the county council's number two priority with an estimated cost of €1.1 million, and Helvick was their third priority estimated at €0.5 million. Ardmore was priority number five at an estimated cost of €0.75 million. Ballyvoile phase 2 was the council's priority seven with an estimated cost of €0.93 million.

Funding of €70,902.76 was provided to Waterford County Council in 2004 towards emergency works and a diving survey at Helvick. This year I have approved funding of €75,000 and €30,000 to Waterford County Council towards the design of protection schemes at Cunnigar and Bunmahon respectively. During the years 2000 to 2002 Exchequer funding of €270,824.32 had been provided towards design and rock revetment at Cunnigar.

Waterford County Council did not submit proposals in respect of Tramore, Dungarvan or Abbesside. However, the Department provided funding of €1,171,927.51 to Waterford County Council in the years 2000 to 2003 towards promenade refurbishment at Tramore. The question of providing funding for coast protection works in 2006 will depend on the amount of Exchequer funding available for coast protection works generally and overall national priorities.

549. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources his proposals to increase the level of grant assistance to local authorities for coast protection works from 75% to 100%; and if he will make a statement on the matter. [24534/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Responsibility for coast protection rests with the local authorities in the first instance. Under the coast protection programme the Department provides grant aid to local authorities to carry out coast protection works. The Department provided 75% and the grant aid is made available on condition that the local authority contributes 25% to the project. There is no proposal to increase this level of grant assistance.

Question No. 550 answered with Question No. 546.

Question No. 551 answered with Question No. 547.

Question No. 552 answered with Question No. 548.

Salmon Stock Management.

553. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources the proposals his Department has to introduce a voluntary buy-out scheme for commercial drift-net salmon fishing licences; and if he will make a statement on the matter. [24538/05]

554. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources the most up-to-date information regarding the stocks of wild salmon; and if he will make a statement on the matter. [24539/05]

555. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources his proposals to consolidate and increase the level of the wild salmon stocks; and if he will make a statement on the matter. [24540/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I propose to take Questions Nos. 553, 554 and 555 together.

The Government has consistently ruled out buy-out as an effective means of achieving the restoration of salmon stocks and has instead, since 2002, 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 of commercial salmon licences 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, and as I have previously and consistently indicated to the House, I have no plans at present to introduce a buy-out of commercial salmon fishing licences but I am continuing to review the matter in the context of the policy outlined above. In this regard, I would be open to any relevant proposals presented to me whereby stakeholders benefiting from any reduction in commercial catch would engage in the first instance with licence holders and indicate a willingness to address any compensation issues that might arise. I can confirm that broad outline proposals have been submitted to me recently, which I intend to consider in the context of any review of policy.

Since taking up my appointment as Minister of State responsible for the marine last year, I have re-affirmed 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. In national terms, the latest scientific advice on wild salmon stocks is that 359,002 wild salmon returned in 2004 including 191,579 spawners. Data for 2005 will not be available until full analysis of the exploitation during the 2005 season has been completed by the fisheries boards and the Marine Institute.

With this in mind, while there remains an abundance of salmon returning to Irish rivers, the Government has accepted the scientific advice that continues to maintain that reductions in the overall fishing effort are required in order to sustain and rebuild salmon stocks nationwide. For this reason, current Government policy has been designed to bring spawning escapement up to the level of the scientifically advised conservation limits as soon as possible. In keeping with this policy, when setting the commercial salmon quotas for the 2005 season, I gave a firm commitment to fully align the exploitation of salmon, both at national and district levels, on the scientific advice by 2007. In order to achieve this, I will be asking the new National Salmon Commission, which I intend to appoint shortly, to progress the specific recommendation made by the outgoing commission to align the exploitation of salmon on the scientific advice by 2007.

Aquaculture Licences.

556. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the names of persons who have applied for licences to fish for oysters in Ballylongford Bay, County Kerry. [24555/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): An application has been received from the Ballylongford shellfish pro-

[Mr. Gallagher.]

ducers' group for an aquaculture licence in respect of the cultivation of oysters at the location in question and is being examined by the Department.

Aquaculture Inspection.

557. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the number of persons who have been sanctioned for poor lice control according to the latest available figures; and if he will make a statement on the matter. [24606/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher):

A national monitoring and control programme for sea lice at marine fin-fish farms is operated on behalf of this Department by the Marine Institute, in accordance with the protocol for sea lice monitoring and control that was published by this Department in 2000. The programme involves the carrying out of 14 inspections a year at each site containing fish. One inspection is carried out in the period December to January, two inspections per month are undertaken in the period from March to May, and one inspection per month is carried out during the rest of the year. The key purpose of these inspections is to establish whether the lice levels at a site are in excess of the very strict trigger levels that are applied in this country. If the applicable trigger level is exceeded, the operator of the site is required to apply an appropriate treatment with a view to effecting a reduction in the lice levels.

If there were a failure on the part of a farm operator to comply with relevant requirements of the protocol, or to cooperate in taking the action necessary to reduce lice levels, the question of taking action against the operator would fall to be considered. Possible forms of action mentioned in the protocol include conditional fish movement orders and accelerated harvests. A prosecution under the Fisheries Acts could also be taken where adherence to the protocol is a condition of the aquaculture licence for a fish farm and there is a failure to act as required. The primary focus is, however, on ensuring the effective operation of the protocol arrangements for lice monitoring and control and on bringing about any necessary enhancement or reinforcement of those systems and processes.

I have recently decided to set up a review group, comprising representatives of the Department and other relevant public bodies, to examine the operation of the monitoring and control system and to report back to me with recommendations for possible improvements.

Fisheries Protection.

558. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the reason for the increase of 100% in sightings of Spanish vessels by the Naval Service in the first three months of 2005 compared to the same period in 2004 while at the same time sightings of Irish vessels decreased by 5% and French vessels by 30%; if the fishing industry will be given an assurance that Spanish effort has not increased in the area previously known as the Irish box; if effort levels are actually being monitored; and if he will make a statement on the matter. [24623/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher):

Fishing effort levels established under Council Regulations 1954 of 2003 and 1415 of 2004 are subject to detailed reporting requirements by all member States concerned. These maximum effort levels are legislatively enforced at EU level and any breach of those limits is subject to possible infringement proceedings by the European Commission. The European Commission is therefore in an effective position to monitor the situation. I am not aware that there has been an increase in effort beyond the permitted levels by the fishing vessels of any member state.

Dublin Bay Project.

559. **Mr. F. McGrath** asked the Minister for Communications, Marine and Natural Resources the position regarding Dublin Bay and the proposed 52 acre infill. [24627/05]

560. **Mr. Haughey** asked the Minister for Communications, Marine and Natural Resources if he will make public details given by the Dublin Port Company for consideration by him in relation to the ownership of the foreshore in Dublin Port; and if he will make a statement on the matter. [24631/05]

561. **Mr. Haughey** asked the Minister for Communications, Marine and Natural Resources if he will reject the application made by the Dublin Port Company in March 2002 to infill 52 acres of Dublin Bay under sections 10 and 13 of the Foreshore Act 1933 on the grounds that ownership of the foreshore cannot be established by the company and that three and a half years have elapsed since the application was made; and if he will make a statement on the matter. [24632/05]

562. **Mr. Haughey** asked the Minister for Communications, Marine and Natural Resources if the environmental impact statement submitted by the Dublin Port Company in connection with

its application to infill 52 acres of Dublin Bay is satisfactory; and if he will make a statement on the matter. [24633/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I propose to take Questions Nos. 559, 560, 561 and 562 together.

Dublin Port Company applied in March 2002 for approval, under section 10 of the Foreshore Act, 1933, for the proposed reclamation of an area of some 21 hectares in Dublin Bay. The port company made the application under section 10 on the basis that it owns the foreshore in question. Issues arose concerning the company's title to the area in question and these have been addressed in detail in correspondence between the State's legal services and the company's legal advisors. I understand that it is anticipated that the matter will be brought to a conclusion in the near future. If it transpires that the port company owns the foreshore in question, section 10 will be the appropriate basis for dealing with the application. Otherwise, the application would fall to be dealt with as an application for a foreshore lease.

An environmental impact statement, EIS, was submitted with the company's application and has undergone an initial evaluation by consultants engaged by the Department. It will be examined further when the legal issues concerning the foreshore in question have been resolved. Full consideration of the port company's application would also involve a process of public consultation comprising the making available of the EIS and other information concerning the application, and an opportunity for interested persons or bodies to make submissions or observations on the proposal.

The proposed development will also require planning permission, and Dublin Port Company has been advised that it is more appropriate that the necessary consent under the planning process be obtained before the foreshore application is dealt with. This is in accordance with normal practice where a substantial development wholly or partly on the foreshore requires planning permission. Dublin City Council, which is the appro-

priate planning authority for the area, has been advised that there is no objection to the making of a planning application for the proposed development. It was, however, made clear that there was no commitment to grant the foreshore consents for the development and that the application would have to be fully considered in the normal way.

Alternative Energy Projects.

563. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources when he will sign the PSO from AER VI into action; and if he will make a statement on the matter. [24723/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The initial alternative energy requirement, AER, VI competition public service obligations, PSO, order, entitled the Electricity Regulation Act 1999 (Public Service Obligations) (Amendment) Order 2004, was signed on 21 April 2004. I signed the second PSO, entitled the Electricity Regulation Act 1999 (Public Service Obligations) (Amendment) Order 2005, on 20 July last.

Legislative Programme.

564. **Mr. Quinn** asked the Minister for Communications, Marine and Natural Resources if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commencement of which his Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [24897/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The information requested by the Deputy is outlined in the table below:

Acts/Sections of Acts not in Force	When Commencement Order to be made	Reason Order not made to date
<p>Section 43 of the Broadcasting Act, 2001, provides that the Minister may by order appoint a day for the establishment of Teilifís na Gaeilge (TG4) as a separate statutory body.</p>	<p>The Government agreed in October 2004 that the Minister would indicate his intention to appoint a date towards the end of 2005 or early 2006 as the establishment day.</p>	<p>The Government also provided for the setting-up of a project management group to oversee the establishment. The group's first task was to prepare a detailed implementation plan for the separation. Advisors were appointed to assist in the preparation of the plan. It is my intention to bring the plan to Government soon.</p>
<p>The Adventure Activities Standards Authority Act, 2001</p>	<p>Not Known</p>	<p>The establishment of an Adventure Activities Standards Authority under the Act is being reviewed in the light of the decision that the safety services provided by the Department, in particular the Irish Coast Guard and Maritime Safety Directorate, be brought together in a single agency responsible for all elements of marine safety and emergency response services, to ensure there is no duplication of responsibilities and that the most effective and efficient structures are put in place.</p>
<p>Sea Pollution (Hazardous Substances) (Compensation) Act 2005, No. 9 of 2005. Enacted May 2005.</p>	<p>Not Known</p>	<p>Gives effect in Irish law to the International Convention on Liability and Compensation for Damage in connection with the carriage of Hazardous and Noxious Substances by Sea, 1996. The Convention has not yet entered into force internationally as not sufficient States are in a position to become Parties thereto. It is intended that the Commencement Date for the Act should if possible coincide with international entry into force; this is not yet known. Section 28 of the Act amends the Merchant Shipping (Liability of Shipowners and Others) Act 1996 to give effect to the Protocol of 1996 to amend the Convention on Limitation of Liability for Maritime Claims 1976. Consideration is being given to commence this provision separately in advance of the remaining sections of the Act.</p>
<p>Fisheries (Amendment) Act 1997, section 13 and section 56</p>	<p>It is unlikely that these two sections will be enacted and brought into force.</p>	<p>Following the commencement of other elements of this Act it was found that the timeframes set out in these sections of the Act were not attainable in all cases. The timeframe listed in the Act for determination of a decision in respect to an aquaculture licence is four months, in section 13 for the Minister and in section 56 for the Appeals Board. Experience has shown that this timeframe is not attainable in all cases.</p>

Telecommunications Services.

565. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources the timeframe that is planned in introducing broadband for Donegal north-east. [25045/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully-liberalised market, regulated by the independent Commission for Communications Regulation, ComReg. Market forces, and the availability of suitable infrastructure and backhaul, will determine whether a company offers broadband in any area. A principal reason for the slow roll-out of broadband services generally has been the lack of investment by the private sector in the necessary infrastructure to deliver broadband to all areas.

My Department is addressing the infrastructure deficit by building metropolitan area networks, MANs, in 120 towns and cities nationwide, in association with the local authorities, using Government and European Regional Development Fund funding under the National Development Plan 2000-2006. MANs have already been completed in Gaoth Dobhair and Letterkenny, and MANs for Buncrana and Carndonagh are at the planning stage.

My Department's website *www.broadband.gov.ie* gives full details of broadband availability in all areas, including digital subscriber lines, cable, fibre, satellite and fixed wireless. The website also lists prices of the various service levels on offer and contact details for each service provider.

Tourism Industry.

566. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the steps he is taking to address the impact of drift netting on the tourism sector; and if he will make a statement on the matter. [25128/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The central and regional fisheries boards devote considerable effort and resources, in collaboration with Tourism Ireland, to the promotion of angling abroad. I understand, however, that the overall decline in angling tourism is not unique to Ireland but reflects a trend widespread in Europe. The report of the tourism policy review group to the Minister for Arts, Sport and Tourism in September 2003 observes a decline in activity holidays which is not confined to angling but includes cycling and hillwalking also.

While I am aware of the argument that the effect of drift netting on salmon stocks is a reason for the decline in tourism angling in Ireland I am not, however, aware of any study having been

carried out that supports this particular premise. I am advised that Fáilte Ireland is carrying out research among tour operators involved in promoting special activity holidays and special activity holidaymakers. Problems identified include rising costs and access to activities. Fáilte Ireland has, I understand, also identified angling among main areas of activity for which detailed marketing plans have been agreed, targeting the markets offering the best short-term return. Several other supporting activities are identified across all products including greater understanding of international trends in demand for special interest products.

It is my 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.

Alternative Energy Projects.

567. **Mr. Carey** asked the Minister for Communications, Marine and Natural Resources the incentives which are available from his Department or from agencies associated with it, to encourage research into the production of bio-fuels; and if he will make a statement on the matter. [25173/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am committed to the development and promotion of a biofuels market in Ireland's transport fuel sector, and to the development of alternative fuels which can contribute to emissions reductions and security of supply.

In 2004, my Department secured an amendment to the Finance Act 1999, which provides for the introduction of a pilot scheme for mineral oil tax relief for biofuels which is designed either to produce biofuel or test the technical viability of biofuel for use as motor fuel.

A scheme under the Act was subsequently agreed between my Department and the Department of Finance and received State aids clearance from the EU Commission in March 2005. Under the scheme, mineral oil tax relief may be granted for pilot projects producing up to six million litres of pure plant oil, one million litres of biodiesel and one million litres of bioethanol.

A total of 34 applications was received under the call for proposals by the closing date. Applications were received under all three categories of biofuel. A total of eight successful projects were selected — four pure plant oil projects, three biodiesel projects and one bioethanol project. The scheme is an initial measure designed to stimulate market development.

Sustainable Energy Ireland, SEI, was established under the Sustainable Energy Act 2002 to

[Mr. N. Dempsey.]

promote and assist in the sustainable production, supply and use of energy, in support of Government policy. A number of SEI research, development and demonstration programmes are currently in operation across all sectors of the economy addressing these strategic objectives. Under SEI's renewable energy research, development and demonstration, RERD&D, programme, capital grant aid is available for biofuels market demonstration projects in the pure plant oil, biodiesel and bioethanol categories. Funding of almost €250,000 has already been awarded to one biofuel developer to support engine modifications of up to 100 vehicles and provide plant and monitoring equipment.

In addition to the existing demonstration project, SEI has provided grant aid of €40,000 to Teagasc, for a study to establish oil quality testing procedures for pure plant oil. This study will be critical to building market confidence. SEI also provided funding for the publication of a resource study on recovered vegetable oil and animal fats and study on quality assurance for rapeseed oil as a vehicle fuel.

An interdepartmental biofuels group was established in 2004 to consider policy options for the development of the biofuels market and to consider these options from the perspectives of the sectors or interest represented by each Department. It comprises representatives from my Department, the Departments of the Environment, Heritage and Local Government, Finance, Transport, Agriculture and Food and SEI.

As part of its work, the group commissioned the publication of a report, Liquid Biofuels Strategy Study for Ireland, which was published by SEI in December 2004. The report examines the full range of options and potential supports for liquid biofuels development in Ireland, including bioethanol and biodiesel.

The number of applications in the pilot scheme clearly indicates the strong interest there is in developing a biofuels industry in Ireland. Officials in my Department are working with other Departments, industry and other stakeholders to ensure the further development of the industry in Ireland.

Broadcasting Legislation.

568. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources further to replies to previous parliamentary questions, if he will legislate to cater for the needs of persons with hearing difficulties with particular reference to subtitles; and if he will make a statement on the matter. [25174/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no plans to introduce further legislation to cater for

the needs of persons with hearing difficulties. The Deputy will be aware that section 53 of the Disability Act 2005, amends section 19(11) of the Broadcasting Act 2001. Section 19(11) provided that the Broadcasting Commission of Ireland, BCI, shall make rules requiring each broadcaster to take specified steps to promote the understanding and enjoyment by persons who are deaf or hard of hearing on programmes transmitted by each broadcaster.

Section 53 of the Disability Act expands this provision and provides that the rules shall require each broadcaster to take specified steps to provide access to audio-visual material to people with sensory impairments by means of specified services, such as sign language, teletext, etc., and to have regard to whether the material is being provided daily or at other regular intervals, at popular viewing times and for news and news related matters as well as for other matters. The Deputy will also be aware that the BCI has published the access rules that are provided for under section 19(11) of the Broadcasting Act 2001.

Pension Provisions.

569. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he will report on progress in regard to the labour relations discussions with An Post relating to pension entitlements of An Post workers; and if he will make a statement on the matter. [25329/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): An Post is a commercial State body and the question of pension increases in the company is a matter for the board of that company.

Ferry Services.

570. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources if a study commissioned in March 2002, in regard to the feasibility of a ferry service linking Achill Island with the Erris Peninsula, and carried out by a company (details supplied) has yet been published. [25364/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): As the Deputy will be aware, this study was commissioned in March 2002, in regard to the feasibility of a ferry service linking Achill Island with the Erris Peninsula. Tourism and Transport Consult International were appointed to undertake the study following a public tender competition. It is my intention to publish the study shortly.

Ministerial Appointments.

571. **Mr. J. O’Keeffe** asked the Minister for Communications, Marine and Natural Resources if he will provide a list of the members of the board of directors of Bord Gáis with full details in regard to their appointment including dates of same and terms and conditions of appointment and pay, remuneration and expenses setting out

the amounts paid for each of the past two years and indicating in respect of each appointee the reason for their appointment and their qualifications for the position. [25401/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The members of the board of Bord Gáis Éireann are as follows:

Name	Appointment Date	Annual Fee
		€
Mr. Ed O’Connell — Chairperson	09/11/2001	19,046.07
Mr. Gerry Walsh CEO	03/10/2000	12,697.38
Mr. Aidan Eames	03/03/2004	12,697.38
Mr. Proinsias J. Kitt	17/04/2002	12,697.38
Ms Frances Ruane	07/05/2002	12,697.38
Mr. Gene Fitzgerald	13/03/2002	12,697.38
Mr. Pearse O’Hanrahan	19/12/2002	12,697.38

All appointments are for five years. There are currently two vacancies on the board. Mr. Ed O’Connell, chairperson, is a former plant manager, Clonmel Manufacturing, former manager and former group manager, Digital Ireland, former non-executive chairperson, Irish National Petroleum Corporation Limited, INPC. Mr. Gerry Walsh, chief executive officer, held senior management positions at Bord Gáis Éireann from 1989 to 2000.

Mr. Aidan Eames is the principal of Eames and Company, Solicitors, Dublin. He has served as chairperson and member of a number of State bodies and acts as adviser to technology and telecommunication companies. Mr. Proinsias J. Kitt is a partner in the accountancy firm DHKN chartered accountants and is a former chairperson of Shannon Foynes Port Company. He is also a fellow of the Institute of Chartered Accountants in Ireland.

Ms Frances Ruane is an associate professor of economics and chairperson of the Policy Institute at Trinity College, Dublin and a non-executive director of DEPFA Bank. Mr. Gene Fitzgerald is a former member of the European Parliament and former Minister for Finance and Minister for Labour. He is also chairperson of an investment company, Thomson Holdings Ireland and of an air cargo agency, International Airline Marketing. Mr. Fitzgerald is also a board member of Irish National Petroleum Corporation Limited, INPC.

Mr. Pearse O’Hanrahan is chairperson of Dundalk Port Company and a board member of Dundalk Chamber of Commerce. He is also a member of the Joint Management Committee Programme for Peace and Reconciliation and vice chairman of the Combat Poverty Agency.

The appointments are subject to the relevant provisions of the Gas Act 1976 and in particular

to the following terms and conditions: the appointment shall be effective for a specified period; the member shall devote so much of his or her time to his or her duties as a member of the board as shall be necessary for the proper and efficient discharge of those duties; the remuneration of the member will be at a specified rate; travelling expenses and subsistence allowance at the rates appropriate to Civil Servants of the highest grade will, subject to the usual regulations, be payable to the member in respect of journeys reasonably and necessarily undertaken by him or her as a member of the board; no remuneration will be paid in respect of any other service performed by the member for or on behalf of the board save with the consent of the Minister for Communications, Marine and Natural Resources and the Minister for Finance.

The expenses paid to each board member is a matter for Bord Gáis Éireann and is not one in which I have a direct concern. However, the Deputy’s attention is drawn to the fourth condition above wherein it states that payment of such expenses is subject to the same regulations that pertain in regard to Civil Service expenses.

Appointments are made to the board of Bord Gáis Éireann by me with the consent of the Minister for Finance as vacancies arise. In making the appointments, I take into consideration the requirements of the board at that particular time. Specific attributes that are generally required include experience or qualification in the areas of business, economics, engineering, law, finance and accounting.

Energy Resources.

572. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources if Ireland is taking part in the EU Commission’s

[Mr. Broughan.]

Intelligent Energy Europe project; when he will be making an announcement on Ireland's contribution to this EU wide initiative. [25451/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Intelligent Energy Europe is a funding programme aimed at addressing non-technical barriers to the uptake of energy efficiency and renewable energy. Ireland has been actively participating in this programme. The Department of Communications, Marine and Natural Resources is the national contact point on this programme. On its behalf, Sustainable Energy Ireland, SEI, issues e-mail alerts to a database of known interested bodies upon publication of each call for proposals. A new call, the third in the series, is anticipated shortly and there will be a European information day, which is to be live on the Internet, on October 7 2005.

Telecommunications Services.

573. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources the position regarding the operations of the MANS infrastructure indicating the volumes of traffic and earnings on the network so far; if he will report on the MANS link at Gweedore, County Donegal and Kiltimagh, County Mayo. [25452/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): e-Net is the independent entity charged with managing, maintaining and operating the MANs on behalf of the State. e-Net was granted the 15 year contract in June 2004 further to a competitive public tender process. The company is based in Limerick. Information regarding traffic volumes and earnings on the networks are of a commercial nature and are a matter for e-Net. Similarly, any operational issues relating to particular MANs are the responsibility of e-Net.

574. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources the position regarding the Government's current target for broadband take-up in 2005, 2006 and 2007; if, and the way in which the Government's broadband targets were downgraded for 2005 and 2006. [25453/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In late 2004, I set a Government target of 400,000 broadband subscribers to be achieved by end-2006. Subsequently, broadband subscriber numbers have grown by 73%, in the nine months since I set that target, to reach almost 174,000 by the end of July 2005.

No downgrade of broadband targets has taken place. The target set in late 2004 represents a significant, but achievable challenge, which requires the broadband service providers in Ireland to quadruple their number of customers from a base of 100,000 customers when I set the target.

Offshore Exploration.

575. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources the steps he has taken to strengthen the petroleum affairs division of his Department; his plans to review the legislation and regulations governing exploration and licensing here and its territorial waters. [25454/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have recently appointed one additional assistant principal officer and one additional clerical officer to the staff of the petroleum affairs division, PAD. One other assistant principal was transferred to PAD for a number of weeks and while he has resumed his previous work, he is available to PAD.

The review of legislation and regulation governing petroleum exploration and development has been under consideration for some time now.

Corrib Gas Project.

576. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources the steps he has taken since the Dáil session ended in June 2005 to resolve the Corrib impasse and to secure the release of five persons from Rossport who are heading for 100 days in prison. [25455/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have made several attempts to create conditions for the Rossport men to take the only option available to them for their release and that is to purge their contempt to the court as articulated by Justice Finnegan. I am doing and will continue to do everything I can to assist in any way in resolving this impasse. The Deputy may wish to note that I appointed an intermediary who contacted the men in jail. This was to try to establish and address their concerns, and to facilitate them in purging their contempt to the High Court. During these contacts I informed them that I was commissioning a further review of the onshore pipeline to be conducted by international experts with a view to addressing their health and safety concerns. The broad outline of the terms of reference of the proposed review was conveyed to them as were the names of potential companies with relevant expertise to carry out this review.

I regret very much that anyone is in jail in connection with the Corrib gas project but this was a decision by the courts.

Telecommunications Services.

577. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources if ComReg will bring forward measures to urgently reduce termination charges in the high priced mobile phone market. [25456/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no function in the matter raised by the Deputy.

The bringing forward of measures by ComReg in regard to termination charges in the mobile phone market is a matter for ComReg to decide, in accordance with the powers vested in it under the Communications Regulation Act 2002 and the regulations made under the transposed EU Regulatory Framework for Electronic Communications Networks and Services. ComReg is independent in the exercise of its functions.

Offshore Exploration.

578. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources the stage which the White Paper on Energy has reached in the Department; and if the recent explosion in oil, gas and electricity prices at wholesale and retail level has influenced the likely final shape of this Government's energy policy. [25459/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My aim is to have a completed energy policy paper ready for publication in early 2006. This paper will have both a medium and long-term perspective and will take account of the full range of issues and challenges facing us in the energy area, including our reliance on imported fossil fuels and the consequent security of supply issues that presents for Ireland's economy and environment.

Television Reception.

579. **Mr. Stanton** asked the Minister for Communications, Marine and Natural Resources his plans to introduce digital television; the time-scale for same; and if he will make a statement on the matter. [25465/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Digital television is already available in Ireland. Both cable-MMDS operators and satellite operators provide subscription digital television services.

Free to air analogue television services are provided on a terrestrial basis. Over time it is expected that analogue terrestrial services will

migrate to digital terrestrial services in most countries. This migration is already happening on a significant scale in a number of European countries.

I have proposed that a digital terrestrial television pilot programme be developed in Ireland. The purpose of the pilot is to bring further momentum to the transition to digital terrestrial broadcasting and to test and trial various aspects of the service. My Department has various procurement processes under way to allow for implementation of the pilot. I expect that the pilot will be operational in 2006.

Corrib Gas Project.

580. **Dr. Cowley** asked the Minister for Communications, Marine and Natural Resources if his Department or the Government has been contacted by the Norwegian ambassador to Ireland in regard to the Corrib gas field or the imprisonment of the five Mayo men known as the Rossport Five; and if he will make a statement on the matter. [25612/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The chargé d'affaires of the Royal Norwegian Embassy contacted my Department in late August and requested a briefing on Irish petroleum legislation and the Corrib development. A member of staff of my Department gave the chargé d'affaires the requested briefing.

581. **Dr. Cowley** asked the Minister for Communications, Marine and Natural Resources if his Department or the Government has been contacted by Statoil in regard to the Corrib gas field or the imprisonment of the five Mayo men known as the Rossport Five; and if he will make a statement on the matter. [25613/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): No such contact has been made.

Offshore Exploration.

582. **Dr. Cowley** asked the Minister for Communications, Marine and Natural Resources if the Government has been approached in the past by the Norwegian Government to establish an Irish exploration company off the Irish coast; and if he will make a statement on the matter. [25615/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): No such approach has been made.

Energy Resources.

583. **Mr. Durkan** asked the Minister for

[Mr. Durkan.]

Communications, Marine and Natural Resources if he has received a submission from the Western Development Commission (details supplied) in County Roscommon; if he will consider same; and if he will make a statement on the matter. [25633/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I confirm that I have received in recent weeks correspondence from the Western Development Commission in which a number of issues relating to energy policy and regional energy infrastructure are raised. I am in the process of scheduling a meeting with the commission, at its request, to discuss its concerns in regard to specific aspects of energy policy.

Public Service Obligation Charges.

584. **Mr. Timmins** asked the Minister for Communications, Marine and Natural Resources the purpose of the public service obligation charge on ESB bills; the rates of the domestic and commercial charges at 1 September 2005; the charge at 1 September 1997; the amount of funding which has been collected under this charge for the years 1998 to 2004 inclusive; the use to which this funding is put; and if he will make a statement on the matter. [25758/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The opening of the electricity market to competition has meant that, in order to create a level playing field between all market participants, the Government's public service requirements need to be transparently identified and costed. ESB has in the past been obliged to provide these services.

In pursuance of its energy policy objectives of security of supply, fuel diversity, environmental protection and the use of indigenous energy sources, the Government has identified certain public services that it requires ESB, in its function as public electricity supplier, to continue to provide in a liberalised market.

These public services relate to the provision of peat-fired generation, renewable-alternative generation and peaking capacity, for reasons of security of supply and environmental protection, in accordance with article 3(2) of the EU Electricity Directive, and section 39 of the Electricity Regulation Act 1999.

In providing these public services, ESB incurs extra-competitive costs given that, unlike gas, both peat and renewable energy sources are not competitive forms of electricity generation. Therefore, these additional costs over and above the costs of a best new entrant are recouped by way of a levy on all electricity customers.

The implementation of the PSO levy commenced on 1 January 2003. Therefore, no PSO levy was charged up to that date. With regard to specific charges imposed on different customer categories, the following table shows the monthly PSO charge on all electricity customers' bills for the year 2005.

Table 1: The Monthly domestic and commercial PSO charges for the year 2005.

Customer Category	Monthly Charge
Domestic customers	€1.99/customer
Small commercial customers (maximum import capacity of less than 30 kilovolt amperes (kVA))	€6.18/customer
Medium and large customers (maximum import capacity of equal to or greater than 30 kVA)	€1.12/kVA

Table 2 below details the monthly PSO charges for 2006 for comparison.

Table 2: The monthly domestic and commercial PSO charges for the year 2006.

SO charges for the year 2006.

Customer Category	Monthly Charge
Domestic customers	€0.81/customer
Small commercial customers (maximum import capacity of less than 30 kVA)	€2.55/customer
Medium and large customers (maximum import capacity of equal to or greater than 30 kVA)	€0.44/kVA

The PSO levy for each year since its implementation on 1 January 2003 is listed in the following table.

Table 3: The PSO levy for each year since its implementation.

Year	PSO Levy
	€m
2003	46.6
2004	74.8
2005	103.3
2006	44.2 (projected)

All moneys collected under the PSO levy go to achieving the objectives of the PSO; the main objectives being to ensure reasonable self-sufficiency in electricity generation capacity by utilising peat as a primary fuel source, to promote renewable energy sources to help protect the environment and to cover the cost of generation capacity that is needed to ensure that customers' demand can be met in times of peak demand.

To achieve these objectives the projects that have been supported by the PSO to date are:

alternative energy requirement contracted projects, ESB power generation peat stations, Edenderry Power Limited's peat plant and peaking plant.

Overhead Power Lines.

585. **Aengus Ó Snodaigh** asked the Minister for Communications, Marine and Natural Resources if any investigation has been carried out by his Department in the past 20 years looking at the effects of overhead power lines on human health; and if any instruction has been issued to the ESB in relation to the siting of pylons and overhead powerlines. [25781/05]

586. **Aengus Ó Snodaigh** asked the Minister for Communications, Marine and Natural Resources if he will consider issuing guidelines to the ESB networks to avoid placing pylons next to houses or schools. [25782/05]

587. **Aengus Ó Snodaigh** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the policy in other countries including the USA and Sweden, of routing lines underground when near schools or housing estates, in view of the findings of international studies regarding the health effects on persons of living in close proximity to overhead power lines and pylons. [25783/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 585, 586 and 587 together.

My Department carried out an investigation in 1988 specifically on the effects of overhead power lines on human health. The results of the investigation were published in the report, Electromagnetic fields from High Voltage transmission lines, a report to Deputy Michael Smith, former Minister for Energy, on 25 November 1988. The results of a follow-up investigation were published in the report, Electromagnetic fields, a review of recent developments in Research and Public Attitudes and the response of Authorities to these Developments, to Mr. Robert Molloy, former Minister for Energy, on 10 September 1992.

The siting of pylons and overhead power lines is an operational matter, in the first instance for the ESB. The ESB complies with the most up-to-date international electromagnetic fields guidelines and recommendations, in its operations. Ireland has adopted European Union Council recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields — 0 Hz to 300 GHz, 1999/519/EC — and the guidelines established by the International Commission on Non-Ionising Radiation Protection, ICNIRP, and participates in the work of the International Committee on Electromag-

netic Safety, which sets standards in this area. The siting of pylons and overhead power lines must also comply with the requirements of the Electricity (Supply) Act 1927 and subsequent amending Acts. Planning decisions in regard limitation of exposure of the general public to electromagnetic fields — 0 Hz to 300 GHz, 1999/519/EC — and the guidelines established by the International Commission on Non-Ionising Radiation Protection, ICNIRP, and participates in the work of the International Committee on Electromagnetic Safety, which sets standards in this area. The siting of pylons and overhead power lines must also comply with the requirements of the Electricity (Supply) Act 1927 and subsequent amending Acts. Planning decisions in regard to the siting of pylons and overhead power lines are a matter for the Minister for the Environment, Heritage, and Local Government and the relevant local authority. I have no plans at present to issue guidelines to the ESB networks in relation to the siting of pylons and overhead power lines. The ESB, where appropriate, routes lines underground.

As part of its charter to protect public health and in response to public concern over health effects of electromagnetic fields exposure, the World Health Organisation established the International EMF project in 1996 to assess the scientific evidence of possible health effects of EMF in the frequency range from 0 to 300 GHz. Ireland is a member of the international advisory committee of the EMF project which encourages focused research to fill important gaps in knowledge and to facilitate the development of internationally acceptable standards limiting EMF exposure. One of the principal reasons for the establishment of the EMF project was to specifically address the possible health effects of overhead power lines and pylons. The International EMF project is now in its final stages and it is expected that the environmental health criteria report in this regard will be published by the World Health Organisation in 2006.

Employment Status.

588. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the employment status of a person (details supplied) in County Leitrim; and if he will make a statement on the matter. [25799/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no statutory function in this matter. The status of an employee is a matter between the employee and the company in which he is employed. The statutory position as regards an individual's status as an employee of the company is subject to the requirements of the Postal and Telecommunications Services Act 1983.

589. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the status of a person in County Sligo employed by a company (details supplied); and if he will make a statement on the matter. [25803/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no statutory function in this matter. The status of an employee is a matter between the employee and the company in which he is employed. The statutory position as regards an individual's status as an employee of the company is subject to the requirements of the Postal and Telecommunications Services Act 1983.

Convention Against Torture.

590. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the number and names of petitioners against Ireland under the Convention Against Torture; the issues raised by them; and the status or outcome in each case. [25735/05]

Minister for Foreign Affairs (Mr. D. Ahern): Ireland ratified the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, CAT, on 11 April 2002 and it entered into force for Ireland on 11 May 2002. At the time of ratification, Ireland made declarations recognising the competence of the Committee against Torture set up pursuant to the provisions of the convention to receive and consider communications from other states parties thereto under article 21 of the convention, and to receive and consider individual communications under article 22 of the convention.

To date, no such communications have been brought to the attention of Ireland by the committee. Further information on Ireland and the convention is available on the website of the

Office of the UN High Commissioner for Human Rights.

Human Rights Issues.

591. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will raise the plight of the rights of the Lubicon Lake Cree Indians with the Canadian authorities; and if he will make a statement on the matter. [24312/05]

Minister for Foreign Affairs (Mr. D. Ahern): My Department has raised this issue with the Canadian Government. I understand that negotiations between the Canadian Government and the Lubicon Lake Cree Indians have not yet resulted in a satisfactory outcome and that the Canadian Government will be appearing before the United Nations Human Rights Committee in November 2005 in order to comment on the situation.

As we have indicated to the Canadian Government, Ireland is committed to promoting and protecting the human rights of indigenous peoples. We voice our concerns in partnership with other like-minded countries in international fora. At the 61st session of the Commission on Human Rights in April 2005, at which Ireland actively participated, a resolution on human rights and indigenous issues was adopted by consensus.

Departmental Contracts.

592. **Mr. Morgan** asked the Minister for Foreign Affairs the name of each company which secured a contract over €100,000 in value with his Department in each of the past five years. [24401/05]

Minister for Foreign Affairs (Mr. D. Ahern): The following is a list of companies and organisations which, since 2001, have entered into contractual arrangements over €100,000 in value with the Department of Foreign Affairs.

Company (A — G)	Company (H — W)
Alan Dunlop Limited	Harvey Printers Limited
Amas Limited	HH Nielson
Anett Stai	Hibernia Alantic
Animo Television	HK Project Services GmbH
An Post (delivery of referendum material — Nice I — NICE II)	Institute of Public Administration
Arekibo Communications	Interior Motives
B.S.S	INTRAC Limited
Bearing Point	Irish Helicopters
Bloomsday Centenary Committee	James Boylan Safety Limited
Brindley Advertising	JJ Kavanagh and Sons
Buro Happold	K-Club
Butler Technologies	Keddington Limited
Cable & Wireless	Kelly Print
Cap Gemini Ernst & Young	Kimmage Manor

Company (A — G)	Company (H — W)
Cara	Kinnitty Castle
Channel Alarms	Labyrinth
Carlisle Security Plus	Lamination Services
Centre for Arid Zone Studies, University of Wales	LAN Communications Limited
Chubb Ireland	LGCSB
Codemar	M.A.R.F. 2004 s.r.l.
Colt Telecom	Mason Hayes and Curran
Core Computer Systems Limited	Mazars Consulting
Core Financials	Michael Bell Design
Cornwell	Microsoft
Cornwell Consultants	Millhouse
Corporate Solutions	Monarc Construction
D.S.S	Montaza Skerjanec
Data & Research Serv plc	Murrays Chauffeur Drive
Datasat Communications	Mysia 5 Sp. Z.o.o.
Davas Have	Planet 21
De la Rue Smurfit Limited	Real Event Solutions
Dell Computers Limited	Rely Manutenvao É
Deloitte and Touche	Red Dog Design
Diplomatic Service	RITS
Dobbins	Security Plus Limited
Dromoland Castle	Servecast
Druid's Glen	Sun Microsystems Ireland Limited
EcoClean	Sureskills
ECORYS Nederland B.V.	System Video
Eircell Service	Thiisgaarden (Building Mgt)
Eircom	Tullamore Court Hotel
Entropy	Version 1 Software
Esat BT	VHI
E-Training	VI.FRA 3 s.r.l.
Fodhla Printing Company Limited	Vodafone
Gestener Ireland Limited	Waterford Crystal Limited
Grosvenor Cleaning Services Limited	William Taylor Sole Trader
Group Imprimerie Nationale	Woodprint Craft (GSA)

Official Terms.

593. **Caoimhghín Ó Caoláin** asked the Minister for Foreign Affairs if there is an official Government or Department of Foreign Affairs position on the use of the term British Isles when referring to Ireland and Britain; if the use of this term by Government agencies and the media in Britain is discouraged in any way by his Department; and if he will make a statement on the matter. [24442/05]

Minister for Foreign Affairs (Mr. D. Ahern): The British Isles is not an officially recognised term in any legal or inter-governmental sense. It is without any official status. The Government, including the Department of Foreign Affairs, does not use this term.

Our officials in the Embassy of Ireland, London, continue to monitor the media in Britain for any abuse of the official terms as set out in the

Constitution of Ireland and in legislation. These include the name of the State, the President, Taoiseach and others.

Northern Ireland Issues.

594. **Caoimhghín Ó Caoláin** asked the Minister for Foreign Affairs if he has raised with the British authorities the sectarian attacks on Catholics in County Antrim during summer 2005; if so, if he will detail the responses he has received; and if he will make a statement on the matter. [24443/05]

614. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he will make a statement on the orchestrated and ongoing campaign of violence conducted by loyalists against nationalist communities, particularly in north Antrim; and the steps the Government has taken and intends to take in order to demonstrate support to and to

[Aengus Ó Snodaigh.]

protect Irish citizens who are being subjected to sectarian harassment and intimidation in view of the commitment made in the programme for Government. [25723/05]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 594 and 614 together.

The Government is extremely concerned at the situation in north Antrim, where Nationalist residents have been subject to intimidatory attacks during the summer, particularly in Ballymena, Ahoghill, Cloughmills and Martinstown. Officials from my Department visited the areas affected during the summer months to meet local residents who had been affected. The Government subsequently discussed the matter with the British authorities through the Intergovernmental Secretariat.

On 22 September 2005 I personally travelled to west Belfast and to County Antrim to meet residents who had been subject to intimidation or attacks, and to discuss the ongoing situation with them. The residents asked me in particular to make representations to ensure that police resources in the area were sufficient to eliminate the attacks.

My Department will continue to monitor that police resources in the area are sufficient to meet requirements. From our contacts with the PSNI, I understand that an additional 625 officers have currently been drafted into the area to address the problem which I welcome. The issue of sectarian attacks will also be on the agenda for the next meeting of the British-Irish Intergovernmental Conference.

595. **Caoimhghín Ó Caoláin** asked the Minister for Foreign Affairs if he has raised the matter of the loyalist feud with the British authorities; if so, if he will detail the responses he has received; and if he will make a statement on the matter. [24444/05]

Minister for Foreign Affairs (Mr. D. Ahern): The Government has discussed the ongoing criminal activities of loyalist paramilitary groups with the British authorities, including the murders that were carried out over the summer months between rival loyalist factions. The British Government has given assurances that the investigation and prevention of such crimes is a priority for the PSNI, who have continued to vigorously pursue those responsible for the murders.

The Government noted the contents of the sixth IMC report, published on 22 September. The report details that, in addition to the five murders carried out by the UVF between May and August 2005, it had also attempted murder on 15 occasions. The LVF attempted murder on two occasions. The IMC report also details the

extent of the police response to the crimes committed. The British Government announced on 14 September 2005 that it would no longer legally recognise the UVF as being on ceasefire.

The Government has repeatedly stated that the eradication of paramilitarism is a priority concern of the Government and shall continue to monitor the situation closely to ensure that communities can live their lives free from violence and intimidation.

Diplomatic Representation.

596. **Mr. Gormley** asked the Minister for Foreign Affairs the representations which he has made to the Iranian Government regarding the execution of two gay Iranian teenagers by the Iranians; and if he will make a statement on the matter. [24531/05]

Minister for Foreign Affairs (Mr. D. Ahern): I was deeply concerned by reports of the public execution of two youths in Mashad in Iran on 19 July. The Government is strongly opposed to the use of the death penalty in all circumstances. The worldwide abolition of the death penalty is a political priority for Ireland and for our partners in the EU. We have also strongly urged states which retain the death penalty not to apply it to any person below adult age. One of the youths in this case was aged under 18.

The EU issued a statement on 26 July expressing strong concerns in relation to use of the death penalty in Iran, the execution of minors and the details of the Mashad case. These concerns have also been raised specifically with the Foreign Ministry in Iran. The Government will continue to monitor the human rights situation in Iran closely, through our Embassy in Tehran and in co-operation with our partners in the EU.

Emigrant Issues.

597. **Mr. Connaughton** asked the Minister for Foreign Affairs if he will provide this Deputy with figures or estimates for the number of Irish born citizens who emigrated to the UK each year from 1950 to 1975; and if he will make a statement on the matter. [24550/05]

Minister for Foreign Affairs (Mr. D. Ahern): Annual estimates on net migration from Ireland in the period 1950 to 1975 are provided in the research study which accompanied the Report of the Task Force on Policy regarding Emigrants. These estimates, set out in the following table for the information of the Deputy, indicate that from 1950 to 1970 Ireland experienced net emigration. This trend was reversed in 1971 when, for the first time in the period in question, the number of people arriving in Ireland exceeded the number leaving. This was a trend which continued for the

remainder of the period under review. The full research study is available on my Department's website. Britain was the destination for the majority of those who left Ireland during this period.

Annual Estimates of Net Migration from Ireland 1950 to 1975.

Year	
1950	-30,000
1951	-35,000
1952	-33,000
1953	-36,000
1954	-45,000
1955	-48,000
1956	-41,000
1957	-58,000
1958	-32,000
1959	-41,000
1960	-40,000
1961	-15,000
1962	-8,000
1963	-17,000
1964	-20,000
1965	-21,000
1966	-13,000
1967	-16,000
1968	-15,000
1969	-5,000
1970	-5,000
1971	+11,000
1972	+13,000
1973	+16,000
1974	+20,000
1975	+16,000

Overseas Prisoner Numbers.

598. **Mr. Connaughton** asked the Minister for Foreign Affairs if he will provide this Deputy with figures for the number of Irish born prisoners in prisons in the UK and the US; and if he will make a statement on the matter. [24551/05]

Minister for Foreign Affairs (Mr. D. Ahern): Under the Vienna Convention on Consular Relations, it is the right of every Irish citizen who is arrested or imprisoned abroad to seek consular assistance from the Department of Foreign Affairs. However, not all Irish citizens who are arrested or imprisoned avail of this right. The number of Irish prisoners abroad is moreover constantly changing, as some are released and others newly detained.

For these reasons, it is not possible to give precise figures on how many Irish citizens are imprisoned abroad at any one time. However, it

is my Department's understanding that there are probably over 1,000 such prisoners, and that nearly 700 of these are in prison in Britain, with some 30 in the United States.

The Government is committed to carrying out a research project to identify the number of Irish prisoners abroad and their needs for services. The focus of the study will, understandably given the numbers involved, be on Irish prisoners in Britain. Draft terms of reference for this study have now been drawn up, and the study will be initiated in the near future.

Emigrant Issues.

599. **Mr. Connaughton** asked the Minister for Foreign Affairs the moneys which have been allocated from Díon funding to assist emigrants returning here; and if he will make a statement on the matter. [24552/05]

Minister for Foreign Affairs (Mr. D. Ahern):

In July I was delighted to announce Díon grants totalling €6.60 million to 102 organisations involved in the provision of a wide range of support and advisory services which benefit Irish people resident in Britain, an increase so far this year of 52% on last year.

The valuable services of the organisations that we support include advice and information on issues relating to transferring residence to Ireland. A number of these groups are also involved in organising short visits to Ireland for their clients. In this regard I would like to pay particular tribute to the communities in Kerry, Mayo and elsewhere in Ireland who work closely with Irish organisations in Britain to make such visits possible.

The Safe-Home programme, based in County Mayo, deals exclusively with advising and assisting older Irish people who are considering a return to Ireland. I was happy to announce a Díon grant to Safe-Home in July of €124,743 to support it in the important services it offers to Irish people resident in Britain. Since 2001 Díon funding to Safe-Home has totalled €485,260.

In addition to this Díon funding, I have approved further grants to Safe-Home of €85,000 to support it in the expansion of its services so that Irish emigrants resident in countries other than Britain can also benefit from its assistance.

Human Rights Issues.

600. **Mr. F. McGrath** asked the Minister for Foreign Affairs if his attention has been drawn to the fact that Colombia has the worst record in the world for violations of human rights; and if he will investigate the UN Commission on Human Rights Report on Colombia 2005. [24615/05]

Minister for Foreign Affairs (Mr. D. Ahern):

At the recent 61st session of the United Nations Commission on Human Rights held in April 2005 in Geneva, Ireland, together with our EU partners, worked actively towards the adoption by the commission of the chair's statement on the situation of human rights in Colombia. The statement condemns all breaches of international humanitarian law in Colombia and calls on all parties to the conflict to respect human rights. The statement also notes that, in 2004, illegal armed groups were responsible for the vast majority of criminal acts and breaches of international humanitarian law. It strongly urges such groups to comply with international humanitarian law and to respect the legitimate exercise by the population of their human rights.

Real progress towards an improvement in the human rights situation for all the people of Colombia is most likely to be made in the context of a settlement of the internal armed conflict. All those involved should respond positively to invitations to negotiate.

The Commission on Human Rights has asked for a further report on the situation at its 2006 session. Ireland, together with our EU partners, will continue to monitor the human rights situation in Colombia on an ongoing basis.

Overseas Medical Services.

601. **Mr. G. Mitchell** asked the Minister for Foreign Affairs further to Parliamentary Question No. 237 of 6 July 2004 if he will arrange for the staff or representatives of his Department to renew contact and advise an Irish citizen resident in Ibiza (details supplied) in relation to their medical needs; and if he will make a statement on the matter. [24732/05]

Minister for Foreign Affairs (Mr. D. Ahern):

On my instructions, the Irish Embassy in Madrid again contacted the person to whom the Deputy refers. I understand that she informed the embassy that she has secured an appointment with the pain clinic in Palma on 29 September 2005. She also indicated that, since she won her court case against her former employer in March 2005, her situation has improved. She has been provided with the contact telephone number of the embassy and she has also been asked to get in contact if she requires any further consular assistance now or in the future

Foreign Conflicts.

602. **Mr. Quinn** asked the Minister for Foreign Affairs further to Parliamentary Question No. 380 of 14 June 2005, the outcome of the consideration then being given to Ireland's participation in the EU integrated rule of law mission for Iraq; the details of Ireland's participation or proposed

participation; and if he will make a statement on the matter. [24745/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The question of Ireland's participation in the EU Integrated Rule of Law Mission for Iraq remains under active consideration. As the Deputy will be aware from my reply to his earlier question, all training carried out as part of the mission will take place in EU member states. Any participation by Ireland would be likely to take the form of the provision of one or more members of the Garda Síochána, subject to the identification of suitable personnel, to act as instructors in a course of training taking place in another member state.

Use of Shannon Airport.

603. **Mr. F. McGrath** asked the Minister for Foreign Affairs if the UN Human Rights Commission is investigating the UK Government and the Irish Government for allowing US-CIA jets to land at Shannon; and if these planes are carrying prisoners that are being tortured. [24822/05]

Minister for Foreign Affairs (Mr. D. Ahern):

I am aware of a media report that Martin Scheinin, the UN Commission on Human Rights' special rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, has been contacted by Irish citizens regarding allegations about the use of Irish airports by the US to transit prisoners who are suspected of terrorist activity. Last week my Department was contacted by Professor Scheinin's office to confirm that neither he, nor any other special rapporteur, is currently investigating or inquiring into this matter. I understand that the British and US governments have received similar communications from Professor Scheinin's office.

On the matter of US aircraft transporting prisoners landing in Ireland, I would refer the Deputy to my replies to Parliamentary Questions Nos. 152 of 2 February 2005, 214 of 22 March 2005, 194 of 27 April 2005, 49 of 28 April 2005 and 377 of 14 June 2005.

The Government have on several occasions made clear to the US authorities that it would be illegal to transit prisoners for rendition purposes through Irish territory without the express permission of the Irish authorities, acting in accordance with Irish and international law. The US authorities have confirmed that they have not done so and that they would not do so without seeking the permission of the Irish authorities. No request for such authorisation has been received from the US authorities.

Legislative Provisions.

604. **Mr. Quinn** asked the Minister for Foreign Affairs if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commencement of which his Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [24898/05]

Minister for Foreign Affairs (Mr. D. Ahern):

There are no Acts, or sections or other provisions of Acts, falling under the auspices of the Department of Foreign Affairs, which are not yet in force.

Relief Funds.

605. **Mr. Quinn** asked the Minister for Foreign Affairs if the relief funds offered to the USA in the aftermath of the disaster in New Orleans and surrounding areas following hurricane Katrina have been drawn down; if the funding will be drawn down during the current budgetary year; the budget heading from which such funds will be drawn; if any non monetary aid has been offered or drawn down; and if he will make a statement on the matter. [24931/05]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): The destructive power of Hurricane Katrina and the subsequent flooding and damage to New Orleans and the Gulf Coast State area of the United States have had catastrophic effects on the lives and property of many thousands of communities, families and individuals.

In response to this humanitarian emergency, the Government have committed assistance of €1 million for the region affected by Hurricane Katrina. Some €700,000 of this funding has been delivered via the Irish Red Cross, which is collaborating with the American Red Cross in the provision of humanitarian assistance to those most affected on the ground. The remainder of the pledge of assistance has been allocated to our embassy in Washington. Our ambassador and his staff will provide support to civil society organisations in the affected region, which are providing relief and recovery assistance to those most in need.

This funding will be drawn down fully in the current budgetary year. The funding to assist the victims of Hurricane Katrina will not be drawn from the emergency humanitarian assistance budget line, subhead C. The funding will be sourced from within the overall bilateral aid programme, subhead B.

Ireland also offered material assistance through the EU civil protection co-operation mechanism, including ready-to-eat meals, tents and assistance with logistics and critical stress management. This offer of logistical assistance has not to date been taken up. The EU civil protection co-operation mechanism is working closely with USAID, the main US agency coordinating international assistance, to ensure that offers of assistance are matched with needs assessments to ensure a targeted and effectively delivered package of assistance.

Murder Inquiry.

606. **Cecilia Keaveney** asked the Minister for Foreign Affairs the position in relation to the inquiry into the murder of a person (details supplied); and if he will make a statement on the matter. [25000/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The Northern Ireland Police Ombudsman recommended in January 2004 that the murder of Seán Brown in 1997 be thoroughly re-investigated, on the basis that the RUC investigation carried out at the time of the murder was incomplete and inadequate. The Brown family agreed to cooperate with the new PSNI investigation, and sit on an advisory group to the investigation which includes officials from my Department and the family's solicitor.

The advisory group has had regular meetings with the investigating officers to discuss the conduct of the investigation, but have not publicised any element of this work in order not to jeopardise the progress of the investigation. In due course, the advisory group should be in a position to make a full evaluation of the re-investigation.

Asylum Regulations.

607. **Mr. Gormley** asked the Minister for Foreign Affairs if, in view of the strong friendship and connection between the United States of America and Ireland, he will demonstrate Ireland's commitment to peace and to its policy of neutrality by offering safe refuge to US service members seeking asylum as a means to avoid participating in the illegal occupation of Iraq; and if he will make a statement on the matter. [25067/05]

Minister for Foreign Affairs (Mr. D. Ahern): I am not aware of any applications for refugee status having been made by members of the US armed services. In the circumstances outlined by the Deputy, such individuals would not appear to meet the definition of refugees fleeing persecution as contained in the 1951 Refugee Convention, and so would not qualify for refugee status under Irish law. Each individual case

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would, of course, have to be dealt with on its merits.

Diplomatic Immunity.

608. **Mr. Allen** asked the Minister for Foreign Affairs the number of persons and the organisations to which they are attached which have been granted diplomatic immunity within the State; and if he will make a statement on the matter. [25382/05]

Minister for Foreign Affairs (Mr. D. Ahern):

All diplomatic agents of embassies in Ireland, including their spouses and families, are granted diplomatic immunity in accordance with the Diplomatic Relations and Immunities Act 1967. This Act incorporates the Vienna Convention on Diplomatic Relations 1961, into Irish law. The convention also provides for this immunity to be waived by the sending State at any time.

Currently there are 54 resident diplomatic missions in Ireland, with approximately 880 diplomatic agents, including their spouses and families. The total number of diplomatic personnel fluctuates regularly due to the staff rotations of other states. There are 59 embassies accredited to Ireland but resident abroad, mainly in the United Kingdom. The diplomatic agents of such embassies are afforded diplomatic immunity when in Ireland.

Murder Inquiry.

609. **Mr. Gregory** asked the Minister for Foreign Affairs the assistance his Department is giving to the family of a person (details supplied) in Dublin 1 who was murdered in Spain; and if he will make a statement on the matter. [25446/05]

621. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if his attention has been drawn to the tragic death of a person (details supplied) in Spain in August 2005; if he will seek a definitive date for the release of the body; if he will use the authority he has to seek this date; if his Department will contact this person's mother; and if his Department will be of any assistance to the family of this person. [25784/05]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 609 and 621 together.

I am aware of the case to which the Deputies have referred. First, may I say that I, and all who have been involved in this case on behalf of the Government, have the greatest sympathy for the family concerned. My Department, through its consular division, the Irish Embassy in Madrid and the honorary consulate in Alicante, has been providing extensive consular assistance to the

family since Sunday, 28 August 2005 when we became aware of the case.

The person mentioned by the Deputies was killed in a villa in the San Fulgencio area of Alicante and her partner was arrested in connection with the death. My Department, through the consular section and the Irish Embassy in Madrid, has been working on the case on a daily basis since notification of the death. Specific assistance provided to the family has included liaising with the family to ensure that the three children were looked after before they flew back to Ireland; assisting with the children's travel back to Ireland, including purchasing their tickets on the family's behalf; issuing emergency travel documents; contacting the court on a daily basis; and informing the family of any new information on the case.

However, the decision to release the remains is a matter for the Spanish court in question. At the same time, the embassy has made oral and written appeals directly to this court, asking for prompt repatriation.

In the meantime, my Department has been able to provide the family with a timeline for the completion of the forensic tests on the remains, which are expected to be finished tomorrow, 29 September. When the tests are completed, I can assure the Deputies that the embassy will again request that the judge release the body without delay so it can be brought back to Ireland. My Department should, depending on the Spanish response, be able to provide the family with a repatriation date at that stage.

I understand that the embassy has received the full co-operation of the Spanish authorities, which are carrying out a thorough investigation into her death, and I expect this co-operation to continue. In addition, in order to ensure that our efforts on behalf of the family continue to be advanced in every way possible, I have asked our ambassador in Madrid to travel to Alicante and to report back to me as a matter of urgency.

General Election in Ethiopia.

610. **Mr. O'Connor** asked the Minister for Foreign Affairs if he has received a report on the May 2005 General Election in Ethiopia; and if he will report on same. [25598/05]

Minister for Foreign Affairs (Mr. D. Ahern):

Ethiopia's third general election was held on 15 May 2005. International observers were present, including an EU Election Observation Mission, EOM, with Irish participation, including of course the Deputy himself. Polling day itself passed off peacefully. The turnout of Ethiopia's 26 million registered voters was estimated at approximately 90%. The organisation and execution of the ballot exceeded the expectations of most election observers, although some short-

comings were identified. The Deputy will recall that he, together with Senator Fergal Browne, reported positively on both its transparency and completeness.

However, the post-election period was marred by the slowness of the counting process, a ban on public demonstrations in Addis Ababa and complaints of irregularities by both the opposition and the governing Ethiopian People's Democratic Front, EPRDF, party. This led to increased tensions in Addis Ababa and serious violence on 8 June 2005, in which up to 40 people were killed. Over 4,000 people were detained, all but 58 of whom have now been released. The Embassy of Ireland in Addis Ababa, in collaboration with other EU partners, played an active role in securing the release of detainees. In response to international pressure, Prime Minister Meles Zenawi has agreed to hold an independent inquiry into the killings.

In response to some 380 complaints of irregularities, the National Election Board of Ethiopia, NEBE, and the main political parties also agreed a complaints investigations process. This review took over two months and led to election re-runs in 31 constituencies, all of which were won by the governing EPRDF. Both the EOM and the Carter centre have said that the complaints investigation process did not provide an effective remedy.

The official results announced by the NEBE on 5 September 2005 declared the governing EPRDF the winner, with 327 out of 545 seats filled. Parties affiliated to the EPRDF won a further 44 seats. The main opposition parties, the Coalition for Unity and Democracy, CUD, and the United Ethiopian Democratic Front, UEDF, gained 109 and 52 seats respectively, while other small opposition parties and independent candidates won a further 13 seats. The 174 seats won by the opposition and an independent are a major increase on the 19 seats which they held in the last parliament.

The main opposition parties have rejected the results of the election as flawed and have threatened to boycott the new parliament, which is due to convene on 10 October 2005. They have also alleged that intimidation and human rights abuses of their leaders and supporters are continuing. The Ethiopian government has indicated that it will not hold any dialogue with opposition parties unless they accept the official election results and pursue disputes through the courts.

The final report and recommendations of the EOM are due to be issued in the coming days. In its interim statements, the mission has commended the open and competitive nature of pre-election campaigning, but drew attention to deficiencies and irregularities in vote tabulation, aspects of the complaints process, some re-runs, and in the August 2005 elections in Somali region.

The EU and the international community have been actively involved in trying to help Ethiopia resolve the current political crisis. The EU condemned the violence, called for an independent investigation into the deaths on 8 June, and urged the Ethiopian Government to exercise the utmost restraint and to act in accordance with the principles of international law and respect for human rights. It has also urged the Government and opposition parties to faithfully implement their joint agreement on the elections complaints procedure and their common commitment to non-violence. The Minister of State, Deputy Conor Lenihan, made these points to the Ethiopian chargé d'affaires in a meeting on 10 June 2005. I expect that the Union will comment further in response to the EOM's final report.

Northern Ireland Issues.

611. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if the Government intends to raise the issue of the continuing deployment of the British parachute regiment in south Armagh with the British Government; and if the Government will press the British Government for their speedy removal from the area. [25720/05]

Minister for Foreign Affairs (Mr. D. Ahern): The British Government has announced its intention, in the context of an enabling security environment, of proceeding with an accelerated programme of normalisation measures in the period between now and August 2007. The first phase of this programme is currently underway and involves the deconstruction of observation posts in south Armagh and their return to green-field status.

At the completion of the programme, the British military presence in Northern Ireland will be reduced to the level recommended in the Joint Declaration; two brigades totalling 5,000 soldiers in no more than 14 posts across the region. In relation to the regiment referred to in your question, I have asked my officials in the British-Irish Secretariat in Belfast to take up the issue with the British authorities.

612. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the steps the Government intends to take to ensure that robust equality impact assessments are undertaken in relation to all high level strategies in the Six Counties; and if the Government will make this a priority in its discussions with the British Government, in view of Good Friday Agreement commitments on equality. [25721/05]

Minister for Foreign Affairs (Mr. D. Ahern): The Good Friday Agreement provided for the creation of a statutory duty on public authorities in Northern Ireland to carry out all their func-

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tions with due regard to the need to promote equality of opportunity in relation to religion and political opinion; gender; race; disability; age; marital status; dependants and sexual orientation.

This statutory duty was legislated for in section 75 of the Northern Ireland Act 1998. It requires public bodies to submit equality schemes and equality impact assessments to the Equality Commission for approval in relation to their policies and policy proposals.

The Government is firmly committed to the full implementation of all aspects of the Good Friday Agreement. We continue to actively monitor the implementation of a range of equality issues, including by raising issues with the British Government through the framework of the British Irish Intergovernmental Conference, BIIGC. There is also regular discussion of equality matters at the Ministerial meetings of the BIIGC.

613. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he will make a statement on the persistent under-representation of Catholics at senior grades in the North's Civil Service; and if the Government will make this a priority in its discussions with the British Government in view of the Good Friday Agreement commitments on equality. [25722/05]

Minister for Foreign Affairs (Mr. D. Ahern): The promotion of equality is at the heart of the Good Friday Agreement. This was collectively affirmed by the parties in the commitment within the agreement to “the mutual respect, the civil rights and the religious liberties of everyone in the community”. This included, in particular “the right to equal opportunity in all social and economic activity, regardless of class, creed, disability, gender or ethnicity”.

The Government is firmly committed to the implementation of all aspects of the Good Friday Agreement and continues to actively engage with the British Government to further the equality agenda set out in the Agreement and in the Joint Declaration of 2003.

I am concerned that statistics show under-representation of Catholics at senior grades in the Northern Ireland Civil Service. In addition, the issue of restrictions on employment, on the basis of nationality alone, to public service posts in the Northern Ireland Civil Service has long been of concern to the Government. We have raised our concerns on this issue with the British Government within the framework of the British Irish Intergovernmental Conference, BIIGC, including at the meeting of the BIIGC in March 2005.

Question No. 614 answered with Question No. 594.

Foreign Conflicts.

615. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if his attention has been drawn to the plight of Palestinian school children who are being denied their full rights to an education due to the travel restrictions being placed on up to 700 teachers by Israel; and his views on whether the continuation of the Euro-Mediterranean Association Agreement with Israel is acceptable in view of this infringement of basic human rights. [25724/05]

Minister for Foreign Affairs (Mr. D. Ahern): I am aware of the situation to which the Deputy refers. It arises from the overall restrictions on movement which the Israeli security forces have applied in the occupied Palestinian territories and east Jerusalem. The Government shares the widespread concern about the effects of these restrictions, and in common with our EU partners, we continue to urge the Israeli authorities to address the issue by easing restrictions and reducing the number of checkpoints.

Article 2 of the Euro-Mediterranean Association Agreement with Israel reinforces obligations which already fall to the signatories with respect to human rights. Meetings of the Association Council with Israel provide the opportunity for the EU to highlight its concerns on the human rights implications of Israel's security policies.

I do not believe that suspension of the association agreement, which would require consensus within the European Union, would serve the interests of any of the parties. There is also a strong argument that such action could seriously undermine the role of the EU in the peace process and create difficulties in implementing programmes of assistance to the Palestinian Authority.

Use of Shannon Airport.

616. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if, in view of the serious allegations against Ireland made by Amnesty International that Shannon Airport is being used to carry out extraordinary renditions, the Government will end the use of Shannon Airport by the US military pending the outcome of the UN investigation into the matter; and the way in which the Government intends to assist the inquiries of Mr. Martin Scheinin who is leading the UN inquiry; and if he will make a statement on the matter. [25725/05]

Minister for Foreign Affairs (Mr. D. Ahern): I am aware of Amnesty International reports that make reference to media and other reports alleging that Shannon airport has been used by the US to transit prisoners who are suspected of terrorist activity. The Amnesty International reports

themselves make no specific allegations about Shannon airport.

Similarly, I am aware of a media report that Martin Scheinin, the UN Commission on Human Rights' Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, has been contacted by Irish citizens regarding allegations about the use of Irish airports by the US to transit prisoners who are suspected of terrorist activity. Last week my Department was contacted by Professor Scheinin's office to confirm that neither he, nor any other special rapporteur, is currently investigating or inquiring into this matter. I understand that the British and US governments have received similar communications from Professor Scheinin's office.

On the matter of US aircraft transporting prisoners landing in Ireland, I would refer the Deputy to my replies to Parliamentary Questions Nos. 152 of 2 February 2005, 214 of 22 March 2005, 194 of 27 April 2005, 49 of 28 April 2005 and 377 of 14 June 2005.

The Government has on several occasions made clear to the US authorities that it would be illegal to transit prisoners for rendition purposes through Irish territory without the express permission of the Irish authorities, acting in accordance with Irish and international law. The US authorities have confirmed that they have not done so and that they would not do so without seeking the permission of the Irish authorities. No request for such authorisation has been received from the US authorities. The Government does not intend to end the use of Shannon Airport by the US military. Its policy in this regard has been stated on numerous occasions.

Foreign Court Proceedings.

617. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if his attention has been drawn to the circumstances of a person (details supplied) who has been a missionary in Kenya for 23 years and who is currently facing charges in Kenya along with 22 others; and if he will make a statement on the matter. [25726/05]

Minister for Foreign Affairs (Mr. D. Ahern): I am very aware of the case that the Deputy has mentioned. The person mentioned by the Deputy was arrested on the morning of 12 August in Kitale, Kenya in connection with a public land rights protest against the alleged grabbing of a public park by private investors. He was held in custody until 15 August when he was released on bail.

The Department of Foreign Affairs was notified of this incident on the afternoon of 12 August and immediately contacted the Honorary Consul in Nairobi and certain EU embassies. The honorary consul is monitoring the case, and remains in contact with the Catholic Diocese in

Kitale and human rights organisations in the area. The Department has offered consular assistance to the individual concerned through his religious order in Dublin.

International Covenants.

618. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the names of petitioners against Ireland under the International Covenant on Civil and Political Rights; the issues raised by them; and the status or outcome in each case. [25736/05]

Minister for Foreign Affairs (Mr. D. Ahern): Ireland ratified the International Covenant on Civil and Political Rights, ICCPR, and Optional Protocol to the ICCPR with effect from 8 March 1990, thereby allowing communications to the Human Rights Committee from individuals claiming to be the victim of violations of the covenant.

Since that time, a total of five complaints have been brought against Ireland under the covenant: 1. Communication No. 593/1994: Mr. Patrick Holland made a complaint on 8 June 1994, claiming to be a victim of a violation by Ireland of Articles 14 and 26 of the Covenant. Specifically, the complaint claimed that the Special Criminal Court does not constitute an independent and impartial tribunal as required in Article 14.1 of the Covenant, claiming also a failure to provide equal treatment and discrimination for failure of the State to transfer him to an open prison at the same time as his co-accused. On 22 November 1996, the Human Rights Committee made a decision declaring the complaint inadmissible, due to the author's failure to exhaust domestic remedies as required by Article 5 of the Covenant.

2. Communication No. 819/1998: Mr. Joseph Kavanagh submitted a complaint against Ireland on 27 August 1998, claiming a violation of Articles 2, 4, 14 and 26 of the Covenant. The author claimed that the DPP's decision to try him before the Special Criminal Court violated the principles of fairness and full equality of arms protected by Article 14, that this decision was issued without any reason or justification and thereby violated the guarantee of Article 14, paragraph 1, to a public hearing, that Ireland has failed to provide an effective remedy, as required by Article 2. He further alleged a violation of the principle of non-discrimination and that Ireland had informally derogated from ICCPR contrary to Article 4. The Human Rights Committee, on 26 April 2001, found the complaint admissible only in its complaints under Article 14 and 26. The committee found that Ireland had violated Article 26 by virtue of its inability to show that the decision to try the author in the SCC was

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based upon reasonable and objective grounds. No other violations were found by the committee.

3. Communication No. 1038/2001: Mr. Dáithí Ó Colchúin made a complaint against Ireland on 3 July 2000 claiming to be the victim of violations of Articles 2, 25 and 26 of the Covenant. The author, who was ordinarily resident outside of Ireland, argued that the fact that he was unable to vote in elections for the Parliament, for Presidency and in referenda constituted a violation of the right to vote and participate in political affairs, and complained of discrimination and breach of the right to equality before the law. The committee, on 17 April 2003, declared the complaint inadmissible, as the author had failed to prove himself to be a victim by virtue of being unable to point to concrete examples of his being unable to vote in elections to the Dáil, for President and in referendums.

4. Communication No. 1114/2002: Mr. Joseph Kavanagh made a second complaint to the Human Rights Committee on 8 July 2002. He complained of a violation of Article 2.3 (a) and (b) and Article 26 of the covenant. The issues raised in the author's complaints related to a claim that Ireland had not provided him with an effective remedy for the breach of Article 26 already found by the committee in the first Kavanagh case, equality before the law, and the failure of Ireland to develop the possibilities of judicial review for cases such as his. On 28 November 2002, the Human Rights Committee made a decision declaring the complaint inadmissible, finding that no new factual developments were raised by the author since the committee's expression of its view in his first communication and that the author had no standing to raise complaints of a general nature under Article 1 of the Optional Protocol.

5. Communication 1314/2004: Mr. Michael O'Neill and Mr. John Quinn made a complaint claiming a violation of Articles 2, 9, 14, and 26 of the covenant. The facts of the case relate to the authors application for early release from prison under the Criminal Justice (Release of Prisoners) Act 1998. They complain of unfair discrimination, equal treatment under the law, lack of fair procedures, arbitrary detention, and failure to provide an effective remedy. The State has made its submissions on the merits and admissibility of this complaint, but the matter has not yet come to a hearing.

These and further details on the above decisions are available on the website of the Office of the United Nations High Commissioner for Human Rights.

619. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if the Government's third periodic report of states parties under the International Covenant on Civil and Political Rights,

due to be submitted to the UN Human Rights Committee by 31 July 2005, was submitted; and if the report addresses the concluding observations of the Human Rights Committee published in 2000 which recommended the jurisdiction of the Special Criminal Court be ended. [25739/05]

Minister for Foreign Affairs (Mr. D. Ahern):

Work on the compilation of Ireland's third periodic report to the UN Human Rights Committee under the International Covenant on Civil and Political Rights is ongoing as a matter of urgency and should be completed within the coming months. Given the breadth of the covenant, a large number of Departments are involved in the preparatory process. In addition, there will be consultation with civil society during the drafting of the report.

The report will address all the issues raised by the Human Rights Committee including its observations in respect of the Special Criminal Court.

Extradition Treaties.

620. **Mr. Timmins** asked the Minister for Foreign Affairs the discussions he has with his Colombian counterpart between January 2005 and 31 July 2005 with respect to an extradition treaty between the two countries; and if he will make a statement on the matter. [25757/05]

Minister for Foreign Affairs (Mr. D. Ahern): I had no discussions on this matter with my Colombian counterpart, Ms Carolina Barco, during the period in question.

Question No. 621 answered with Question No. 609.

Passport Applications.

622. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if any consideration was given to implementing a system for passport holders to remind them three months before the expiry date of their passport; and if he will make a statement on the matter. [25785/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The Passport Office does not issue reminder letters to passport holders to renew their passports. To do so would involve additional expenditure in terms of staff resources and postage in the region of €300,000 per annum. The potential response to such a campaign would also be reduced by virtue of passport holders having moved address and changed family circumstances in the intervening years. The Passport Office carries out advertising campaigns on a regular basis in the national press and other publications. In all such advertising,

applicants are advised to apply for their passport in good time.

Diplomatic Representation.

623. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he will report on the privileges and immunities enjoyed by foreign diplomats and embassies. [25888/05]

Minister for Foreign Affairs (Mr. D. Ahern): The privileges and immunities enjoyed by foreign diplomats and embassies are set out in the Diplomatic Relations and Immunities Act 1967 as amended by the Diplomatic Relations and Immunities Act 1976. These Acts incorporate the Vienna Conventions on Diplomatic and Consular Relations into Irish law.

624. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the number of persons enjoying privileges and immunities under the Diplomatic Relations and Immunities Acts 1967 and 1976 and who have availed of these privileges to avoid criminal charges here. [25965/05]

Minister for Foreign Affairs (Mr. D. Ahern): All diplomatic agents of embassies in Ireland, including their spouses and families, are granted diplomatic immunity in accordance with the Diplomatic Relations and Immunities Act 1967, as amended by the Diplomatic Relations and Immunities Act 1976. These Acts incorporate the Vienna Convention on Diplomatic Relations, 1961 and the Vienna Convention on Consular Relations, 1963 into Irish law. The conventions make provision for immunity to be waived by the sending State at any time.

Currently there are 54 resident diplomatic missions in Ireland, with approximately 880 diplomatic agents, including their spouses and families. The total number of diplomatic personnel fluctuates regularly due to the staff rotations of other states. There are 59 embassies accredited to Ireland but resident abroad, mainly in the United Kingdom. The diplomatic agents of such embassies are afforded diplomatic immunity when in Ireland.

Where proceedings are brought against an individual claiming immunity it is the role of the Department of Foreign Affairs, when requested, to issue a certificate of diplomatic immunity. This certificate informs the judicial authorities that the individual is an accredited member of a diplomatic mission to Ireland. The records of this Department do not indicate that a certificate has ever been issued in respect of criminal charges.

Sports Funding.

625. **Ms Burton** asked the Minister for Arts, Sport and Tourism if he has made any decisions

in relation to the funding of the sports campus at Abbotstown; if his attention has been drawn to media reports that he has deferred allocating funding for this project; when he will provide funding for such a project; if the land at Abbotstown will remain in public ownership; and if he will make a statement on the matter. [25872/05]

626. **Ms Burton** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the Taoiseach's favourable reception in the course of discussion at the Finance Committee of the proposal to develop a hospice for the Dublin 15 area on part of the lands at Abbotstown; if he has given the go-ahead for the release of the land requested, adjacent to the grounds of Connolly Hospital, Blanchardstown; and if he will make a statement on the matter. [25873/05]

627. **Ms Burton** asked the Minister for Arts, Sport and Tourism if he has been able to facilitate or agree to the development of a hospice for the Dublin 15 area at Abbotstown; and if he continues to be favourable to the project as indicated during discussions with him at the finance committee. [25875/05]

637. **Ms Burton** asked the Minister for Arts, Sport and Tourism if he has received confirmation from the Minister for Finance of funding for the Abbotstown sports campus; if his attention has been drawn to media reports that he has deferred allocating funding for this project; when he will provide funding for such a project; if the land at Abbotstown will remain in public ownership; and if he will make a statement on the matter. [25874/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I propose to take Questions Nos. 625 to 627, inclusive, and Question No. 637 together.

Proposals for the development of a sports campus on the State-owned lands at Abbotstown are being considered within the context of the multi-annual capital envelope for my Department which will be agreed prior to the budget. A request for the provision of a site of about three acres within the Abbotstown lands for the development of a hospice has been received and will be considered in the context of the overall plan for the utilisation of the Abbotstown lands.

Decentralisation Programme.

628. **Mr. Aylward** asked the Minister for Arts, Sport and Tourism if he will report on all aspects of the decentralisation programme to Kilkenny; the progress achieved to date; and if he will make a statement on the matter. [25371/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): My Department is co-operating with the Department of Finance, the decentralisation implementation group, DIG, and the Office of Public Works in implementing the Government's decentralisation programme. A decentralisation implementation team has been established to oversee the arrangements for the transfer of the Department's Dublin based staff to four locations in the south east.

An implementation plan, which sets out the broad issues to be addressed in implementing the decentralisation programme for this Department, has been submitted to the DIG. In accordance with the Government decision on the first phase of moves under the decentralisation programme, the transfer of my Department's headquarters to Wexford is included in the list of those organisations confirmed as early movers. A more updated decentralisation implementation plan, which sets out the issues to be addressed in the context of the move to Wexford, has been submitted to the decentralisation implementation group. My Department is in the process of drawing up a revised implementation plan dealing with issues arising around the moves to Kilkenny, New Ross and Waterford.

A total of 77 applications had been received at the central applications facility, CAF, priority cut-off date on 7 September 2004 in respect of the 62 posts to be decentralised to Kilkenny. The indicative timescale provided for the completion

of office accommodation in Kilkenny is the end of 2008 and the Office of Public Works is evaluating site options at present.

Funding for Agricultural Shows.

629. **Mr. Kehoe** asked the Minister for Arts, Sport and Tourism if grants are available to agricultural shows to assist with the costs of putting them on; and if he will make a statement on the matter. [24357/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): My Department does not administer any grant schemes to assist with the running costs of agricultural shows. However Fáilte Ireland, under its festivals and cultural events initiative, has provided funding this year to the national ploughing championships and world ploughing contest.

Departmental Contracts.

630. **Mr. Morgan** asked the Minister for Arts, Sport and Tourism the name of each company which secured a contract over €100,000 in value with his Department in each of the past five years. [24402/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The information sought by the Deputy concerning my Department, since its establishment in June 2002 is set out in the following table.

Consultancy	Purpose/Report	Year	Value
			€
Red Dog Design Consultants	Advertising and Marketing Day of Welcomes	2004	150,000
Irish Chamber Orchestra	Participation in the Cultural Programme for Ireland during EU Presidency	2004	103,000
Deloitte	Audit Work for 1994 -1999 Tourism Operational Programme	2004-2005	321,677
Red Dog Design Consultants	Design & advertising ReJoyce 2004	2004	100,422
Fleishman Hilliard Saunders	PR services ReJoyce	2004	128,581
Newmarket Solutions	Provision of advice and assistance in implementing FMS Financial Management System, National Museum of Ireland (N.M.I.)	2002-2004	186,580
Accenture (via Department of Justice, Equality and Law Reform)	Installation of Oracle Financials MIF compliant FMS	2004 to date	443,074
Oracle (via Department of Justice, Equality and Law Reform)	Oracle financials software licences	2004 to date	156,961
British Library	National Library of Ireland, technology costs for the Joyce exhibition	2004 to date	246,712
Javelin/Young and Rubicon	National Library of Ireland, media costs relating to the Joyce exhibition	2004 to date	116,869
Storage Systems	National Archives, mobile shelving	2002	130,680
Oscar Security	National Archives, security	2003	141,333
Oscar Security	National Archives, security	2004	137,073
Loines Furnival Ltd	National Museum of Ireland, signs for museum sites	2002-2004	117,452

Consultancy	Purpose/Report	Year	Value
			€
Wendy Williams Design	National Museum of Ireland, graphic design consultant for military history project	2003-2005	195,752
Conservation by Design	National Museum of Ireland, "What's in Store" contract	2003	137,000
Conservation by Design	National Museum of Ireland, "Riding School" project	2004	125,569
Noonan Services Ltd	National Museum of Ireland, cleaning services	2003	70,000
Emerald Facilities	National Museum of Ireland, cleaning services, Turlough House	2003 to date	112,457
Chubb Ireland	National Museum of Ireland, security services	2003 to date	1,207,171
William Tracey & Sons Ltd	National Museum of Ireland, transport/haulage	2003 to date	217,025

Departmental Legislation.

631. **Mr. Quinn** asked the Minister for Arts, Sport and Tourism if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commencement of which his Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [24899/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I gave effect to the principal outstanding provisions of the National Cultural Institutions Act 1997 in May of this year under statutory instruments. These conferred non-commercial semi-state status on the National Library of Ireland and National Museum of Ireland and established new statutory boards for both institutions. There are some provisions however, that remain to be enacted. These relate primarily to the mandatory deposit of certain material with the National Library and export licensing of various articles defined under section 49 of the Act. These are issues that will have an impact on the operations of both of these institutions.

In advance of the introduction of these additional powers it is necessary to consult with the newly established statutory boards of each of the institutions and with other interested parties. This process is under way and when the legal and resource implications have been identified and addressed the relevant orders will be prepared. It is hoped that the relevant orders can be prepared early next year.

In addition there are sections of the Tourist Traffic Acts 1939-2003, that require the Minister to make a commencement order to give them effect, that are not yet in operation. These are as follows. The Tourist Traffic Act 1939, section

37A, inserted by the Tourist Traffic Act 1957; section 37C, inserted by the Tourist Traffic Act 1970; and section 37D, inserted by the Tourist Traffic Act 1983.

These sections of the Tourist Traffic Acts make it unlawful for proprietors or occupiers of certain types of premises — that is, motor hotel, motel, coach hotel, motor inn, motor court, tourist court — the 1957 Act; holiday cottage, approved holiday house, approved holiday home, approved holiday villa — the 1970 Act; and holiday apartment, tourist apartment, apartotel or holiday flat — the 1983 Act — to describe or hold out these premises as a motor hotel or motel, etc., unless these premises are registered as such by Fáilte Ireland. The fine payable on summary conviction is set at €500 with a continuing fine of €20 per day, not exceeding €300 in all, for each day during which the offence is continued.

In the course of a review of the provisions of the Tourist Traffic Acts in 2003, the matter was discussed with Fáilte Ireland which has day-to-day operational responsibility for the registration and grading of tourism accommodation. On foot of its advice, it is considered unnecessary for the continuing effectiveness and efficiency of its administration of its registration and grading functions to bring these sections into force.

Tax Code.

632. **Mr. F. McGrath** asked the Minister for Arts, Sport and Tourism his plans to support the artists tax exemption scheme and to work with the Minister for Finance on this matter. [24915/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The artists' tax exemption scheme has made, and continues to make, a significant contribution to the success of the arts in Ireland and the recognition abroad of Ireland as a country which fosters and cherishes its artists. I have made known my views in this regard to my col-

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league, the Minister for Finance, Deputy Cowen, and officials of my Department are in ongoing contact with the Department of Finance in this regard.

Tourism Industry.

633. **Mr. Naughten** asked the Minister for Arts, Sport and Tourism the steps he is taking to address the increase in regional imbalance within the tourism sector; the specific steps he intends to take to support tourism in the BMW region; and if he will make a statement on the matter. [25126/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): As the House will be aware, I have no direct responsibility concerning individual actions or measures on tourism promotion or development insofar as specific areas of the country are concerned. These are, of course, a day-to-day function of the State tourism agencies.

As I have already advised the House, Fáilte Ireland, in response to a recommendation in the tourism action plan set out in the report of the tourism policy review group, towards the end of last year commissioned PriceWaterhouseCoopers, PWC, to conduct a major consultancy study of regional tourism structures, as it sought to determine how best to carry out its new development mandate countrywide. This work was supplemented by a short engagement — facilitated by a small independent group, chaired by Mr. John Travers — with the relevant parties in order to satisfy interests in the Dublin region that the mechanisms of consultation were complete.

The PWC report highlighted the need for a much wider brief for regional tourism, playing a strategic rather than administrative role and inputting more directly into national policy. It recommended a greatly increased emphasis on targeted marketing, product development and enterprise support. It suggested establishing an integrated linkage between regional tourism strategy and national policy and exploiting avenues to leverage increased resources.

At the end of July, I indicated to Fáilte Ireland that I was satisfied that it should proceed with the proposed revision of the regional tourism structures on the basis of the PWC and Travers reports. An implementation group is being established to assist Fáilte Ireland in implementing the recommendations. Mr. Finbarr Flood has agreed to chair this group and has already begun his work.

At a time of overall national tourism growth, I remain concerned that the issue of regional spread should be proactively and energetically addressed. In that context, I am pleased that the programmes and initiatives being operated by the

State tourism agencies and the action plan set out in the report of the tourism policy review group fully reflect this objective.

Such programmes and initiatives include: the strategic investment in the sustainable development of tourism capital infrastructure in underperforming areas through the tourism product development scheme, which aims to match the quality of the product available on the ground with ever greater consumer expectations; the differential levels of support offered to regional tourism authorities for marketing purposes; expanded domestic tourism marketing campaigns; the use of predominantly rural imagery in the advertising and promotion of Ireland, both at home and abroad; the regional coverage with respect to visiting media; and the specific focus on achieving a wide spread of visitors in relation to access transport policies.

In total this year, Fáilte Ireland is investing in the order of €27 million on developing regional tourism, from supporting local festivals to building capability and strengthening the tourism product itself. In relation to the promotion and development of tourism by the regions themselves, Fáilte Ireland is channelling in the region of €7.4 million directly into the regional tourism companies to strengthen and enhance their operational and marketing capabilities this year. This investment is designed to ensure both a high quality visitor servicing experience at key tourist information offices and also a strong overseas promotional effort.

In their plans for 2005, both Tourism Ireland and Fáilte Ireland will roll out a number of very innovative approaches which should heighten the regional impact of Ireland's marketing activities both nationally and overseas. All regions will feature prominently in the full range of marketing activities. A dedicated marketing fund for tactical co-operative initiatives with the regional tourism authorities and their members was established for 2005. A region to region approach is being adopted in Britain which is capitalising on direct access links to the regions. Specific campaigns promoting the western seaboard have been mounted in North America. A sponsor-a-region approach has been adopted in Europe whereby each market office is focussing attention alternately on a particular Irish region in order to enhance the awareness of the local trade of what that region has to offer. An enhanced consumer website with increased functionality and a strong regional input is providing for more dynamic and up-to-the minute packages to entice the domestic traveller. A strong focus on event-based holidays is being complemented by a more streamlined and targeted festivals and cultural events fund which will continue to favour the lesser-developed regions.

A special €1 million tourism marketing campaign to attract overseas visitors to Ireland's

western regions, initiated by Ireland North West, Ireland West, and Shannon Region, in conjunction with Shannon, Knock, Galway, Donegal, and Derry airports, Fáilte Ireland and Tourism Ireland, is an example of what can be done when all the key agencies, and the airports, invest together to win more business for their region as a whole.

There are now well over 200 flights with more than 30,000 inbound seats available weekly on flights to Shannon, Knock, Galway, Donegal and Derry from 14 different UK airports alone. That is a huge market with significant growth potential and required a targeted initiative. Accordingly, while the campaign, which I was pleased to launch during the summer, touches on all of Ireland's major overseas markets, in 2005 it focuses particularly on the UK market.

634. **Mr. Naughten** asked the Minister for Arts, Sport and Tourism the steps he is taking to address the impact of inflation on the tourism sector; and if he will make a statement on the matter. [25127/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): In the September 2003 report of the tourism policy review group, *New Horizons for Irish Tourism: an Agenda for Action*, we have an integrated strategy designed to realise the group's vision for the tourism sector — a dynamic, innovative sustainable and highly-regarded sector offering overseas and domestic visitors a positive and memorable experience beyond their expectations. This strategy is not just for the tourism agencies and Government generally; it is also a strategy for the tourism industry itself to embrace as it tackles the many challenges it meets from increased competition, both in Europe and globally.

I believe that, since the publication of that report, the public sector has developed a greater appreciation of the inter-dependency of many of the activities in which the tourism industry is engaged, and of the policies that must be followed if the sector is to realise its full potential. For my part, I will continue to work with my colleagues in Government in contributing to the continued strong performance of the economy making Ireland an attractive place in which to live and work.

The latest CSO release on consumer prices, as measured by the CPI, shows that the annual rate of inflation fell to 2.3% in August. This compares to an inflation rate of 4.6% for 2002, 3.5% for 2003 and 2.2% last year — the lowest rate of increase since 1999.

However, it is worth noting that inflation in the restaurant and hotels category for the first eight months of 2005, at 3.2%, is about 29% lower than the same period last year, when it was running at 4.5%. It is also worth noting that inflation in the

restaurant and hotels category was slighter lower than the rate of inflation in the services sector in general.

The wider reality of our economy is that Ireland continues to enjoy low unemployment, unprecedented rates of job creation, rising incomes, budgetary stability, low inflation and a level of stable economic growth which is the envy of western Europe. These welcome features have been the hallmarks of our economy since 1997 and are secured by the policies and management of this Government.

As the Taoiseach has said, in his foreword to the annual competitiveness report 2005, "Ireland is no longer a low cost economy. In order to maintain and enhance competitiveness in a higher cost economy, a greater focus on productivity across all sectors of the economy is essential... Competitiveness is a key focus of Government policy. The Government is determined that the conditions for enterprises operating in Ireland should be as favourable as possible."

Sports Capital Programme.

635. **Mr. Durkan** asked the Minister for Arts, Sport and Tourism if funding will be offered to a club (details supplied) in County Kildare to assist with the construction of an astro-turf playing field; and if he will make a statement on the matter. [25330/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery funded sports capital programme administered by my Department allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis. In order for an organisation to be eligible for funding it must submit an application to the programme within the application period of the programme in any given year.

Applications for funding under the 2005 programme were invited through advertisements in the press on 5 and 6 December last. The closing date for receipt of applications was 4 February 2005. A total of 1,362 applications were received. The club in question did not apply for funding at that time. In July last I announced provisional allocations of €54.385 million to 626 projects under the programme.

I intend to advertise and invite applications to the 2006 sports capital programme before the end of this year. It is open to the club in question, should it wish to do so and should it have a project which satisfies the terms and conditions of the programme, to submit an application to the 2006 programme at that time. The Deputy should note that the club has been allocated three separate grants previously under the sports capital programme since 1998 totalling €226,974. All of

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the moneys in respect of these grants have been paid to the club.

Swimming Pool Projects.

636. **Mr. J. O'Keefe** asked the Minister for Arts, Sport and Tourism if funding will be made available to upgrade the facilities at the public swimming pool in Dunmanway in west Cork; and if he will make a statement on the matter. [25398/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Under the local authority swimming pool programme, which is administered by my Department, Cork County Council submitted the contract documents for the refurbishment of the swimming pool in Dunmanway in June 2002. The county council is considering the proposed management and operational issues relating to the pool, when refurbished. As soon as the county council submits its proposals in this respect to the Department, the project will be considered further.

Question No. 637 answered with Question No. 625.

638. **Mr. Stagg** asked the Minister for Arts, Sport and Tourism the position on the provision of a replacement swimming pool in Naas, County Kildare. [25917/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I approved the detailed contract documents, submitted by Kildare County Council, for the Naas swimming pool project in March 2005. Following this approval, Kildare County Council indicated to my Department that it proposed to change the site for the project. My Department understands that the Council expects to be in a position to submit a proposal for the new site within the next few weeks.

Arts Council.

639. **Mr. Deenihan** asked the Minister for Arts, Sport and Tourism if he has established a special committee under section 21 of the Arts Act 2003, to advise the Arts Council on the question of art and education; and if he will make a statement on the matter. [25943/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I have long made clear my view that I regard it as a priority that we achieve an optimal place for the arts in the education system. I am aware that the Arts Council is working closely with the Department of Education and Science in this regard. At this point I have not

established a special committee on the arts in education.

Work Permits.

640. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if and when a work permit will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [25635/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The work permits section of my Department has no record of a valid application made by an employer in respect of the individual about whom the Deputy inquires.

Industrial Relations.

641. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment the reason 30 staff members were victimised at a company (details supplied); the further reason this company was in breach of contract with its employees and other non-payment issues; and if he will make a statement on the matter. [25669/05]

645. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment the position regarding complaints against Global Mobile Vision; and if the allegations have been dealt with adequately. [24314/05]

656. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment the reason no action was taken against a company (details supplied) before the principals involved left the jurisdiction; and the assistance which was given to staff following the closure of the company. [24643/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I propose to take Questions 641, 645 and 656 together.

A number of former employees of the company have been in contact with my Department expressing concern regarding the company's treatment of staff. These issues related to health and safety, bullying, sexual harassment, changes in terms and conditions of employment, unfair and constructive dismissal, non-provision of pay-slips, late payment of wages and issues concerning P35 and P60 documents.

Officers of the labour inspectorate met some of the workers in June to discuss their concerns. The employees concerned were advised of the relevant bodies to which their complaints should be addressed. In this regard they were told that matters relating to allegations of workplace bullying are dealt with by the Health and Safety Authority, Temple Court, 10 Hogan Place, Dublin 2. I

understand that a number of employees have made formal complaints to the authority. In addition, the authority issued an improvement notice under the Safety, Health and Welfare at Work Act 1989 against the company concerned.

They were also advised that matters relating to dismissal generally are more appropriate to either the rights commissioner service of the Labour Relations Commission or the Employment Appeals Tribunal under the Unfair Dismissals Acts or Industrial Relations Acts. Complaints relating to changes to terms and conditions of employment or delays in pay should also be addressed to the rights commissioner service of the Labour Relations Commission. The employees were advised that the appropriate authority for issues concerning P35 and P60 is the Revenue Commissioners.

With regard to breaches of the Payment of Wages Act 1991, it is the responsibility of the employee to present his or her complaint to a rights commissioner. The legislation does not give me, as Minister of State, the power to present complaints. The scheduling and hearing of cases by a rights commissioner is a matter solely for the management of the rights commissioner service of the Labour Relations Commission.

In addition, some employees expressed concern regarding their payslips. The Payment of Wages Act 1991 provides that employers must give to each employee with every wage packet a written statement of gross wages — payslip — itemising each deduction. The labour inspectorate is responsible only for monitoring compliance with this specific provision and in this regard the labour inspectorate is currently investigating the matter. The Deputy will appreciate that this task is difficult in circumstances where the company is now closed and the principals involved may no longer be within the jurisdiction of the State. However, every effort is being made to address the employees' concerns.

Job Protection.

642. **Mr. Connolly** asked the Minister for Enterprise, Trade and Employment his proposals to appoint a task force to assess and analyse the sustainability of jobs in the Border, midland and western region; and if he will make a statement on the matter. [25369/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The most recent quarterly national household survey, published by the Central Statistics Office earlier this month, shows that 495,500 people were in employment in the Border, midland and western, BMW, region in the period from March to May 2005, an increase of 26,600 people since the same period in 2004. In addition, the level of unemployment fell to 4.3% in the period from March to May 2005 from

4.5% in the same period in 2004. These figures continue a positive trend in job creation showing year-on-year increases in employment levels and a falling rate of unemployment in the BMW region.

As Minister for Enterprise, Trade and Employment, my objective is to ensure that the BMW region remains a globally competitive, profitable and secure location for business. I believe we can best help enterprise by continuing to implement policies that are pro-business and by implementing the right balance of enterprise supports to help business. When provided with the best supporting and competitive environment, business and industry will develop to capitalise on investment and growth opportunities. Developing a competitive economy, resilient to the toughest competitive pressures, is the optimal approach to sustainable employment growth.

However, I am aware that global competition from lower cost economies is placing competitive pressures on manufacturing plants, and particularly those involved in low margin activities. Some firms are unable to compete in these new competitive circumstances. Nevertheless, the success of many world class businesses gives us some solid cause for optimism that our business base will continue to operate at the leading edge of technology and innovation, while sustaining significant employment. From a policy perspective, it is important to put in place selective initiatives to maximise this potential. Both IDA Ireland and Enterprise Ireland have specific programmes to assist their clients tackle competitiveness problems.

IDA Ireland has set high level performance targets for the BMW region. This commits IDA Ireland to achieve a target of 50% of all new greenfield jobs being located in the Objective 1 area in the period from 2000 to 2006. Enterprise Ireland's new strategy 2005-2007, "Transforming Irish Industry", which I announced on 4 May 2005, places a strong emphasis on increasing even further the number of new start-ups in the regions and increasing the growth rate of these companies.

The agencies' policy objectives for balanced regional development are reflected in the structure of their funding offers. The maximum grant levels are higher in the BMW region than in the south and east region and a higher proportion of this funding is also non-repayable. The BMW region must remain an attractive location for high value added and sophisticated companies. The agencies' continued success in winning world class investments convinces me that our approach is robust and successful.

The enterprise development agencies also work closely with the various county development boards in the BMW region and these boards are best placed to co-ordinate the ongoing business requirements of the BMW region. The county

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development boards are best placed to assess the jobs situation and I do not propose to establish a task force.

Employment Rights.

643. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment if he will report on efforts being undertaken by his Department to crack down on the exploitation of migrant and other workers in the State. [25769/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The number of workplace inspections and visits undertaken by the labour inspectorate in 2004 was 5,160 and to date in 2005 the number of workplace inspections and visits is 3,213. Earlier this year several key staff members, including three inspectors, were dedicated almost exclusively to one major investigation. As a consequence of that work, and subsequent inputs from the Labour Relations Commission and Labour Court, significant adjustments in pay were secured for a number of non-national employees.

The general approach adopted by the labour inspectorate to employment rights enforcement is to seek compliance and rectification of any breaches identified, including payment of any arrears due to employees. Inspectors pursue allegations of worker mistreatment and seek redress for the individuals concerned and, if appropriate, a prosecution is initiated. Successful prosecution can be dependent on adequate support from witnesses.

No distinction is made in employment rights legislation as between Irish and migrant workers. For the avoidance of doubt, section 20 of the Protection of Employees (Part-Time Work) Act 2001 provides that all employee protection legislation on the Statute Book in Ireland applies to workers posted to work in Ireland in line with Directive 96/71/EC of the European Parliament and Council of 16 December 1996. This directive relates to the posting of workers in the framework of the provision of services and applies also to a person, irrespective of his or her nationality or place of residence, who has entered into a contract of employment that provides for his or her being employed in the State or who works in the State under a contract of employment. Thus all employee legislation applies to migrant workers.

The Government is aware of the concern being expressed by public representatives and others close to the issues with regard to the abuse of vulnerable workers by a small minority of unscrupulous employers. To enhance the efforts of the labour inspectorate in discharging its remit to enforce employment legislation, increases in

staffing levels this year mean that, when all posts are filled, the complement of inspectors will have almost doubled. In January 2005 the inspectorate had 17 inspectors. It is intended that by the end of this October the number of officers assigned to inspectorate duties will be 31.

The strengthened inspectorate will concentrate on those sectors of the economy where workers tend to be more vulnerable to suffering the effects of non-compliance with employment legislation. These sectors also appear to have high concentrations of non-national workers.

Job Creation.

644. **Ms B. Moynihan-Cronin** asked the Minister for Enterprise, Trade and Employment the number of IDA supported jobs which were created in County Kerry in each of the years 2000, 2001, 2002, 2003 and 2004. [24268/05]

650. **Ms B. Moynihan-Cronin** asked the Minister for Enterprise, Trade and Employment the number of jobs created with IDA support in County Kerry for each year from 2000 to 2005 inclusive; and if he will make a statement on the matter. [24493/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 644 and 650 together.

The number of IDA supported jobs created in County Kerry in each of the years from 2000 to 2004, inclusive, is set out in the attached tabular statement. These data are compiled from the annual Forfás employment survey. County data for 2005 will not be available until mid-2006. IDA Ireland's strategy for Kerry is to win high value investments in the international services, engineering and ICT sectors. Such investments, be they greenfield or expansion of existing operations, are often related to research activities and require high level skills, infrastructure and business services. The result of such investment is the generation of more high value products, services and higher paid jobs. IDA Ireland is pursuing this strategy within the national spatial strategy, NSS, which has designated Tralee and Killarney as linked hubs. The objective is to create the environment that is demanded by overseas investors.

IDA Ireland is actively promoting County Kerry to potential investors via its network of overseas offices and project divisions with every effort being made to secure new investments for the area. In addition to targeting potential new projects, IDA Ireland continues to work with the existing base of companies in the region with a view to supporting such companies with potential expansions and diversification of activities. The number of new IDA supported jobs created in Kerry in each of the years 2000 to 2004 is set out in the following table:

Year	Number of new jobs created
2000	550
2001	379
2002	151
2003	84
2004	100

Question No. 645 answered with Question No. 641.

Industrial Relations.

646. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment if, in view of the light of the powers vested in him by section 38 (1) and (2) of the Industrial Relations Act 1990, he will reconsider his reply to Parliamentary Questions Nos. 378 and 379 of 21 June 2005; and seek to bring a long running dispute to a conclusion in the interests of the person concerned. [24317/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): Section 38(1) of the Industrial Relations Act 1990 relates only to trade disputes that affect the public interest. Section 38(2) of the Industrial Relations Act 1990 relates only to trade disputes of special importance. Based on the details supplied by the Deputy, neither section 38 (1) nor (2) is relevant to this dispute.

It is ultimately the responsibility of the parties concerned to ensure the resolution of their differences. One or both of the parties to a trade dispute may refer it to the expert services of the State's dispute settling machinery. The experience and expertise of these services are available free of charge to disputing parties and offer them the best avenue for resolving their differences.

Community Employment Schemes.

647. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment the actions which have been taken by his Department since 2002 to fulfil the promises in An Agreed Programme for Government to ensure that new social economy projects are effectively targeted at areas which have traditionally had a high dependence on community employment schemes and to develop the value of the social economy through the further creation of social economy enterprises. [24361/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The social economy programme, SEP, was launched in September 2000 with the objective of providing services to communities and employment opportunities for the unemployed. By 2003, there were 336 social economy enterprises in operation employing a total of 2,381, including projects previously operating under community employment.

A review of the social economy programme was undertaken by WRC Social and Economic Consultants. The report was published in October 2003 and is available on the websites of my Department, www.entemp.ie, and FÁS, www.fas.ie. The report stated that the main benefits of the SEP were seen as the provision of essential or needed services for disadvantaged communities and people experiencing disadvantage. It also concluded that there was a consensus that SEP was making a positive contribution in the regeneration of local communities and providing employment opportunities for people experiencing disadvantage in the labour market. It found that well over half of the SEP enterprise employees had previously participated in community employment or job initiative.

On the basis of this report the SEP was the subject of a review at partnership level in the context of the overall review of the employment schemes operated by FÁS. On foot of this I announced a number of changes to the employment schemes in November 2004, including the arrangement whereby there would be no compulsory cessation of social economy programmes. Discussions are now being held between my Department and the Department of Community, Rural and Gaeltacht Affairs regarding the transfer of the programme to that Department.

Departmental Expenditure.

648. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment the name of each company which secured a contract over €100,000 in value with his Department in each of the past five years. [24403/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The information sought by the Deputy is set out in the following tables which show the amount paid in each of the last five years — 2001 to 2004, inclusive, and 2005 to date — for contracts where the aggregate amount involved exceeds €100,000. A number of the contracts, for example in the fields of IT maintenance, are ongoing into future years and further payments will arise depending on activity levels.

[Mr. Morgan.]

2001

Nature of Contract	Company Name	Amount Paid in 2001
		€
Chambers of Commerce eBusiness Programme	Information Society Fund	1,140,575
Business Process Review of the Office of the Director of Consumer Affairs	Price Waterhouse Coopers	118,856.00
Management Information Framework Consultancy	Deloitte and Touche	155,680.00
Provide legal advise to the Export Credit Scheme	Kilroy Solicitors	64,294.00
Software engineering for a document retrieval project for Export Credit	RGT Technologies	12,759.00
Intranet Strategy	Price Waterhouse Coopers	130,835
E-government Consultancy Development of BASIS Website	Price Waterhouse Coopers	1,598,993
BASIS Website Support & Maintenance	Client Solutions (formerly Vistech)	36,568
BASIS Website System Development	Client Solutions (formerly Vistech)	48,368
Webfarm & Firewall	ESAT BT	28,129
Implementation of Madrid Protocol Amendments to the Patents Office Administration and Search Systems	Sword (Previously Decan)	121,240
Implementation of a Financial Management Module to the Patents Office Administration Systems	Sword (Previously Decan)	212,222
Maintenance and Development of the Patents Office Administration System	Sword (Previously Decan)	225,460
Database Administration Consultancy	Version 1 Software	52,022
Supply of PC's	Dell	532,000
Supply of PC's	Dell	425,000
Novell Network	Decision Support Systems (Novell)	100,000
Building Refurbishment	Albert Building Services	11,742.43
Building Refurbishment	Albert Enterprises Ltd	92,582.00
Postal Services	An Post	65,936.56
Gas supply	Bord Gais	22,880.36
Office Furniture & Fittings	Business Furniture	50,486.92
Telecommunication Maintenance	Cable and Wireless Ireland Ltd	180,040.03
Contract Cleaning	Cullen Cleaning Ltd	40,859.90
Water Charges	Dublin City Council	7,726.43
Telephone Service	Eircom Ltd	526,350.84
Office Furniture & Fittings	Farrell Bros (Ardee) Ltd	423,814.88
Customer Care Research	Institute of Public Administration	40,607.00
Electrical Contractors	Joyce Bros Ltd	28,147.81
Contract Cleaning	Master Clean	112,109.49
Office Machinery, faxes etc.	MJ Flood	41744.13
Printing Services	Mullen Print	217,801.11
Furniture Removal & Confidential Shredding	Night Time Express Co	49,617.99
Office Stationery	Office Depot Ireland Ltd / Lyreco	6,275.54
Government Building Maintenance	OPW	62,896.28
Postal & Franking Service	Pitney Bowes (IRL) Ltd	284,107.04
Printing Services	Print Stations	117,591.26
Provision of Carpets	SE Quirke Ltd	53,836.06
Access Control & CCTV Facility	Security Technology Ireland Ltd	11,205.88
Office Stationery Supplies	Stan Parkinson Office Supplies Ltd	47,168.31
Mobile Phone Provider	Vodafone Ireland Ltd / Eircell	134,311.40
Architects	WS Atkins Ireland Ltd	12,192.00

Nature of Contract	Company Name	Amount Paid in 2001
		€
Feasibility study of effective training solutions for Community & Voluntary organisations and for training programme delivery	The Wheel	500,000 max each year 68,864.80 paid to date
Operating the Training Networks Programme	Skillnets Limited	4,208,525.70
Publicity for increase in the National Minimum Wage	QMP D'Arcy	90,000

* Co-funded by the European Union Structural Funds.

** Refunded to the Department by the European Commission.

2002

Nature of Contract	Company Name	Amount Paid in 2002
		€
Chambers of Commerce eBusiness Programme	Information Society Fund	771,000
Legal services for the Office of the Director of Consumer Affairs	O'Mara Geraghty McCourt Solicitors	104,936.04
Provide legal advise to the Export Credit Scheme	Kilroy Solicitors	404,899.00
Software engineering for a document retrieval project for Export Credit	RGT Technologies	36,224.00
Management Development Training to all HEOs, AOs and equivalent grades in my Department	Carr Communications	18,600 .00
Production of a revised and updated bill to replace the Safety, Health and Welfare at Work Act 1989, the revision of the Safety, Health and Welfare at Work (General Application) Regulations 1993 (SI 44/1993), and the provision of advice to the Department on other occupational health and safety matters.	Tom Walsh	74,303
Intranet Development	Connect Business Solutions Ltd	45,738
E-government Consultancy	Cap Gemini Ernst & Young	270,737
BASIS Website Support & Maintenance	Client Solutions (formerly Vistech)	20,281
BASIS Website System Development	Client Solutions (formerly Vistech)	50,673
Webfarm & Firewall	ESAT BT	20,919
Implementation of a Financial Management Module to the Patents Office Administration Systems	Sword (Previously Decan)	192,069
Maintenance and Development of the Patents Office Administration System	Sword (Previously Decan)	230,928
Database Administration Consultancy	Version 1 Software	39,772
Implementation of Financial Management System	Fujitsu Services	475,404
Implementation and maintenance of case tracking system	Curach Technologies	149,139
Supply of PC's	Dell	214,000
Supply of PC's	Fujitsu Siemens	50,000
Novell Netware	Decision Support Systems (Novell)	100,000
Brightstor Backup Software	Computer Associates	50,176
Provision of IT Helpdesk Services	Eircom	103,455
Office Furniture & Fittings	Absolute Office Furniture	455,214.81
Building Refurbishment	Albert Building Services	95,586.34
Building Refurbishment	Albert Enterprises Ltd	240,169.44
Postal Services	An Post	307,712.77
Gas supply	Bord Gais	964.47
Office Furniture & Fittings	Business Furniture	171,570.59
Telecommunication Maintenance	Cable and Wireless Ireland Ltd	100,349.90
Office Furniture & Fittings	Centrepoint Business Furniture	551,916.67
Contract Cleaning	Cullen Cleaning Ltd	56,024.95
Water Charges	Dublin City Council	30,155.24

[Mr. Martin.]

Nature of Contract	Company Name	Amount Paid in 2002
		€
Telephone Service	Eircom Ltd	539,108.09
Office Furniture & Fittings	Farrell Bros (Ardee) Ltd	189,195.73
Off-site File Storage	Filestores	149,252.20
Customer Care Research	Institute of Public Administration	22,682.00
Electrical Contractors	Joyce Bros Ltd	116,943.58
Contract Cleaning	Master Clean	116,578.55
Office Machinery, faxes etc.	MJ Flood	94,248.92
Printing Services	Mullen Print	198,513.37
Furniture Removal & Confidential Shredding	Night Time Express Co	55,111.20
Office Stationery	Office Depot Ireland Ltd / Lyreco	73,126.46
Government Building Maintenance	OPW	168,616.16
Postal & Franking Service	Pitney Bowes (IRL) Ltd	407,047.59
Printing Services	Print Stations	174,160.31
Provision of Carpets	SE Quirke Ltd	86,380.39
Access Control & CCTV Facility	Security Technology Ireland Ltd	83,146.16
Office Stationery Supplies	Stan Parkinson Office Supplies Ltd	114,997.92
Mobile Phone Provider	Vodafone Ireland Ltd / Eircell	141,863.61
Architects	WS Atkins Ireland Ltd	5,555.00
Impact Evaluation of the European Employment Strategy in Ireland	ESRI	155,461**
Continuing Professional Development Project for the ongoing development of engineers	Institution of Engineers of Ireland	253,949
Operating the Training Networks Programme	Skillnets Limited	4,382,385
Publicity for increase in the National Minimum Wage	QMP D'Arch	110,000
Minimum Wage survey	ESRI	108,537

* Co-funded by the European Union Structural Funds.

** Refunded to the Department by the European Commission.

2003

Nature of Contract	Company Name	Amount Paid in 2003
		€
Development of Book of Quantum for Personal Injuries Assessment Board	Insurance Services Office Ltd (ISO)	85,000.00
IT Systems for Personal Injuries Assessment Board	Deloitte & Touche	40,656.00
Mid-Term Evaluation of Productive Sector Operational Programme 2000-2006	Indecon Consultants .	173,358.00*
Chambers of Commerce Prism III Programme	Information Society Fund	5000,000
Legal services for the Office of the Director of Consumer Affairs	O'Mara Geraghty McCourt Solicitors	104,936.04
Financial Management Systems implementation	Fujitsu Consulting Ltd	1,021,377
Provide legal advise to the Export Credit Scheme	Kilroy Solicitors	590,336.00
Software engineering for a document retrieval project for Export Credit	RGT Technologies	157,489.00
Management Development Training to all HEOs, AOs and equivalent grades in my Department	Carr Communications	99,798.40
Production of a revised and updated bill to replace the Safety, Health and Welfare at Work Act 1989, the revision of the Safety, Health and Welfare at Work (General Application) Regulations 1993 (SI 44/1993), and the provision of advice to the Department on other occupational health and safety matters.	Tom Walsh	64,396.8

Nature of Contract	Company Name	Amount Paid in 2003
		€
The provision of advice and support to the Department on the EU Chemicals (REACH) legislation proposals as well as chairing the European Council Ad Hoc Working Group during the Irish Presidency of the EU.	Tom Walsh	9,603.20
Intranet Development	Connect Business Solutions Ltd	88,693
BASIS Website Support & Maintenance	Client Solutions (formerly Vistech)	14,520
BASIS Website System Development	Client Solutions (formerly Vistech)	49,111
Webfarm & Firewall	ESAT BT	21,780
Maintenance and Development of the Patents Office Administration System	Sword (Previously Decan)	377,424
Unix Support	Sabeo	18,812
Software Licence renewal	Oracle	178,235
Database Administration Consultancy	Version 1 Software	26,608
Implementation and maintenance of case tracking system	Curach Technologies	283,412
Supply of PC's	Fujitsu Siemens	316,000
Novell Netware	Decision Support Systems (Novell)	100,000
Brightstor Backup Software	Computer Associates	50,176
Department IT Training	User Friendly Computer Company	12,372
Provision of IT Helpdesk Services	Eircom	379,137
Office Furniture & Fittings	Absolute Office Furniture	1,229,122.50
Building Refurbishment	Albert Enterprises Ltd	287,704.82
Postal Services	An Post	414,170.75
Gas supply	Bord Gais	20,938.94
Office Furniture & Fittings	Business Furniture	5,597.46
Telecommunication Maintenance	Cable and Wireless Ireland Ltd	5,987.93
Office Furniture & Fittings	Centrepoint Business Furniture	70,320.36
Contract Cleaning	Cullen Cleaning Ltd	62,656.88
Water Charges	Dublin City Council	20,506.15
Telephone Service	Eircom Ltd	451,802.23
Office Furniture & Fittings	Farrell Bros (Ardee) Ltd	19,571.63
Off-site File Storage	Filestores	157,193.89
Customer Care Research	Institute of Public Administration	48,827.00
Electrical Contractors	Joyce Bros Ltd	173,800.27
Contract Cleaning	Master Clean	119,864.33
Office Machinery, faxes etc.	MJ Flood	107,485.59
Printing Services	Mullen Print	129,903.04
Furniture Removal & Confidential Shredding	Night Time Express Co	36,980.20
Office Stationery	Office Depot Ireland Ltd / Lyreco	58,427.46
Government Building Maintenance	OPW	599,928.50
Postal & Franking Service	Pitney Bowes (IRL) Ltd	463,693.32
Printing Services	Print Stations	168,086.51
Provision of Carpets	SE Quirke Ltd	38,165.60
Access Control & CCTV Facility	Security Technology Ireland Ltd	60,706.79
Office Stationery Supplies	Stan Parkinson Office Supplies Ltd	88,568.87
Mobile Phone Provider	Vodafone Ireland Ltd / Eircell	152,656.11
Architects	WS Atkins Ireland Ltd	39,488.98
Mid Term Evaluations for the ESF EHRD OP	Fitzpatrick Associates	266,300*
Continuing Professional Development Project for the ongoing development of engineers	Institution of Engineers of Ireland	253,948
Operating the Training Networks Programme	Skillnets Limited	5,000,000

* Co-funded by the European Union Structural Funds.

** Refunded to the Department by the European Commission.

[Mr. Martin.]

2004

Nature of Contract	Company Name	Amount Paid in 2004
		€
Development of Book of Quantum for Personal Injuries Assessment Board	Insurance Services Office Ltd (ISO)	91,770.34
IT Systems for Personal Injuries Assessment Board	Deloitte & Touche	136,566.95
EU Presidency Transport (this contract is among a number of contracts for services provided during the Irish EU Presidency, January to June 2004, which were negotiated centrally by the Department of Foreign Affairs)	Murrays Chauffeur Drive	262,801.80
EU Presidency Telecoms (this contract is among a number of contracts for services provided during the Irish EU Presidency, January to June 2004, which were negotiated centrally by the Department of Foreign Affairs)	Eircom	193,921.63
EU Presidency Event Management & Delivery Services (this company managed a number of events for my Department and, on behalf of the Department, paid a number of service providers for services supplied during these events. The total here includes both these payments and the management fee paid to Corporate Solutions)	Corporate Solutions	256,358.08
Legal services for the Office of the Director of Consumer Affairs	O'Mara Geraghty McCourt Solicitors	104,936.04
Provide legal advise to the Export Credit Scheme	Kilroy Solicitors	81,505.00
Production of a revised and updated bill to replace the Safety, Health and Welfare at Work Act 1989, the revision of the Safety, Health and Welfare at Work (General Application) Regulations 1993 (SI 44/1993), and the provision of advice to the Department on other occupational health and safety matters.	Tom Walsh	66,719.45
The provision of advice and support to the Department on the EU Chemicals (REACH) legislation proposals as well as chairing the European Council Ad Hoc Working Group during the Irish Presidency of the EU.	Tom Walsh	19,396.63
Lotus Notes System Development & Maintenance	System Dynamics Solutions Ltd	109,792
BASIS Website Support & Maintenance	Client Solutions (formerly Vistech)	29,040
Analysis and Design of Work Permit Management System	Version 1	160,845
Webfarm & Firewall	ESAT BT	17,808
Maintenance and Development of the Patents Office Administration System	Sword (Previously Decan)	299,134
Unix Support	Sabeo	78,632
Software Licence renewal	Oracle	178,235
Database Administration Consultancy	Version 1 Software	32,125
Implementation of new redundancy payments system	Version 1 Software	407,002
Implementation of Financial Management System	Fujitsu Services	463,841
Support services for financial Management system	Fujitsu Services	124,912
Implementation and maintenance of case tracking system	Curach Technologies	45,701
Hardware for new redundancy payments system	Dell	102,242
Supply of PCs	Fujitsu Siemens	250,000
Supply of PCs	Dell	180,000
Implementation of Peoplesoft IT system	Xwave	80,228
Novell Netware	Decision Support Systems (Novell)	100,000
Brightstor Backup Software	Computer Associates	50,176

Nature of Contract	Company Name	Amount Paid in 2004
		€
Department IT Training	User Friendly Computer Company	91,761
Provision of IT Helpdesk Services	Eircom	403,927
Office Furniture & Fittings	Absolute Office Furniture	1,532,911.20
Building Refurbishment	Albert Enterprises Ltd	124,420.26
Postal Services	An Post	813,144.40
Gas supply	Bord Gais	28,128.33
Telecommunication Maintenance	Cable and Wireless Ireland Ltd	108,290.59
Office Furniture & Fittings	Centrepoint Business Furniture	3,146
Contract Cleaning	Cullen Cleaning Ltd	75,058.78
Water Charges	Dublin City Council	17,949.45
Telephone Service	Eircom Ltd	1,324,636.19
Office Furniture & Fittings	Farrell Bros (Ardee) Ltd	68,930.20
Off-site File Storage	Filestores	144,590.18
Customer Care Research	Institute of Public Administration/TNS MRBI	52,374.00
Electrical Contractors	Joyce Bros Ltd	31,108.64
Office Furniture & Fittings	LJD Contract Interiors	154,260.55
Contract Cleaning	Master Clean	121,411.17
Office Machinery, faxes etc.	MJ Flood	73,307.55
Printing Services	Mullen Print	210,032.90
Furniture Removal & Confidential Shredding	Night Time Express Co	30,466.05
Office Stationery	Office Depot Ireland Ltd / Lyreco	33,312.91
Government Building Maintenance	OPW	557,054.99
Postal & Franking Service	Pitney Bowes (IRL) Ltd	423,100.48
Printing Services	Print Stations	70,940.39
Access Control & CCTV Facility	Security Technology Ireland Ltd	22,429.50
Office Stationery Supplies	Stan Parkinson Office Supplies Ltd	143,627.08
Mobile Phone Provider	Vodafone Ireland Ltd / Eircell	239,330.37
Architects	WS Atkins Ireland Ltd	60,182.37
Continuing Professional Development Project for the ongoing development of engineers	Institution of Engineers of Ireland	253,948
Publicity for increase in the National Minimum Wage	QMP Publicis	120,000
Change Management and Operating Procedures for new Oracle Financials System	Fujitsu Consulting	112,772

* Co-funded by the European Union Structural Funds.

** Refunded to the Department by the European Commission.

2005 (to date)

Nature of Contract	Company Name	Amount Paid in 2005 to date
		€
Legal services for the Office of the Director of Consumer Affairs	O'Mara Geraghty McCourt Solicitors	101,640p/a
Provide legal advise to the Export Credit Scheme	Kilroy Solicitors	32,000.00
Production of a revised and updated bill to replace the Safety, Health and Welfare at Work Act 1989, the revision of the Safety, Health and Welfare at Work (General Application) Regulations 1993 (SI 44/1993), and the provision of advice to the Department on other occupational health and safety matters.	Tom Walsh	70,756.88
Lotus Notes System Development & Maintenance	System Dynamics Solutions Ltd	40,871
BASIS Website Support & Maintenance	Client Solutions (formerly Vistech)	28,961

[Mr. Martin.]

Nature of Contract	Company Name	Amount Paid in 2005 to date
		€
BASIS Website System Development	Client Solutions (formerly Vistech)	123,571
Analysis and Design of Work Permit Management System	Version 1	28,278
Webfarm & Firewall	ESAT BT	21,663
Software Licences	Oracle EMEA Ltd	180,649
Maintenance and Development of The Patents Office Administration System	Sword (Previously Decan)	113,946
Unix Support	Sabeo	87,768
Software Licences	Oracle	218,583
Database Administration Consultancy	Version 1 Software	28,913
Implementation of new redundancy payments system	Version 1 Software	220,774
Implementation of Financial Management System	Fujitsu Services	30,205
Support services for financial Management system	Fujitsu Services	50,819
Implementation and maintenance of case tracking system	Curach Technologies	19,753
Supply of PC's	Dell	140,000
Supply of Servers	Dell	150,000
Novell Network	Decision Support Systems (Novell)	120,000
Brightstor Backup Software	Computer Associates	45,980
Department IT Training	User Friendly Computer Company	102,736
Implementation of Peoplesoft IT system	Xwave	80,228
Provision of IT Helpdesk Services	Eircom	418,411
Office Furniture & Fittings	Absolute Office Furniture	30,679.55
Building Refurbishment	Albert Enterprises Ltd	3,323.59
Postal Services	An Post	354,939.76
Gas supply	Bord Gais	33,320.71
Telecommunication Maintenance	Cable and Wireless Ireland Ltd	27,849.40
Contract Cleaning	Cullen Cleaning Ltd	38,651.73
Water Charges	Dublin City Council	49,505.60
Telephone Service	Eircom Ltd	810,787.72
Office Furniture & Fittings	Farrell Bros (Ardee) Ltd	24,415.87
Off-site File Storage	Filestores	93,820.93
Office Furniture & Fittings	LJD Contract Interiors	21,489.90
Contract Cleaning	Master Clean	73,478.19
Office Machinery, faxes etc.	MJ Flood	16,853.12
Printing Services	Mullen Print	78,164.65
Furniture Removal & Confidential Shredding	Night Time Express Co	28,833.56
Building Contractors	O'Farrell Kennedy Builders Ltd	209,454.10
Office Stationery	Office Depot Ireland Ltd / Lyreco	34,178.35
Government Building Maintenance	OPW	284,727.12
Postal & Franking Service	Pitney Bowes (IRL) Ltd	215,185.94
Printing Services	Print Stations	26,746.79
Access Control & CCTV Facility	Security Technology Ireland Ltd	21,955.34
Office Stationery Supplies	Stan Parkinson Office Supplies Ltd	52,639.06
Mobile Phone Provider	Vodafone Ireland Ltd / Eircell	78,763.32
Architects	WS Atkins Ireland Ltd	13,680.45
Continuing Professional Development Project for the ongoing development of engineers	Institution of Engineers of Ireland	150,000.00 to a max of 780,000 for the 05-07 contract period
Feasibility study of effective training solutions for Community & Voluntary organisations and for training programme delivery	The Wheel	68,864.80 to a max of 500,000P/A for 05-06 contract period

Nature of Contract	Company Name	Amount Paid in 2005 to date
		€
Management of the 2nd Call for Proposals under the In-Company Training Measure of the Employment & Human Resources Development Operational Programme	Skillnets	295,401.00 to a max of 1,621,668 for 06-08 period
Operating the Training Networks Programme	Skillnets	6,719,128.00
Publicity for increase in the National Minimum Wage	QMP Publicis	120,000.00

* Co-funded by the European Union Structural Funds.

** Refunded to the Department by the European Commission.

Health and Safety Regulations.

649. **Ms M. Wallace** asked the Minister for Enterprise, Trade and Employment if he will provide details of the allowances made in health and safety instruction for building site workers and other similar workers to ensure that employees whose first language is not English understand the health and safety instruction and guidance provided; his views on whether a lack of understanding of such instruction gives rise to danger to all employees working in such an environment; and if he will make a statement on the matter. [24426/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): A lack of clear communication and of understanding in any workplace could potentially pose a risk to the health and safety of the workers therein. It is clear that the construction sector has many workers who do not have English as a first language and, accordingly, it is appropriate that employers and those who are in control of workplaces in this country put in place clear systems of communication to ensure that all safety critical information is conveyed clearly to all workers in the workplace.

Section 9 of the Safety, Health and Welfare at Work Act 2005 sets out the type of information on safety, health and welfare required to be given by employers to employees. It specifies that the information must be in a form, manner and language that can be understood. It must include information on hazards, risks and measures taken as regards safety, health and welfare and the names of emergency staff and safety representatives.

Furthermore, under section 20 of the 2005 Act, an employer is obliged to prepare a written safety statement, based on the identification of hazards and an assessment of risks. This statement, which sets out how the safety, health and welfare of the employees will be secured and managed, also must be in a form, manner and, as appropriate, language that can be understood.

In addition to the statutory obligations set out above, the Health and Safety Authority recognises the new challenges that the growth of non-English speaking people within the workforce

brings. This is evidenced by the launch this year of a new authority initiative — safe system of work plan, SSWP — aimed at reducing injuries and deaths on construction sites. The initiative relies heavily on pictograms to explain and clarify hazards and controls, thereby creating a wordless document where safety can be communicated to all workers regardless of literacy or language skills. The safe system of work plan aims to focus on those in the construction industry who are most at risk, allowing them to ensure that all necessary safety controls are in place prior to the commencement of planned work. In addition, work is currently under way to produce the safe system of work plan in a number of different languages.

The new statutory provisions in the 2005 Act and the safe system of work plan initiatives are aimed at meeting the new challenges evolving in our economy due to the changing nature of the workforce.

Question No. 650 answered with Question No. 644.

Work Permits.

651. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment the situation regarding the green card system; when the review of this system will be finalised; and if he will make a statement on the matter. [24543/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Employment Permits Bill 2005, published on 29 June, contains provisions which will empower me to introduce a green card type system for skilled labour immigration. Extensive research and consultations have been undertaken by Forfás and the expert group on future skill needs on the development of a skills based migration policy. This work will inform the formulation of an economic migration policy which will help address the skills needs of the economy. My intention is that the legislation will be enacted during the current parliamentary session. I envisage that the green card arrangements for skilled migrants will be introduced in 2006.

Question No. 652 answered with Question No. 152.

Industrial Disputes.

653. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment if there is not a legal obligation on companies to comply with Labour Court recommendations. [24561/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Labour Court operates as an industrial relations tribunal, hearing both sides in a trade dispute. It then issues recommendations setting out its opinion on the dispute and the terms on which it considers the dispute should be settled. Labour Court recommendations for the resolution of trade disputes are not legally binding. However, as the Labour Court is a court of last resort in the industrial relations process, it is expected that the parties come to that process in good faith and consequently are prepared to accept the outcome of the process, namely the Labour Court recommendation. Responsibility for the settlement of a dispute ultimately rests with the parties themselves.

Work Permits.

654. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment the reason a specialist in martial arts and fitness (details supplied) in County Clare was refused a work permit; and if he will make a statement on the matter. [24587/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The work permit section of my Department returned the application in this case on the basis that a suitable employee could have been sourced from within the enlarged EU to fill the position. The employer was notified of this decision in writing and of the reason for it.

Community Employment Schemes.

655. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the dissatisfaction of participants on the community employment scheme who are capped after three years of participation and who are resentful that those in the farming and fishing communities move to the rural social scheme without any regard to capping; if he will review the community employment scheme again to take account of this discrimination; and if he will make a statement on the matter. [24610/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The main purpose of the community employment programme operated by FÁS is to provide work experience and training

for the long-term unemployed and disadvantaged groups and thereby enable participants to advance successfully to employment in the open labour market. However, I am informed that the primary purpose of the rural social scheme, under the aegis of the Department of Community, Rural and Gaeltacht Affairs is to provide income support for farmers and fishermen, who are currently in receipt of long-term social welfare payments. The schemes are quite different in their objectives.

Under changes announced by me on 10 November last year the three year cap for participants on community employment was raised to six years for those over 55 years to ensure the maintenance of essential community services particularly in rural areas, where it had been found that difficulties existed in finding replacement participants. I have no plans to make any further changes of this type to the community employment scheme.

Question No. 656 answered with Question No. 641.

Proposed Legislation.

657. **Mr. Eamon Ryan** asked the Minister for Enterprise, Trade and Employment the steps which have been taken by his Department to introduce legislation to control the activities of arms brokers and suppliers here in line with the 2004 EU common position on arms brokering. [24828/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): My Department is currently engaged in the preparation of new export control legislation, in line with the recommendations of the 2004 Forfás report and I hope to have a Bill published toward the end of this year. The proposed legislation will update the existing Control of Exports Act, which dates from 1983 and will ensure that Ireland's export controls are in line with best international practice. In this regard, the new legislation will include, for the first time, provision for the regulation of arms brokering activities in Ireland and by Irish citizens abroad. This will enable Ireland to fulfil its obligation under the EU common position on arms brokering, which requires member states to take all the necessary measures to control brokering activities on their territory.

The new legislation will also introduce controls on the provision of certain types of technical assistance and on the transfer by electronic means of certain software and technology. Penalties for non-compliance with export control regulations will be increased and officers of my Department will be given the statutory right to inspect and audit companies that export military goods. This

will complement their existing entitlement to inspect companies engaged in the export of dual-use goods.

The new legislation will ensure that Ireland is meeting its EU and international obligations in full. At the same time however, it will create a regulatory environment which does not seek to impede companies engaged in legitimate activities, especially in the highly mobile electronics and ICT sectors.

Work Permits.

658. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment when an application for a work permit for a person (details supplied) in County Clare will be processed; and if he will make a statement on the matter. [24849/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): A work permit issued to the employer on 15 September.

Proposed Legislation.

659. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commencement of which his Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [24900/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Under the Industrial Development (Enterprise Ireland) Act 1998, in so far as Enterprise Ireland is concerned, section 18, staff of agency and subsidiaries of agency; section 19, staff of Forfás seconded to agency; and section 20, superannuation, have not been commenced. Similarly, in so far as IDA Ireland is concerned, section 36, staff of agency and subsidiaries of agency; section 37, staff of Forfás seconded to agency; and section 38, superannuation, have not been commenced. Section 50, transfer of staff from Forfás to NSAI, has not been commenced. These sections will not come into effect unless a ministerial order bringing them into effect is made. Arising from the terms of the Industrial Development Act 1993, which remain in force, Forfás is the overall employer of both its own staff and those of Enterprise Ireland and IDA Ireland. Superannuation for these staff is also a matter for Forfás.

The Industrial Development (Enterprise Ireland) Act 1998, made provision to allow cer-

tain agencies to assume the role of employer, subject to ministerial order, should this become necessary at some time in the future. I have no plans to make such an order. In the same way section 18, staff of foundation; section 19, secondment of staff of Forfás; and section 20, superannuation, of the Industrial Development (Science Foundation Ireland) Act 2003 have not been commenced.

Under the Copyright and Related Rights Act 2000, sections 98 and 247, concerning free playing of sound recordings, including performances embodied in sound recordings, at functions organised by small, non-commercial, clubs and societies, have not been commenced and there is no proposal to commence them. It was not considered necessary or desirable to commence these sections in view of an undertaking by the representatives of the holders of copyright rights in sound recordings that they would not pursue payment for public performances of their intellectual property in such situations, given that the distinction between small, non-commercial clubs and societies and enterprises of an intermediate nature, such as student union discos, is difficult to define. The question of commencement of these sections remains under constant ongoing review.

Section 198 of the Copyright and Related Rights Acts 2000 concerning the updating of existing arrangements for the deposit of books in certain designated libraries, has not yet been commenced. This section of the Act does not change pre-existing arrangements significantly, except in so far as it consolidates the effect of a number of earlier Acts in this area, and entitles deposit libraries to electronic, as well as paper, copies of books deposited, should they so require. As the commencement of this section would have little, if any, practical implications for the work of deposit libraries, its commencement was not considered a priority. However, it is intended to commence it in the near future, following final consultation with the Department of Arts, Sport and Tourism in the matter.

Section 199 of the Copyright and Related Rights Act 2000 concerning the amendment of the National Cultural Institutions Act 1997, to provide for a scheme of deposit of certain non-book materials, for example, video tapes, to the National Library of Ireland for the purposes of maintaining a collection of such materials as national cultural deposits, has not yet been commenced. The question of whether commencement of this section is now opportune will be considered by my Department in consultation with the Department of Arts, Sport and Tourism, in the context of upcoming intellectual property legislation.

Under the Company Law Enforcement Act 2001, section 109, dealing with administrative fines, will be commenced when the Office of the Director of Corporate Enforcement, ODCE, con-

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firms that it is in a position to implement this provision.

Section 37 of the Companies (Auditing and Accounting) Act 2003, dealing with auditor reporting to the ODCE, has not been commenced pending the completion of a consultation exercise with the relevant professional bodies. The ODCE wishes this provision to be commenced no later than 1 January 2006. Section 42 of the Companies (Auditing and Accounting) Act 2003, dealing with audit committees, is planned for commencement within a few months, and the ODCE will initiate a consultation exercise on the subject shortly. Section 45 of the Companies (Auditing and Accounting) Act 2003, dealing with directors' compliance statements, has yet to be commenced, although ODCE guidance on the matter is available. The review of the provision by the company law review group will go to Government for decision shortly.

Section 31 of the Investment Funds, Companies and Miscellaneous Provisions Act 2005, IFCMP Act, concerning repeals of existing market abuse law has not been commenced as it relates to unregulated markets. Section 37 of the Act provides that the Minister may, by order, apply certain provisions of market abuse law to a specified unregulated market. My Department is currently consulting with relevant parties in preparation for making such an order relating to the new unregulated market — the Irish Enterprise Exchange, IEX. The repeals in section 31, as they apply to the IEX, will be commenced to dovetail with the commencement of that order. As provided for in the Act, the section 37 order is required to be confirmed by an Act of the Oireachtas.

Sections 57, 58 and 71 of the IFCMP Act, relating to electronic filing of papers in the Companies Registration Office, CRO, will be commenced once the CRO is in a position to implement the provisions. A draft forms order and commencement order have been prepared and will be signed shortly. Sections 59 and 60 of the same Act, relating to the reservation of a company name in the CRO, will also be commenced once the CRO is in a position to implement the provisions. The CRO is working on preparing draft orders.

Section 61 of the IFCMP Act, relating to amending a section in the Companies Act, was amended by a provision in the Companies (Auditing and Accounting) Act 2003, which has not yet been commenced. This will be commenced on commencement of section 47(6B)(b) of the 2003 Act as outlined later. Section 62 of the IFCMP Act, relating to directors notifying change of name for several companies to the CRO, requires software development in addition to orders specifying forms to be used and fees to be applied before it can be commenced. It will

be commenced once the CRO is in a position to implement the provision.

Section 69 of the same Act concerning the addition of the Irish auditing and accounting supervisory authority to the list of 'competent authorities' specified in section 21 (3) of the Companies Act 1990, is consequent on the establishment of the Irish auditing and accounting supervisory authority and will be commenced once that body has been established. Section 72 of the Act, relating to matters which will be required to be published in the *CRO Gazette* where they were previously to be published in *Iris Oifigiúil*, will be commenced once the CRO has put a procedure in place to implement this provision.

Section 10 of the Competition Act 2002, concerning the provision of information to juries, which was largely modelled on section 57 of the Criminal Justice (Theft and Fraud) Offences Act 2001, has not yet been commenced, as my Department understands that section 57 of the Criminal Justice (Theft and Fraud) Offences Act 2001 has not yet been commenced by the Department of Justice, Equality and Law Reform, pending the provision of the necessary facilities to the Courts Service to allow for the operation of that section.

In the case of the Companies (Auditing and Accounting) Act 2003, the main purpose of which is to provide for the establishment and functioning of the Irish auditing and accounting supervisory authority, IAASA, the following sections have yet to be commenced, although IAASA is operating on an interim basis. It has not been possible to commence sections on the establishment and functioning of the Irish auditing and accounting supervisory authority because further arrangements require to be put in train before IAASA can be established on a statutory footing. It is hoped to give statutory effect to IAASA in 2006.

It is intended to make a commencement order in the case of each of the sections and provisions listed under the following headings: the establishment and functioning of the Irish auditing and accounting supervisory authority — sections 4 to 33, inclusive, 36, 39, 48 to 50, inclusive, 58 and Schedule 1; corporate governance — sections 34, 41 to 45, inclusive; and miscellaneous provisions — sections 35, 37, 38, 40, 47(6B)(b), 51 and 59.

The principal corporate governance provisions relate to the director's compliance statement, section 45, and audit committees/disclosure of audit remuneration, sections 42/44 respectively. As stated, the director's compliance statement has been referred to the company law review group for consideration. The outcome of this consideration also bears on aspects of the audit committee provisions. Sections 41, accounting standards, and 43, disclosure of accounting policies, are part of the corporate governance suite of measures, as is section 34, which amends section

182 of the Companies Act 1990, and it is considered desirable that they should be commenced at the same time. It is not envisaged that this should predate the establishment of IAASA. The timing of the implementing of sections and provisions outlined as “miscellaneous provisions” is contingent on a number of factors, including linkages with other legislative provisions.

Section 4(2) of the Safety, Health and Welfare at Work Act 2005 has not yet been commenced. That section provides for the repeal of those provisions that have not already been repealed of the following enactments: Boiler Explosions Act 1882; Boiler Explosions Act 1890; Mines and Quarries Act 1965; Dangerous Substances Acts 1972 and 1979; Safety in Industry Acts 1955 and 1980; and Safety, Health and Welfare (Offshore Installations) Acts 1987 and 1995. The other provisions of the Safety, Health and Welfare at Work Act 2005, including those relating to the repeal of the Safety, Health and Welfare at Work Act 1989, came into operation on 1 September 2005.

As the Minister of State, Deputy Killeen, indicated in the course of the Oireachtas debates on Committee Stage in the Dáil on 23 November 2004 and on Committee Stage in the Seanad on 17 May 2005 of the then Safety, Health and Welfare at Work Bill 2004, he is anxious that progress be made as soon as possible and practicable on identifying those provisions that might be appropriate for repeal, or for repeal and replacement, as necessary and appropriate by regulations and/or codes of practice under the 2005 Act.

The following provisions of the Dangerous Substances Act 1972, relating to explosives, were never brought into operation: Part II; section 7 (1) and the Schedule in so far as they refer to the Towns Improvement (Ireland) Act 1854, the Explosives Act 1875, the Customs and Inland Revenue Act 1883, the Local Government (Ireland) Act 1898 and the Revenue Act 1909; section 7(2); and any other provision of the Dangerous Substances Act 1972, to the extent that the provision is applicable to or for the purposes of explosives within the meaning of section 9(1) of that Act.

It is the intention of the Minister of State, Deputy Killeen, to bring into operation section 4(2) of the Safety, Health and Welfare at Work Act 2005, which repeals the Dangerous Substances Act 1972, at the earliest opportunity.

Question No. 660 answered with Question No. 177.

Grant Payments.

661. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment if any State agency has provided funding to a private company (details supplied) to carry out restructuring

of its operations; and if he will make a statement on the matter. [24963/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Enterprise Ireland, the State agency with responsibility for the food sector, has not provided any financial support to the company in question to carry out its restructuring activities. I understand that Glanbia intends to produce the Kilmeaden cheddar output of 14,000 metric tonnes at its larger Ballyragget facility and also at Dairygold, where it has a milk processing agreement in place. Alternative production options for the current site have yet to be evaluated by the company.

Job Creation.

662. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment if he will indicate the record of job creation and other initiatives of Shannon Development in comparison with Enterprise Ireland; and if he will make a statement on the matter in respect of the years 1995 to 2005 inclusive. [24964/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Enterprise Ireland has national responsibility for the promotion of indigenous industrial development in the internationally traded services and manufacturing sectors. Its responsibility for the mid-west region is delegated to Shannon Development. It is therefore not possible to compare the respective performances of the agencies on a regional basis.

Enterprise Ireland implements and administers a wide range of national programmes and services that are delivered to companies regardless of the development agency to which they are affiliated. These national schemes are designed to meet specific national development objectives. Enterprise Ireland personnel work closely with Shannon Development client companies where there is a requirement to do so.

Enterprise Ireland's performance is measured using a range of indicators, including employment, the creation of high potential start up companies, HPSUs, exports and infrastructural investments. Over the period 1995 to 2004, client companies of Enterprise Ireland have created 137,075 jobs. In the same period a total of 445 new HPSUs were created. Exports from Enterprise Ireland client companies grew on an annual average basis of around 6% between 1998 and 2004 and now stand at €10.2 billion. The total number of first time exporters between 1999 and 2004 was 578.

Enterprise Ireland's infrastructural investments cover a range of initiatives including community enterprise centres, incubation centres in the colleges and universities, the creation of specialised incubation spaces or wet labs for biotechnol-

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ogy start-ups, as well as supports for seed and venture capital. To date, 97 community enterprise centres have been built and 17 are in various stages of completion. The enterprises in these centres employ approximately 3,800 people. Enterprise Ireland's incubator construction programme in the institutes of technology and in the universities represents a major investment on the part of the State, amounting to some €36 million.

Under the 2000 to 2006 seed and venture capital programme Enterprise Ireland has committed €98 million to 15 funds that provide venture capital for small and medium sized enterprises, SMEs. This commitment has leveraged €300 million in additional funding for investment in SMEs, primarily in the knowledge based sectors.

Shannon Development assisted companies created 18,593 jobs from 1995 to 2004, 6,541 in the Shannon Free Zone for FDI, which Enterprise Ireland does not deal with, and 12,052 in the rest of the Shannon region. In the same period, Shannon Development supported 56 HPSUs, 39 of these projects are still in business and to date have created 290 jobs of which 200 have been created by 27 firms established in the past four years. Many of these projects are involved in research and development and all are focused on export markets. The agency has also supported 185 pre-HPSUs providing incubator space, feasibility grants and advice at local level through its knowledge network locations in Limerick, Tralee, Ennis, Birr and Thurles. There are currently 57 companies at this phase of development, employing 80 people.

Shannon Development is involved in other initiatives to help indigenous industry, for example, VentureStart 1 and VentureStart 2, world-class business cluster programme, Design Shannon and so forth.

Decentralisation Programme.

663. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment when Enterprise Ireland will have completed its decentralisation to Shannon; and if he will make a statement on the matter. [24965/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Enterprise Ireland prepared and submitted an implementation plan setting out the agency's approach to implementing the Government's decision on decentralisation to the decentralisation implementation group. Enterprise Ireland has also identified the posts to be transferred and these are advertised as part of the central applications facility, CAF.

The most immediate implementation step for Enterprise Ireland is to provide for a new headquarters building, designed to meet the business needs of the organisation. Working closely with

the OPW, Enterprise Ireland reviewed the submissions received by the OPW in the Shannon region and used the OPW's evaluation model to rank expressions of interest. The preferred site, which has now been identified, is a 13 acre site, owned by Shannon Development. The site was valued and a feasibility study carried out.

The site occupies a prime position near the centre of Shannon and is considered suitable for a major landmark building or civic structure related to the town centre. The board of Enterprise Ireland, at its meeting on 8 September 2004, approved the commencement of discussions with the Department of Enterprise, Trade and Employment, and the Department of Finance, and agreed to continue discussions with a view to seeking their sanction to proceed with the acquisition of the site and the development as outlined. It is too early to comment definitively on a time-scale. The factors of significance in this regard will be the acquisition of property and the level of interest expressed by CAF applicants in the Shannon location.

Industrial Development.

664. **Mr. O'Shea** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the fact that the portion of employment in IDA assisted firms is 29% lower in the south east region than in the west region; his proposals to address this situation; and if he will make a statement on the matter. [24982/05]

667. **Mr. O'Shea** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the fact that on a range of performance indicators the south east region's economic performance is worse than that of the BMW region; his proposals in this regard; and if he will make a statement on the matter. [24985/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 664 and 667 together.

In recent years and across a range of economic indicators, the south-east region has registered significant economic growth. For example, the quarterly national household survey of September 2005 shows that both the labour force and employment increased in the south-east region by 6.5% over the two year period to May 2005. Furthermore, GDP *per capita* in the south-east region, according to 2002 data, was 114% of the EU 25 average. Significantly, the region's GDP *per capita* — expressed as a percentage of the EU average — is higher than the equivalent figure for the BMW, which is 91.5%. As a result, in international terms and using these economic

indicators, the south east is a relatively wealthy and growing region.

Since 2000, 18,062 new jobs have been created in Enterprise Ireland client companies located in the BMW region. Over a similar period 7,107 new jobs were created in Enterprise Ireland client companies located in the south-east region. However, despite this growth the performance of the south east relative to the BMW has been more muted in terms of the recorded unemployment statistics. For example, the current unemployment rate for the BMW region is 4.3% compared with 5.6% for the south east.

The relatively weaker performance of the south-east region across a range of indicators is a signal to continue to address the underlying structural issues that are contributing to a weaker performance. The industrial development agencies are pursuing several initiatives in collaboration with other bodies to address these issues in the south east within the context of the national spatial strategy.

There are currently 72 IDA clients in the south-east region distributed across a range of high technology sectors including ICT, biopharmaceutical, engineering, international and financial services. At present, these companies employ a total of 10,754 permanent people. Several IDA companies in the region have undertaken new greenfield and expansion investments over the past three years including Guidant Corporation, which makes medical devices, in Clonmel, Alza Corporation, a pharmaceutical company, in Cashel, Genzyme Corporation, a biopharmaceutical company, in Waterford and Waters Corporation, a medical equipment company, in Wexford. The region is the home to a nascent financial services cluster with companies such as State Street International in Kilkenny and PFPC International in Wexford.

By continuing to market the south-east region to new potential investors and by working closely with the existing base of companies, IDA Ireland is confident that the footprint of FDI in the region will continue to expand over time and contribute to improving the overall economic performance of the region. Enterprise Ireland remains committed to the creation of an environment where existing businesses in the regions can develop their competitiveness, high growth start-up businesses are encouraged and innovation flourishes. My Department considers the issue a priority and has asked IDA Ireland and Enterprise Ireland to review their regional enterprise development strategy. It is intended that these reviews will facilitate the design of a new regional strategy for the agencies that will further drive the development of enterprises, investment and jobs in the regions.

665. **Mr. O'Shea** asked the Minister for Enterprise, Trade and Employment his proposals

to direct a fair share of foreign direct investment in the bio-sciences and engineering to Waterford and the south-east region; and if he will make a statement on the matter. [24983/05]

666. **Mr. O'Shea** asked the Minister for Enterprise, Trade and Employment his proposals to address the low levels of employment in high tech sectors and in business services in the south-east region; and if he will make a statement on the matter. [24984/05]

678. **Mr. O'Shea** asked the Minister for Enterprise, Trade and Employment his proposals to promote the development of an internationally competitive knowledge based economy in the south-east region. [25380/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 665, 666 and 678 together.

Support for job creation and investment projects in individual counties and regions is a day-to-day operational matter for the development agencies as part of their responsibility under the Industrial Development Acts. The development agencies, in turn, operate within the context of the national spatial strategy.

A key objective for IDA Ireland is to progress the development of a knowledge based economy in the south east, targeting sectors such as pharmaceuticals, medical technologies, ICT and international financial services. In line with the national spatial strategy, the agency's primary focus in regard to attracting foreign direct investment to the region is on the gateway city of Waterford and the other centres of Wexford, Kilkenny, Carlow and Clonmel.

IDA Ireland's strategy is designed to meet the needs of potential investors who indicate to the agency that they are seeking an urban base close to third level educational facilities that provides infrastructure and services that are international in focus. This strategy is also designed to have knock-on benefits in other sectors of the regional economy such as supply, distribution and transport, thus creating further investment and employment opportunities for local people in the surrounding areas.

To date the strategy appears to be working well, with life sciences, including pharmaceuticals and medical technologies, now accounting for over half of the total employment in IDA supported companies in the south-east region. Among the leading companies in the region are Genzyme in Waterford; Guidant in Clonmel; Waters Technology in Wexford; Bausch and Lomb in Waterford; GlaxoSmithKline in Dungarvan; and Lake Region, New Ross.

I believe the south-east region is well positioned for further biopharmaceutical investment because of the existing life sciences concen-

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tration, its proximity to a pharmaceutical cluster in the Cork area and the high quality property solutions that are being made available by IDA Ireland and others in the area.

The south-east region has also recorded good successes in the services sector, with international and financial services companies now accounting for more than 13% of employment in IDA supported companies in the region. Significant players in the south east now include: Sun Life in Waterford; PFPC in Wexford; State Street in Kilkenny — each employing in excess of 200 people; and AOL in Waterford, which employs in excess of 500 people. The most recent addition is Bisys in Waterford, a financial services company which expects to employ up to 250 people over the next five years.

A key factor in attracting investments from overseas companies to the south-east region has been the availability of skills and particularly the presence of the two institutes of technology in the region. The business schools in WIT and IT Carlow have forged strong links with most of the companies referred to above and mutually beneficial relationships have been developed. IDA Ireland is strongly supportive of increased interaction between the sector and the third level colleges in the region and is working closely with the ITs to progress this agenda further.

The south-east region has a strong track record in engineering activities both on the indigenous side and in terms of foreign direct investment. Some 31% of IDA supported jobs in the south-east region are in the engineering sector. Despite the fact that in recent years the sector has been facing increasing competitive challenges, a number of companies have grown and made the transition to higher value activities. One such company is ABS Production in Wexford, which has progressed a research and development initiative to build an advanced product development test facility, significantly advancing the Wexford operation's status as a key research and development centre within the group.

Enterprise Ireland, the agency which is responsible for the development of indigenous industries, also supports job creation in both the high-tech and businesses services sector in the south-east region. As part of its support for start-up companies, Enterprise Ireland's incubator construction programme in the institutes of technology represents a major investment on the part of the State. The agency has provided €2.54 million and €1.4 million for the construction of centres at the Waterford and Carlow institutes of technology, respectively.

I am confident that the policies and strategies being pursued by the development agencies, together with the ongoing commitment and support from Government and other publicly funded bodies for regional development will bear fruit in

terms of sustainable additional investment and jobs in the south east.

Question No. 667 answered with Question No. 664.

Science and Technology Groups.

668. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment the status of his Department's consideration of the applications for the national institute for bioprocessing research and training; and if he will make a statement on the matter. [24271/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): On 23 July 2004, IDA Ireland, through a series of newspaper advertisements, invited proposals from collaborative groups of academic institutions to undertake the establishment of the national institute for bioprocessing research and training in Ireland. Proposals were received from three consortia and a panel of international experts reviewed the quality, value and impact of the proposed activity on 15 November 2004. The winning proposal, which was submitted by a consortium of three leading Irish colleges, UCD, TCD and Sligo IT, later augmented by the addition of DCU, was eventually approved by the board of IDA Ireland. It was then submitted to Government where it was formally approved on 31 August 2005.

NIBRT will be based at the UCD Industry Park in Dublin and will have three primary functions: training and education in bioprocessing; research in bioprocessing technologies; and scale up capability to service the research, training, education and services needs of its stakeholders. It will be an independent national institute owned by the collaborating colleges and run by an independent board. It will receive more than €72 million in funding from the IDA over the next seven years.

The industrially focused institute, which will be only one of a small number of its kind in the world, will be a centre of excellence in bioprocessing and biomanufacturing technology training and research to support the rapidly growing biopharmaceutical industry in Ireland. A key element will be the substantial investment in a scale-up capability within which the training and research can take place. This relatively unique capability will make the training and research carried out at the institute highly relevant to the needs of the biopharmaceutical industry in Ireland and throughout the world.

It will build in Ireland a world class research platform in bioprocessing technologies and state of the art training for the growing industry, which is constrained globally by skills shortages and technology challenges. This will lead to a substantial rise in the output of people from across the

spectrum of bioprocessing skills, from technicians to PhDs, all qualified in industry best practices. Significant collaborative research between academia and industry will also address the major technology issues of the bioprocessing industry.

The institute has the full backing of industry in Ireland and raises the bar for collaboration projects between industry and academia in Ireland. Coupled with the already strong base of biopharmaceutical companies in Ireland it will give us a further competitive edge in attracting more investment to Ireland from major multinational companies.

Meat Industry.

669. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment, further to Parliamentary Question No. 124 of 16 December 2004, the progress to date on the inspection regime under the metrology law; and if he will make a statement on the matter. [25140/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Deputy is aware that an agreement was reached some time ago with meat industry representatives and the Department of Agriculture on the requirements that must be met to facilitate the testing of weighing instruments by the Legal Metrology Service, LMS. The LMS has advised me that it does not have the facilities or personnel to deal with the haulage of test equipment to and from the meat plants and therefore it intends to engage private hauliers to provide this service where necessary. The proposal to engage private hauliers minimises the safety risks for staff and enables compliance to be verified in an efficient manner.

While the LMS expected that a resumption of the inspection regime would occur in the early part of 2005, discussions with staff representatives, aimed at addressing concerns that the proposal represents a privatisation of part of the verification/inspection process, are ongoing. While it is not possible to predict how long these discussions may continue, the LMS hopes to bring the negotiations to a conclusion shortly with the objective of a full resumption of inspections throughout the industry. While I have requested the LMS to ensure that the negotiation process is expedited, limited inspections of meat processing plants are, however, continuing.

Grant Payments.

670. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment, further to Parliamentary Question No. 200 of 29 September 2004, the grant aid returned to his Department by the company; the total grant aid paid to the company in the past ten years; and if he will make a statement on the matter. [25141/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): No grant aid has yet been returned to Enterprise Ireland by the company in question. Discussions between Enterprise Ireland and Glanbia concerning grant aid are still ongoing. Progress has been made on the negotiations and a conclusion is expected to be reached in the near future. The process involves the consideration of complex legal issues. A final decision on the matter will be required by the board of Enterprise Ireland.

The total amount of grants paid by Enterprise Ireland and its predecessors to Irish Country Bacon (Ruskey) Ltd over the period 1995-2005 was €424,065. In addition, the company also received payments of €824,324 from Enterprise Ireland under the FEOGA programme.

Industrial Development.

671. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment the progress which has been made to attract industrial investment in County Leitrim; and if he will make a statement on the matter. [25142/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Support for job creation and investment in individual counties and regions is a day-to-day operational matter for the development agencies as part of their responsibility under the Industrial Development Acts. IDA Ireland, the agency charged with the attraction of foreign direct investment, FDI, to Ireland, is committed to marketing and promoting Leitrim as a location for FDI. Specifically, the agency is targeting new investments from the financial services, engineering, pharmaceuticals and medical technologies sectors.

At present, there are six IDA Ireland supported companies in Leitrim employing approximately 1,375 people. This figure has more than quadrupled since 2000 when 247 people were employed in overseas firms. This increase has been mainly due to the success of MBNA Corporation, the world's largest credit card lender, which has approximately 1,000 staff based in the headquarters of its Irish operation in Carrick-on-Shannon. The company recently decided to close its St. Stephen's Green offices in Dublin and move all customer service functions to Carrick-on-Shannon, a decision which further embeds the company in Leitrim.

In an effort to further enhance the attractiveness of the county for additional investments and facilitate possible expansions by existing clients, IDA Ireland has invested considerable funding in the upgrade of Keenaghan business park at Carrick-on-Shannon, and has also encouraged a private developer to construct a 27,341 square ft. or 2,540 square metres advance technology building on the park. In all, IDA Ireland has 14 acres

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available in Leitrim at sites in Keenaghan, Tullyleague, Carrick-on-Shannon, Manorhamilton, Mohill, Rooskey and Drumshanbo. I understand the agency has reached agreement with Leitrim County Council to jointly market these sites for new investment.

Enterprise Ireland, the agency which concentrates on the development of indigenous industries, has approved funding of over €1.4 million and made payments of over €1 million to companies in County Leitrim in support of development projects in the period 2003 to date. In addition, Enterprise Ireland works with local communities in developing business infrastructure in the county through its community enterprise centre programme. These centres foster the development of micro enterprises, which in turn can grow into larger enterprises. Enterprise Ireland has approved funding of over €1.2 million in support of nine community enterprise centres throughout the county.

During 2004 the Leitrim County Enterprise Board approved a total of €200,174 to 22 projects and paid out over €183,000 in capital assistance throughout the region. The board is also supporting the construction of the business and technology park at Ballinamore. Upon completion, the provision of this technology park will facilitate the emergence of new small businesses in the region. I am confident that the policies and strategies being pursued by the development agencies, together with the ongoing commitment and support from Government, will bear fruit in terms of sustainable additional investment and jobs in Leitrim.

672. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment the progress which has been made to attract industrial investment in County Roscommon; and if he will make a statement on the matter. [25143/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Support for job creation and investment in individual counties and regions is a day-to-day operational matter for the development agencies as part of their responsibility under the industrial development Acts. IDA Ireland, the agency charged with the attraction of foreign direct investment, FDI, to Ireland is committed to achieving a more equal distribution of job opportunities and investment in keeping with the national spatial strategy. Traditional manufacturing jobs have come under pressure and significant challenges face the regions in growing higher value sustainable employment.

Despite this, steady progress has been made in the creation of jobs in County Roscommon and surrounding towns. In total in County Roscommon there are almost 900 people employed in IDA overseas companies. At the

end of 2004, Innocoll Inc., announced that, with the backing of IDA Ireland, it is investing €6 million in Roscommon town in a knowledge intensive worldwide research and development and manufacturing centre for all current and future drug delivery products based on collagen. This will create up to 60 jobs over four years. The new jobs will be in research and development, engineering, management, quality control and manufacturing. Innocoll will locate in the 24,000 square ft. advance factory on the IDA Roscommon business and technology park at Gallowstown, which has been vacant for the last number of years. Refurbishment work has commenced on the building and recruitment is underway. In addition, this company will establish its European sales and marketing headquarters on the IDA Athlone business and technology park, which will create up to 16 jobs over two years. Some 70% of the total jobs will require third level qualifications.

In an effort to further enhance the attraction of the county for new investments, and to facilitate expansions by existing clients, IDA is undertaking a major upgrade and enhancement of the existing business park at Racecourse Road, Gallowstown, Roscommon. This upgrade commenced last August and will involve an investment of approximately €2.2 million to provide site services, broadband ducting and significant landscaping upgrades. Phase I of these site development works is now completed.

Enterprise Ireland, which is responsible for the development of indigenous industry, works with its partner agencies in County Roscommon to assist in the development of industry in the county. In the period 2002 to date, Enterprise Ireland has approved almost €4 million and invested over €2.8 million in supports to client companies in the county. Furthermore, during 2004, Roscommon County Enterprise Board approved a total of €184,975 to 11 projects and paid out over €300,000 in capital assistance throughout the county.

I am confident that the policies and strategies being pursued by the development agencies, together with the ongoing commitment and support from Government will bear fruit in terms of sustainable additional investment and jobs in Roscommon.

673. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment the progress which has been made to attract industrial investment in the town of Athlone; and if he will make a statement on the matter. [25144/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Support for job creation and investment in individual counties and regions is a day-to-day operational matter for the development agencies as part of their responsibility under

the industrial development Acts. Regional development is a significant focus of Government policy and its importance has been confirmed in the national development plan and the national spatial strategy. IDA Ireland, the agency charged with the attraction of foreign direct investment, FDI, is fully committed to ensuring an equal distribution of job creation opportunities and to encouraging the establishment of industry in the regions, in particular, the Border, midlands and west or BMW region of which Athlone is an integral part.

As part of its strategy to attract new investment to Athlone, IDA Ireland is investing €3.5 million in a quality flagship business park in the town. The park, which has all the necessary infrastructure in place including ducting for broadband, comprises a modern 13,895 square ft. advance office building and a modern 25,000 square ft. advance technology building, which are currently available. In addition, planning applications have been lodged for five small advance technology units of 5,000 square ft. on the site.

Recent successes by IDA Ireland in attracting FDI to Athlone are as follows. AXA Assist announced, on 21 September 2005, that it is setting up a customer support centre in Athlone. The new centre is expected to create 300 new jobs over the next five years. The company has commenced operations in the office suite of the Airtop buildings on the Dublin road in Athlone and proposes to expand onto IDA Ireland's Athlone business and technology park in line with growing its employment levels.

Innocoll Inc. has announced that it will establish its European sales and marketing headquarters on the IDA Athlone business and technology park, which will create up to 16 jobs over two years. Some 70% of the total jobs will require third level qualifications.

Elan Corporation Plc has decided to establish a new sterile biopharmaceuticals plant at its Athlone facility, creating 120 new jobs over the next five years in supervisory, quality control, engineering, laboratory and operative areas. This is a €35 million investment and the project is nearing completion.

Conor Medsystems, a developer of innovative controlled vascular drug delivery technologies, has invested over €1 million in the establishment of a centre in Athlone based at IDA Ireland's Athlone business and technology park. It manufactures and distributes drug eluting coronary stent products and expects to create up to 40 jobs over three years.

To support the creation of high tech start-up companies in the region, Enterprise Ireland approved capital of €2.54 million for the Midlands innovation and research centre at the Athlone Institute of Technology, AIT, as well as €157,000 towards the cost of a centre manager. Enterprise Ireland also works with AIT in fos-

tering industry third level technology-related projects and since 2003 has approved over €0.7 million and made payments of almost €0.5 million for this purpose.

The new enterprise start programme for the midlands region was launched by E.I. in June 2005 in Athlone, aimed at people interested in developing their entrepreneurial skills. The workshop is part of the agency's new strategy, "Transforming Irish Industry", which has a key target of creating in excess of 200 new high potential start-up companies nationwide by the end of 2007.

The Westmeath County Enterprise Board develops indigenous enterprise potential and stimulates economic activity at local level within the micro-enterprise sector. In the Athlone area alone, the board has assisted 131 micro-enterprises and has provided over €1 million in grant assistance resulting in the creation of 194 full-time jobs and 77 part-time jobs since its inception in 1993. In addition, over 600 people from the Athlone area have participated in training programmes sponsored by the Westmeath County Enterprise Board.

I am confident that the policies and strategies being pursued by the development agencies, together with the ongoing commitment and support from Government, will bear fruit in terms of sustainable additional investment and jobs for Athlone.

Job Losses.

674. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment, further to Parliamentary Question No. 118 of 27 January 2005, the progress which has been made to address job losses in the town of Ballinasloe; and if he will make a statement on the matter. [25145/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I am very aware of the situation in Ballinasloe. The State development agencies are promoting industrial and business development in the town and are making every effort to ensure the creation of further employment. Specifically, IDA Ireland is developing a world class business and technology park in Ballinasloe. The goal is to ensure that the town has the appropriate property solutions to attract inward investment. This involves the provision of a high quality business and technology park and, in co-operation with the private sector, the provision of a new advance technology building.

IDA Ireland has co-operated closely with local private developers to construct a 27,000 square ft. advance technology building on the park, which is now occupied by Valois, a French engineering company. The construction of a 29,000 square ft. advance technology building on the park is

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almost complete and is being actively marketed to potential investors. A site has been provided for the ESB, which has constructed a 38KV station to satisfy the electricity needs of new projects locating on the park. Total investment in the park to date is approximately €7.5 million for both site development works and the construction of two buildings. Since January 2005, there have been six first time site visits by overseas companies to Ballinasloe.

Enterprise Ireland is continuing its work to assist the development of projects in Ballinasloe. The agency, as part of its role in developing the local business infrastructure, is working with Galway County Council and its newly appointed consultants with regard to the construction of a broadband metropolitan area network for Ballinasloe. Enterprise Ireland will also support the council in the marketing of the network when the construction is completed.

I assure the Deputy that the Government and the State development agencies, under the aegis of my Department, including the county enterprise board, are fully committed to the establishment of industry in Ballinasloe.

Work Permits.

675. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment when a work permit will issue to a person (details supplied); and if he will make a statement on the matter. [25146/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The work permit section of my Department took a decision to refuse this application on the basis that it fell outside the scope of the spousal work permit scheme. The scheme only covers persons working here on working visas/work authorisations, certain intra company transferees and certain academics, researchers on work permits and certain registered medical professionals on work permits. The employer has been informed of this in writing and also notified of the right to appeal. To date no such appeal has been received.

Community Employment Schemes.

676. **Cecilia Keaveney** asked the Minister for Enterprise, Trade and Employment the role his Department has in ensuring that all those eligible for positions on community employment schemes are offered a place (details supplied); and if he will make a statement on the matter. [25255/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The main purpose of the community employment programme is to provide work experience and training for the long-term

unemployed and disadvantaged groups and thereby enable participants to advance successfully to employment in the open labour market. FÁS employment programmes, which comprise community employment, CE, social economy and job initiative, will provide a total of 25,000 places in 2005 at a cost in the region of €368 million, of which €293 million is in respect of CE.

FÁS Employment Services, through its network of offices, is the access point to all FÁS training and employment programmes, including CE, for job seekers. Vacancies on CE are advertised in both FÁS and local employment service offices and are also shown on the FÁS website.

Participation on the programme is approved by FÁS. Priority is accorded to all interested and eligible clients who are referred to FÁS under the national employment action plan preventative process. This entails the systematic engagement and referral by the Department of Social and Family Affairs of persons six months on the live register, to FÁS, for interview. In the period January 2003 to December 2004, 96,000 clients have been referred under this process. In November 2004, I announced that the three year limit on participation on CE would be raised to six years for those over 55 years. I did this to help ensure that projects can recruit the full complement of participants.

Question No. 677 answered with Question No. 150.

Question No. 678 answered with Question No. 665.

Job Creation.

679. **Mr. O'Shea** asked the Minister for Enterprise, Trade and Employment his proposals to significantly improve the employment situation both in terms of quality and quantity in the Waterford constituency and in the south east region. [25381/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The issue of job creation is a day-to-day operational matter for the industrial development agencies and relevant county enterprise boards and not one in which I have a direct role. IDA Ireland informs me that it continues to market the south east region as a potential location for new foreign direct investment, FDI, through its network of local and overseas offices, in order to secure new investment and additional jobs for the region. Since 2000, employment in IDA supported companies in the south east region has risen from 9,858 to 10,754 or just over 9%.

Key to IDA Ireland's strategy for the south east region is to progress the development of a knowledge based economy so that the region can

compete both nationally and internationally for foreign direct investment. The key greenfield sectors being targeted are pharmaceuticals, medical technologies, ICT and international/financial services.

Life sciences, including pharmaceuticals and medical technologies, now account for over half of the total employed in IDA supported companies in the south east region. The south east is well positioned for further bio-pharma investment due to existing life sciences concentration and the availability of excellent property solutions.

International and financial services companies account for over 13% of employment in IDA supported companies in the region. A key factor in attracting services companies to the south east has been the availability of skills, and particularly the presence of the two institutes of technology, ITs, in Waterford and Carlow. IDA is strongly supportive of increased interaction between the sector and the third level colleges and is working closely with the ITs to progress this agenda further.

Enterprise Ireland's south east regional office works with companies to assist them grow their sales and exports and improve innovation in order that they can compete on world markets. The agency is encouraging companies to adopt new technologies to add value to their products and services. In the years 2002-05, Enterprise Ireland made payments of over €28 million to industry in the south east to support investment in areas such as research and development, capability building and process development.

Enterprise Ireland is also actively involved with the provision of infrastructure to facilitate business development and employment. The agency has provided funding for the development of 13 community enterprise centres in the south east region over the past ten years. The aim of these centres is to promote the development of commercial enterprises in local areas. The majority of centres are equipped with broadband and telecommunications infrastructure that will assist the growth of knowledge or technology based industries.

Enterprise Ireland also supports the development of business incubation workspace as part of its ongoing commitment to fostering links between colleges and industry, and has provided €2.54 million and €1.4 million for the construction of incubation centres at the Waterford and Carlow institutes of technology respectively. Both centres have now been completed, and it is expected that the first tenants will take up residence by the end of the year. It is anticipated that graduates from the colleges or members of research teams based in the colleges will be to the forefront in using these innovation centres, and in creating new jobs, particularly in the high tech sectors.

In addition, the south east city and county enterprise boards are proactively involved in the development of indigenous enterprise, and provide a source of support for small businesses in the region. Both the Waterford County Enterprise Board and the Waterford City Enterprise Board continue to support the start-up and development of small business throughout Waterford. In 2004, the enterprises supported by both boards resulted in the creation of almost 90 new jobs, with a similar number expected in the current year. The Wexford County Enterprise Board is also proactively involved in the development of indigenous enterprise in Wexford and in 2004 provided grant aid to 39 projects in total.

Industrial Disputes.

680. **Mr. Bruton** asked the Minister for Enterprise, Trade and Employment if he has received a report on the way in which a redundancy situation was handled by a company (details supplied) in Dublin 3 where workers were required to sign a waiver in respect of rights under labour law. [25447/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): By letter dated 27 June 2005, the company concerned notified the Minister for Enterprise, Trade and Employment, Deputy Martin, under section 12 of the Protection of Employment Act 1977, of a total of 132 collective redundancies which it proposed to make in the period between September and December 2005. Section 12 requires employers proposing collective redundancies to give the Minister at least 30 days written notice of such redundancies. The Act also provides that employee representatives must also be consulted. The company undertook in this letter to begin consultations with the employee representatives concerned on 5 July 2005.

The Minister subsequently received a report dated 2 September 2005 from a representative of the employees of the company expressing disquiet about a proposed requirement for redundant workers to sign a waiver form. This letter also expressed dissatisfaction with the proposed level of severance payments, three weeks payment per year of service. The company was alleged to have refused to enter negotiations which resulted in the Communications Workers Union referring the matter to the Labour Relations Commission, which referred the matter to the Labour Court. Upon receiving notice of the Labour Court hearing, the company expedited the redundancy programme to commence on 2 September 2005. The Labour Court held a preliminary hearing under the Industrial Relations (Amendment) Act 2001, at which the

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court recommended that the parties return to the LRC for further discussion.

Most employment rights legislation, including section 51 of the Redundancy Payments Act 1967, contains a voidance of certain provisions clause. This means, in essence, that any contract that attempts to exclude or limit the application of certain statutory employment rights is void. Moreover, a signed waiver that attempts to limit the employee's rights under current employment rights legislation is also void.

Responsibility for the resolution of industrial disputes is a matter for the parties involved. The State provides the industrial relations dispute settlement machinery to assist this process, which, in line with the general principles of industrial relations in Ireland, is voluntary in nature. The system of industrial relations in Ireland is designed to help and support parties in their efforts to resolve their differences, rather than imposing an extensive set of legislative conditions on parties to an industrial dispute. As the resolution of trade disputes is an operational matter for the State's dispute settling agencies, the Labour Relations Commission and the Labour Court, it is one in which I do not have a function.

Question No. 681 answered with Question No. 177.

Job Creation.

682. **Mr. Neville** asked the Minister for Enterprise, Trade and Employment the progress made in establishing a replacement industry at Kantoher, County Limerick, following the closure of a company (details supplied). [25760/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I am aware that the company in question decided to close a chicken processing plant in March 2005, with the loss of 138 jobs and that the employees were offered an opportunity to take up alternative positions elsewhere. A group of local community representatives was established and, with advice from Shannon Development and the Limerick County Enterprise Board, the group entered into discussions with the company. Replacement companies have been identified that would be suitable for the Kantoher plant and I understand that progress will be made on this matter in the near future. In addition, the local group is finalising an application to FÁS to fund the hiring of an enterprise officer for the area. It is expected that the application will be submitted by the end of this month.

The State development agencies are also promoting industrial and business development in the area and are making every effort to ensure the creation of further employment. A central

goal for IDA Ireland is the achievement of balanced regional development. Its sectoral emphasis in County Limerick is on attracting new knowledge intensive projects and, since 2004, there were 32 first time site visits to Limerick city and county. Shannon Development and the county enterprise board are also actively involved in trying to secure new investment for the area.

Departmental Property.

683. **Mr. Perry** asked the Minister for Enterprise, Trade and Employment when a decision will be made on a sale of a property from the IDA to a company (details supplied) in County Sligo; and if he will make a statement on the matter. [25805/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The management of IDA Ireland's industrial property portfolio is a day to day operational matter for the agency as part of the statutory responsibility assigned to it by the Oireachtas. While I may give general policy directives to IDA Ireland, I am precluded under the Acts from giving directives regarding individual undertakings.

All IDA Ireland lands are sold on the basis of commercial valuation in line with public sector guidelines and subject to IDA board approval. I understand that IDA Ireland's property division is in advanced negotiations with Collooney Community Enterprise Ltd. on a possible site sale in IDA's Collooney industrial estate, County Sligo. The site in question has now been valued and IDA's property division will revert to the company this week with a letter outlining the proposed terms and conditions of sale.

Education Courses.

684. **Ms Burton** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the damage which will be caused to second chance education, particularly in disadvantaged areas, by the proposed changes and cutbacks, without consultation, in respect of return to education courses; the proposed changes to same; and if he will make a statement on the matter. [25865/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): It is my understanding that this issue has been clarified to the Deputy's satisfaction.

Question No. 685 answered with Question No. 175.

Economic Competitiveness.

686. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if he has

monitored the extent to which Irish goods being exported are maintaining a competitive edge against all others; and if he will make a statement on the matter. [25984/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Through Enterprise Ireland, the Government supports the growth of Irish exports by working with individual companies in identifying new product and market opportunities and devising and implementing appropriate strategies to capitalise on them. Enterprise Ireland client companies delivered a good export performance in 2004, following the global economic growth revival that began in the latter part of 2003. New export sales from Enterprise Ireland clients improved, reaching €10.167 billion, a rise of 5.6% on 2003.

Companies in Ireland have been facing a number of competitiveness pressures in recent years as a result of the availability of lower cost labour in the new member states in eastern Europe and the continuing growth of the Asian economies. The strength of the euro relative to the other global currencies, particularly the dollar, has also had an impact on Irish exports. Competitiveness and productivity improvements are critical for Irish companies to achieve sustained export growth. Enterprise Ireland launched its new “Strategy Transforming Irish Industry 2005-2007” and announced the establishment of a new division to work with client companies to maintain and improve competitiveness. This new technology automation and productivity division will support companies in the early adoption of manufacturing best practice, automation, benchmarking against international competitors, supply chain management and technology licensing, to increase efficiencies, productivity and reduce time to market.

In addition, Enterprise Ireland has launched three new initiatives aimed at driving the productivity of client companies. These include a new productivity improvement fund to increase competitiveness through technology and training, roll out of the “TechSearch” initiative to assist clients identify new technology acquisition opportunities, and offering a holistic supply chain capability building measure, through the supply chain management or SCM initiative.

The development and sale of new innovative products and services demanded by consumers in markets around the globe is central to maintaining a competitive edge. To this end, Enterprise Ireland continues to work intensively with Irish entrepreneurs, companies and research institutions, offering a range of research and development supports, to ensure that innovative ideas of today become the products and services that give Irish companies an international competitive advantage into the future.

Work Permits.

687. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if a work permit will be given to enable a person (details supplied) in County Kildare to move from their present employer to another who has a job available and with whom this person wishes to take up employment; and if he will make a statement on the matter. [25985/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Where a non-EEA national is legally employed and legally resident in the State, my Department is prepared to consider applications from prospective new employers in respect of that employer. My Department has no record of a valid application in respect of person about whom the Deputy inquires.

Economic Competitiveness.

688. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if he has satisfied himself that Irish based manufacturers are in a position to compete with all others, both in Europe and worldwide; and if he will make a statement on the matter. [25986/05]

689. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the extent to which he has addressed or proposes to address industrial costs; the main factors in this regard; the action he proposes to take to improve the situation with a view to sharpening this country’s competitiveness; and if he will make a statement on the matter. [25987/05]

690. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if he has undertaken any investigation into the lack of competitiveness in the economy here (details supplied); if any scientific evaluation can or will be undertaken on these issues; and if he will make a statement on the matter. [25988/05]

691. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the extent to which he has taken action to improve the competitiveness of the economy here in the past 12 months; and if he will make a statement on the matter. [25989/05]

694. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the ten items, goods or services which have recorded price increases most in excess of inflation in the past two years, thereby negatively affecting competitiveness of the economy; if he has any proposals to deal with the issue; and if he will make a statement on the matter. [25995/05]

697. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if he has satisfied himself that this country is well placed to compete internationally for investment in job creation in both manufacturing and services; his plans in this regard for the future, keeping in mind international trends and developments and the competitiveness of this economy; and if he will make a statement on the matter. [25998/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 688, 689, 690, 691, 694 and 697 together.

Ireland is undergoing a positive transformation in how we earn our living from international trade and investment, which is affecting all sectors of the economy. We can no longer be seen as a low cost location for investment but to compensate have developed other strong competitive strengths and advantages. Judicious enterprise policy changes have enabled the economy to move into the higher league of developed economies, one typified by higher value output, productivity and high returns to labour in the form of wages, salaries and better living standards. We have become a more prosperous and wealthy economy, converging with the broad income and prosperity levels of other member states of the European Union, while expanding employment and job prospects for our citizens.

The National Competitiveness Council, NCC, reports annually on our competitiveness and this year's annual report noted our competitive position over 170 indicators against 15 important competitor economies. The council's latest annual report was published earlier this month and while highlighting a number of areas where our performance could be improved it confirmed that Ireland is experiencing a strong and robust economic performance. From 1997 to 2004, Irish GDP grew by an average of over 7.5%, compared to an average of just over 2% in the EU 15. The indicators reflect that living standards in Ireland both in terms of GDP, where we are first out of 15, and GNP, where we are sixth out of 16, have grown significantly. GDP is expected to grow by 5.3% this year compared with an OECD average of 2.6%.

Of the 16 countries benchmarked by the NCC, Ireland is the most attractive for foreign direct investment. US companies, for example, earn the highest rate of return on their investments in Ireland as compared with other investment locations, and in 2003 accounted for about 6% of all US foreign direct investment coming into Europe. Uncompromising investment decisions are not made in favour of uncompetitive and lowly rated economies.

The economy is also generating a relatively high rate of indigenous entrepreneurial activity. The NCC's analysis shows that Ireland is ranked second in the EU and seventh among the OECD

countries on this measure. Pro-enterprise policies and the obvious success and reward from business activity are changing the climate for indigenous investment and entrepreneurship.

Our continued international competitiveness underpins the high levels of job creation we are experiencing right across the economy. The latest quarterly national household survey shows the number of persons in employment grew by 93,000 in the year to reach almost 1.93 million in the second quarter of 2005. This is the highest annual growth rate, +5.1%, recorded since the second quarter of 2000. These facts demonstrate that we remain a competitive economy for both foreign and indigenous enterprise and retain a strong capacity to generate and sustain employment while managing the transition to a more knowledge and services oriented economy. While the low value added, basic manufacturing sector is facing competitive problems, the enterprise support agencies are helping companies counteract this by improving levels of innovation, research and development and product development. Furthermore we are winning new important and sophisticated foreign investment to replace employment in older manufacturing sectors.

However, despite these successes I am not complacent. To reinforce our competitiveness agenda I have mandated policy changes within enterprise support agencies such as the restructuring of Enterprise Ireland, the launch of its productivity improvement fund and the steady progression in implementing recommendations of the enterprise strategy group. Furthermore, the NCC's annual report will guide further analysis of our competitive position that will shape policy conclusions to be contained in the council's competitiveness challenge report. This will be published later in the year and I look forward to bringing it to Cabinet with a view to discussing what further changes we need to make to strengthen our competitive position.

Regarding price increases for goods and services in excess of inflation, these data are not held by my Department and might be obtainable from the Central Statistics Office. However, I note that in its annual report the NCC has some good news in that Irish prices and costs are no longer increasing at a rate faster than elsewhere in the EU, where we are just eighth out of 15 countries on this indicator. This stability will help in maintaining cost competitiveness but it is worthwhile noting that costs are just one aspect of competitiveness. Of more importance is the rate at which we innovate, increase productivity and provide market driven products and services faster than our competitors.

Insurance Industry.

692. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the steps he has taken or proposes to take to control industrial costs with particular reference to insurance; and

if he will make a statement on the matter.
[25990/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): In a small open economy it is not the role of Government to have direct control of all industrial costs. Ideally, market forces should determine the vast majority of these. The priority for Government has been to provide the framework conditions for the creation of competitive markets including a benign business environment in which businesses can prosper and create sustained employment. Maintaining a stable macro economic climate is also a big priority for Government.

In An Agreed Programme for Government, the Government outlines its commitment to keeping down personal and business taxes to strengthen and maintain the competitive position of the Irish economy. The Government is also committed to ensuring, as far as it can, that inflationary pressures are limited. According to the annual review and outlook published by the Department of Finance, inflation continued to moderate in 2004 with the consumer price index falling to 2.2% last year from 3.5% in 2003.

Regarding insurance, the annual competitiveness report 2005 recently published by the National Competitiveness Council, NCC, found that of the 16 countries benchmarked, Irish expenditure on non-life insurance was the fourth highest. However, the NCC also found that the rate of growth in the cost of insurance has slowed down substantially in recent years. This can be attributed to the series of initiatives the Government has pushed through to reform the insurance sector. The caution taken by Government to ensure healthy competition in the insurance sector had already seen benefits for consumers.

The Personal Injuries Assessment Board, PIAB, is one of the key initiatives of the Government's insurance reform programme. The PIAB's

first annual report shows that the cost of delivering €2.7 million in compensation under the PIAB system amounted to €185,000. Under the old litigation system the cost of delivering this compensation would have been approximately €1.2 million, representing an actual PIAB saving of €1.1 million. The report also shows that PIAB assessments to date have been delivered approximately three times faster and at a delivery charge four times cheaper than under the litigation system.

The Motor Insurance Advisory Board, MIAB, another of the cornerstones of the Government's insurance reform programme, has also ensured considerable savings since its inception. In the last 12 months alone the cost of motor insurance has decreased by over 12%.

Growth in Imports.

693. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the countries from which Ireland has imported most in the past 12 months; and the countries which have shown growth in this area in the past 12 months; and if he will make a statement on the matter.
[25991/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): According to figures published by the Central Statistics Office, Ireland imports goods and services from over 200 country locations. The latest import figures, for which 12 monthly figures are available, are in respect of the year ended 31 December 2004.

The information requested has been forwarded to the Deputy. The table provides a list of the top 12 countries from which Ireland has imported most during 2004. It also provides for comparisons with 2003 figures. With the exception of the USA and Japan, where imports declined slightly in 2004 compared with 2003 figures, imports from the remaining ten ranked countries increased in 2004.

Top Twelve Countries for Imports to Ireland 2004 (with 2003 comparisons).

Country	2004	2003	% Change
	€(000)	€(000)	
1 Great Britain	14,299,162	13,642,963	+4.8%
2 USA	6,960,714	7,389,987	-5.8%
3 Germany	3,764,177	3,439,579	+9.4%
4 China	2,838,629	2,214,579	+28%
5 France	2,232,273	1,870,073	+19%
6 Japan	2,170,100	2,289,836	-5.2%
7 Netherlands	1,874,434	1,677,573	+11.7%
8 Northern Ireland	1,102,727	1,037,017	+6.3%
9 Italy	1,090,306	1,063,586	+2.5%
10 South Korea	991,920	728,131	+36%
11 Taiwan	948,375	785,988	+20.6%
12 Norway	936,550	624,959	49.8%

[Mr. Martin.]

In 2004, Ireland had an overall trade surplus — exports over imports — of almost €35 billion. Our consistently favourable trade balance, given the global economic slowdown in recent years, reflects very creditably on Irish exporters. It should also be noted that a proportionate increase in imports over the period, particularly raw materials, is very often an indication of increased economic activity leading to a corresponding increase in exports in the longer term.

Question No. 694 answered with Question No. 688.

Insurance Industry.

695. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the extent to which he expects insurance costs in respect of public liability or house insurance to be reduced; if he expects an improvement of competition in the insurance industry; and if he will make a statement on the matter. [25996/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Supervision of insurance undertakings is the responsibility of the Irish Financial Services Regulatory Authority, the financial regulator, which is under the aegis of the Department of Finance. Since the end of 2004, the Department of Transport has responsibility for motor insurance, including follow up on the remaining recommendations of the Motor Insurance Advisory Board reports, which are at the core of the Government's insurance reform programme. That programme provides the environment for reductions in insurance input costs. Already, for example, the Personal Injuries Assessment Board, for which I have responsibility, is delivering faster and cheaper claims settlement procedures benefiting insurers and claimants alike.

The Competition Authority, in its 2005 report into competition on the non-life insurance market, made some 47 recommendations to improve competition among existing insurance providers and to ease market access to new entrants. Implementation of the recommendations, many of which are in the technical and regulatory areas, is being considered by the financial regulator, among others. None fall for implementation by my Department.

Job Creation.

696. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the measures he has taken to improve the chances of further investment in jobs here; and if he will make a statement on the matter. [25997/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Support for job creation and investment is a day-to-day operational matter for the industrial development agencies. The agencies seek to attract new greenfield investments as well as working with existing clients with a view to helping them expand their activities. They also work with other publicly funded bodies to enhance the attractiveness of individual areas and regions within the context of the national spatial strategy.

It is vitally important for all business to develop a capacity to strategically respond to emerging threats to their business and to exploit new opportunities. All of the industrial development agencies are working with their existing client base in this regard. The aim is to identify current firm level capability gaps and to deliver the environment and skill set necessary for sustainable success in specific markets.

A key objective for the agencies is supporting the development of a knowledge based economy. Last year, Enterprise Ireland supported 65 new high potential start-up companies and €50 million was invested in companies to undertake research and development projects. IDA Ireland also supported 36 research and development projects involving an investment by client companies of over €140 million. To further drive this objective the Government has established a new Cabinet sub-committee on research and development which is charged with providing a detailed road map towards the achievement of a 2.5% spend on research and development, in line with the Lisbon target. The Government has also approved the recommendations from the enterprise strategy group, which will guide and inform the direction of policy development and interventions over the next few years.

Key contributions are being made by IDA Ireland with regard to the development of a knowledge based economy by consolidating its existing client portfolio of 1,100 overseas companies and by investing extensively in promoting new inward investors into Ireland. The particular focus is on business sectors that are closely matched with the emerging needs of our economy and can operate competitively in global markets from an Irish base. Some key areas of focus for the IDA at present are advanced manufacturing projects in the IT, life sciences — pharmaceuticals and biopharmaceuticals, medical technologies and engineering sectors. Ireland is also a strong performer for businesses in the high value internationally traded services sector such as software, financial services, shared services and customer support activities.

IDA Ireland is making significant investment in the provision of focused regional property solutions. The objective of this is to ensure that key locations have the appropriate facilities, tailored to specific sectoral needs, to attract new invest-

ments. This involves networking and collaboration with local authorities and a range of organisations at local level to develop the essential infrastructure, business support services, telecoms and educational programmes.

Enterprise Ireland is also undertaking a complete restructuring of its organisation, with a clear focus on client need. I am satisfied that the strategy is appropriate, necessary and achievable and will position Irish industry as a key driver of Irish economic growth, jobs and wealth creation in an increasingly competitive global environment. The county enterprise boards or CEBs are actively developing indigenous micro-enterprises throughout the regions. A particular advantage of the county enterprise board system is that it delivers dispersed economic development throughout the country. Since their establishment nationally in October 1993 to the end of 2004, the CEBs have issued grant assistance to 17,050 projects worth over €155 million in grants. The actual net employment creation in CEB supported enterprises has yielded 28,296 jobs nationwide.

I am confident that the strategies and policies being pursued by the development agencies, together with the ongoing commitment of Government to regional development will bear fruit in terms of additional sustainable investment and jobs for the people of all regions.

Question No. 697 answered with Question No. 688.

698. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the reasons given by overseas investors who have failed to follow through on job creation proposals here; and if he will make a statement on the matter. [25999/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Overseas companies in Ireland that are clients of IDA, submit investment proposals to the agency for consideration for State support. Typically, these proposals include fixed asset — capital, labour and technology/research and development components.

The proposals set out indicative targets with regard to achievement of the investment using criteria such as sales, profitability, exports and employment. Each investment proposal is subjected to an economic appraisal by the agencies prior to agreement of support. Once approved by the agencies, achievement of the targets set out in the proposal is subject to overall economic conditions, activity in the sector in which a company operates, sales orders and so forth. In many cases, depending on the above circumstances, investors often meet or exceed their targets. However, in

some cases some targets are not met or only met over a longer time frame.

With respect to overseas companies, their overall performance against target has been remarkably strong. That said, in some cases, projected employment growth has not always materialised. There are a number of reasons for this. These include a downturn in global economic conditions, reduced customer demand, sector specific conditions, restructuring of industry or parent company, over estimation of jobs to flow from investment, inability to find suitably qualified staff, difficulties in attracting staff due to full employment conditions and so forth.

IDA and its client companies continually monitor the performance of an investment against agreed targets. In certain circumstances, IDA can, under the terms of the legal agreement signed between IDA and the investing company, seek repayment of financial support when targets are not met.

The economic environment in 2005 has changed significantly since many IDA clients submitted investment proposals in the latter half of the 1990s. At that time the world economy, particularly in the high tech sectors, was experiencing very strong growth. Consequently, the proposals approved by IDA reflected high projected growth in sales, profitability and jobs. In 2000-01 there was a sharp downturn in the world economy resulting in substantially reduced orders, high levels of inventories and, in many cases, losses. To compensate for the fall in sales, companies were forced to dramatically reduce their production capacity, resulting in high layoffs throughout the world.

Although the world economies have continued to recover since then, employment has not reached pre-2000 levels. In many cases, companies want to avoid having to repeat the experience of having to make substantial lay offs, and therefore, their employment levels have not expanded as quickly as originally anticipated. In addition, many companies are outsourcing manufacturing and services to lower cost locations, notably India and China. Companies also sometimes make decisions, following site visits, not to locate in any of the countries visited.

The typical profile of projects setting up in Ireland has changed from manufacturing to mainly service and support functions. Under pressure from a changing economic environment, companies which had planned to set up manufacturing operations in Ireland with relatively high job numbers are now implementing different projects with higher value added functions but with lower job numbers.

Job Losses.

699. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the number

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of job losses recorded in the past 12 months; the number of replacement jobs created; and if he will make a statement on the matter. [26000/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): In the past few years, conditions in the global economy have been difficult, and Irish firms have had to win business against a backdrop of difficult external demand conditions, pricing pressures, and an increasingly competitive international environment. These have affected employment trends in companies assisted by the enterprise development agencies.

While the net increase in employment in agency assisted companies in 2000 was 24,000 jobs, subsequent years have shown some fall off in the numbers employed in such companies. However, employment in these companies is still one third higher than it was a decade ago, and the numbers employed in agency supported companies during 2004, the latest year for which we have figures, were relatively stable, with 25,986 full-time job losses and 25,213 full-time jobs gained. Moreover, the CSO's latest labour market figures show an overall increase in employment from 1,836,200 in the second quarter of 2004 to 1,929,200 in the second quarter of 2005, a rise of 93,000.

There are indications that economic prospects are improving and our propensity to capitalise on trends in global growth is likely to stimulate business expansion and further employment growth. The ESRI has indicated that labour market conditions are expected to remain strong both this year and next, with unemployment stabilising to average 4.2% in 2005 and 4% in 2006, supported by significant growth in GNP. In light of the intense global competitive pressures, these forecasts show that our economy maintains considerable strengths.

The enterprise development agencies are working to encourage companies into more sophisticated activities where competitive advantage is less likely to be whittled away by cost based competition. To counterbalance the competitive threat from lower wage competitor economies, our policy is to encourage a move to higher levels of productivity and value added products and services. These types of enterprise create sustainable high skill employment that is more technologically advanced and now proves a better fit with the competitive characteristics of our economy.

The enterprise development agencies are working to source new investment by a combination of developing existing clients and new investors in existing or new activities or sectors. Given the critical mass of FDI in Ireland and its linkages with indigenous companies, one of the greatest potential contributions will come from developing companies already operating here.

Job Creation.

700. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment his plans to ensure the provision of adequate job opportunities with suitable skill requirements for those unemployed in areas having traditionally high unemployment levels and social and economic deprivation; and if he will make a statement on the matter. [26001/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): In pursuit of the objectives of the national spatial strategy, the efforts of IDA Ireland, Enterprise Ireland and the city and county enterprise boards are directed towards the promotion of employment and investment in all areas of the country. As regards helping those who are unemployed to enter the labour market, under the national employment action plan, FÁS engages intensively those who have been unemployed for six months. They are referred automatically by the Department of Social and Family Affairs to FÁS for advice and assistance.

Services offered by FÁS include vocational guidance and counselling, information on job opportunities, assistance with C.V. preparation and interview techniques, access to employment programmes and skills training. Particular emphasis is placed on the identification of training needs and on the provision of tailored responses. There is also a customised training fund to enable unemployed persons access training that is not readily available through FÁS or other State providers.

In addition, FÁS has developed a high support process as a response to clients who are experiencing multi barriers to entering/re-entering the labour market. This provides access to multi-agency teams which can respond in a flexible and co-ordinated way to clients' needs. The teams comprise representatives from FÁS, the Department of Social and Family Affairs, the Health Service Executive and the vocational educational committees.

701. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the action he proposes to take to address the issue of job relocation to lower wage or more competitive economies; and if he will make a statement on the matter. [26002/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Ireland's economy is undergoing fundamental change, which is affecting all sectors of our economy. Ireland can no longer be seen as a low cost location for investment as our strengths and competitive advantages have inexorably changed. High output and productivity together with high returns to labour in the form of wages, salaries and better living stan-

dards now typify Ireland's economy. Ireland is no longer seen as a location for what could be called basic low-tech production and is being overtaken by low wage economies in terms of cost competitiveness.

Naturally a more attractive cost environment abroad will inevitably entice some firms that are unable to generate their required return from the modern enterprise economy into which we have transformed ourselves. A continuing structural evolution of our economy is both unavoidable and necessary to maintain present levels of growth and low unemployment. With this, some plant transfers and other adjustments are inevitable, but where relocation has occurred to date, it has largely been limited to relatively low technology, labour intensive activities.

We have become a more sophisticated and developed economy where the application of technology and intellectual endeavour is becoming more important than simple cost competitiveness as the foundation for growth and prosperity. We now have one of the most open economies in the world where trends in world trade, global business investment and consumer decisions directly influence the pattern of economic growth, company development and job prospects in Ireland probably more so than in other developed economies. Pro-enterprise policies have helped propel economic growth and employment expansion and these have encouraged deeper and stronger links to both the enlarging EU markets and internationally. Consequently, Irish enterprise and society have benefited enormously from the ability of entrepreneurs to operate more profitably both in and from Ireland.

To counterbalance the competitive threat from lower wage competitor economies, our policy is to encourage a move to higher levels of productivity and value added products and services. Sustainable employment will be driven by companies with higher profitability that are more technologically advanced and prove a better fit with the competitive characteristics of our economy, and are therefore less likely to move on the basis of simple cost influences. This new investment will be sourced by a combination of developing existing clients and new investors in existing or new activities or sectors. The enterprise development agencies have a clear mandate to align their operations around this policy objective.

The latest data from the Central Statistics Office's quarterly national household survey in respect of the second quarter of 2005 shows that employment increased by 93,000 on the corresponding period in 2004, bringing the total number in employment to a record 1,929,200. This is a remarkable achievement at a time when there is considerable debate and comment about the impact of competition from lower wage econ-

omies on employment levels in developed economies.

702. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the degree to which an adequate labour force exists to meet current and future requirements in this country; and if he will make a statement on the matter. [26003/05]

704. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if he has satisfied himself that there are sufficient personnel available in the workforce to ensure adequate and continued growth in the economy and the ability to meet ongoing and increasing demands in respect of various services; and if he will make a statement on the matter. [26005/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 702 and 704 together.

The number of people in the labour force has reached an all time high as indicated by the latest quarterly national household survey recently released. There are now over 2 million people in the labour force, giving an annual increase of 94,500. Over the past ten years the labour force has grown by over 38%. The growth in the labour force in recent years is due to an increase in the number of working age people in the population, greater participation levels and immigration. I am satisfied that all of these factors combined will continue to contribute to the future growth of the economy.

The working age population at present is 2.81 million and is predicted to increase by 200,000 over the next ten years according to CSO projections. Overall participation rates have increased from 57.9% to 61.5% since 1997, while female participation rates have increased from 45.8% to 51.4% in the same period. Based on these recent trends, it is expected that participation rates will increase further, particularly among females.

Export Markets.

703. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the number of new markets for Irish goods and services which have opened up in the past 12 months; and if he will make a statement on the matter. [26004/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): In 2004, export sales from Enterprise Ireland client companies increased, reaching €10.167 billion, a rise of 5.6% on 2003. The largest exports sector was food and the consumer retail sector, which totalled €6.8 billion, a growth of 4.1%. The largest growing sector was software, services and emerging sectors which increased

[Mr. M. Ahern.]

10.4% to €1.2 billion. Industrial and life sciences products grew 3.8% to €1.9 billion.

Overall, clients with Enterprise Ireland support won 863 new customers, distributors or partners in export markets in 2004, mostly in northern Europe and Asia. In addition, 154 Enterprise Ireland client companies established an overseas market presence during the year and 177 companies entered new export markets.

Asia showed the largest growth in EI client company exports at 19.6%, bringing total exports to the region to €501.5 million. Food and consumer retail was again the largest sector at €222.7 million, a growth of 8.8%. Exports of industrial products rose 50.5% to €100.3 million with electronics, engineering and life sciences and chemicals performing very strongly. In total, 28 EI client companies chose Asia for their new export markets, reflecting the growing strength and potential of the region in world trade. A total of 235 companies secured new customers, distributors and partners in the region.

Exports to southern Europe, the Middle East and Africa rose 7.7% to €940.6 million. The largest sector of exports to the region was again food and consumer retail with €677.9 million. The largest growth area in these markets was industrial products which rose 14.6% to €103.2 million. A total of 75 new customers, distributors or partnerships were appointed and 15 clients established a presence in the market. Twenty clients also began exporting to the region.

Northern Europe continues to be the largest export market. Exports to northern Europe increased by 7.2% to €6 billion. The largest growth was in digital media, e-learning and education, which grew 23.5% to €56.6 million. A total of 47 companies established a new marketing presence in northern European markets and 120 appointed new customers, distributors or partners. A total of 9,528 client/buyer meetings took place in 2004 across all sectors and markets. Of these, Asia accounted for 2,904; northern Europe had 2,556; the Americas 1,989; Germany, central/eastern Europe and the Balkans 1,256 and there were 823 in southern Europe, the Middle East and Africa.

Over the past 12 months, Enterprise Ireland organised overseas trade missions and trade fairs to countries in Europe, North and South America, the Middle East and Asia. New market opportunities were targeted in China, Korea, Japan, Iran and the Gulf and New Zealand and Australia, leading to direct sales, partnering and distribution opportunities for client companies. Of particular significance was the trade mission to China last January which was led by the Taoiseach, Deputy Bertie Ahern. This was Ireland's largest ever trade mission, involving a total of 121 companies in a range of sectors, and

led to contracts involving a sum of the order of €125.8 million.

Question No. 704 answered with Question No. 702.

705. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the countries which are Ireland's newest and most lucrative trading partners in respect of both imports and exports; and if he will make a statement on the matter. [26006/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): Enterprise Ireland's 2004 annual business survey showed that, overall, Irish companies delivered a very good export performance last year, with new export sales increasing by 5.6% on 2003. Inevitably, the most long established markets are the most lucrative and, indeed, bearing in mind that CSO data indicate that Ireland already trades with almost 200 country locations, it is difficult to provide data in terms of the "newness" of particular markets. That said, northern Europe, including the United Kingdom, continued to be the more lucrative export region for EI client companies increasing by 7.2% to €6 billion last year. The UK remained the single best export market for EI client companies overall with total exports in the region of €4.6 billion. Estimates suggest that exports to Denmark, the Netherlands and Sweden all grew. Client company exports to some central European countries are also estimated to have grown.

Exports to the Americas' region increased by 1% to €1.1 billion. Within the region, Canada is estimated to have demonstrated a good performance. The US remains the second largest market for EI client companies at €900 million in 2004. Asia showed the largest growth in exports for EI client companies, growing by nearly 20% in 2004. Asia is a relatively new export market for Irish companies and continues to demonstrate huge potential.

With regard to our principal trading partners for imports, the top ten countries from whom Ireland imports most are, in descending order, Great Britain, USA, Germany, China, France, Japan, the Netherlands, Northern Ireland, Italy and South Korea.

Employment Rights.

706. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the extent to which he monitors exploitation of the workforce including foreign workers; and if he will make a statement on the matter. [26007/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): No distinction is made in employment rights legislation between Irish and migrant

workers. For the avoidance of doubt, section 20 of the Protection of Employees (Part-Time) Work Act 2001 provides that all employee protection legislation on the Statute Book in Ireland applies to workers posted to work in Ireland in line with Directive 96/71/EC of the European Parliament and Council of 16 December 1996. This directive relates to the posting of workers in the framework of the provision of services and applies also to a person, irrespective of his or her nationality or place of residence, who has entered into a contract of employment that provides for his or her being employed in the State or who works in the State under a contract of employment. Thus all employee legislation applies to migrant workers.

The general approach adopted by the labour inspectorate to employment rights enforcement is to seek compliance and rectification of any breaches identified, including payment of any arrears due to employees. Inspectors pursue allegations of worker mistreatment and seek redress for the individual/s concerned and, if appropriate, a prosecution is initiated. Successful prosecution can be dependent on adequate support from witnesses.

The number of workplace inspections/visits undertaken by the labour inspectorate in 2004 was 5,160 and to date in 2005 the number of workplace inspections/visits is 3,213. Earlier this year several key staff members, including three inspectors, were dedicated almost exclusively to one major investigation. As a consequence of that work, and inputs from the Labour Relations Commission and Labour Court, significant adjustments in pay were secured for a number of non-national employees.

The labour inspectorate's mandate and its resources are the subject of discussion with the social partners at present. In the meantime also, sanction to increase the number of inspectors from 17 at the start of the year has been approved. It is anticipated that 31 labour inspectors will be in place before the end of October this year.

Work Permits.

707. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the current weekly average number of applications for work permits; if the number is increasing or decreasing; and if he will make a statement on the matter. [26008/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The work permits section of my Department received an average of 578 applications per week over the 12 month period up to 27 September 2005. This compares with an average of 713 applications received per week in the preceding 12 months. Approximately 75% of all

applications are now for the renewal of earlier permits. The number of new, first time permits issued is expected to decrease by over 60% in 2005 compared with 2002.

708. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the number of work permit applications processed by his office in the past 12 months; the number which were new and repeats; and if he will make a statement on the matter. [26009/05]

710. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the number of applications for work permits received in his Department in the past 12 months; the number approved; the number rejected; the number still pending and the length of time; and if he will make a statement on the matter. [26011/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 708 and 710 together.

The work permits section of my Department received 32,518 work permit applications in the 12 months up to 31 August 2005 and processed 31,246 applications in that period. Of the applications received, 29,417 were approved, 1,829 were rejected and there were 632 applications pending. Applications for work permits are currently taking 15 working days to process. Of the permits processed 7,502 were new applications and 21,153 were renewals.

709. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the number of work permits granted to first time applicants in the past 12 months; the way in which this figure corresponds with each of the past three years; and if he will make a statement on the matter. [26010/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): Set out in the table are permits issued to employers in respect of new employees over the past three years and in 2005 to date.

Year	First Time Permits
2002	19,529
2003	18,513
2004	7,950
2005 to date	5,304

It should be noted that some of the employees included above may already be in the State but changing to a new employer.

Question No. 710 answered with Question No. 708.

Social Welfare Benefits.

711. **Mr. Perry** asked the Minister for Social and Family Affairs when a decision will be made on the clothing and footwear scheme for a person (details supplied) in County Sligo; and if he will make a statement on the matter. [25825/05]

Minister for Social and Family Affairs (Mr. Brennan): The back-to-school clothing and footwear allowance scheme, BSCFA, is administered on my behalf by the community welfare division of the Health Service Executive. Neither I nor my Department has any function in decisions on individual claims. The executive has advised that an application by the person concerned for BSCFA had been rejected on means grounds, taking account of household income derived from participation in the rural social scheme. Following an appeal, the executive issued an exceptional needs payment to her in August.

As the rural social scheme is now regarded as a qualifying payment for BSCFA eligibility purposes, the executive has re-assessed her application and has determined that the person concerned is entitled to an allowance. The executive is arranging to issue payment to her shortly.

Social Welfare Code.

712. **Mr. McCormack** asked the Minister for Social and Family Affairs if his attention has been drawn to the anomaly whereby lone parents who have joined community employment schemes find that they are being penalised in doing so due to the fact that health board payments have not been increased for a number of years, particularly secondary health board payments; if he plans to increase these payments in budget 2006 (details supplied); and if he will make a statement on the matter. [24259/05]

Minister for Social and Family Affairs (Mr. Brennan): Under standard supplementary welfare allowance 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 disregarded in the standard means test. In addition, in cases where the applicant has part-time employment, that is, less than 30 hours per week, up to €60 of weekly earnings is disregarded.

Lone parents and others who participate in community employment, CE, schemes are not penalised for doing so. Up to €60 of weekly earnings is disregarded in the means test to ensure that a person is better off as a result of taking up a CE place, part-time employment or other such

opportunities. There are also disregards for any family maintenance lone parents receive. A lone parent with one child living in Galway, for example, with rent of €175 per week, whose sole income is a one-parent family payment of €168.10 per week, would ordinarily receive rent supplement of €159.50 per week, resulting in a net income after paying rent of €152.60 per week. If she takes up a CE place, her total income before rent supplement and before paying rent would rise to €343.10 per week. In these circumstances, she would be entitled to €44.50 in rent supplement and her income after paying rent would be €212.60 per week. She would be €60 better off for having taken up a CE place.

The position facing people who take up full-time employment is different. Supplementary welfare allowance is not normally payable to people 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 the back to work and other approved schemes. The weekly household income limit in these cases 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 these are in payment, are now disregarded in the assessment of household income. PRSI and reasonable travelling expenses are also disregarded. Rent supplement may be retained for up 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 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. In the first year of their participation in the back to work allowance scheme, for example, a single person can have 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. 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 participant in a back to work scheme, approved training course or employment programme, a person can opt to be assessed under either standard rules or under these special retention rules and will be entitled to receive payment under the more favourable option in their situation.

The Government has established an inter-departmental working group to examine ways in which the overall social welfare income support system for lone parents specifically can be improved, in particular to facilitate them in mov-

ing towards income self-sufficiency through employment, or further education if necessary, when their children move into the education system. The incentive or disincentive effects of the various secondary benefits, including rent supplement, is relevant in this regard and is being considered by the working group.

713. **Mr. Bruton** asked the Minister for Social and Family Affairs the reason the scheme whereby free schemes are extended to widows aged 60 years and over at the time of death of their spouse does not apply to widows upon reaching the age of 60 years; and if he will consider extending entitlements in this way. [24301/05]

733. **Ms B. Moynihan-Cronin** asked the Minister for Social and Family Affairs if he will consider entitling those in receipt of carer's benefit to the household benefits package; and if he will make a statement on the matter. [24821/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 713 and 733 together.

The household benefits package, which comprises the electricity/gas allowance, telephone allowance and television licence schemes, is generally available to people living permanently in the State, aged 66 years or over, who are in receipt of a social welfare type payment or who satisfy a means test. The package is also available to carers in receipt of a carer's allowance and to people with disabilities under the age of 66 years who are in receipt of certain welfare type payments. People aged over 70 years can qualify regardless of their income or household composition. Widows and widowers aged from 60 to 65 years whose late spouses had been in receipt of the household benefits package retain that entitlement to ensure that households do not suffer a loss of entitlements following the death of a spouse.

A range of proposals have been made to extend the coverage of the household benefits package, including those raised by the Deputies. These proposals are kept under review in the con-

text of the objectives of the scheme and budgetary resources.

Grant Payments.

714. **Mr. O'Dowd** asked the Minister for Social and Family Affairs the number of grants given by his Department to voluntary and community groups in County Louth; the amount sought by each applicant; the number of unsuccessful applicants; and if he will make a statement on the matter. [24310/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department assists and encourages long-term unemployed and other long-term welfare recipients to return to work, training or further education through measures administered by the Department's employment support service. Facilitators, based in social welfare local offices, can provide additional support to the more marginalised groups in the community, through the special projects fund. The groups who need special help of this nature include the long-term ill and people with disabilities, the very long-term unemployed, Travellers, people with literacy difficulties and lone parents.

To date in 2005, one group in County Louth received funding of €1,369 from the special projects fund. This was for a computer training programme for the very long-term unemployed.

In addition to the special projects fund, funding is also available by way of the family services project, FSP, which provides an enhanced programme of support mainly for young lone parents, parents rearing children without the support of a partner, dependent spouses on social welfare payments in households with children, carers and families of people with disabilities. One project received €85,000 for a parents in education programme for lone parent families in the north-east region, including County Louth, in 2005. There were no funding applications from groups in County Louth disallowed in the year to date under either the special projects fund or the family services project.

The family support agency also administers a scheme of grants to voluntary organisations providing marriage, child and bereavement counselling. The table shows the groups that received funding this year under this scheme of grants.

	Sought	Received
	€	€
ACCORD, Drogheda	45,000	42,700
ACCORD, Dundalk	30,000	27,850
Bethany, Dundalk	50,000	28,650
Drogheda Community Services	25,000	25,000
Drogheda Northside Community Partnership	30,000	13,000
Drogheda Schools Community Programme	128,455	22,350
Dundalk Christian Counselling Centre	11,000	9,600

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	Sought	Received
	€	€
Family Ministry, Dundalk	21,000	20,750
Gary Kelly Cancer Support Centre	57,000	2,000
O'Fiaich College Pastoral Care	6,000	3,000
Rainbows, Ardee	800	800
Rainbows, Dundalk	750	750
Rainbows, Riverstown	1,000	900
Rainbows, St. Mary's, Drogheda	1,800	900
S.O.F.T Ireland — Support Organisation for Trisomy	2,500	2,200
Women's Aid (Dundalk) Ltd.	7,923	5,400

There were no unsuccessful applications from groups in County Louth under this scheme.

Social Welfare Benefits.

715. **Mr. Hayes** asked the Minister for Social and Family Affairs the reason a person (details supplied) in South Tipperary is not entitled to the back to school allowance. [24327/05]

Minister for Social and Family Affairs (Mr. Brennan): The back to school clothing and footwear, BSCF, allowance scheme is administered on behalf of my Department by the community welfare division of the Health Service Executive. Entitlement is subject to a means test. The weekly income limit appropriate to a couple with four children is €426.00. The south eastern area of the executive has advised that it disallowed an application by the person concerned as the household income in this case was above the limit for entitlement to the allowance. It is open to her to appeal this decision to the area appeals officer of the executive.

716. **Mr. P. Breen** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Clare is not in receipt of the full dietary allowance; and if he will make a statement on the matter. [24358/05]

Minister for Social and Family Affairs (Mr. Brennan): Recipients of social welfare or health board payments who have been prescribed a special diet as a result of a specified medical condition, and whose means are insufficient to meet their needs, may qualify for a diet supplement under the supplementary welfare allowance scheme. This scheme and related supplements are administered on my behalf by the community welfare division of the Health Service Executive, and neither I nor my Department has any function in individual claim decisions.

The amount of supplement payable depends on which of two categories of diet, low cost or high cost, has been prescribed by the applicant's medical adviser, as well as the income of the individual

and his or her dependents. He is in receipt of old age contributory pension, OACP, at the rate of €182.20 per week and a fuel allowance of €9 per week. The person concerned is also in receipt of a heating supplement of €40 per month due to his medical condition. He is married and his wife is receiving a carer's allowance. The couple's total income from social welfare payments is the equivalent of €361.69 per week plus another €9 per week during the winter fuel season.

The mid-western area health service executive has advised that the person concerned is receiving the full rate of the diet supplement appropriate to a person in his circumstances.

Departmental Expenditure.

717. **Mr. Morgan** asked the Minister for Social and Family Affairs the name of each company which secured a contract over €100,000 in value with his Department in each of the past five years. [24404/05]

Minister for Social and Family Affairs (Mr. Brennan): The following companies secured contracts over €100,000 in value during the last five years.

In 2000 — Eur-Ace Security; Emerald Facilities Services; Dell Computers Ireland; Gartner Group (Irl) Ltd; Andersen Consulting; CMG Admiral; D C Kavanagh; Group 4; Brandal Nth. West; Noonan Services; Red Dog Graphics; Electricity Supply Board.

In 2001 — Bearingpoint Ire; D C Kavanagh; CAPITA Business Service; Fujitsu Consulting; Price Waterhouse Coopers; Accenture; Admiral IT Services; DMR Consulting; Gartner Ire. Ltd.; Scan Image Service Ltd.; Bates Ireland; Red Dog Design; Mazzon; Toshiba; CapGemini; KPMG; Sureskills; The Identity Business; Group 4; Grosvenor Cleaning Services; Noonan Services; Dean Weaver Cleaning; Electricity Supply Board; Futjisu Siemens; Synstar Ire. Ltd.; Advanced Telephone Systems.

In 2002 — Accenture; Bearingpoint Ire.; Cable & Wireless; Deloitte & Touche; DMR Consulting; Cap Gemini; Ernst & Young; Capita

Business Services; Lan Communications; Scann Image Services; Corporate Graphics; Carr Communications; Xerox; Toshiba; Fujitsu-Siemens; Gartner Ire. Ltd.; Modus Media; Price Waterhouse Cooper; Propylon; Scan Image Services; Watson Wyatt LLP; Xpert Technology; Dell Computers; Eircom; ATS Systems; Netg; Grosvenor Cleaning Services; Electricity Supply Board; Business And Scientific; Oki Ireland; CIE; Soft Ex; Mentec.

In 2003 — Supplies Team; IT Alliance; Setright Consulting; First Impression; Bearingpoint Ire; Cap Gemini; Fujitsu Consulting; Gartner Ire. Ltd.; Hewlett Packard Ire. Ltd.; Price Waterhouse Cooper; Propylon; Synstar Ire. Ltd.; Electricity Supply Board; Dell Computers; BIC Computer Systems; XPert Systems.

In 2004 — Account Ltd.; Neopost; Bearingpoint Ire.; Cap Gemini; Gartner Ire. Ltd.; Hewlett Packard Ire. Ltd.; I.T Alliance Consulting; McMenamin Associates; Propylon; Setright Consulting Ltd.; ESAT BT; Insight Test Services; Ennovation; McMenamin Associates; QMP Publicis; Electricity Supply Board; Oki Ireland; Tomorrows World; XPert Systems; Computer Associates.

In 2005 — Supplies Team; Trimfold; Energia; Account Ltd.; Bearingpoint Ire.; Cap Gemini; Enovation Solutions; I.T Alliance Consulting; IBM Ire. Ltd.; Setright Consulting; Electricity Supply Board; Sentel; Aurora; Planet 21.

Social Welfare Benefits.

718. **Mr. Noonan** asked the Minister for Social and Family Affairs if, in view of the changes he is making to the back to education scheme, he will reconsider the hardship caused to a person (details supplied) in County Limerick; if he will consider backdating the date of implementation of his changes to include this person; and if he will make a statement on the matter. [24434/05]

Minister for Public Enterprise (Mr. B. Ahern): 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 workforce. The conditions for entitlement to the third level option of the back to education allowance scheme were revised with effect from 1 September 2004. From that date, the qualifying period was increased from six months to 15 months for new applicants intending to commence third level courses of study.

The BTEA scheme was always intended to benefit people who had difficulty finding employment because of a lack of education qualifications. In many cases, people who have not completed second level education are held back in

their efforts to obtain employment because of this. The qualification period for people who wish to pursue second level education has remained at six months and the numbers taking second level education with the support of BTEA are increasing.

I reduced the qualifying period for access to the third level option of the scheme to 12 months in the last budget. I also increased the annual cost of education allowance, paid to people on BTEA, from €254 to €400. These changes came into effect from 1 September 2005. Following an undertaking to the Dáil and the social affairs committee, I have further reduced the qualifying period for access to the third level option to nine months in certain cases. This condition will apply to persons who are participating in the national employment action plan, NEAP, process and where a FÁS employment services officer recommends pursuance of a third level course of study as essential to the enhancement of the individual's employment prospects. This new condition also came into effect from 1 September 2005.

The person concerned started his course of study in September 2004 when the qualifying criterion was 15 months. As he is already in full-time education, he does not satisfy the conditions for participation in the BTEA scheme and it is not possible to back date the implementation of changes outlined above.

719. **Mr. Kehoe** asked the Minister for Social and Family Affairs if he will consider altering the criteria for the family income supplement so that the 19 hours per week or 38 hours per fortnight can be averaged out annually for term time workers and they are not stopped payment when off during the holidays; and if he will make a statement on the matter. [24454/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department administers a number of income support measures, including family income supplement which was introduced in 1984 to provide income support for employees with families on low earnings and thereby preserve the incentive to remain in employment in circumstances where they might be only marginally better off than if they were fully reliant on social welfare payments. It is not intended to provide income support for persons who opt to reduce their hours of work.

The National Economic and Social Council is examining the merging of child dependant allowances with the family income supplement scheme into a second tier child income support payment as a way of addressing the issue of child poverty by channelling resources to low income families without creating disincentives to employment. I look forward to receiving the NESC report in the near future.

720. **Mr. Morgan** asked the Minister for Social and Family Affairs the percentage of those in receipt of rent supplement who are single. [24464/05]

Minister for Social and Family Affairs (Mr. Brennan): There are 35,499 recipients of rent supplement whose marital status is recorded as single, equivalent to 61% of the total of 58,549 people receiving rent supplement at present.

Social Welfare Code.

721. **Mr. O'Shea** asked the Minister for Social and Family Affairs the proposals he has to substantially improve the financial situation of the elderly parents of intellectually disabled children in receipt of the disability allowance where the only income of the parents is the social welfare pension or carer's allowance; and if he will make a statement on the matter. [24468/05]

Minister for Social and Family Affairs (Mr. Brennan): From January this year, the old age contributory and non-contributory pensions increased by €10 to €179.30 per week and €166.00 per week respectively. With regard to carer's allowance, the maximum rate of carer's allowance for a carer under 66 years increased from €139.60 to €153.60 per week from January while the maximum rate for a carer over age 66 years increased from €157.80 to €169.80 per week. In addition, all recipients of the carer's allowance receive the household benefits package of free schemes and the annual respite care grant, which increased to €1,000 from June, for each care recipient. A person caring for two or more people also receives an additional 50% on their personal payment.

Provision was made in budget 2005 for the extension of the respite care grant to all carers who are providing full-time care to a person who needs such care from June 2005. The extension benefits carers who are providing full-time care and who are either in receipt of a social welfare payment, for example, widow's pensions, old age pensions, one-parent family payment, disability benefit and invalidity pension, and those who do not receive a weekly social welfare payment from my Department. Further improvements for carers will be considered in a budgetary context in consultation with my colleague the Tánaiste and Minister for Health and Children.

722. **Ms B. Moynihan-Cronin** asked the Minister for Social and Family Affairs if he will restore the MABS supplement to assist persons on low incomes and social welfare with debts; and if he will make a statement on the matter. [24489/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department has overall responsibility for the money advice and budgeting service, MABS, which provides assistance to people who are over-indebted and need intensive help and advice in coping with their debt problems. There are 53 independent companies nationwide operating the service. The service places an emphasis on practical budget based measures that help people to move permanently from dependence on moneylenders and to access alternative sources of low cost credit, particularly through their local credit union.

The MABS service has been allocated €13.62 million this year to ensure the continued development of the service. This represents an increase of €2.2 million or more than 19% on the 2004 allocation. This additional funding will assist the MABS service with a range of developments set out in its recently approved modernisation action plan, including completion of the development of its debt management database and the introduction of new contact methods, particularly through a phone help desk service for initial client contact and advice.

MABS supplements, paid in certain former health boards through the supplementary welfare allowance scheme, were ceased in 2003, although any arrangements already in place with existing clients were kept in payment. MABS supplements were never paid in many cases and almost all MABS customers made arrangements with their creditors that did not rely on these supplements. I have no plans to reintroduce such supplements, given the successful arrangements that are in place at MABS outlets throughout the State. It remains open to any person to apply to the community welfare service of the Health Services Executive for any exceptional needs payment or other form of short-term income support through the supplementary welfare allowance scheme if he or she is experiencing particular financial hardship.

723. **Dr. Upton** asked the Minister for Social and Family Affairs if he will review the terms of the bereavement grant to enable persons on low incomes cope with the high cost of funerals of their loved ones; and if he will make a statement on the matter. [24514/05]

Minister for Social and Family Affairs (Mr. Brennan): There are various schemes within the social welfare system to assist families in dealing with death and funeral expenses. These include the payment of six weeks social welfare following the death of certain social welfare recipients or their spouse, the payment of a bereavement grant to insured people and their families and the payment of the widowed parent's grant.

The scheme of six weeks payments after death ensures that where a person in receipt of a social

welfare payment dies, the social welfare income paid to the surviving spouse or partner is maintained at the same level for the six weeks after the death of the pensioner. The bereavement grant, which is a payment based on PRSI contributions, is designed to assist families in dealing with death and funeral expenses. The grant is payable on the death of an insured person or a family member, including a child under age 18 year or under age 22 years if in full-time education. The amount of the grant is €635. The widowed parent's grant of €1,000 is a scheme designed to assist with the income support needs of widows and widowers with dependent children in the immediate aftermath of a bereavement.

Any change in these arrangements would have to be considered in a budgetary context.

724. **Mr. Gregory** asked the Minister for Social and Family Affairs if, in circumstances where employees on low income retain lone parents allowance and the employer wishes to make an additional contribution to a special pension fund, that additional amount will be disregarded as income where otherwise it would result in the loss of the lone parents allowance. [24566/05]

Minister for Social and Family Affairs (Mr. Brennan): The one-parent family payment, OFP, is paid to men and women who, for one reason or another, are bringing up children without the support of a partner. In assessing entitlement to OFP, the following items are assessable as means: income from employment or self employment; maintenance payments, including maintenance paid to or for a dependent child; the value of any property one has other than their own home; the value of any investments or savings they may have; cash income.

For the purposes of assessing income from employment, an employee's gross income is taken into account. Where an employee is a member of an occupational pension scheme and his or her employer is making an employer contribution to that scheme, such contributions do not form part of the gross income of the employee and are, therefore, not assessable for the purposes of one-parent family payment. However, as the Deputy may be aware, my Department is considering the income supports for one-parent families and a special steering group, appointed by the Cabinet sub-committee on social inclusion, will report shortly on its examination of specific policy areas and how they impact on employment opportunities for lone parents.

725. **Ms B. Moynihan-Cronin** asked the Minister for Social and Family Affairs the position of persons who are on community employment schemes who apply for the back to school clothing and footwear allowance; and if he will make a statement on the matter. [24578/05]

Minister for Social and Family Affairs (Mr. Brennan): The back to school clothing and footwear, BSCF, allowance scheme is administered on my behalf by the community welfare division of the Health Service Executive. A person may qualify for payment of a back to school clothing and footwear allowance if he or she is in receipt of a social welfare or health board payment, is participating in an approved employment scheme or attending a recognised education or training course, and has household income at or below certain specified levels.

Under the scheme, an allowance of €80 is payable in respect of qualified children aged from two to 11 years. An allowance of €150 is payable in respect of qualified children aged from 12 to 22 years. The community employment scheme, CE, is included, among others, in the list of qualifying payments for the purposes of the BSCFA scheme. Participants in the CE scheme are assessed under the standard rules for BSCFA in the first instance. Those who do not qualify on means grounds but who satisfy the other conditions are eligible to receive BSCFA if their gross household income does not exceed €317.43 per week. Any income received in the form of family income supplement, FIS, is not assessable for the purposes of the €317.43 limit.

The standard income limits for receipt of BSCFA have been increased this year. Consequently, it may be more beneficial for some people on CE and other schemes if their claim is assessed using the standard income test rather than the special test for retention of secondary benefits.

726. **Mr. Ardagh** asked the Minister for Social and Family Affairs his plans to extend the fuel allowance to include the month of May. [24605/05]

739. **Mr. Ring** asked the Minister for Social and Family Affairs the steps he intends to take to increase the weekly amount granted under the fuel allowance scheme in view of the escalating fuel prices; and if he has plans to extend the length of the season for payment. [24913/05]

754. **Mr. Deasy** asked the Minister for Social and Family Affairs if he will consider increasing the fuel allowance in view of the increased fuel costs; and if he will make a statement on the matter. [25530/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 726, 739 and 754 together.

The aim of the national fuel scheme is to assist householders that are in receipt of long-term social welfare or Health Service Executive payments towards meeting their additional heating needs during the winter season. Under the

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scheme a fuel allowance of €9 per week is paid to eligible households during a 29 week winter heating period from end September to mid-April each year. An additional €3.90 per week is payable in the designated urban smokeless fuel zones. About 274,000 households receive a fuel allowance, at an expected cost of €85.4 million this year.

In addition over 300,000 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, at an overall cost of €108.8 million in 2005. There is also a facility available through the supplementary welfare allowance scheme to assist people in certain circumstances who have special heating needs. Pensioners and other social welfare groups have received significant increases in their welfare payment rates this year and in recent years. This has improved their income situation considerably in real terms relative to solid fuel cost increases and to price inflation generally. These higher rates of primary payments are payable for a full 52 weeks of the year.

I am currently examining a range of options for additional support to social welfare customers, including those who receive the fuel allowance. An extension of the fuel allowance scheme duration at the end of the season is one such option, though this would have significant cost implications. Extending the fuel season by six weeks to bring it up to the end of May would cost almost €18 million per annum and would have to have regard to other social welfare priorities.

Social Welfare Benefits.

727. **Mr. Ring** asked the Minister for Social and Family Affairs the reason it took from 5 January 2005 to 10 August 2005 to make a decision on farm assist for a person (details supplied) in County Mayo; if this person can sign for credits from January 2005. [24687/05]

Minister for Social and Family Affairs (Mr. Brennan): A deciding officer assessed the weekly means of the person concerned at €355 derived from income from spouse earnings and from a holding. This assessment exceeds the maximum weekly rate of farm assist payable, which in her case is €174. Her application for farm assist was disallowed and she was notified accordingly on 10 August 2005. The delay in processing this case is regretted. Further information was subsequently received from the person concerned and the case was referred back to the inspector. On receipt of his report a decision will be made and she will be notified of the outcome.

Credited contributions maybe awarded in respect of periods spent on farm assist, subject

to the claimant satisfying certain social insurance related conditions. In the event that farm assist is awarded to the person concerned, from the date of application, credited contributions will be granted, based on her contribution record. Should she not qualify for farm assist the question of the award of unemployment credits will have to be examined separately. To qualify for unemployment credits a person must, *inter alia*, be available for and genuinely seeking work.

728. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved the household benefits package. [24688/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned has been awarded an electricity allowance with effect from 5 September 2005. The relevant service provider has been notified to apply the allowance to the account. A free lifetime television licence has also been awarded with effect from the expiry date of the customer's current TV licence. The person concerned did not apply for a telephone allowance and stated on his application form that he did not have a telephone.

729. **Mr. Ring** asked the Minister for Social and Family Affairs when the unemployment benefit appeal for a person (details supplied) in County Mayo will be resolved. [24691/05]

732. **Mr. Ring** asked the Minister for Social and Family Affairs if a person (details supplied) in County Mayo will be awarded the unemployment benefit. [24752/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 729 and 732 together.

The person concerned claimed unemployment benefit from 27 June 2005. The deciding officer disallowed the claim on the grounds that the person was not available for or genuinely seeking employment. She has appealed against this decision to the social welfare appeals office. An appeals officer has considered the case and is of the opinion that an oral hearing is necessary. The person concerned will be notified of the time, date and venue of the hearing when these have been arranged.

Under social welfare legislation decisions relating to claims must be made by deciding officers and appeals officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

730. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved and awarded the respite care grant. [24693/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned was awarded the respite care grant and payment was made to him on 23 August 2005.

731. **Mr. Ring** asked the Minister for Social and Family Affairs when an appeal for the respite care grant will be finalised for a person (details supplied) in County Mayo. [24694/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned applied for a respite care grant on 10 May 2005. The grant was not approved by the deciding officer on the basis of the medical evidence. The person appealed against this decision to the social welfare appeals office. The case was referred to an appeals officer who has decided that further investigations are necessary in this case. The case will be further considered when the investigations have been completed.

Under social welfare legislation decisions relating to claims must be made by deciding officers and appeals officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

Question No. 732 answered with Question No. 729.

Question No. 733 answered with Question No. 713.

Social Welfare Code.

734. **Mr. Ring** asked the Minister for Social and Family Affairs his plans to increase weekly income thresholds for the family income supplement; and if he will make a statement on the matter. [24826/05]

Minister for Social and Family Affairs (Mr. Brennan): Family income supplement was introduced in 1984 to provide income support for employees with families who are on low earnings, preserving the incentive to remain in employment in circumstances where they might only be marginally better off than if they were fully reliant on social welfare payments. Weekly payments of FIS are made to families, including one-parent families, with children — that is, under 18 years or between 18 and 22 years if in full-time education — where one or more parent is in full-time remunerative employment of not less than 19 hours per week or 38 hours per fortnight, where the employment is likely to last at least three months and where the income of the family is less than the prescribed weekly amount.

This Government has increased the weekly income thresholds for qualification for a family income supplement payment by €84 since 2002. This has resulted in a net increase in FIS available to low income families of €50.40 per week. In addition, the minimum weekly payment was increased from €13 to €20 from January 2004.

Further increases of the family income supplement thresholds will be considered in a budgetary context and in the light of competing priorities.

735. **Mr. Gregory** asked the Minister for Social and Family Affairs if it is his intention to achieve the commitment of €200 per week for old age pensioners by the next general election; if it is his intention to increase the living alone allowance; and if he will make a statement on the matter. [24866/05]

Minister for Social and Family Affairs (Mr. Brennan): The Government is committed to increasing the level of the basic State pension to €200 per week by 2007. Significant progress towards achieving this target has already been made in the last three budgets. In budgets 2003 and 2004, the weekly rates of payment for all pensioners were increased by €10 per week in each budget while budget 2005 provided for an increase of €12 per week.

The living alone allowance is an additional payment of €7.70 per week made to people aged 66 years or over who are in receipt of certain social welfare payments and who are living alone. It is also available to people under 66 years of age who are living alone and are receiving payments under one of a number of invalidity type schemes.

Policy relating to support for pensioners has been to commit resources to improving the personal pension rates for all pensioners, rather than supplementary payments such as the living alone allowance. This approach ensures that the position of all pensioners is improved. Over the period since 1997, the rate of old age contributory pension has increased by 81% while the rate of old age non-contributory pension increased by 79%. These levels of increases represent increases of nearly 39% and 37%, respectively, ahead of inflation, thereby ensuring that all pensioners experienced a very significant real increase in their standard of living over that period. I look forward to making further progress in achieving our pension commitment in the next budget.

Social Welfare Benefits.

736. **Mr. Ring** asked the Minister for Social and Family Affairs when revised decisions in respect of the disability allowance for persons (details supplied) in County Mayo will issue. [24867/05]

Minister for Social and Family Affairs (Mr. Brennan): The wife of the couple in question claimed disability allowance and she was awarded an allowance in 2000 at a weekly rate appropriate to a person with nil means. She subsequently took up various part-time employments from 2001 onwards and her rate of payment was reduced accordingly.

Her husband applied for disability allowance in December 2004. In the course of investigating his

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entitlement it came to light that he owned a farm. This information had not been disclosed when his wife made her claim. On the basis of this, the deciding officer made a revised decision, the effect of which was to reduce the rate of disability allowance to the wife in respect of the period 24 November 2004 to 21 June 2005. As a consequence she has been overpaid €1,350.

She appealed against this decision to the social welfare appeals office. A submission on the case has been prepared by the deciding officer and the appeal will be referred to an appeals officer for early consideration. The application made by the husband for disability allowance has been referred to an investigator for further information and, when this is to hand, a decision will be made.

Under social welfare legislation decisions relating to claims must be made by deciding officers and appeals officers. These officers are statutorily appointed and I have no role in regard to making such decisions.

Legislative Programme.

737. **Mr. Quinn** asked the Minister for Social and Family Affairs if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commencement of which his Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [24901/05]

Minister for Social and Family Affairs (Mr. Brennan): All Acts for which my Department has responsibility have been commenced. The Social Welfare Consolidation Bill 2005, which was published at the end of June and which will be progressed during the course of the coming Dáil sitting, contains all the social welfare provisions which have been enacted and continue in force since the last consolidation of social welfare legislation in 1993. However, there are a small number of uncommenced measures, provided for in amending Social Welfare Acts passed in the intervening years. The details of all social welfare sections passed but uncommenced since the last consolidation in 1993 follow.

Section 31 of the Social Welfare Act 2000 has not yet been commenced. This provides for amendments to the administration of elements of the supplementary welfare allowance, SWA, scheme which is administered currently by the Health Service Executive. The purpose of the provision in the Act was to empower officers of my Department to decide claims for basic SWA from persons who were awaiting a decision on claims made for social welfare payments such as unemployment assistance, UA, or one-parent family payment, OFP, and also to decide claims

for retention of rent or mortgage interest supplement in cases where people were making the transition from welfare to work or training.

Implementation of this provision would involve significant change in administration of the SWA scheme and for my Department's local offices. My Department has undertaken a major review of all aspects of the SWA scheme and the commencement of this section will be considered in the light of the outcome of that review.

Certain provisions contained in section 12 and all of Part IV of the Social Welfare Act 1997 have yet to be commenced. Section 12 provides for amendments to the contribution conditions for the purposes of old age contributory pension, scheduled to take effect on a phased basis. From April 2002 the paid contributions requirement was standardised at 260 contributions. With effect from April 2012, 520 contributions, as recommended by the National Pensions Board, will be the minimum number of paid contributions required. A commencement date is specified in this provision and so a commencement order is not necessary.

Part IV of the 1997 Act provided for the introduction of a sickness allowance scheme. An evaluation of illness and disability payments recently undertaken as part of the expenditure review initiative concluded that such a scheme is not warranted from the viewpoint of providing additional benefit to customers.

Section 10(4) of the Social Welfare (No. 2) Act 1995 has not been commenced. This section contains regulatory powers to provide that a divorced person may receive a qualified adult allowance in respect of more than one person. The question of making such regulations is reviewed on an ongoing basis.

Section 22 of the Social Welfare Act 1995 has not been commenced. It contains regulatory powers for the standardisation of the arrangements applicable to the social welfare schemes with regard to absence from the State. The requirement to introduce this provision is reviewed on an ongoing basis.

Section 20 of the Social Welfare Act 1994 has not yet been commenced. Section 20 provides for the integration of the injury benefit and unemployment supplement, payable under the occupational injuries scheme, with disability benefit. Following the review of the illness and disability payment schemes, it is no longer considered that such integration is appropriate.

My Department also has responsibility for the statutory provisions of the Pensions Act 1990, as amended, which provide for the regulation of occupational pension schemes. A number of amendments have been made to the Pensions Act 1990, through the annual Social Welfare Acts and, where required, by way of a Pensions (Amendment) Act. All of the amending provisions introduced in the Social Welfare Acts, including the recent Social Welfare and Pensions Act 2005, have been commenced. Other than the

sections of the Pensions (Amendment) Act 2002 detailed below, all of the amendments effected by the Pensions (Amendment) Acts have also been commenced.

Section 39 inserts a new section 56A into the Pensions Act 1990 which provides for the consideration of index linked increases in rates payable in defined benefit schemes. This situation will be kept under review in consultation with the Pensions Board and section 39 will be commenced at an appropriate time.

Section 43 provides for new sections to be inserted into the Pensions Act 1990 to provide additional requirements with regard to, *inter alia*, disclosure and consultation prior to the winding-up of a scheme and actuarial certification of funding levels. All of these sections, 59D to 59F, require the making of regulations which are being prepared.

Social Welfare Benefits.

738. **Mr. Ring** asked the Minister for Social and Family Affairs the number of persons who were in receipt of the fuel allowance for the 2004-05 season; the cost of the scheme to his Department; and his estimate of the cost of extending the scheme to an all year round basis. [24912/05]

751. **Mr. Stanton** asked the Minister for Social and Family Affairs the number of persons in receipt of the fuel allowance each year since 2000 respectively; the amount expended on the fuel allowance in each of these respective years; the amount it will cost to extend the fuel allowance by one week in the current year; his plans to extend the fuel allowance; and if he will make a statement on the matter. [25467/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 738 and 751 together.

The aim of the national fuel scheme is to assist householders that are in receipt of long-term social welfare or health service executive pay-

ments towards meeting their additional heating needs during the winter season. Under the scheme a fuel allowance of €9 per week is paid to eligible households during a 29 week winter heating period from the end of September to the middle of April each year. An additional €3.90 per week is payable in the designated urban smokeless fuel zones.

Approximately 274,000 households receive a fuel allowance and, of those, approximately 123,000 also receive a smokeless fuel supplement. The scheme is expected to cost €85.4 million this year. Expenditure and numbers for the fuel allowance scheme from 2000 to 2005 are set out in the table. The estimated additional cost in 2005 terms of extending the fuel allowances for one week is €3 million. The estimated additional cost extending the allowance for a full year of 52 weeks would be approximately €68 million.

In addition to fuel allowance, over 300,000 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, at an overall cost of €108.8 million in 2005. A facility is available through the supplementary welfare allowance scheme to assist people in certain circumstances who have special heating needs. Pensioners and other social welfare groups have received significant increases in their welfare payment rates this year and in recent years. This has improved their income situation considerably in real terms relative to solid fuel cost increases and to price inflation generally.

I am examining options for additional support to social welfare customers in preparation for the budget in December. An extension of the fuel allowance scheme duration at the end of the season is one such option, though this would have significant cost implications and must be considered along with other social welfare priorities in the context of the budget. The following table shows the numbers receiving a standard fuel allowance, smokeless fuel supplement, and annual expenditure on the scheme:

Year	Standard fuel allowance Nos.	Smokeless supplement Nos.	Scheme cost
			€m
2000	270,000	109,000	55.5
2001	265,000	108,000	61.1
2002	259,000	115,000	80.5
2003	270,000	118,000	83.2
2004	272,000	121,000	84.7
2005	274,000	123,000	85.4

Question No. 739 answered with Question No. 726.

740. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs if he plans to require old age pensioners not to collect their pensions at

post offices and to issue them through banks or by other means; and if he will make a statement on the matter. [25044/05]

Minister for Social and Family Affairs (Mr. Brennan): The payment methods currently available to old age pensioners are payment at post

[Mr. Brennan.]

offices by means of a pension order book and direct payment to a bank, building society or post office savings account. Customers are invited to choose the method of payment which best suits them when they are making a claim and can change the payment method at any stage during the life of the claim. There is no question of a customer being required to accept a particular payment method.

As some 1.6 million customers are now paid on a weekly or monthly basis, and the Department makes in excess of 59 million payment transactions per year, my objective is to ensure that a range of payment options are available to customers and that service is continually improved by providing access to the wide range of payment options and new services and facilities which are now available. In that context earlier this year I announced a review of my Department's payment methods, with a view to identifying payment solutions which will meet the needs of customers in the future. This review will examine all the payment options used by my Department and will seek information on how best to deliver social welfare payments in the future.

741. **Mr. N. O'Keeffe** asked the Minister for Social and Family Affairs the details of the change recently announced with regard to payment of weekly pensions, allowances and so on where one week's arrears issued to recipients and where the payments made are in fact for the previous week. [25048/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department provides people receiving social welfare payments with a range of payment methods, including electronic fund transfer, EFT. Prior to 25 August 2005 people paid by EFT received their payments one week in arrears. From that date their payment frequency was changed to one week in advance. To facilitate this change EFT pension and allowance customers received a once off double payment consisting of one week's payment in arrears which they would have normally received plus one week's payment in advance. Thereafter, they have continued and will continue to receive their normal weekly payment paid weekly in advance. My Department notified the customers involved of the changes in advance. The notice included an explanation of how the change would be made by way of a double payment in late August.

Pension Provisions.

742. **Mr. Naughten** asked the Minister for Social and Family Affairs his plans to allow persons to continue to work and pay PRSI pension contributions beyond pension age to gain eligi-

bility for an old age contributory pension; and if he will make a statement on the matter.

[25129/05]

Minister for Social and Family Affairs (Mr. Brennan): An increase in workforce participation of older people is one of the more important measures identified at EU level as a means of ensuring the sustainability of pensions systems in the future. One of the main factors contributing to the projected problems for the pensions system is a reduction in the available workforce in the years ahead. Accordingly, it is important to maximise the workforce participation of all sectors, including older people.

It is important that we encourage and facilitate people who would like to continue to work beyond normal retirement age. In this regard, as indicated in response to a previous question from the Deputy, the Pensions Board is reviewing our overall pensions strategy, including the measures we can put in place to encourage people to extend their working lives. My Department has also undertaken some work in this area in the context of a review of qualifying conditions for old age contributory and retirement pensions.

I expect to receive the report of the Pensions Board in the next few weeks and at that stage I will review the position in conjunction with the work already undertaken in the Department in this area.

Social Welfare Code.

743. **Mr. Naughten** asked the Minister for Social and Family Affairs if he will increase the income disregard for an adult dependent of a contributory old age pensioner in view of the increases in the national minimum wage; and if he will make a statement on the matter. [25130/05]

744. **Mr. J. Higgins** asked the Minister for Social and Family Affairs if he will increase substantially the amount allowed to be earned by a dependent of an old age contributory pensioner from the current figure of €88.88 (details supplied). [25152/05]

755. **Mr. Deasy** asked the Minister for Social and Family Affairs if he will consider increasing the income limit for qualified adult dependents from the present €88.88 per week; when this figure was last reviewed; and if he will make a statement on the matter. [25531/05]

756. **Mr. Connolly** asked the Minister for Social and Family Affairs his proposals to considerably increase and index link the amount of earnings permissible to dependants of old age pensioners; and if he will make a statement on the matter. [25608/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 743, 744, 755 and 756 together.

For the purposes of most social welfare payments, entitlement to an increase for a qualified adult is based on the income of the spouse or partner. A qualified adult increase at the maximum rate is payable where the spouse's or partner's income is €88.88 per week or less and tapered reduced rates are payable where income is less than €220 per week. The lower threshold was last increased in the 2000 budget while the upper threshold has been increased in each successive budget since then, from £135 in 2000 to €220 in 2005.

Any change in the current arrangements relating to entitlement to qualified adult allowances would have to be considered in a budgetary context and in the light of available resources.

Question No. 744 answered with Question No. 743.

Social Welfare Benefits.

745. **Mr. Durkan** asked the Minister for Social and Family Affairs when the one-parent family allowance will be restored in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [25237/05]

Minister for Social and Family Affairs (Mr. Brennan): There is a statutory obligation on all claimants of one-parent family payment to satisfy, and continue to satisfy, the conditions for entitlement to the payment. In the case of the person concerned her one-parent family payment was terminated in May 2004. The payment was terminated on the grounds that she failed to fully disclose her means.

The person concerned contacted the Department in January 2005, requesting to be re-interviewed. An inspector of the Department subsequently interviewed the claimant and again requested her to provide the documentation necessary to determine her means. However, to date the person concerned has failed to provide this. On receipt of the requested documentation, her entitlement can be re-examined and she will be notified of the outcome.

746. **Mr. Durkan** asked the Minister for Social and Family Affairs when rent supplement will be awarded to a person (details supplied) in County Mayo; and if he will make a statement on the matter. [25240/05]

Minister for Social and Family Affairs (Mr. Brennan): Rent supplements are available to eligible people through the supplementary welfare allowance scheme, which is administered on my behalf by the community welfare division of the

Health Service Executive. Neither I nor my Department has any function in determining entitlement in individual cases. In general, people in full-time education are excluded from receiving income support, including rent supplements, under the supplementary welfare allowance scheme. However, there is provision for continued payment of rent supplement to eligible people who wish to resume full-time education in approved courses through the back-to-education allowance, subject to satisfying the other eligibility conditions of the rent supplement scheme.

The executive has advised that it rejected a claim for rent supplement from the person concerned on the basis that she is a full-time student and that she did not satisfy the eligibility criteria for participation in the back-to-education allowance scheme. She has appealed this decision to an appeals officer in the executive, who will make a determination on her eligibility and notify her of the outcome as soon as possible.

747. **Mr. Durkan** asked the Minister for Social and Family Affairs the reason all arrears of the one-parent family payment to 2001 have not been awarded in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [25245/05]

Minister for Social and Family Affairs (Mr. Brennan): All claimants of one-parent family payment have a statutory obligation to satisfy, and continue to satisfy, the conditions for entitlement to the payment. In the case of the person concerned an application for one-parent family payment was refused in March 2003 on the grounds that she failed to provide requested documentation. The claimant was informed of the decision and afforded the right of appeal at that time; however, there is no record of an appeal against the decision.

The person concerned made a new application in 2004 and was subsequently awarded the one-parent family payment with effect from 20 May 2004. A letter informing her of this decision and affording her the right of appeal, issued to her home address on 15 February 2005. There is no record of her having appealed this decision. Arrears amounting to €7,248.40 covering the period from 20 May 2004, the date from which her claim was awarded, to 2 March 2005 were forwarded to the person concerned by cheque. No further arrears of payment are due in this case.

Social Welfare Code.

748. **Mr. Carey** asked the Minister for Social and Family Affairs if he will explain the policy rationale behind the decision to transfer recipients of deserted wife's benefit to one-parent family payment; if he will investigate this anom-

[Mr. Carey.]

aly; and if he will make a statement on the matter. [25257/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned is currently in receipt of deserted wife's benefit, DWB. This benefit is a payment made to a woman deserted by her husband. An earnings limit was introduced for the deserted wife's benefit scheme in 1992. A recipient of deserted wife's benefit can earn up to €12,698.38 gross per year without the rate of deserted wife's benefit being affected. Earnings between €12,698.39 and €17,776.33 per year will cause a reduction in the rate of benefit, on a sliding scale. No payment is made where earnings exceed €17,776.33 per year.

The one-parent family payment was introduced with effect from 2 January 1997, and at that stage the deserted wife's benefit scheme was closed to new applicants; however, existing entitlements to DWB already acquired by recipients at that point have been preserved. Under the one-parent family scheme the earnings limits range between some €7,600 per year and €15,236 per year, at which point a transitional payment may apply for a period of six months, followed by a cessation of the one-parent payment.

As part of an ongoing review of deserted wife's benefit recipients undertaken by my Department, the person concerned was requested to forward a P60 for the 2004 tax year. The yearly earnings disclosed by the P60 show that the person's yearly earnings exceed €12,697.38. Therefore, her rate of payment will be reduced from €154.30 per week to €61.70 per week, as she no longer qualifies for the maximum rate of payment. If this person's circumstances change she should notify the one-parent family section of my Department who also administer the remaining deserted wife's benefit cases and her entitlement will be further reviewed.

Departmental Staff.

749. **Mr. Naughten** asked the Minister for Social and Family Affairs the steps he intends to take to avert industrial action at the pension services office in Sligo; the discussions he has had with staff representatives to address their concerns; and if he will make a statement on the matter. [25313/05]

Minister for Social and Family Affairs (Mr. Brennan): I am aware that members of the Civil and Public Services Union, CPSU, working in the pensions services office in Sligo have held a ballot and voted to take industrial action, up to and including strike, in the event of mobile telecommunications equipment being installed on the building. The building in question is State owned and the decision to install this equipment rests

with the Office of Public Works, OPW. Equipment of this kind has been installed in a range of Government offices around the country.

My Department has been in regular contact with the OPW with regard to the matter generally and to the specific concerns of the staff in the Sligo office. This contact is continuing. A meeting will also take place in the near future in the office between staff representatives and the company contracted to oversee the installation of the mast and every effort is being made to address and allay the concerns of staff in this matter.

Social Welfare Benefits.

750. **Mr. Durkan** asked the Minister for Social and Family Affairs the reason for the decision to refuse the rent allowance in the case of a person (details supplied) in County Kildare; if this practice will continue in the future; and if he will make a statement on the matter. [25323/05]

757. **Mr. Durkan** asked the Minister for Social and Family Affairs the correct amount of rent support payable in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [25636/05]

Minister for Social and Family Affairs (Mr. Brennan): It is proposed to answer Questions No. 750 and 757 together.

Rent supplements are available through the supplementary welfare allowance scheme which is administered on my behalf by the community welfare division of the Health Service Executive, HSE. Neither I nor my Department has any function in determining or reviewing entitlement in individual cases.

Entitlement to the supplement is determined by the health board in the light of the circumstances of each individual case, including the cost of the accommodation. Payment is normally calculated to ensure that the person, after payment of the rent has an income equal to the rate of supplementary welfare allowance appropriate to their circumstances, less €13.00. This €13 represents the minimum contribution which applicants are required to pay from their own resources. In the case of a household which contains a non-dependent adult, such as a son and daughter with independent means, those means are taken into account in assessing overall household income, and the non-dependent adult would be deemed to contribute €13 per week towards the rent for rent supplement assessment purposes.

The Dublin mid-Leinster area of the executive has advised that the person concerned is in receipt of one-parent family payment in respect of herself and three children. She is also receiving family maintenance and has part-time employment. Her daughter, who is also in receipt of one-

parent family payment and family maintenance for herself and her child, is residing in the same house. Following a routine review of the rent supplement payable to the person concerned, the executive determined that she was no longer entitled to rent supplement based on the household income situation. Her payment was terminated in August 2005. The executive has advised now that it will re-examine the rent supplement entitlements of the person concerned, and that it will notify her of the outcome as soon as possible.

Question No. 751 answered with Question No. 738.

Social Welfare Code.

752. **Mr. Deasy** asked the Minister for Social and Family Affairs if he will review the regulations which allows a person in receipt of a blind pension to also receive disability benefit only until they reach the age of 65 years at which point they lose one of the payments; his views on whether this can cause financial hardship at a time when the need for such persons may be greater; and if he will make a statement on the matter. [25528/05]

Minister for Social and Family Affairs (Mr. Brennan): The qualifying conditions for the payment of disability benefit are that a person is under 66 years of age, unfit for work due to illness and satisfies the PRSI contribution conditions. Persons over the age of 66 are not insurable under the Social Welfare Acts for disability benefit purposes and the age limit for receipt of disability benefit is 66 years.

There is a general rule in the social welfare code whereby a person who is entitled to more than one payment at any one time may only receive one of these payments. However, there are some exceptions to this rule which includes, historically, the treatment of persons in receipt of blind pension. A person in receipt of a blind pension aged under 66 who has sufficient PRSI contributions may also be eligible to receive disability benefit, unemployment benefit, maternity benefit, adoptive benefit, or health and safety benefit. Alternatively, they may concurrently receive widow or widowers pension or one-parent family payment. However, once a person reaches 66 years of age, only one payment may be made.

The payment rate of blind pension increases at age 66 years or over from a maximum personal rate of €148.80 per week to a maximum rate of €166.00, with increases per week for qualified adults and/or dependants. This payment rate is equivalent to the rate of old age non-contributory pension. If the person qualifies for payment of the old age contributory pension, this is paid at a higher rate. Entitlement to extra benefits such as the free travel pass and household benefits pack-

age also applies to these payments. In cases of exceptional need, assistance is available under the supplementary welfare scheme, administered by the Health Services Executive. Any changes to current entitlements would have implications for other categories of social welfare recipients and would have to be considered in the context of the budgetary social welfare package.

753. **Mr. Deasy** asked the Minister for Social and Family Affairs if he will consider increasing the income limit for persons in receipt of widows benefit in line with inflation; and if he will make a statement on the matter. [25529/05]

Minister for Social and Family Affairs (Mr. Brennan): Widows and widowers can qualify for one of a number of different schemes depending on their particular circumstances. The contributory widows or widowers pension is available to those who satisfy the necessary PRSI contribution conditions, either on their own record or that of the deceased spouse. Those qualifying for this benefit are not subject to any means test. Those without the necessary PRSI contributions can, if they have qualifying children, receive the one-parent family payment. This is a means tested payment but it does feature a reasonable earnings disregard which is designed to assist with the extra costs those with children face in trying to access training or employment. Up to €146.50 of earnings per week is completely disregarded, while earnings in excess of that, and up to €293 per week are assessed at 50%.

Widows or widowers without qualifying children can apply for the widows or widowers non-contributory pension. There is no specific earnings disregard associated with this payment but a standard allowance of €7.60 per week is applied to all income. In addition, from June this year, up to €20,000 in capital is disregarded when means are being assessed. An improvement in the income disregard for people in receipt of widows or widowers non-contributory pension would have cost implications and could only be considered in a budgetary context.

Question No. 754 answered with Question No. 726.

Questions Nos. 755 and 756 answered with Question No. 743.

Question No. 757 answered with Question No. 750.

Social Welfare Benefits.

758. **Mr. Durkan** asked the Minister for Social and Family Affairs the reason the back to school allowance has not been approved in the case of a person (details supplied) in County Kildare; and

[Mr. Durkan.]

if he will make a statement on the matter.
[25638/05]

Minister for Social and Family Affairs (Mr. Brennan): The back-to-school clothing and footwear allowance, BSCFA, is administered on my behalf by the community welfare division of the Health Service Executive. The executive has advised that it has no record of an application for BSCFA from the person concerned. If she wishes to apply, she should contact the community welfare officer at her local health centre as soon as possible to enable her entitlement to an allowance to be determined.

759. **Dr. Cowley** asked the Minister for Social and Family Affairs if, in the case of maternity benefit, his Department is willing to make an exception to the rules when a child is born prematurely, is seriously ill and has not been discharged from hospital by the time maternity leave ends; his views on whether this puts couples in a difficult situation; the alternative allowances available to persons in such circumstances; and if he will make a statement on the matter. [25647/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned was paid the maximum 18 weeks maternity benefit from 14 January 2005 to 19 May 2005. As her baby was born prematurely, her maternity leave and payment of benefit commenced from the date of birth of her child. There is provision, under current regulations, to postpone the last four weeks maternity leave or benefit in the event of the hospitalisation of the child; however, the person concerned did not avail of this option.

While the rules of entitlement to maternity benefit are specified in legislation and there is no provision for additional payments in the circumstances outlined by the Deputy, I do intend to keep this benefit under regular review in order to minimize the difficulties couples may face in exceptional circumstances.

760. **Mr. Perry** asked the Minister for Social and Family Affairs if his attention has been drawn to the difficulties and expenses encountered by a person (details supplied) in County Sligo with regard to child care costs; and if he will make a statement on the matter. [25833/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned is in receipt of one-parent family payment since June 2002 at a rate of €158.10 per week in respect of herself and one dependent child. She also receives a fuel allowance of €9 per week for the duration of the winter heating season. One-parent family payment is a means tested scheme to provide income support for unmarried or separated people with

children. The means assessment rules for the scheme contain significant earnings disregards for lone parents who wish to take up part-time or full-time employment, partly to reflect the extra travel and child care costs involved. There are also disregards for any family maintenance received.

In addition, a working lone parent would be eligible to apply for family income supplement, payable at varying rates according to earnings and family size. The main form of state child care assistance is through the equal opportunities support programme operated by the Department of Justice, Equality and Law Reform. This programme is organised on a county basis and is specifically designed to assist low-income or otherwise disadvantaged parents moving into the workforce.

Tax and Social Welfare Codes.

761. **Ms Burton** asked the Minister for Social and Family Affairs the inquiries which he has carried out into the issue of 1,416 exemptions from PRSI for employees of Gama; if he has reviewed the granting of these exemptions; if a report has been made; if he will publish the report; and if he will make a statement on the matter. [25980/05]

Minister for Social and Family Affairs (Mr. Brennan): PRSI exemptions are issued in accordance with Article 97 of SI 312/1996. The legislation provides for an exemption from PRSI contributions for up to 52 weeks to be granted to employees not ordinarily resident in the State but who are temporarily employed here. The purpose of the legislation is to avoid a situation whereby workers who are sent by their employer to work here temporarily would be subject to social insurance in two countries at the same time. Similar arrangements apply under EU legislation to workers moving within the EU and EEA and to workers covered by bilateral social security agreements with this country.

The granting of the exemption from PRSI for an individual worker is subject to a number of conditions, including a requirement that the worker holds a valid work permit and that the employer submits a signed declaration confirming that the worker has been retained in the social security system of the home country while working in Ireland. In the case of the company in question, evidence that the workers were legally entitled to work in this country was received and the company submitted the required declarations of attachment to the social security system in Turkey.

To confirm the situation, a selected number of some 80 cases was referred to the relevant authorities in Turkey via the Department of Foreign Affairs for confirmation that the workers involved had been retained in their home coun-

try's social security regime during the period covered by the PRSI exemption certificates. It has been confirmed by the social security authorities in Turkey that the employees remained in the social insurance system while exempted from PRSI in this country.

Further inquiries were made by my Department with regard to the PRSI contributions due in respect of the significant number of workers of the company in question who continued to work here after the period of PRSI exemption expired. These inquiries have confirmed that PRSI contributions were made in respect of the workers concerned and, while further work is underway to confirm the situation, the indications are that the company has now discharged its full liability in this regard.

The needs of the Irish economy have changed significantly since the PRSI exemption legislation was introduced in 1961. Changes have occurred in working patterns and skill levels and the enlargement of the European Union has also affected the labour market. Against this background and having regard to the circumstances of the case in question my Department is undertaking a review of the policy and legislative provisions and the administrative arrangements for the PRSI exemption scheme. It is my intention to bring forward any necessary measures for change in the light of the review. I am advised that this work will be completed shortly and the question of publication will be considered when the review is to hand.

762. **Ms Burton** asked the Minister for Social and Family Affairs the number of workers here who are now availing of arrangements similar to those enjoyed by Gama workers of exemption from PRSI and the use of the remittance basis for tax purposes; the employment these persons are in; the cost to the state of the loss of PRSI and income tax for each year from 2000 to date; the categories filled by such workers; the number who are employed in the IFSC or related employment; if he will review the remittance basis; and if he will make a statement on the matter. [25982/05]

Minister for Social and Family Affairs (Mr. Brennan): Issues relating to tax are a matter for my colleague the Minister for Finance. The regulatory basis for the PRSI exemption scheme is contained in Article 97 of SI 312/1996. The legislation provides for an exemption from PRSI contributions for up to 52 weeks to be granted to employees not ordinarily resident in the State but who are temporarily employed here. The purpose of the legislation is to avoid a situation whereby workers who are sent by their employer to work here temporarily would be subject to social insurance in two countries at the same time. From 1 January 2005 to 31 August 2005, PRSI exemp-

tions were issued in respect of 349 workers under the scheme of whom 281 were employed by the company named.

Information supplied with the applications in 2005, indicates that the workers for whom exemptions were sought are in a range of employment as follows; management consultants, accountants, investment managers, IT specialists, senior engineers, design engineers, project managers, company directors, purchasing managers and construction workers. The amount of PRSI which would arise if the exemptions had not been applicable to these workers is not available as details of salary payments are not a requirement in the application process. Workers moving within the EU and EEA and workers covered by bilateral social security agreements, who are posted temporarily to this country are similarly retained in the social security system of their home country. Details of the numbers of such workers are not readily available.

Road Network.

763. **Mr. F. McGrath** asked the Minister for Transport if there are any major health issues at the Dublin Port tunnel particularly with regard to dangerous gases and levels of carbon dioxide. [24781/05]

Minister for Transport (Mr. Cullen): The construction of the Dublin Port tunnel and issues related thereto are matters for the contractor, Dublin City Council, and the National Roads Authority, NRA, in the first instance. I am not aware of any major health issues on the site. I understand from the NRA that a safety audit of the project confirms that the Dublin Port tunnel complies in all respects with the requirements of the proposed EU directive on safety in road tunnels and that national and EU air quality standards have been fully taken into account in the design and construction of the tunnel.

In supervising the design and construction of the Dublin Port tunnel, the NRA has been fully cognisant of the need to ensure the highest standard of safety provision and has taken account of the most up-to-date standards and guidance. The operating system for the tunnel and the ventilation and safety systems have been designed with safety as a paramount parameter. Measures to deal with accidents, breakdowns and fires in the tunnel will all be installed.

Pension Provisions.

764. **Mr. F. McGrath** asked the Minister for Transport if he will give the maximum support and assistance to the retired aviation staff association (details supplied) at Dublin Airport with regard to the Irish Aviation pension scheme; and

[Mr. F. McGrath.]

if he will make a statement on the matter.
[24315/05]

Minister for Transport (Mr. Cullen): The Irish airlines general employees superannuation scheme is a multi-employer scheme which, in addition to Aer Lingus and Dublin Airport Authority, formerly Aer Rianta, also includes a private sector company, SR Technics, formerly FLS Aerospace Team Aer Lingus.

I met with representatives of RASA on a number of occasions and I appreciate that they have genuine concerns about their pensions. In view of the planned sale and investment transaction in Aer Lingus and the restructuring of the State airports, my Department has been in touch with Aer Lingus and the DAA about developments on the pension scheme. I understand they are actively considering the issues that have arisen with regard to the pension scheme.

I should point out that the Aer Lingus Act 2004 and the State Airports Act 2004 both contain enabling provisions that allow Aer Lingus and the DAA to establish new pension schemes for employees and pensioners. In the event of any new scheme or schemes being established, the Acts referred to above provide that existing pensioners who come within the scope of the scheme will be transferred to the new scheme unless they elect to remain in the existing scheme. The Acts also ensure that the benefits granted to existing employees and pensioners under such a new scheme or schemes shall not be less than those granted under the existing scheme.

765. **Mr. Sargent** asked the Minister for Transport if he will review the decision taken by the Government in 1969 which created the situation affecting members of the Retired Aviation Staff Association where since 1990 the pension increases in the Irish Aviation (General Employees) Pension Scheme have fallen behind the public service by approximately 50%; and if he will undertake to have this matter of inequity and lack of parity with other pensioners resolved before any other changes take place affecting the State Airport Authorities or Aer Lingus.
[24333/05]

Minister for Transport (Mr. Cullen): The Irish airlines general employees superannuation scheme is a multi-employer scheme which, in addition to Aer Lingus and Dublin Airport Authority, formerly Aer Rianta, also includes a private sector company, SR Technics, formerly FLS Aerospace Team Aer Lingus.

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State airports, my Department has been in touch with Aer Lingus and the DAA about developments on the pension scheme. I understand they are actively considering the issues that have arisen with regard to the pension scheme.

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Public Transport.

766. **Ms O. Mitchell** asked the Minister for Transport the number of new and additional buses promised to Dublin Bus and Bus Éireann under the national development plan; the number of each delivered and operational on the ground; and if he will make a statement on the matter.
[24337/05]

Minister for Transport (Mr. Cullen): The target for buses in Dublin under the national development plan, NDP, is 275 additional buses and 500 replacement buses. To date, Dublin Bus has purchased 497 new buses of which 93 are additional and 404 are replacement buses. The Exchequer partially and or fully funded 248 of these buses and they are all operational.

The NDP target for buses for regional public transport is 450 buses to upgrade rural transport fleets and 110 buses to improve services in the urban centres outside Dublin. To date, Bus Éireann has purchased 421 new buses of which 65 are additional and 356 are replacement buses. The Exchequer funded 172 of these buses and they are all operational. Included in this are 174 expressway coaches purchased by Bus Éireann since 1999.

Dublin Bus is carrying out a review of the bus network in Dublin to assess the impact of recent upgrades in rail capacity such as the Luas and the DART upgrade and ongoing demographic changes. The company is, in the first instance, assessing how to maximise the utilisation of its existing bus fleet. The company has informed me that it expects the bus network review to be completed early next year.

In addition, I am considering the proposals put to me by the various stakeholders in the market and the social partners on how best to modernise the regulatory framework for the bus market. I hope to bring forward proposals in the near

future which will provide a framework for both public and private bus operators to participate in the growing market.

EU Directives.

767. **Mr. Morgan** asked the Minister for Transport if the State has fully implemented all directives from the European Union in respect of motor insurance; if it is correct that a failure to fully transpose directives in respect of this matter has meant that certain Irish accident victims are not able to claim the same entitlements as victims in other European states where an uninsured driver is involved in the accident; and if he will make a statement on the matter. [24396/05]

Minister of State at the Department of Transport (Mr. Callely): Council Directive 72/166/EEC of 24 April 1972 on the approximation of the laws of member states with regard to insurance against civil liability in respect of the use of motor vehicles, and to the enforcement of the obligation to insure against such liability was implemented by Statutory Instrument No. 178/1975. The second Council Directive 84/5/EEC of 30 December 1983 on the approximation of the laws of the member states with regard to insurance against civil liability in respect of the use of motor vehicles was implemented by SI No. 321/1987 and by SI No. 463/2001. The third Council Directive 90/232/EEC of 14 May 1990 on the approximation of the laws of the member states with regard to insurance against civil liability in respect of the use of motor vehicles was implemented by SI No. 347/1992.

Directive 2000/26/EC of the European Parliament and of the Council of 16 May 2000 on the approximation of the laws of the member states with regard to insurance against civil liability in

respect of the use of motor vehicles and amending Council Directives 73/239/EEC and 88/357/EEC, the fourth motor insurance directive, was implemented by SI No. 651/2003.

Preparations are in place for the implementation of the fifth motor insurance directive, Directive 2005/14/EC of the European Parliament and of the Council of 11 May 2005 amending Council Directives 72/166/EEC, 84/5/EEC, 88/357/EEC and 90/232/EEC and Directive 2000/26/EC of the European Parliament and of the Council with regard to insurance against civil liability in respect of the use of motor vehicles, in advance of the transposition deadline of 11 June 2007.

Arising out of the implementation of the second directive the European Commission issued a reasoned opinion in respect of one aspect of Ireland's approach to the directive, concerned with compensation where drivers are uninsured. The High Court also referred to the European Court of Justice a question concerned with the interpretation of the third motor insurance directive. My Department will await the outcome of due process in both cases and will take any remedial steps that may be necessary on foot of the outcome in each case.

Departmental Expenditure.

768. **Mr. Morgan** asked the Minister for Transport the name of each company which secured a contract over €100,000 in value with his Department in each of the past five years. [24405/05]

Minister for Transport (Mr. Cullen): The following table summarises the names of each company which secured a contract over €100,000 inclusive of VAT in each of the past five years with my Department.

Name of Company	Nature of contract	Year awarded
Environment Resources Management Ireland	Report on public safety zones at Dublin, Cork and Shannon airports	2000
Kilroys Solicitors	To provide legal advice to the Department of Transport to assist Ireland's successful bid to host the international registry of financial interest in aircraft, which was established under the Capetown Convention	2000
IRMS	A review of railway safety in Ireland second implementation review	2000
Mason Solicitors Babbie Group Limited Booz Allen Hamilton	Recommendations regarding scope or operating contract for light rail	2000
Ernst & Young Arthur Cox Fitzpatrick Associates Simmons & Simmons WS Atkins	To advise the Department in developing a policy for public private partnerships for metro and light rail	2000
Parsons Brinckerhoff Ireland Limited formerly PB Kennedy & Donkin	Consultants to the monitoring committee for the Dublin light rail project	2000
Aluset Limited	Provision of driving licences	2000
PricewaterhouseCooper	Supervision of car testing franchise	2000 ongoing

[Mr. Cullen.]

Name of Company	Nature of contract	Year awarded
Schroder Salomon Smith Barney and AIB Capital Markets	Joint global co-ordinators for the Aer Lingus IPO	2000
Linklaters and Alliance	International legal advisers to Aer Lingus IPO, sub con of SSSB/AIBCM	2000
William Fry Solicitors	Legal advisers to Aer Lingus IPO, sub con of SSSB/AIBCM	2000
Mason Hayes and Curran	Legal advisers to retail aspect of Aer Lingus IPO, sub con of SSSB/AIBCM	2000
Drury Communications	PR marketing adviser to Aer Lingus IPO	2000
Irish International Group	Advertising agency for Aer Lingus IPO including production of TV and press advertising	2000
International Team	Review of the files of the fatal accident to Aer Lingus Viscount St. Phelim, reg. EI-AOM 2000	2000
Lloyds Register MHA Limited	Draft guidelines for the design of railway infrastructure and rolling stock	2001
Currie & Brown in association with Ernst & Young	Review existing arrangements to monitor expenditure and to develop a project management system for the public transport investment programme under the national development plan	2001
Booz Allen Hamilton	Assistance in establishing the investment monitoring unit public transport	2001
Thomson Prometric Limited	Driver theory test	2001
PricewaterhouseCooper	To advise on the options for dealing with issues in the context of a possible restructuring of CIE.	2001
Loganair	PSO Derry-Dublin route	2001
Aer Arann	PSO Kerry-Dublin route	2001
Aer Arann	PSO Galway-Dublin route	2001
Aer Arann	PSO Knock-Dublin route	2001
Aer Arann	PSO Sligo-Dublin route	2001
Aer Arann	PSO Donegal-Dublin route	2001
William Fry Solicitors	Legal advice with regard to employee share ownership plan, ESOP, in Aer Lingus	2001
Atkins Consultancy	Fares study advice	2002
Steer Davis Gleeve	Regulation of bus services outside the greater Dublin area	2002
Holland Rail Consult	Technical audits CIE NDP public transport projects	2002
SWS Limited	Data conversion	2002
Agresso Financials	Implementation and provision of financial management system for Department	2002
Mentec International Limited	Financial management	2002
Euroceltic Airways Limited	PSO Sligo-Dublin route	2002
Euroceltic Airways Limited	PSO Donegal-Dublin route	2002
Aer Arann	PSO Kerry-Dublin route	2002
Aer Arann	PSO Galway-Dublin route	2002
Aer Arann	PSO Knock-Dublin route	2002
Booz Allen Hamilton in association with Ernst & Young and ERM	Production of strategic rail review	2002
Indecon International Economic Consultants	Mid-term evaluation of the economic and social infrastructure operational programme	2003
Area Development Management Limited, ADM	To administer and manage the taxi hardship payments scheme which implemented the recommendations of the taxi hardship panel report.	2003
PricewaterhouseCooper, Matheson Ormsby Prentice and Steer Davies Gleave	Expert advice on the restructuring of Aer Rianta	2003
Aer Arann	PSO Sligo-Donegal-Dublin routes	2003
Richmond Recruitment	Project manager for Irish digital tachograph card issuing project.	2004

Name of Company	Nature of contract	Year awarded
Cybertrust Ireland Limited	Provision of a certificate authority for digital tachograph	2004
Giesecke and Devrient GB Limited	Provision of SMART cards and associated personalisation services for digital tachograph	2004
Arthur Cox Solicitors	Advice on drafting the general scheme of a bill providing for a new regulatory framework for provision of public transport services and legal advice on service level agreements with the CIE companies	2004
Booz Allen Hamilton	Technical Audits of CIE NDP public transport projects	2004
Goodbody Economic Consultants	Review and development of investment appraisal and monitoring systems	2004
Brendan D'arcy KPMG	Financial advice to management board and setting up of internal audit procedures	2004
Audrey Kirwan	Consultancy for accountancy services	2004
Rational Commerce Limited	Upgrading of hardware and software underlying the driving test application	2005
Indecon International Economic Consultants	Update evaluation of the economic and social infrastructure operational programme	2005
PricewaterhouseCooper with SH&E	Assistance to both the Minister for Transport and the Minister for Finance re analysis and review of the State airports business plans	2005
Aer Arann	PSO Sligo-Donegal-Dublin routes	2005
Aer Arann	PSO Kerry-Dublin route	2005
Aer Arann	PSO Galway-Dublin route	2005
Loganair	PSO Knock-Derry-Dublin routes	2005
UBS & AIB Capital Markets	Advice to the Ministers for Transport and Finance on most appropriate mechanism for an Aer Lingus investment transaction	2005

Driving Tests.

769. **Ms B. Moynihan-Cronin** asked the Minister for Transport the position regarding the opening of a new driving test centre in Killarney, County Kerry; the number of persons awaiting a test at the Killarney centre; and if he will make a statement on the matter. [24495/05]

Minister for Transport (Mr. Cullen): A potential suitable site for a new driving test centre has been identified in Killarney. Negotiations are ongoing between the Office of Public Works and the owner. There are 2,061 people awaiting a driving test at the Killarney test centre.

770. **Ms B. Moynihan-Cronin** asked the Minister for Transport the number of persons awaiting a driving test at the Tralee driving test centre. [24496/05]

Minister for Transport (Mr. Cullen): There were 1,662 driving test applications on hand for the Tralee driving test centre as of 26 September 2005.

State Airports.

771. **Ms B. Moynihan-Cronin** asked the Minister for Transport his policy on the future of the

Great Southern Hotels group; and if he will make a statement on the matter. [24505/05]

Minister for Transport (Mr. Cullen): In accordance with the State Airports Act 2004, the three airport authorities, including the Dublin Airport Authority, are currently preparing comprehensive business plans for their airports. As part of its business plan, the Dublin Airport Authority will be addressing the position of its principal subsidiaries, including the future of the Great Southern Hotels, GSH, group. I will be considering the DAA's proposals in consultation with the Minister for Finance.

Public Transport.

772. **Mr. P. Breen** asked the Minister for Transport if some grant assistance or scheme will be put into place for bus operators who have to refit new seats with integrated seat belts in their buses to comply with the new regulations; and if he will make a statement on the matter. [24511/05]

Minister of State at the Department of Transport (Mr. Callely): I have no plans to make it a regulatory requirement to retrofit seat belts in existing buses. As far as school buses are concerned, the Minister for Education and Science is putting in place arrangements so that only buses

[Mr. Callely.]

equipped with seat belts will be used in the school transport fleet. It will be a matter for school bus contractors, in conjunction with Bus Éireann, either to retrofit seat belts in existing buses or to provide vehicles with seat belts fitted by the manufacturer.

It is not proposed that financial assistance will be provided by my Department in respect of costs incurred by bus owners in retrofitting seat belts in their buses.

Driving Tests.

773. **Ms O. Mitchell** asked the Minister for Transport the progress made to date in appointing private sector driving testers; when they will begin work; the number of tests per week that it is anticipated that they will carry out; and if he will make a statement on the matter. [24544/05]

Minister for Transport (Mr. Cullen): In an effort to reduce the current unacceptable and exceptional backlog of persons awaiting a driving test, my Department produced a package of measure to deal with the problem. One of the measures in that package was a proposal to out-source a batch of 40,000 tests on a once-off basis.

Following a tendering process a preferred tenderer to carry out the driving tests has been selected. Before implementing the initiative, it is proposed, in accordance with the provisions of Sustaining Progress, to discuss with the various staff associations the carrying out of the driving tests by the contractor and in particular to address the nature of the changes involved, the reasons for them and any impact on staff.

Road Safety.

774. **Dr. Cowley** asked the Minister for Transport if his Department will consider issuing permits from point to point for the movement of large construction equipment; if his attention has been drawn to the difficulties experienced by contractors going about their daily business; if his attention has further been drawn to the fact that there are varying rules, regulations and charges applying to the permits from each local authority; his views on whether one permit per journey is sufficient and where traffic disruption is not an issue permits should be issue for a year; and if he will make a statement on the matter. [24549/05]

778. **Ms O. Mitchell** asked the Minister for Transport if he will streamline the permit system in operation for the movement of large construction equipment through local authority areas and obviate the need for the multiple applications to local authorities operating differing rules and regulations. [24653/05]

781. **Mr. McCormack** asked the Minister for Transport his plans to streamline the regulations concerning the issuing of permits to contractors

for the movement of large construction equipment on public roads; if this matter will be dealt with nationally rather than the present situation which necessitates contractors applying to each local authority where the machinery moves through; and if he will make a statement on the matter. [24776/05]

824. **Ms Shortall** asked the Minister for Transport the action he is taking to address the excessive bureaucracy and inconsistent approaches of local authorities with regard to the permit system for the movement of large equipment; and the steps he will take to reform the current system and introduce a standardised country-wide permit scheme. [25934/05]

Minister of State at the Department of Transport (Mr. Callely): I propose to take Questions Nos. 774, 778, 781 and 824 together.

All vehicles using public roads are required by law to comply with a range of standards in respect of their construction, equipment, use, weights and dimensions. The requirements are set out in the Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963 to 2002 and the Road Traffic (Construction and Use of Vehicles) Regulations 2003 to 2004. These regulations apply in the interests of public safety and to protect road infrastructure.

Regulation 59 of the Road Traffic (Construction and Use of Vehicles) Regulations 2003 provides for the issuing of special permits by local authorities for the use of vehicles on roads notwithstanding that they contravene certain provisions of the aforementioned regulations. Specifically, the special permit system is intended to deal with vehicles carrying abnormal and indivisible loads. The function is assigned to local authorities because they are best placed to assess the suitability of the roads in their functional areas for use by non-compliant vehicles and to determine the appropriate routes and itineraries to be used in the making of journeys by such vehicles. A special permit issued by a local authority may cover one or more vehicles and have a validity of up to 12 months duration. I have no plans for my Department to take on the function of issuing special permits.

I am aware of the dissatisfaction of some haulage contractors concerning the existing arrangements for the issue of special permits, particularly in connection with journeys conducted on a regular basis involving wide and long loads. My Department is currently reviewing the special permit system with a view to identifying ways to streamline the process relating to the transport of wide and long loads and to introducing, as far as is possible, the application of uniform practices by local authorities in the administration of the special permit system generally.

775. **Mr. Gormley** asked the Minister for Transport his views on whether Ireland should follow

the example of other countries and allow cyclists to use footpaths; and if he will make a statement on the matter. [24556/05]

Minister for Transport (Mr. Cullen): The Road Traffic (Traffic and Parking) Regulations 1997 to 2004 establish the statutory basis for the segregation of pedestrians and traffic using public roads.

Under those regulations local authorities may provide cycle tracks for the use of cyclists where they deem such facilities to be necessary or appropriate. Local authorities may also provide such facilities as segregated parts of footways. I do not have any proposals to amend the current restrictions on the use of footway, other than segregated cycle tracks as described, by vehicles, including cycles.

Accident Investigation.

776. **Ms O. Mitchell** asked the Minister for Transport if he has received all the reports into the recent school bus tragedy in Navan; the main findings of such reports and the recommendations contained within these reports; when these reports will be published; and if he will make a statement on the matter. [24562/05]

Minister for Transport (Mr. Cullen): I wish to advise the Deputy that I have not received any report into the three investigations being undertaken by the Garda, Bus Éireann and the Health and Safety Authority into the incident in question. The publication of such reports is a matter for the bodies concerned in the first instance. I await to hear from them in that regard when they are completed.

Traffic Management.

777. **Ms O. Mitchell** asked the Minister for Transport if, during the review of the traffic management grants scheme proposed for late 2005, there will be a rigorous assessment of the demand for bus lanes and cycle lanes before public money is expended; and if buses will be available in order to ensure that anticipated demand can be met on any new bus lanes. [24588/05]

Minister of State at the Department of Transport (Mr. Callely): I propose that the review of the traffic management grants scheme proposed for later this year will involve a rigorous assessment of the demand for bus lanes and cycle lanes. In carrying out the review there will be regard to the current approval scheme which involves assessment of potential projects by both the implementing local authority and the DTO traffic management grants committee. Projects are prioritised using a form of multi-criteria decision analysis devised by Dublin City Council's quality

bus network project office, QBNPO, in consultation with the local authorities of the greater Dublin area.

With regard to the provision of buses, I understand from my colleague, the Minister for Transport, Deputy Cullen, that Dublin Bus is currently carrying out a review of the bus network in Dublin to assess the impact of recent upgrades in rail capacity such as Luas and the DART upgrade and ongoing demographic changes. The company is, in the first instance, assessing how to maximise the utilisation of its existing bus fleet and it is expected that the bus network review will be completed by the end of the year.

Question No. 778 answered with Question No. 774.

Driving Licences.

779. **Mr. P. Breen** asked the Minister for Transport if a driving licence was issued to a person (details supplied); and if he will make a statement on the matter. [24664/05]

Minister for Transport (Mr. Cullen): Under the Road Traffic Act 1961 and the Road Traffic (Licensing of Drivers) Regulations 1999 to 2004, it is a matter for the appropriate licensing authority, in this case Dublin City Council, to determine the eligibility of a person for a driving licence, and to issue licenses.

Road Safety.

780. **Mr. Quinn** asked the Minister for Transport, further to Parliamentary Question No. 347 of 15 February 2005, if guidelines under section 9 of the Road Traffic Act 2004 have now been issued to local authorities regarding the implementation of 30 kilometres per hour speed limits in the vicinity of schools and other appropriate areas; the location at which such guidelines can be studied; and if he will make a statement on the matter. [24667/05]

Minister for Transport (Mr. Cullen): As indicated in reply to Parliamentary Question No. 219 of 27 April 2005, I issued guidelines on the application of special speed limits to the county and city managers on 18 April 2005. Copies of the document were placed in the Oireachtas Library at the time and the guidelines are also available on my Department's website, www.transport.ie, under roads/publications.

Question No. 781 answered with Question No. 774.

Road Network.

782. **Mr. F. McGrath** asked the Minister for Transport his views on the fact that the NRA and

[Mr. F. McGrath.]

NTR are answerable to him under the 1993 Act; the reason he will not intervene on this matter relating to people with a disability (details supplied). [24782/05]

Minister for Transport (Mr. Cullen): I understand that the matter referred to by the Deputy relates to the payment of tolls in respect of vehicles displaying a disabled parking permit. The position relating to charging tolls is that the statutory power to levy tolls on national roads, make toll by-laws and enter into agreements with private investors in respect of the use of toll revenue to fund national road improvement projects is vested in the National Roads Authority, NRA, under Part V of the Roads Act 1993, as amended by the Planning and Development Act 2000. In this context it is a matter for the NRA to determine categories of vehicles in respect of which tolls shall not be payable.

I understand from the NRA that its by-laws for all toll schemes provide that tolls are not payable in respect of “specially adapted vehicles driven by disabled people”. It should be noted that the agreement relating to the Westlink is between the NRA and NTR and that NTR is not answerable to the Minister for Transport under the 1993 Roads Act.

Rail Network.

783. **Mr. Quinn** asked the Minister for Transport if he will report on the state of the rail line currently running from Heuston Station, Dublin, through a tunnel under Phoenix Park and overground through Cabra, Glasnevin and onwards to Connolly Station and the Docklands area; the time and funding that would be necessary to rehabilitate this line in order to put it into use as an urban rail or tram link between Heuston Station and the Docklands areas; if his Department has investigated such a possibility or mandated any organisation to investigate this possibility; and if he will make a statement on the matter. [24846/05]

Minister for Transport (Mr. Cullen): There is an existing railway line connecting Heuston with Connolly and North Wall freight yard. The line is in good condition and is in regular use for freight services and transfer of rolling stock. The line is also occasionally used for passenger trains for major sporting events at Croke Park, for example, the recent football and hurling All Ireland finals when trains from Cork and Kerry went directly to Connolly Station.

The railway line is not used for commuter services from the south west or as a commuter link between Heuston and Connolly because it is not possible to accommodate additional peak train services into Connolly. The line between Connolly and Pearse is already at full capacity and any additional capacity created in the future will be needed to cater for growth on the DART,

northern suburban and Maynooth lines. Connections between Heuston and Connolly are provided by Luas and Dublin Bus services and the RPA is currently preparing an application for a railway order in respect of an extension of the Luas line into the Docklands.

Iarnród Éireann is currently examining options for a new station in the Docklands area which would provide additional capacity on the Maynooth line pending the construction of the proposed interconnector tunnel. Iarnród Éireann regards the interconnector tunnel as the best option for providing additional cross-city capacity.

The company’s proposals relating to the interconnector are being examined in the context of the multi-annual investment framework for transport, which is being prepared by my Department at present.

Official Engagements.

784. **Mr. Kehoe** asked the Minister for Transport if he visited a GAA club (details supplied) in County Carlow during July 2005; if so, the purpose of the visit; the action he undertook as a result of the visit; if he directly or through his office spoke to the NRA; and if so, the nature of the discussions arising from his visit to the club. [24860/05]

Minister for Transport (Mr. Cullen): Following representations, on behalf of Tinryland GFC by Deputy M.J. Nolan, I paid a courtesy visit to the club in July 2005. My visit provided an opportunity for the club committee to brief me on the impact on the club’s facilities resulting from the compulsory purchase of 0.6 of an acre of club property for the N9-N10 Waterford-Dublin inter-urban route.

Prior to my visit to the club I had been informed by the NRA that the compensation in respect of the CPO had been the subject of a lengthy meeting on 20 June 2005 between club representatives and officials of Kildare County Council and the NRA. The county council-NRA had advised the club at this meeting that independent arbitration was available under the CPO procedure to come to a binding determination of the compensation due where parties fail to agree. In an effort to progress the matter, Kildare County Council and the NRA offered to have the council’s valuers reassess the compensation proposed. The club property would be re-inspected as part of this process.

On my visit I encouraged the club committee to accept this offer and pursue this course of action. Apart from my Department informing the NRA of my visit and of my advice to the club members to pursue the county council-NRA offer of a further inspection neither I nor my Department has been in contact with the NRA about this issue, which is a matter for Kildare County Council and the NRA.

Departmental Legislation.

785. **Mr. Quinn** asked the Minister for Transport if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commencement of which his Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [24902/05]

Minister for Transport (Mr. Cullen): The information requested by the Deputy is set out below.

With regard to road haulage, a commencement order has yet to be made in respect of section 16 of the Road Transport Act 1999. This section provides for an “on-the-spot” fine in lieu of prosecution for offences under the Road Transport Acts and regulations on drivers’ hours and rest periods. The commencement of this section is currently the subject of discussions with the Office of the Attorney General and an amendment of the primary legislation may be required before this section can be brought into effect.

With regard to road traffic, there are no plans at present to commence Part 5 of the 2004 Road Traffic Act. Its provisions were included in the Road Traffic Act to deal with the possibility that the current unlimited liability for third party motor insurance cover could prove to be unsustainable in the market. This situation has not arisen and therefore Part 5 has not been commenced.

The provisions of section 93 of the Road Traffic Act 1961 relating to protection of bridges from excessive burdens, as amended by section 61 of the Road Traffic Act 1968, are being examined in the context of the review of the Traffic Signs Manual, 1996, that is being undertaken at present. A decision regarding the commencement of this section will be taken when that review is completed.

Section 9 of the Road Traffic Act 2002 relating to disqualification pursuant to the European Convention on Driving Disqualification, as amended by section 25 of the Road Traffic Act 2004 and associated Second Schedule to 2002 Act, will be commenced when reciprocal measures at national and international level are in place.

Section 12 (1), (3) and (4) of the Road Traffic Act 2002, as amended by section 23 of the Road Traffic Act 2004, together with the related Parts 1, 2, 3, 4 and 5 of the First Schedule, Penalty Points of the Road Traffic Act 2002, relate to the operation and enforcement of the fixed charge system and the application of the penalty points system to certain road traffic offences. These pro-

visions, except insofar as already commenced, will be progressively commenced as the operation and enforcement of the fixed charge system is extended to the specified offences. This will occur once the Garda Síochána IT processing system and related administrative supports are in place.

Sections 13 and 14 of the Road Traffic Act 2002 are broad enabling provisions. There are no proposals to commence these sections at this time. It is proposed that consideration will be given to the transfer of functions required under section 16 of the Road Traffic Act 2002 to local authorities in 2006.

Regarding the Taxi Regulation Act 2003, commencement of section 35 requires further consultation with licensing authorities and the Courts Service, among others, to ensure that the appropriate arrangements for implementation are in place.

Commencement of section 36, as amended by section 36 of the Road Traffic Act 2004, requires further consultation with licensing authorities, the Garda Síochána, the Courts Service, among others, to ensure that the appropriate arrangements for implementation are in place. Specific legal advice on a number of issues surrounding the practical application of the section has been sought from the Office of the Attorney General. Section 44 (5) will not be commenced pending the commencement of section 36 of the Taxi Regulation Act 2003.

Regarding aviation, the provisions of the Aer Lingus Act 2004 which provide the legal framework to facilitate third party investment in the company will be commenced immediately prior to an investment transaction and the provisions which facilitate ESOT Board representation will be commenced as required.

State Airports.

786. **Mr. Quinn** asked the Minister for Transport the number of permissions granted to aircraft registered outside the State to transit through or land at airports here or at Casement Aerodrome while carrying weapons or munitions on board; the number of these relating to fewer than 20 weapons on a single aircraft; the number of the total relating solely to sidearms; and if he will make a statement on the matter. [24929/05]

Minister for Transport (Mr. Cullen): The carriage of weapons or munitions on civilian aircraft, either landing or overflying, is prohibited under Irish law unless an exemption is given by the Minister for Transport. This requirement has been included in information for civilian air operators for many years. The activities of foreign military aircraft landing in or overflying Ireland are a matter for the Minister for Foreign Affairs, while the arrangements at Casement Aerodrome are a matter for the Minister for Defence.

[Mr. Cullen.]

The number of exemptions for foreign aircraft granted in 2005 up to Friday, 23 September, is 964. This compares to 973 for all of 2004, and 872 for all of 2003. Approximately 90% of the exemptions are for US civilian passenger aircraft carrying soldiers — the rest of the exemptions are for civilian cargo aircraft carrying munitions or weapons.

Exemptions are not classified according to the number of weapons on board. The typical application for an exemption for soldiers comes from US civilian airlines, to carry between 100 and 130 soldiers, their personal weapons, sometimes including sidearms, and sometimes ammunition in the hold.

All of the application details are sent to the following Departments for observations before the Minister issues an exemption: the Department of Foreign Affairs in relation to foreign policy; the Department of Justice, Equality and Law Reform in relation to security; and the Irish Aviation Authority in relation to aviation safety. The Department of Defence is also informed. When any of those agencies objected to the exemption being given, the Minister has refused to grant an exemption.

787. **Mr. F. McGrath** asked the Minister for Transport his views on the anti-privatisation efforts of staff at Aer Lingus as an alternative to selling the national airline; and the position regarding this matter. [24937/05]

Minister for Transport (Mr. Cullen): As the Deputy will be aware, in its decision of 18 May the Government agreed to the State disposing of a majority shareholding in Aer Lingus subject to retaining a stake of at least 25% to protect strategic interests provided that both myself and the Minister for Finance are satisfied that this level of disposal is warranted on foot of the analysis prepared by the Departments' advisers for the transaction.

Following a competitive tender process, UBS and AIB Capital Markets have been appointed to provide financial advice and assistance to both myself and the Minister for Finance in relation to an Aer Lingus sale-investment transaction. William Fry Solicitors and Freshfields Bruckhaus Deringer have been appointed as legal advisers for the assignment. Work is already under way on phase 1 of the assignment and is expected to be completed by 1 December 2005.

In accordance with the terms of Sustaining Progress, I engaged with the trade unions on the future of Aer Lingus earlier this year before the Government finalised its consideration of the matter. Under the terms of the employee share ownership agreement, both myself and the Minister for Finance, as main shareholders, and the company must consult with the employees

through the central representative council representing the unions in Aer Lingus and the ESOP trustees. I understand from my officials that these consultations have commenced.

Road Network.

788. **Mr. F. McGrath** asked the Minister for Transport the position regarding the Dublin Port tunnel, particularly in relation to the cost of overruns and the completion date. [24958/05]

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, Dublin City Council.

I am informed by Dublin City Council that 221 compensation claims have been received to date, of which 138 are subject to ongoing negotiation, claiming, in most cases, minor damage to properties. An independent loss adjuster has assessed or is in the process of assessing these damage reports. I also understand that any verified damage connected with the tunnelling will be made good by Dublin City Council and the sum of €439,989, excluding professional fees, has been paid out to date on property repairs. A further €953,591, excluding professional fees, has been paid for the acquisition of land under property. I also understand from Dublin City Council that no confidentiality agreements have been signed by residents.

I understand from the NRA that the estimated final cost of the Dublin Port tunnel is expected to be €751 million, including price variation, against an estimated cost at tender stage of €580 million — year 2000 prices, excluding provision for price variation. The increase is mainly due to the operation of the price variation clause over the period since tender receipt in 2000 to date, with a limited number of other factors, such as higher than anticipated land settlements impacting on the updated overall project cost.

I also understand from the NRA that the primary construction work on the port tunnel is expected to be completed in December 2005 and that the tunnel will be open to traffic early in 2006, following commissioning of the tunnel's operations and safety features.

Departmental Programmes.

789. **Mr. N. O'Keeffe** asked the Minister for Transport the procedure in tendering for a contract under a rural development transport initiative (details supplied). [25059/05]

Minister for Transport (Mr. Cullen): The rural transport initiative, RTI, is a programme that provides funding on a pilot basis for 34 rural community organisations to address the public trans-

port needs of their areas through the provision of local transport services.

Area Development Management Ltd., ADM, administers the RTI on behalf of my Department. ADM and the individual RTI project groups are solely responsible for all the operational aspects of the initiative, including the services to be provided and the methods of provision. Neither I nor my Department has any role in such matters.

Rail Network.

790. **Mr. Naughten** asked the Minister for Transport the steps he is taking to implement the McCann report on the western rail corridor; and if he will make a statement on the matter. [25086/05]

Minister for Transport (Mr. Cullen): The report submitted by the chairman of the expert group established to examine the proposals for the western rail corridor is being assessed in my Department at present. The report is being considered in the context of the multi-annual framework for transport, that my Department is preparing at present.

Decentralisation Programme.

791. **Mr. Naughten** asked the Minister for Transport the timetable for the decentralisation of the National Roads Authority and the Railway Safety Commission to Ballinasloe; and if he will make a statement on the matter. [25087/05]

Minister for Transport (Mr. Cullen): The National Roads Authority and the Railway Safety Commission are not identified as early movers under the decentralisation programme. The OPW is actively seeking a potential site. Once a site has been identified, a timetable for their move will be finalised.

Rail Network.

792. **Mr. Naughten** asked the Minister for Transport his plans to upgrade the Dublin to Westport rail service; and if he will make a statement on the matter. [25088/05]

Minister for Transport (Mr. Cullen): The provision of rail services is an operational matter for Iarnród Éireann. I understand, however, that the company currently operates three services per day on the Westport to Dublin route. It is proposed to increase the service to five per day when Iarnród Éireann takes delivery of its new fleet of intercity diesel multiple unit trains in 2007. These new railcars will replace all existing rolling stock on west of Ireland routes, including the Westport line.

In the past few years, Iarnród Éireann has renewed the track on the Westport line with con-

tinuous welded rail. My Department has approved funding for the resignalling of the Westport-Ballina line and this work will be completed in 2007. Significant investment has also been made in bridges, fencing and level crossing improvements along this route. In addition, a programme of automation of existing manned level crossings is underway on the Westport line.

Road Safety.

793. **Mr. Durkan** asked the Minister for Transport his views on whether motorcycles and scooters, due to their profile being motorised and few in number, cannot possibly block or clutter bus lanes resulting in an impediment of bus progress; and if he will make a statement on the matter. [25258/05]

794. **Mr. Durkan** asked the Minister for Transport his views on whether permitting motorcycles and scooters access to bus lanes exposes the users of same to far fewer hazards than when in normal traffic in view of the observation of the National Safety Council; and if he will make a statement on the matter. [25259/05]

795. **Mr. Durkan** asked the Minister for Transport his views on whether motorcyclists can use bus lanes without compromising safety for either pedal cyclists or bus users; and if he will make a statement on the matter. [25260/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 793 to 795, inclusive, together.

The use of bus lanes is provided for in the Road Traffic (Traffic and Parking) Regulations 1997 and 1998. The primary purpose of bus lanes is to facilitate and promote bus based public transport. The regulations, which have national application, generally limit the use of bus lanes to buses and, in the case of with-flow bus lanes, to cyclists also. Having regard to the role of taxis in providing an on-street immediate hire service, an exemption to the restriction relating to the use of with-flow bus lanes is allowed in respect of taxis when they are being used in the course of business.

Many representations have been received by my Department seeking to extend access to bus lanes in relation to a wide range of other road users including hackney and limousine operators and motorcyclists. A review of the access issue was carried out in 2001 and took account of the physical characteristics of the vehicles seeking access, including motorcycles. As part of that review the views of the director of traffic in Dublin City Council, the Dublin Transportation Office and the Garda Síochána were sought. All of those bodies suggested that there should be no change to the current position. That remains the position.

Road Network.

796. **Mr. F. McGrath** asked the Minister for Transport the reason the main contractor for the Dublin Port tunnel has asked for €444 million of taxpayers' money to finish the project; and if he will make a statement on the matter. [25280/05]

Minister for Transport (Mr. Cullen): Claims for additional payments in respect of the construction of the Dublin Port tunnel are matters for Dublin City Council and the NRA in the first instance having regard to the terms of the contract.

Driving Tests.

797. **Mr. Noonan** asked the Minister for Transport when the next recruitment campaign will take place for driving test examiners; and if he will make a statement on the matter. [25301/05]

Minister for Transport (Mr. Cullen): My Department advertised a competition on Sunday, 26 September 2005, through the Public Appointments Service, to recruit contract driver testers.

Road Safety.

798. **Mr. Gilmore** asked the Minister for Transport if he will receive a deputation from an association (details supplied) to discuss a serious road safety matter; and if he will make a statement on the matter. [25304/05]

Minister for Transport (Mr. Cullen): The Minister for Education and Science, Deputy Mary Hanafin, has recently contacted me on behalf of Loughlinstown and District Residents Association which is seeking a meeting in connection with pedestrian crossing facilities on the N11. My Department has sought information on the matter from the National Roads Authority. On receipt of same I will respond to the request of the Loughlinstown and District Residents Association.

Driving Tests.

799. **Mr. Ring** asked the Minister for Transport if steps will be taken with the Office of Public Works to ensure that a property (details supplied) in County Mayo is developed immediately in order that the suspension of commercial vehicle testing in Castlebar can be lifted; and if he will make a statement on the matter. [25309/05]

Minister for Transport (Mr. Cullen): Driving tests for category C, rigid truck, are being conducted in Castlebar. Category EC tests, articulated trucks, are currently suspended as certain manoeuvres which form part of the test can no longer be safely conducted on test routes in the locality.

My Department has asked the Office of Public Works to secure a suitable off-road compound so that EC tests can be conducted safely.

Public Transport.

800. **Mr. O'Connor** asked the Minister for Transport if he will confirm that he is discussing with the Railway Procurement Agency plans for the extension of the Luas line through Tallaght west to Citywest providing stops at Fettercairn Community Centre, Brookfield, Ardmore and Carrigmore; and if he will make a statement on the matter. [25515/05]

Minister for Transport (Mr. Cullen): Responsibility for the development of specific proposals for the expansion of Luas services lies with the Railway Procurement Agency, RPA.

I understand that the RPA is in discussions with developers and South Dublin County Council about a possible extension of the Tallaght Luas line to Citywest. It is a matter for the RPA to progress these discussions, which I understand are currently going well, and to put a business case to my Department if it considers it appropriate. Developer contributions would form an important part of any business case for this project. Decisions on this, in common with other projects, will be taken in the context of the forthcoming capital investment framework.

801. **Mr. O'Connor** asked the Minister for Transport if he will seek from the Railway Procurement Agency a full report on actions proposed in respect of concerns being expressed by Kingswood Heights Residents Association regarding outstanding Luas works; and if he will make a statement on the matter. [25516/05]

Minister for Transport (Mr. Cullen): The issue raised by the Deputy is a matter for the Railway Procurement Agency, RPA. However, I have been advised by the RPA that some finishing works in the Kingswood area have yet to be completed; discussions have taken place with the relevant contractors as a result of which these works will be put in hand shortly. The RPA has also informed me that some of the works relating to landscaping issues may be deferred until the appropriate planting season.

Rail Services.

802. **Mr. Curran** asked the Minister for Transport if Iarnród Éireann has submitted a revised business plan for the Kildare route project; and if he will make a statement on the matter. [25517/05]

821. **Mr. Stagg** asked the Minister for Transport if he has received the revised business case for the Kildare route project; and if he will sanction capital expenditure on the project. [25900/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 802 and 821 together.

I have recently received from Irish Rail a revised business case in respect of the Kildare route project. My Department has completed an assessment of the revised case and I expect to make a decision on the matter in the coming days.

Regional Airports.

803. **Mr. Connaughton** asked the Minister for Transport when a decision will be made on an application to his Department for a marketing, security and training grant by Galway Airport, Carnmore, Galway; and if he will make a statement on the matter. [25610/05]

Minister for Transport (Mr. Cullen): My Department provides financial assistance to the six regional airports towards eligible expenditure incurred by the airports on marketing, safety and security measures. Proposals for annual allocations to each airport under this scheme are currently being considered and a decision on the amount of funding available to each airport, including Galway, will be made shortly.

Road Safety.

804. **Mr. Bruton** asked the Minister for Transport if the assessment of the case for banning supersize trucks has been completed; if he has set a deadline for his decision on this issue; and the remaining steps that need to be taken before a decision is made. [25628/05]

Minister of State at the Department of Transport (Mr. Callely): I expect to receive very soon a report from my officials on the outcome of the consultative process undertaken earlier this year on the question of a maximum height limit for vehicles. It is my intention on receiving the report to make an early decision on it.

805. **Mr. Bruton** asked the Minister for Transport if he has considered introducing compulsory wearing of helmets by cyclists; and if he will make a statement on the matter. [25631/05]

Minister for Transport (Mr. Cullen): There are no proposals at present to make the wearing of helmets for cyclists mandatory. The consensus of public authorities concerned with road safety has been that the wearing of helmets by cyclists is best promoted on a voluntary basis by way of educational and publicity campaigns

806. **Ms Shortall** asked the Minister for Transport the person who has primary responsibility for the provision of road safety measures, other than special speed limits, outside schools; the respective roles of the National Roads Authority, the school authorities and the local authorities; and the statutory instruments that apply. [25683/05]

Minister for Transport (Mr. Cullen): Road authorities have responsibility to address road safety measures as required on the public roads in their areas. The deployment of speed/traffic calming measures and decisions regarding traffic and parking controls are matters for determination by local authorities. These powers were devolved to the individual authorities under the Road Traffic Act 1994.

The principal regulations governing traffic and parking provisions, including provisions for application of specific parking controls to prohibit stopping and parking of vehicles at school entrances and operation of school traffic wardens, are the Road Traffic (Traffic and Parking) Regulations 1997, SI No. 182 of 1997. These regulations have been supplemented and amended by SI No. 274 of 1998, SI No. 441 of 1998, SI No. 98 of 2003, SI No. 404 of 2004 and SI No. 11 of 2005.

The principal regulations prescribing regulatory traffic signs, including specific signs for deployment at school entrances, are the Road Traffic (Signs) Regulations 1997, SI No. 181 of 1997. These regulations have been supplemented and amended by SI No. 273 of 1998, SI No. 97 of 2003, SI No. 403 of 2004 and SI No. 10 of 2005.

Directions pursuant to section 95 (16) of the Road Traffic Act 1961 in relation to the provision and use of non-regulatory traffic signs, including warning signs for school ahead and school children crossing ahead and guidance in relation to signs generally, issued to road authorities in the comprehensive Traffic Signs Manual, published in 1996. A copy of this manual is available in the Oireachtas Library. In addition, "Traffic Management Guidelines", that were jointly published in May 2003 by my Department, the Department of the Environment, Heritage and Local Government and the Dublin Transportation Office, set out guidance and advice to local authorities in respect of speed management and traffic calming generally. A copy of this publication is also available in the Oireachtas Library.

One of the specific measures available for deployment at school locations is a school warden service. The decision as to whether to deploy a school warden service at any particular location is a matter to be determined by the local authority. It is a function reserved to the elected members of the council under section 96 of the Road Traffic Act 1961.

Concerning national and motorway roads the National Roads Authority has a role also, in that road safety measures on national roads are subject to the NRA's overall responsibility for the construction and maintenance of national roads. The road traffic legislative measures have application in respect of public roads and do not prescribe functions or responsibilities for school authorities.

Departmental Legislation.

807. **Ms Shortall** asked the Minister for Transport the regulations, including statutory instru-

[Ms Shortall.]

ment references, arising from section 4 of the Road Transport Act 1932. [25691/05]

Minister for Transport (Mr. Cullen): Under section 4 of the Road Transport Act 1932, the following regulations and statutory instruments have been made: Regulation No. 26 of 1932, Road Transport Regulations, 1932; Regulation No. 135 of 1933, Road Transport (Road Transport Act 1932) Regulations, 1933; Regulation No. 201 of 1946, Road Transport (Road Transport Act 1932) Regulations, 1946; Regulation No. 82 of 1947, Road Transport (Road Transport Act 1932) Regulations, 1947; Statutory Instrument No. 64 of 1949, Road Transport Act 1932, Regulations, 1949; and Statutory Instrument No. 68 of 1955, Road Transport Act 1932, Regulations, 1955.

Rail Services.

808. **Ms Shortall** asked the Minister for Transport the money allocated in his Department's 2005 estimates for integrated ticketing; the discussions his Department has had with the RPA following the recent admission of RPA officers that a start date of 2006 was ambitious; and the way in which he proposes to speed up its full introduction. [25692/05]

Minister for Transport (Mr. Cullen): The present allocation for integrated ticketing in my Department's Estimates for 2005 is €7.5 million. The Railway Procurement Agency, RPA, is the statutory body responsible for integrated ticketing. Following an inconclusive procurement process, the RPA submitted proposals for a revised implementation plan to my Department. These are currently under discussion.

Public Transport.

809. **Ms Shortall** asked the Minister for Transport further to sections 11 and 15 of the Road Transport Act 1932, the number of licence applications and renewals refused in the past five years; the identity of the applicant and licence holder in each case; the route in each case; and the reason for the refusal in each case. [25693/05]

810. **Ms Shortall** asked the Minister for Transport the number of bus licences that were revoked in each of the past five years; the identity of the applicant and licence holder in each case, the route in each case; and the reason for the refusal in each case. [25694/05]

Minister for Transport (Mr. Cullen): I propose to answer Questions Nos. 809 and 810 together.

My Department does not make public details of applicants for licensed public transport services or for the renewal of annual passenger licences issued in accordance with the Road Transport

Act 1932, as amended, or indeed of any appeals that are under consideration, as such information is considered to be commercially sensitive. A copy of a licence once issued, however, is a public document and is available free of charge from my Department.

Therefore, the details provided below in response to the Deputy's question exclude the applicant's name but include summary details of the proposed route and the reasons for refusal. I also wish to confirm that there have been no licences revoked by my Department in the past five years. The following applications and renewals have been refused in the past five years.

Applications.

Heuston Stn.-IFSC	Conflict with existing service
Clonee-Dundalk DKIT	Conflict with existing service

Renewals.

Galway City Tour	No evidence of operation submitted
Galway-Cong Tour	No evidence of operation submitted
Connemara Tour	No evidence of operation submitted
Ballyhale-Kilkenny	Insufficient evidence of operation submitted
Killawalla-Sligo	No evidence of operation submitted
Sligo-Sligo	No evidence of operation submitted
Ballysodare-Ballyhaunis	No evidence of operation submitted
Ballysodare-Ballina	No evidence of operation submitted
Ballysodare-Dromahare	No evidence of operation submitted
Ballysodare-Bundoran	No evidence of operation submitted
Sligo-Athlone	No evidence of operation submitted
Youghall-Hilltop Hotel	Insufficient evidence of operation submitted
Millstreet-Tralee	Private Hire
Dromahare-Mallow	Private Hire

811. **Ms Shortall** asked the Minister for Transport the way in which monitoring by his officials of activity and compliance by bus licence holders is accounted for within his Department; the number of staff dedicated to monitoring on a full-time basis; if he will report on outcomes and activity levels; the number of fines and penalties imposed under the Act for each of the past five years; and his views on the adequacy of the current arrangements. [25695/05]

Minister for Transport (Mr. Cullen): Section 7 of the Road Transport Act, 1932, as amended, requires that every person who carries on a passenger road service in contravention of the Act shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding approximately €70. In the case of a continuing offence, a further fine not exceeding approximately €7 for every day during which the offence continues.

Enforcement of the provisions of the Road Transport Act 1932 is the responsibility of the Garda Síochána. The Garda Síochána have prosecuted cases for offences against section 7 of the 1932 Act, as amended. My Department does not have data on the number of fines and penalties imposed in such cases.

There are 16 staff employed in the bus licensing division of my Department. Some staff carry out monitoring exercises as part of their duties. These monitoring exercises involve reviewing the bus operations of licence holders for compliance with their licences; investigating complaints in relation to the operation of bus services, and assessing demand for services in the case of applications for new services or expanded services.

Where breaches have been observed, my Department pursues the matter with the licence holder with a view to the withdrawal of any unlicensed activity. The 1932 Act also provides the power to refuse to renew a licence where there have been frequent and grave breaches of the conditions of a licence. Transport officers in my Department who have responsibility for the enforcement of transport and road haulage issues occasionally also provide assistance to the staff of the bus licensing division in monitoring passenger road services.

Given the limits of the existing road transport legislation, there is clearly a need to modernise this legislation. The draft proposals being developed for a new regulatory regime for public transport services will include more robust enforcement powers and significantly increased penalties for breaches of licences.

Road Safety.

812. **Ms Shortall** asked the Minister for Transport the preparations his Department is making

for the introduction of automatic emergency call technology (details supplied) in 2009; and if he will make a statement on the matter. [25696/05]

Minister of State at the Department of Transport (Mr. Callely): My Department's involvement with matters relating to the European Commission's initiative "Bringing eCall to Citizens" as set out in their second eSafety communication dated 14 September 2005, would be regarding requirements for motor vehicles in regard to their equipment and use and in relation to new entry into service requirements for new vehicles under EU type approval law. Legislative initiatives in these areas have yet to be formally proposed by the European Commission for consideration by the member states.

Public Transport.

813. **Ms Shortall** asked the Minister for Transport the number of notifications he received from Bus Éireann to set up new or extended bus services in each of the past five years; and his Department's response in each case. [25698/05]

814. **Ms Shortall** asked the Minister for Transport the number of notifications he received from Dublin Bus to set up new or extended bus services in each of the past three years; and his Department's response in each case. [25699/05]

Minister for Transport (Mr. Cullen): I propose to answer Questions Nos. 813 and 814 together.

Dublin Bus and Bus Éireann are exempt from the requirement to hold a licence under the Road Transport Act 1932, as amended. However, since 10 January 2001, both companies are required by ministerial direction to notify my Department of any proposed new services or proposed changes to existing services at least four weeks prior to their introduction.

My Department was unable at short notice to collate all the information concerning notifications requested by the Deputy in relation to Bus Éireann. Information relating to Bus Éireann over the last five years will be forwarded directly to the Deputy shortly. The information requested relating to Dublin Bus over the last three years has been forwarded to the Deputy.

	Total	Noted	Returned premature	Application withdrawn by company	Deferred Prior application	Section 25 application	On hand
<i>New Services</i>							
2003	3		3				
2004	8	4	3	1	1		
2005	1	1					

[Mr. Cullen.]

	Total	Noted	Returned premature	Application withdrawn by company	Deferred Prior application	Section 25 application	On hand
<i>Extended services</i>							
2003	11	10				1	
2004	12	6	1				5
2005	3	1					2

An explanation of the various categories follows. Where there is no competition from services provided by a licensed private operator, the State bus company is advised that the Department has noted their proposed service change and the company is free to proceed. In some cases proposals are made for services on new routes where housing and infrastructural development is still in the planning phases. Where such applications are considered premature, they are cancelled and returned to the applicant. Where a proposal conflicts with a prior application from a private operator under the Road Transport Act 1932, the State bus company is informed of this by my Department. The State company is required to defer the proposed service until the prior application from the private operator concerned is decided upon. At that stage a decision is taken by my Department as to whether the service proposed by the State company can proceed.

Once the prior application for licensed services is processed, the State bus company will be advised that the Department has noted their proposal and that they are free to proceed, or, where appropriate, they will be asked to review their proposals in the light of any licence that may have been issued to the private operator for the route in question.

Where a proposal would compete with an existing licensed private operator, the relevant State bus company is so advised and the company then has the option, under section 25 of the Transport Act 1958, to seek my consent to initiate or alter a service so as to compete with a licensed passenger road service. Where the State bus company seeks such consent, my decision would be based on the specific circumstances and merits of the case.

Driving Licences.

815. **Aengus Ó Snodaigh** asked the Minister for Transport if, in view of the dangers of having persons driving without a valid driving licence, consideration has been given to implementing a system for driving licence holders to remind them three months before the expiry date of their licence; and if he will make a statement on the matter. [25764/05]

816. **Aengus Ó Snodaigh** asked the Minister for Transport if, in view of the dangers of having persons driving without a valid driving licence, his

Department has issued any directive to the issuing authorities to implement a system for driving licence holders to remind them three months before the expiry date of their licence; and if he will make a statement on the matter. [25765/05]

Minister for Transport (Mr. Cullen): I propose to take Question Nos. 815 and 816 together.

The Department of the Environment, Heritage and Local Government holds and administers the national driver file that contains driving licence records. My Department is in consultation with that Department with a view to having the necessary arrangements for the issue of driving licence renewal notices from the national driver file put in place.

Driving Tests.

817. **Mr. Connaughton** asked the Minister for Transport the total number of driving tests carried out at the test centres in Tuam and Roscommon for the months of June, July and August 2005; the number for the corresponding period of 2004; and if he will make a statement on the matter. [25786/05]

Minister for Transport (Mr. Cullen): The information requested by the deputy is set out in the table.

	June to August 2004	June to August 2005*
Roscommon	397	249
Tuam	521	311

*Provisional figures to end August.

The number of tests carried out in June to August 2005 compared to June to August 2004 was reduced due to leave arrangements and a training course for testers serving these test centres.

818. **Mr. Perry** asked the Minister for Transport if a decision has been made on an application by a person (details supplied); and if he will make a statement on the matter. [25807/05]

Minister for Transport (Mr. Cullen): A driving test has been arranged for the person concerned. Notification of the test appointment issued on 12 September 2005.

Road Safety.

819. **Ms Shortall** asked the Minister for Transport the arrangements for the investigation of fatal road accidents where road construction or surface standards were a possible contributory factor; if he is satisfied that these arrangements are adequate; if there is a role for the Health and Safety Authority investigating such accidents; and if he will make a statement on the matter. [25808/05]

Minister for Transport (Mr. Cullen): The primary investigative role in relation to road accidents is vested with the Garda Síochána. Such investigations seek to determine the causes of road accidents including, where appropriate, road construction or surface standards.

Garda reports on these investigations are forwarded to the National Roads Authority and subsequently to each local authority for the purpose of the establishment of accident trends and causes generally and to facilitate the carrying out of remedial works relating to road infrastructure where such action is deemed to be necessary.

I have no plans at present to propose alternative arrangements for investigating road accidents.

Road Network.

820. **Ms Shortall** asked the Minister for Transport the guidelines and regulations, currently in existence or proposed, governing roadworks in respect of temporary and permanent road resurfacing; the road signs and speed limits appropriate to such works; the body responsible for enforcement of such regulations; and if he will make a statement on the matter. [25809/05]

Minister for Transport (Mr. Cullen): The traffic signs manual sets out directions and advice given to road authorities by the Minister for Transport pursuant to section 95(16) of the Road Traffic Act 1961 regarding the provision and use of warning and information traffic signs. A copy of the manual is available in the Oireachtas library. Chapter eight of the manual sets out advice on the signs to be deployed at road works. Responsibility for the provision, positioning, maintenance and monitoring of such traffic signs at road works locations on non-national roads is a matter for the individual road authority and in the case of national roads, the National Roads Authority.

Since late 2004 my Department has been engaged in a comprehensive review of the traffic signs manual in association with the National Roads Authority and the Department of the Environment, Heritage and Local Government. Consultants have been engaged to prepare a new manual. It is intended that the use of the manual by road authorities will ensure a high quality of signposting in the State through uniformity of

practice and the creation of a consistent approach to signing, including at road works.

On the question of applying speed limits, section 10 of the Road Traffic Act 2004 provides that a county or city manager may make a road works speed limit order for the application of a speed limit on any road or part of a road, including a motorway, where road works are being carried out. A road works speed limit order can be applied for any period of not more than 12 months and the minimum speed limit that may be put in place by such an order is 30 kilometres per hour. This provision of the 2004 Act came into operation in January 2005.

Before making an order under section 10, a manager must give notice of the proposal to the Garda Commissioner and consider any representations made by the Commissioner. The consent of the National Roads Authority must be obtained in respect of any proposals to apply a road works speed limit on any part of a national road or a motorway. Notice of the making of a road works speed limit order must be published in one or more newspapers in circulation in the county or city where the road in respect of which the order is to have effect is located.

Section 9 of the Road Traffic Act 2004 provides for the application through the making of by-laws by the elected members of county and city councils of special speed limits in lieu of the speed limits that apply on a default basis to roads and motorways. The section also provides that the Minister for Transport may issue guidelines to county and city councils in relation to the making of special speed limit bye-laws. I issued such guidelines on 18 April 2005 and they include a specific reference to the deployment of speed limits at road works. A copy of the guidelines is available in the Oireachtas Library and may also be viewed on my Department's website — www.transport.ie under *Roads/Publications*.

The determination of what speed limit should apply at particular locations in lieu of a default speed limit is a matter for the elected members of city and county councils in the case of special speed limit bye-laws and for county and city managers in the case of road works speed limit orders.

On the subject of guidelines, the National Roads Authority has a detailed publication list of guideline and information documents on various aspects of road maintenance on its website www.nra.ie/Publications/Resources under the heading of road design and construction. In addition, the Department of the Environment, Heritage and Local Government has a list of guideline publications, primarily in relation to regional and local roads, on its website www.environ.ie/publications under roads division.

Question No. 821 answered with Question No. 802.

Rail Network.

822. **Mr. Stagg** asked the Minister for Transport if the proposals from Iarnród Éireann to electrify the Maynooth suburban rail line and to provide a new train station at Spencer Dock, which will increase frequency of the Maynooth suburban rail line, have been approved; and the cost of same. [25901/05]

Minister for Transport (Mr. Cullen): I have received proposals from Iarnród Éireann for the electrification of the Maynooth line and for the construction of a new city centre rail station as part of an overall greater Dublin integrated rail plan.

The Iarnród Éireann integrated plan is being considered in the context of the multi-annual investment framework for transport that my Department is preparing at present. The company will be required to prepare and receive approval for a business case for each individual project within the integrated plan before it proceeds.

Road Network.

823. **Mr. Stagg** asked the Minister for Transport

Grant of Annual Passenger Licences.

	€
A continuous passenger road service	7.62
A Seasonal passenger road service	5.08
Renewal of a continuous/seasonal passenger road service:	2.54
Grant of Occasional Passenger Licences: In respect of one occasion	0.63
In respect of more than one occasions	5.08

The breakdown of receipts for new and renewed licences is not available. However, the total amount of receipts for passenger licences each year from 2003 to date is set out in the table.

Year	€
2003	2,666
2004	5,055
2005	5,000 estimate

These amounts relate to all receipts taken including new and renewed passenger licences, international authorisations and receipts for journey forms.

The 2004 receipts were higher than anticipated due to the standardising of the renewal date for all annual continuous licences now to expire on 31 October and due to the fees for new and renewed international and cross-border authorisations which increased in 2004.

if shadow tolling on the M50 will be introduced (details supplied). [25910/05]

Minister for Transport (Mr. Cullen): There are no proposals to introduce shadow tolling on the M50.

Question No. 824 answered with Question No. 774.

Public Transport.

825. **Ms Shortall** asked the Minister for Transport the money received in each of the past five years for new bus licences and for bus licence renewals; and the number of licences this represents in both cases for each of the years. [25935/05]

Minister for Transport (Mr. Cullen): The legal basis for the fees charged by the bus licensing division of my Department for passenger licences, issued under the Road Transport Act 1932, is Regulations 1955, SI No. 68/1955, which amends the Road Transport Regulations 1932 No 26 of 1932.

The current level of fees is as in the table.

At any time there is a current approximate figure of 500-600 passenger licences held by private bus operators for the provision of a range of public bus services. This figure includes both new licences and renewed licences. The total number of new passenger licences, both continuous and occasional, issued over the last five years is broken down in the following table.

Year	Passenger road licences issued to private bus operators for new routes
2002	79
2003	118
2004	138
2005 to date	141

Departmental Expenditure.

826. **Ms Shortall** asked the Minister for Transport the reason his Department has spent €160 million less in the first six months in 2005 than in the same period in 2004; the projects where the

savings have occurred and the reasons for the underspend. [25936/05]

Minister for Transport (Mr. Cullen): For the first six months of 2005 this Department has spent €620 million which is €111 million less than for the same period in 2004.

The difference in the main is made up of a capital spend of €66 million less on roads projects and €40 million less on public transport projects in the first half of the year as compared with the same period last year. This reflects the challenges associated with managing a complex multi-annual capital programme to deliver projects within the budget for a given year. It is mainly timing issues which are arising and the delivery agencies remain in a position to spend their full envelope allocations in aggregate over 2005-06.

Some specific contributory factors to the lower draw-down in the first half of 2005 were planning delays, difficulties in concluding land acquisition and property transactions relating to roads and public transport and timing issues on the purchase of rolling stock.

The arrangements for a multi-annual capital envelope are specifically designed to provide the flexibility to deal with timing issues of this nature.

Rail Network.

827. **Mr. O'Dowd** asked the Minister for Transport if a second railway station will be provided on the northern side of Drogheda, County Louth; and if he will make a statement on the matter. [25959/05]

Minister for Transport (Mr. Cullen): The location of stations on the rail network is a matter for the board of Irish Rail.

The company informs me it has no plans, at present, to build a second railway station in Drogheda. While I understand that Irish Rail has had some representations regarding a second station at the north side of the town, there are some concerns from an operational perspective about the close proximity of the two stations. In any event, a new station would have to be supported by high density development within its immediate area.

Departmental Programmes.

828. **Mr. Durkan** asked the Minister for Community, Rural and Gaeltacht Affairs if he will consider documentation received from a person (details supplied) in County Kerry; and if he will make a statement on the matter. [25632/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I have no ministerial function regarding the matter raised in the correspondence referred to in the question.

Departmental Contracts.

829. **Mr. Morgan** asked the Minister for Community, Rural and Gaeltacht Affairs the name of each company which secured a contract over €100,000 in value with his Department in each of the past five years. [24406/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The information requested by the Deputy is being collated by my Department and will be forwarded to him as soon as possible.

Departmental Expenditure.

830. **Mr. O'Shea** asked the Minister for Community, Rural and Gaeltacht Affairs the proposals he has to make good the €8 million shortfall in the Údarás na Gaeltachta budget in 2005 and in the 2006 estimates for expenditure; and if he will make a statement on the matter. [24593/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): A total allocation of €34.33 million is being provided for Údarás na Gaeltachta by my Department for 2005. This represents an increase of 3.4% on the figure for 2004. Údarás na Gaeltachta also has other sources of income. I am satisfied that Údarás na Gaeltachta has sufficient funds to carry out its development programme.

The 2006 Estimates for my Department's Vote have not yet been finalised.

Rural Social Scheme.

831. **Mr. Hogan** asked the Minister for Community, Rural and Gaeltacht Affairs if the rural social scheme will be extended to include persons in the non-farming sector who are on low incomes; and if he will make a statement on the matter. [24611/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): In order to participate in the rural social scheme, a person must be either a farmer or a fisherperson. There are no proposals to generally extend the scheme to persons outside these sectors.

Gaeltacht Subsidies.

832. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs the subsidies which were awarded to private veterinary practices and to individual vets who cover Gaeltacht areas from Údarás na Gaeltachta for each of the past five years, on a Gaeltacht to Gaeltacht basis; the details of the name and address of the subsidy recipients; and if he will make a statement on the matter. [24775/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I understand from Údarás na Gaeltachta that it provides assistance to facilitate veterinary visits to farmers in remote areas of the Gaeltacht in County Galway and the

Aran Islands. The assistance paid in respect of each recorded visit is currently €30.

Payments made for the five-year period 2000-2004 are as follows:

Name	2000	2001	2002	2003	2004	Total
	€	€	€	€	€	€
Ark Veterinary Clinic 46 St. Mary's Road, Galway	1,371	990				2,361
M.F. Brennan M.R.C.V.S. 1 Glenina Heights Dublin Road, Galway	673	1,321	323	4,680	2,160	9,157
Máire Ní Chonghaile Tréidlia Inis Oírr, Co. na Gaillimhe	1,663				18,520*	20,183
Seirbhís Tréidliachta Chonamara f/ch Karl Verbruggen Uachtar Ard Co. na Gaillimhe	3,822	6,400	8,580	960	15,060	34,822
Clinic Tréidliachta an Iarthair Maurice Ó Scanail An Clochán, Co. na Gaillimhe				5,250	8,280	13,530
Total	7,529	8,711	8,903	10,890	44,020	80,053

* Covers the period 2001-04.

Rural Social Scheme.

833. **Dr. Cowley** asked the Minister for Community, Rural and Gaeltacht Affairs the reason a person (details supplied) in County Mayo was unable to participate in the rural social scheme due to the fact the person was a lone parent; and if he will make a statement on the matter. [24787/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I refer to my previous response to this matter under Parliamentary Question No. 325 on 4 May 2005. My Department is now completing a review of the scheme. The current eligibility criteria are being considered by me in this context.

Departmental Legislation.

834. **Mr. Quinn** asked the Minister for Community, Rural and Gaeltacht Affairs if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commencement of which his Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [24903/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Three sections of my Department's Official Languages Act 2003, which became law on 14 July 2003, remain to be commenced. The following sections of the Official Languages Act 2003 remain to be commenced: section 7 which provides for the publication of Acts of the Oireachtas in each of the official lang-

uages simultaneously; section 8 which provides that a person has a right to be heard and to use the Irish language in court proceedings; and section 9(3) which provides that any communication in writing or by electronic mail by a public body with the general public or a class of the general public for the purpose of furnishing information must be either in the Irish language only or in the Irish and English languages.

A date for the commencement of these provisions has not yet been fixed. However, it should be noted that these sections of the Act will, by virtue of section 1 of the Act, automatically come into force on 14 July 2006 if they have not been commenced by order before that date.

Departmental Programmes.

835. **Cecilia Keaveney** asked the Minister for Community, Rural and Gaeltacht Affairs if he plans to expand RAPID areas into east Donegal; and if he will make a statement on the matter. [24999/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I have no plans at present to extend the areas covered by the RAPID Programme. However, as I have stated previously I am examining an apparent anomaly in relation to Ballyfermot, which despite meeting the criteria for inclusion in strand one of the programme, was omitted due to its inclusion in the URBAN II programme.

Dormant Accounts.

836. **Mr. Naughten** asked the Minister for Community, Rural and Gaeltacht Affairs, further to a parliamentary question of 30 June 2005, the reason an application (details supplied) was refused approval under the dormant accounts

fund; if this matter will be reviewed; his plans to seek further applications under the fund; and if he will make a statement on the matter. [25134/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The Deputy will be aware that decisions on the disbursement of funds from dormant accounts monies under the initial round of funding were a matter for the Dormant Accounts Fund Disbursements Board. My reply to Parliamentary Question No. 440 of 30 June 2005 refers. The board is an independent body established under the Dormant Accounts Acts. The board engaged Area Development Management Ltd., ADM, to administer the initial round of funding on its behalf, which involves the disbursement of up to €60 million from the fund.

I understand that the application did not satisfactorily meet the appraisal criteria and the group was informed of the board's decision not to approve the application for funding on 15 April 2005. The group was offered the opportunity to discuss the application with ADM and seek a review of the board's decision. I am advised that the group concerned requested the board to review its decision. The outcome of the review was to uphold the original board decision not to approve funding and the group were informed of this decision on 22 July 2005.

In relation to further applications, the Deputy will be aware that the Dormant Accounts (Amendment) Act 2005 provides for legislative changes in relation to arrangements for dormant accounts funding. Arrangements for future allocations from the fund, which will be subject to the provisions of the amended Act, are under consideration at the moment.

Departmental Programmes.

837. **Mr. Naughten** asked the Minister for Community, Rural and Gaeltacht Affairs if he will approve funding under the 2005 programme of grants for locally based community and voluntary organisations for a group (details supplied) in County Roscommon; when he intends to make a decision on the application; and if he will make a statement on the matter. [25135/05]

838. **Mr. Penrose** asked the Minister for Community, Rural and Gaeltacht Affairs if an application has been received from an organisation (details supplied) for grants for locally based community and voluntary organisations 2005; if the appropriate allocation will be given to this group to perform a selection of work; and if he will make a statement on the matter. [25411/05]

839. **Mr. Perry** asked the Minister for Community, Rural and Gaeltacht Affairs when a

decision will be made on the application from a company (details supplied) for funding under the 2005 programme of grants for locally based community and voluntary organisations; and if he will make a statement on the matter. [25806/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): I propose to take Questions Nos. 837 to 839, inclusive, together.

An application has been received by my Department from the groups in question under the 2005 programme of grants for locally based community and voluntary organisations. The process of assessment of the large number of applications received under the programme is ongoing and I expect to be deciding on qualifying applications early in November 2005.

Grant Payments.

840. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Galway has not been given an opportunity to claim the single farm payment under *force majeure* for the years 1997, 1998 and 1999; and if she will make a statement on the matter. [24260/05]

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 single payment appeals committee.

Following a full examination of the circumstances outlined in the appeal, the single payment appeals committee made a recommendation and a letter issued to the person named on 8 February 2005. The findings of the appeals committee were that the original decision taken by my Department should be upheld. *Force majeure* provides for circumstances on the holding of a nature that can best be described as sudden, unforeseen and beyond the control of the applicant. Where such circumstances are accepted as affecting all of the reference period 2000-02 then the alternate reference period 1997-99 may be used.

Having reviewed the additional information and clarifications now submitted by the named person, my Department has decided to establish his entitlements on the alternative 1997 to 1999 reference period.

Turbary Rights.

841. **Mr. Connaughton** asked the Minister for Agriculture and Food if there is a bog plot credited to a person (details supplied) in County Galway in the Cloonmoylan bog; if her attention has been drawn to the fact that the Irish Land Commission allocated bog plots in the 1960s; and

[Mr. Connaughton.]

if she will make a statement on the matter.
[24261/05]

Minister for Agriculture and Food (Mary Coughlan): A right of turbary was allotted in 1960 by the former Land Commission over a plot on this bog, which is part of the Clanricarde Estate, to a person with the same name and address as outlined in the question.

Alternative Energy Projects.

842. **Mr. Naughten** asked the Minister for Agriculture and Food if her Department will conduct a viability study into the possibility of producing bio-ethanol at the sugar plant in Mallow; and if she will make a statement on the matter.
[24300/05]

Minister for Agriculture and Food (Mary Coughlan): Following the closure of its Carlow plant last March, Irish Sugar Limited has made arrangements to process the full Irish sugar quota at its Mallow plant, which has been upgraded for that purpose. The question of producing bio-ethanol at the sugar plant in Mallow from sugar beet is a matter for commercial decision by Irish Sugar Limited.

Grant Payments.

843. **Mr. Hayes** asked the Minister for Agriculture and Food the position regarding the case of a person (details supplied) in County Tipperary. [24305/05]

Minister for Agriculture and Food (Mary Coughlan): The son of the person named has been notified that the circumstances outlined in his application for *force majeure*-exceptional circumstances under Article 40 of Council Regulation (EC) No. 1782/2003 did not satisfy the criteria for that measure. He has also been advised that he can appeal my Department's decision to the single payment appeals committee who will carry out a full review of the circumstances of his case.

The applicant has now been contacted by an official of my Department and advised to apply under the new entrant measure of the scheme as he appears to have commenced farming during the reference years. If he submits an application under this measure, it will be processed by my Department without delay.

Tuberculosis Incidence.

844. **Mr. Naughten** asked the Minister for Agriculture and Food if she will provide details of her latest Department figures on the number of tuberculosis reactors per 1,000 animals tested on a county basis each year from 1997 to date; and if she will make a statement on the matter.
[24309/05]

Minister for Agriculture and Food (Mary Coughlan): The information requested has been forwarded to the Deputy.

As can be seen from the figures, while there is some variation at county level, overall the incidence of TB has fallen consistently since 1998 from 4.2 reactors per thousand to 2.6 in 2004. The progress made is due to a number of factors, including the continued co-operation from all parties with the eradication regime, the tightening up on illegal cattle movements through the cattle movement monitoring system, the regulation of dealers, prosecutions for breaches and the imposition of penalties for failures to comply with animal disease and identification regulations and the pro-active work of my Department's wildlife unit which involves the targeted removal of badgers where they are implicated in an outbreak of TB.

In this regard, the Deputy will recall that I published the results of the four area project in the report entitled "The impact of badger removal on the control of tuberculosis in cattle herds in Ireland" in late 2004, which demonstrated a clear link between the removal of badgers and the incidence of TB in an area. In the longer term, my Department is committed to the development of an effective badger vaccine and the implementation of badger vaccination as a distinct component of the bovine TB eradication programme. The objective would be to reduce disease transmission between infected badgers and susceptible cattle.

TB Reactors per 1,000 Tests APT.

COUNTY	1997	1998	1999	2000	2001	2002
CARLOW	2.3	4.3	5.2	4.0	2.7	2.4
CAVAN	4.6	7.7	7.5	6.5	4.8	5.9
CLARE	2.8	5.7	5.5	4.3	3.5	3.2
CORK N/E	3.6	4.3	4.4	3.5	3.6	2.3
CORK CENTRAL	*	*	*	*	*	*
CORK S/W	3.4	4.2	4.2	4.3	3.2	3.4
DONEGAL	1.0	2.2	2.5	2.0	1.8	1.7
DUBLIN	2.5	2.1	4.4	3.9	2.9	2.9
GALWAY	1.6	2.2	2.5	2.8	2.9	3.3
KERRY	3.4	5.3	4.2	3.2	2.8	1.8

COUNTY	1997	1998	1999	2000	2001	2002
KILDARE	2.0	2.3	2.8	3.0	2.3	2.2
KILKENNY	3.2	3.4	3.7	3.2	3.2	2.6
LAOIS	1.5	1.4	2.1	1.9	2.0	1.7
LEITRIM	2.9	5.4	7.3	5.1	3.5	3.3
LIMERICK	2.1	3.4	2.5	1.8	2.3	1.5
LONGFORD	3.8	3.9	5.0	3.3	2.7	5.1
LOUTH	6.3	6.0	4.6	4.8	5.8	2.9
MAYO	1.4	1.9	2.4	3.0	3.2	2.3
MEATH	4.0	5.6	6.4	6.4	6.2	4.2
MONAGHAN	6.4	10.2	9.3	6.7	5.7	4.3
OFFALY	1.1	1.6	2.3	2.6	1.9	1.9
ROSCOMMON	2.7	3.7	3.2	3.6	4.6	4.8
SLIGO	3.2	5.3	3.2	5.0	4.3	3.2
TIPPERARY NORTH	2.7	3.0	3.7	3.6	3.4	2.1
TIPPERARY SOUTH	1.9	3.3	3.4	4.4	2.7	2.3
WATERFORD	2.0	3.5	3.8	2.5	4.5	4.1
WESTMEATH	2.6	5.4	4.6	4.6	5.6	4.3
WEXFORD	2.3	2.8	3.3	4.0	3.3	3.1
WICKLOW EAST	4.9	5.1	4.3	4.7	4.7	4.0
WICKLOW WEST	2.8	7.7	7.1	5.8	5.6	4.5
TOTALS	2.9	4.2	4.2	3.9	3.6	3.1

Women in Agriculture.

845. **Mr. Naughten** asked the Minister for Agriculture and Food the recommendations from the report of the advisory committee on the role of women in agriculture which have been implemented to date; the further progress which remains to be achieved to fully implement the report; and if she will make a statement on the matter. [24321/05]

Minister for Agriculture and Food (Mary Coughlan): In 1999, my predecessor established an advisory committee to advise on the role of women in agriculture and rural communities. Membership of the advisory committee was drawn from a wide variety of relevant governmental and non-governmental stakeholders. The advisory committee's report, published in September 2000, contained 36 recommendations in total, covering a very broad range of policy and operational areas. These areas were as follows: statistical evaluation of women farmers; employment, training and information technology; representation; social inclusion, and personal finance-economic and legal issues.

While recognising the contribution of women to Irish agriculture, it is clear from an analysis of the recommendations that the advisory committee's central concerns related to broader issues affecting women in rural communities more generally.

A range of developments, including the establishment of a national rural development forum, overtook some of the recommendations of the

advisory committee's report. This meets in open session twice a year and provides a forum for continued attention to many of the issues raised in the report. It should also be noted that, subsequent to the publication of the report, the Department of Community, Rural and Gaeltacht Affairs was established. In addition, elements of the report were incorporated into the national plan for women, published in 2002 by the Department of Justice, Equality and Law Reform. My Department is currently actively engaged with the interdepartmental group, chaired by the Department of Justice, Equality and Law Reform, which is tasked with the formulation of a new national women's strategy.

Notwithstanding the change of remit of my Department and the aforementioned developments, my Department has pursued the advisory committee's recommendations and a comprehensive report on the recommendations was finalised in January 2004. This shows that all of the recommendations were taken into account by the relevant government departments and agencies. I have arranged for a copy of the report to be sent to the Deputy. This report is also available on the 2004 publications page of my Department's website www.agriculture.gov.ie.

Rural Environment Protection Scheme.

846. **Mr. Hayes** asked the Minister for Agriculture and Food the position regarding the case of a person (details supplied) in County Tipperary in relation to payments under the REP scheme. [24341/05]

Minister for Agriculture and Food (Mary Coughlan): The person named is currently in the fourth year of his REPS 2 contract. The question relates to his REPS 1 contract, which commenced on 1 September 1995. A penalty imposed on him following an inspection meant that his entire fifth year payment should have been withheld. However my Department issued the payment in error. The payment was then cancelled, but through an oversight my Department continued to pursue it as an overpayment. My Department has, rightly, apologised for this mistake to the person named through solicitors acting on his behalf. Other penalties were imposed on the person named during the second, third and fourth years of his REPS 1 contract.

Grant Payments.

847. **Mr. Kehoe** asked the Minister for Agriculture and Food if grants are available to agricul-

tural shows to assist with the costs of putting them on; and if she will make a statement on the matter. [24356/05]

Minister for Agriculture and Food (Mary Coughlan): My Department has occasionally given a small measure of financial support to assist organisers of agricultural shows, and is prepared to continue to consider further requests on a case by case basis.

Departmental Expenditure.

848. **Mr. Morgan** asked the Minister for Agriculture and Food the name of each company which secured a contract over €100,000 in value with her Department in each of the past five years. [24407/05]

Minister for Agriculture and Food (Mary Coughlan): The details of the companies in question are contained in the schedule.

2000

South Western Services Group Farm Relief Services PriceWaterhouse Coopers	Mullinahone Co-Op Deloitte & Touche	Coillte Teoranta Irish Dairy Board	Animal Sciences Group IBS Consulting Services
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2001

Premier Proteins	Western Proteins	NBP Cashel	Munster Proteins
Slaney Proteins	Monnery Products	M. Butterly Limited	Slaney Meats
R. Bolger	Monery Proteins	Waterford Proteins	AIBP Group
Ashbourne Meats	Dawn Country Meats	Exel Meats	Fair Oak Foods
Galtee Meats	Honeyclover Meats	Kepak, Athleague	Kildare Meats
Liffey Meats	Meadow Meats	Moyvalley Meats	Slaney Meats
NBP Cashel	College Proteins	Michellm Ireland	Ronan Industries
AIBP Bandon	Ashbourne Roscrea	Dawn Ballyhaunis	IBS Consulting Services
Kildare Chilling	John Byrne Transport	Demeter B.v. (NL)	Accenture
South Western Services Group	Coillte Teoranta	College Proteins	Demeter
Dublin Projects	Green Sunrise	Irish Edible Oils	Irish Grain and Feed Assoc.
Mahoonagh Proteins	Michem Environmental	Minset SA	Monery By-Products
Siemens Business Services	National By-Products	Regal Processors	Farm Relief Services
Clogrennane Lime Limited	LanganBach Services Ltd	The National Food Centre	Irish Equine Centre
Enfer Scientific Limited	Cara Environmental Tech Ltd	Derek Dowdell	Glynn Meats
Minchem Environmental Limited	DC Kavanagh Ltd	Leatherhead Food RA	Afcon Management Consultants
Enterprise Process Consulting	OKI Systems Ireland Limited	Dell Computer Ireland	Cable and Wireless Ireland
Cara Data Processing	Cincom Systems UK	Computer Associates	Data Entry Bureau
Eircom PLC	ERGO Services	Hewlett Packard-Compaq	IBM Ireland Limited
Orbis Information Systems	One Stop Computer Supplies		

2002

Glanbia Ltd	Ashbourne Meats Limited	Curry Morrison Limited	AVR Safeway Limited
Demeter B.v. (NL)	John Byrne Transport	Irish Dairy Board	Indaver Ireland
South Western Services Group	Mullinahone Co-Op	Coillte Teoranta	College Proteins
Dublin Products	Mahoonagh Proteins	Munster Proteins	National By-Products
Regal Processors	Western Proteins	Slaney Proteins	Farm Relief Services
The National Food Centre	Irish Equine Centre	Enfer Scientific Ltd	Enfer Testing Ltd
One Stop Computer Supplies	Cara Environmental Tech Ltd	Derek Dowdell	Glynn Meats
Indaver Ireland Limited	Monery By Products	Price Waterhouse Coopers	Xwave Solutions
Leatherhead Food RA	System Dynamics	Accenture	Enterprise Process Consulting
SAP (Ireland)	Evros Limited	Sabeo Technologies	Dell Computer Ireland
Cable and Wireless Ireland	Cara Data Processing	Cincom Systems UK	Computer Associates
Data Entry Bureau	Eircom PLC	ERGO Services	Hewlett Packard-Compaq
IBM Ireland Limited	Oracle EMEA Limited	Net-Dom Limited	Orbis Information Systems

2003

Irish Dairy Board	College Proteins	Monery Proteins	Premier Proteins
Waterford Proteins	South Western Services Group	Mullinahone Co-Op	Coillte Teoranta
AVR Safety	College Proteins	Dublin Products	Foyle Food Group
Mahoonagh Proteins	Minset SA	Munster Proteins	National By-Products
Regal Processors	Western Proteins	Slaney Proteins	Farm Relief Services
LaganBach Services Limited	Eco-Safe Systems Limited	The National Food Centre	Irish Equine Centre
Enfer Scientific Limited	Enfer Testing Ltd	Derek Dowdell	Glynn Meats
Indaver Ireland Limited	Monery By Products	Deloitte & Touche	Accenture
Systems Dynamics	Lan Communications	Hewlett Packard	Parc Computing
SAP (Ireland)	Dell Computing Irl.	Morse Solutions Irl.	Cara Data Processing
Cincom Systems UK	Computer Associates	Data Entry Bureau	Eircom PLC
ERGO Services	Hewlett Packard /Compaq	IBM Ireland Ltd.	Net-Dom Limited
Oracle EMEA Limited	Orbis Information Systems	One Stop Computer Supplies	Revelate Limited
Leatherhead Food RA			

2004

Demeter B.v (NL)	Minchem Environmental Services Limited	Ancillary Components Limited (UK)	Munster Proteins
Irish Dairy Board	Flancare Clonmel Limited	College Proteins	Monery Proteins
Premier Proteins	Waterford Proteins	South Western Services Group	Peter Bacon & Associates, Economic Consultants
Irish Forestry Contractors Assoc.	Europe Hotel	Dublin Products	Western Proteins
National By-Products	Animal Sciences Group	Farm Relief Services	Colgrennane Lime Limited
Eco-Safe Systems Limited	The National Food Centre	Irish Equine Centre	Advanced Micro Services
Enfer Scientific Limited	Enfer Testing Limited	Derek Dowdell	Glynn Meats
Monery By Products	Leatherhead Food RA	Waterford Proteins	53 Degrees Limited
Accenture	CAP Gemini	Xwave Solutions	Vantage Resources
IT Alliance	Lan Communications	SMX Consulting	Triangle Computer Svs Ireland

[Mary Coughlan.]

2004

SAP (Ireland) Cara Data Processing	Xpert Technology Cincom Systems UK	Dell Computer Irl. Computer Assoc.	Calyx Data Ltd. E-Spatial Solutions Limited
Eircom PLC Net-Dom Limited	ERGO Services Oracle EMEA Limited	Hewlett Packard-Compaq Orbis Information Systems	IBM Ireland Limited One Stop Computer Supplies
Revelate	Operon	Bearing Point	

2005

College Proteins The National Food Centre	Premier Proteins Irish Equine Centre	Waterford Proteins Advanced Micro Services	LaganBach Services Limited Enfer Scientific Limited
Enfer Testing Limited Version 1 Software Xwave Solutions	Glynn Meats Dale Computer Services Enterprise Process Consulting	Derek Dowdell Systems Dynamics SMX Consulting	Waterford Proteins Revelate SAP (Ireland)
IT Alliance Computer Associates IBM Ireland Limited Operon	Accenture E-Spatial Solutions Ltd. Net-Dom Ltd.	Dell Computer Ireland Eircom PLC Orbis Information Limited	Cincom Systems UK Hewlett Packard-Compaq One Stop Computer Supplies

Grant Payments.

849. **Mr. Hayes** asked the Minister for Agriculture and Food when a decision will issue in the case of a person (details supplied) in County Tipperary. [24438/05]

Minister for Agriculture and Food (Mary Coughlan): The named person is an applicant for grant aid under the farm waste management scheme. Documentation in support of his application for payment has been requested from the applicant by my Department. Payment will issue when it is established that the investment works concerned meet all the conditions and requirements of the scheme.

Farm Retirement Scheme.

850. **Mr. Sargent** asked the Minister for Agriculture and Food if she will consider the case of a person (details supplied) in County Longford; and if she will further consider an appeal in order that this person can benefit from the early retirement schemes. [24456/05]

Minister for Agriculture and Food (Mary Coughlan): It was a requirement of the 1994 scheme of early retirement from farming that an applicant have practised farming as a main occupation for the ten years before his-her retirement. For the purposes of the scheme, farming as a main occupation was interpreted as deriving at least half of total income from the farm, with off-farm work taking up less than half of all working time.

The person made an application in 1998 under the previous early retirement scheme. In May 1999, my Department asked him for documentary evidence of his farm income, non-farm income, benefit received and off-farm working hours. As he did not reply to this request his application could not be processed. He was notified of this in August 2001 and was also told that he had the right to appeal the decision. However no appeal was submitted.

My Department has no record of an application by the person named for the current early retirement scheme. This scheme includes a provision under which, if an intending applicant is unable to meet certain scheme conditions for reasons beyond his or her control, he or she may ask to have those conditions waived or modified. Without knowing the full details of his case, however, it is not possible to say whether this option would be open to the person named.

Grant Payments.

851. **Mr. Deenihan** asked the Minister for Agriculture and Food if a person (details supplied) in County Kerry will qualify as a *force majeure* case for entitlement to the single payment; and if she will make a statement on the matter. [24513/05]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application on 28 October 2004 for consideration of his circumstances under the second tranche of the *force majeure*-exceptional circumstances measure of the single payment scheme. The single

payment unit informed him that the circumstances outlined did not satisfy the criteria for *force majeure*-exceptional circumstances under Article 40 of Council Regulation (EC) No. 1782/2003. He was advised that he could appeal this decision to the single payment appeals committee who would carry out a full review of the circumstances outlined but did not do so.

However, the person named was further advised that he could apply under the new entrant-inheritance measure of the scheme and the appropriate application form was furnished to him. The person named submitted an application for consideration in respect of the inheritance measure of the single payment scheme. Following processing of this application he was notified that his application was successful. The amended position reflecting the transfer of his inherited entitlements was issued to him in May 2005.

Stamp Duty.

852. **Mr. P. Breen** asked the Minister for Agriculture and Food if a person (details supplied) with an ACBI certificate is eligible for stamp duty relief on transfer of lands to young trained farmers; and if she will make a statement on the matter. [24517/05]

Minister for Agriculture and Food (Mary Coughlan): The Associated Craft Butchers of Ireland, ACBI, certificate award has not been placed on the National Qualifications Authority of Ireland's — NQAI — framework. In the absence of this ACBI certificate being placed on the NQAI's national framework of qualifications, it cannot be used to assist in meeting the qualification requirements set out for young trained farmers' stamp duty relief.

Tuberculosis Incidence.

853. **Mr. Naughten** asked the Minister for Agriculture and Food her plans to introduce a badger tuberculosis vaccination trial; and if she will make a statement on the matter. [24580/05]

Minister for Agriculture and Food (Mary Coughlan): While the existing wildlife strategy has contributed to a reduction in the incidence of bovine TB, it is accepted that the development of a vaccine for badgers is as a prerequisite if eradication of tuberculosis from the cattle population is to be achieved. In view of this, drawing on the latest national and international developments in immunology and molecular biology, a badger vaccine research group based at the Department of Large Animal Clinical Studies, Veterinary College, University College Dublin, in conjunction with colleagues in the Department of Zoology, University College Cork and Trinity College, Dublin, is progressing an ambitious

programme to develop a vaccine to protect badgers from tuberculosis.

The objective is to secure an orally delivered preparation of BCG vaccine for use in badgers that will result in lower TB levels in that species. With this in mind, a large scale field trial of BCG in badgers is planned to commence during mid to late 2006 to test the efficacy of the vaccine, as testing carried out to date under experimental conditions have shown encouraging results. However, any vaccine will not be available for wider use in the immediate future and the existing strategy will remain in place for some time.

Bovine Diseases.

854. **Mr. Naughten** asked the Minister for Agriculture and Food if she will report on the national disease control programmes which are in place for bovine viral diarrhoea, infectious bovine rhinotracheitis, paratuberculosis and Johne's disease; the incidence of such diseases and the number of animals affected; the steps she is taking to eradicate these diseases; and if she will make a statement on the matter. [24581/05]

Minister for Agriculture and Food (Mary Coughlan): Bovine viral diarrhoea, BVD, is a disease of cattle caused by a pestivirus. The severity of disease depends on the age of the animal at the time of exposure to infection and may range from being mild or inapparent to causing reproductive failure in pregnant females or to being highly fatal in some persistently infected animals. BVD vaccines are available and vaccination programmes are an essential part of prevention and control measures. It is not a notifiable disease under the Diseases of Animals Act and there are no accurate prevalence figures currently available. There are no zoonotic implications with regard to BVD.

Infectious bovine rhinotracheitis, IBR, is a viral respiratory disease of cattle caused by a herpes virus and infected animals usually remain carriers for life. The disease can result in pneumonia, reduced productivity, reduced fertility, or infertility, and even death. The severity of respiratory disease in weanlings is dependent on the secondary bacterial pathogens involved. IBR is endemic within the national bovine herd but no accurate prevalence figures are currently available. There are no zoonotic implications with IBR. Vaccination is considered to be an important method of controlling the spread of IBR. In the context of formulating strategies to control and eradicate the disease it is important that vaccinated cattle should be identifiable from naturally infected cattle. Therefore, since the beginning of January 2004, only marker vaccines have been available for vaccination against IBR.

IBR is not a notifiable disease under the Disease of Animals Act. It is a List B disease under

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EU legislation. A state or region that is certified IBR free can limit trade and movement of cattle from areas that are not, by insisting on evidence of IBR freedom and blocking the importation of seropositive animals. There is no eradication scheme for IBR at present in Ireland.

Johne's disease — paratuberculosis — is widespread in other EU member states and indeed worldwide. It is a chronic infectious disease of cattle, which gives rise to gradual wasting and loss of condition. Most cattle are infected early in life and while adult animals can become infected, it is rare and they usually have other problems such as deficiencies with their immune system. The disease has been notifiable in this country since 1955.

Until 1992, strict import conditions ensured that Johne's disease was relatively rare in Ireland. However, since 1993, the increase in the number of cattle imported in the aftermath of the single market contributed to a significant increase in the numbers of reported cases of the disease. In an effort to raise awareness and to promote higher standards of hygiene management practices and calf rearing, my Department published two booklets in 2002 on Johne's disease. One of these is aimed at the farmer and the other at the private veterinary practitioner. These booklets detail the precautions individual farmers should take to keep the disease out of their herds. It would also be prudent for any prospective purchaser to seek private certification of freedom from Johne's disease from a vendor of cattle either imported from abroad or sourced within this country.

In early 2003, my Department discontinued the policy of slaughtering affected animals, when it became apparent that this approach was not effective. A strategic review, which involved consultation with relevant interests, of the approach to tackling the disease was initiated.

It is clear that effectively tackling Johne's disease can only be achieved by sustained on-farm management of the disease over a number of years with particular focus on calf-rearing practices. The strategy being developed will therefore involve both short-term and long-term elements. Funding has been provided for diagnostic support at the Central Veterinary Research Laboratory. In 2005, my Department commenced a random survey using the bovine blood samples submitted as part of the brucellosis eradication programme to the Department's laboratory in Cork. When this survey is completed, the results will be analysed and will form the basis for indicating the percentage of the national herd that may be affected by this condition.

As regards notifiable or non-notifiable diseases generally, the veterinary laboratory service, VLS, of my Department is available to support local veterinary practitioners and their clients. In this context, samples from animals may be submitted

for testing to my Department's central veterinary laboratory or regional veterinary laboratories at the discretion of a private veterinary practitioner or upon request by a herdowner through his or her private veterinary practitioner.

My Department is in ongoing discussion with the industry, farmers' representatives, veterinary surgeons and interested parties about the development of a national integrated approach to non-regulated diseases such as Johnes, bovine viral diarrhoea and infectious bovine rhinotracheitis.

Farm Retirement Scheme.

855. **Ms B. Moynihan-Cronin** asked the Minister for Agriculture and Food if she will increase the farm retirement pension; the reason it has not been increased in recent years; and if she will make a statement on the matter. [24608/05]

Minister for Agriculture and Food (Mary Coughlan): The rate of pension payable under the 1994 scheme of early retirement from farming is the maximum amount provided for by the EU Council regulation under which the scheme was introduced.

My Department's original proposals for the current early retirement scheme, which commenced on 27 November 2000 and is one of the measures in the CAP rural development plan for the period 2000-06, 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.

856. **Mr. Hogan** asked the Minister for Agriculture and Food the entitlements which are due to a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [24612/05]

Minister for Agriculture and Food (Mary Coughlan): Payments under the single payment scheme are scheduled to commence on 1 December 2005. A single payment application form has been received from the registered herd owner together with an application to consolidate his entitlements. A statement of provisional entitlements issued to the registered herd owner on 6 August 2004, indicating that he has 48.04 entitlements with a total net value of €10,282.96.

Under the provisions of the EU regulations governing the single payment scheme, payments to eligible applicants can be made in the period from 1 December of the scheme year to 30 June of the following year. I propose to commence payments under the 2005 scheme on 1 December 2005.

Noxious Weeds.

857. **Mr. Ring** asked the Minister for Agriculture and Food the date on which the Noxious Weeds Act 1936 was last reviewed; her plans to update this Act; the penalties under the Act in relation to the spread of ragwort; when penalties were last imposed under this Act; and if she will make a statement on the matter. [24669/05]

859. **Mr. Ring** asked the Minister for Agriculture and Food the number of cases of ragwort which have been reported over the past year; the comparison figure of the number of reports received for each of the past five years; if an increase of ragwort nationwide has been brought to her attention; the proposals she has to enforce the Noxious Weeds Act 1936; the action which is being taken in this matter and the person taking the action; and if she will make a statement on the matter. [24671/05]

864. **Mr. Ring** asked the Minister for Agriculture and Food the action which is being taken by local authorities under the Noxious Weeds Act, 1936 to control the spread of ragwort in 2005; and if she will make a statement on the matter. [24724/05]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 857, 859 and 864 together.

The Noxious Weeds Act 1936 provides for the control of the spread of the following six weeds, including ragwort: thistle, ragwort and dock — 1937 order; common barbery — 1958 order; male wild hop plant — 1965 order; wild oat — 1973 order.

Under this Act, it is an offence not to prevent the spread of certain weeds, which are scheduled as noxious weeds under the Act. The owner, occupier, user or manager of lands on which these weeds are growing is liable, upon conviction, to be fined. In the case of fences and margins of public roads, the local authority charged with the maintenance of such roads is the responsible person.

While the Act itself has never been amended, the Department is currently examining the provisions of the Act with a view to updating and strengthening them in accordance with good agricultural and environmental practice. Modern farming has now reached a level at which weed control is an integral part of good farming practice. Farmers have the choice of using agrochemicals or machinery to control noxious weeds. The penalty, where a person is found to be guilty of an offence under the Act, on summary conviction is a fine not exceeding £20.00 or €25.39. The last prosecution and conviction under the Act was in June 1988.

The number of cases of ragwort which have been reported to my Department over the past five years are as follows.

Year	2001	2002	2003	2004	2005
No.	2	2	5	5	9

My Department is aware of an increase in the level of complaints about the presence of ragwort and in this regard all local authorities charged with the maintenance of public roads have been written to, to seek their co-operation in the elimination of these weeds from the roadsides and other areas under their control. Consideration will be given to timely press releases and to eradication campaigns where ragwort is concerned. In the present circumstances, I consider that advice and persuasion is the most appropriate policy to pursue and that the good will of local authorities and others can be relied on to take appropriate action.

A Teagasc advisory leaflet is available for the control of noxious weeds and is revised in line with advances in new control procedures.

Grant Payments.

858. **Mr. Ring** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Mayo has not received their suckler cow premium and area based compensatory allowance payment for 2004; when this payment will issue. [24670/05]

Minister for Agriculture and Food (Mary Coughlan): An application for premium on 36 animals under the 2004 suckler cow premium scheme was lodged under the above herd number on 28 April 2004. The advance payment of €4841.64 issued on 18 October 2004. The applicant died on December 9th 2004. The balancing payment of €3227.76 issued on 13 September 2005 to the representatives of the deceased person's estate, care of his solicitors. These represent payment in full in respect of the 36 animals applied on. Payment of the full entitlement under the 2004 area based compensatory allowance scheme on the maximum of 45 hectares issued on 15 October 2004.

Question No. 859 answered with Question No. 857.

Veterinary Inspection Service.

860. **Mr. Ring** asked the Minister for Agriculture and Food the number of veterinary inspectors in County Mayo for each of the past five years employed by her Department. [24672/05]

Minister for Agriculture and Food (Mary Coughlan): The number of veterinary inspectors employed by my Department in County Mayo during the years in question is as follows.

Year	Number
2001	9
2002	9
2003	10
2004	10
2005	10

Abattoir Closures.

861. **Mr. Ring** asked the Minister for Agriculture and Food the number of abattoirs in County Mayo for each of the past five years; the number of premises which have closed down each year; the reason for their closures; and if she will make a statement on the matter. [24673/05]

Minister for Agriculture and Food (Mary Coughlan): Of the abattoirs approved for export trade and which come under the operational responsibility of my Department there were three such abattoirs operating in each of the years 2001 and 2002. This number increased to four in 2003 and has remained at that level since with no closures. Other abattoirs in County Mayo which supply to the domestic market only are licensed and controlled by that local authority.

Grant Payments.

862. **Mr. Ring** asked the Minister for Agriculture and Food when a person (details supplied) in County Mayo will be supplied with a copy of their original application for the special beef premium. [24674/05]

Minister for Agriculture and Food (Mary Coughlan): In response to the original provisional statement of entitlements under the single payment scheme, which issued to the person named detailing 36.18 entitlements, with a single payment value of €8,979.88, the person named contacted my Department pointing out that one application under the special beef premium scheme, lodged in 2000, was not taken into account on the statement. Having reviewed the case, my Department issued a revised statement to the person named, showing a single payment value of €10,687.21. As the application in question has now been taken into account for the establishment of entitlements, a copy of the application should not be necessary.

863. **Mr. Ring** asked the Minister for Agriculture and Food when the special beef premium

appeal will be finalised for a person (details supplied) in County Mayo. [24676/05]

Minister for Agriculture and Food (Mary Coughlan): Appeals require individual examination and are dealt with in the order in which they are received. This appeal was received in the agriculture appeals office on 5 September 2005 and was assigned to an appeals officer on 13 September 2005.

The appeals officer will be in contact with the appellant shortly to arrange an oral hearing. It is not expected that there will be any undue delay in dealing with this case.

Question No. 864 answered with Question No. 857.

Grant Payments.

865. **Mr. N. O’Keeffe** asked the Minister for Agriculture and Food the position regarding an appeal lodged by a person (details supplied) in County Limerick in 2005 in respect of the EU single payment. [24739/05]

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 single payment appeals committee made a recommendation and a letter issued to the person named on 28 July 2005. The finding of the appeals committee was that the original decision taken by my Department should be upheld. The decisions of the single payment unit and the Independent single payment appeals committee were based on the fact that the medical circumstances put forward, existed since the mid 1990’s, and therefore did not satisfy the *force majeure* criteria under the EU regulations governing the single payment scheme.

The person named also applied to the single payment scheme national reserve under categories B and C. Category B caters for farmers who between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under livestock premia and-or arable aid schemes would have been payable during the reference period 2000 to 2002. The person named applied to be considered under section (ii) of category B on the basis that she purchased suckler cow quota rights in one or more of the scheme years 2001, 2002 or 2003. My Department’s records show that she purchased 26 suckler cow premia quota rights in

the year 2002 and accordingly her application under this category is successful subject to verification of her 2005 single payment scheme application.

Category C caters for farmers who, between 1 January 2000 and 19 October 2003, sold their milk quota into the milk quota restructuring scheme and converted their enterprise to a farming sector for which a direct payment under livestock premia and-or arable aid schemes would have been payable during the reference period 2000 to 2002. Her application under this category is at present being considered and the outcome will be determined shortly.

The EU rules governing the single payment scheme stipulate that an applicant who is found to be eligible under more than one category in the reserve may only receive an allocation of entitlements under whichever category is most beneficial to him-her. As soon as the application under category C is finalized and the outcome compared with that under category B, the person named will be notified of her allocation under the national reserve.

866. **Mr. N. O’Keeffe** asked the Minister for Agriculture and Food the position regarding an appeal in relation to the imposition of a penalty in respect of the 2004 EU bovine premium scheme. [24740/05]

Minister for Agriculture and Food (Mary Coughlan): The person named applied for premium on 32 animals under the 2004 suckler cow premium scheme, 29 animals under the special beef premium scheme and 12 animals under the slaughter premium scheme.

At an integrated on-farm inspection on 7 July 2004, it was found that two animals applied on under the suckler cow scheme had both ear tags lost and were, therefore, rejected as non-compliant with the identification and registration requirements of the scheme. The person named was notified of the outcome of the inspection on 1 September 2004 and advised that a penalty would be applied to payments due on foot of his premium applications. The person named submitted an appeal to the Agriculture Appeals Office, but following a review and oral hearing, the original decision was upheld.

Payments in respect of the applications lodged are each subject to a reduction penalty of 2.53%, in accordance with the governing EU regulations.

867. **Mr. Ring** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Mayo has not been awarded their beef premium. [24742/05]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted two applications under the 2004 special beef premium

scheme, in respect of a total of four animals, the equivalent of 2.4 livestock units. Having submitted an area aid application with a declared area of 18.55 hectares, the person named was entitled to submit claims to a value of 33.39 livestock units, in line with the stocking limit of 1.8 livestock units per hectare. However, the person named was in possession of a milk quota of 133,069 litres, which equates with 33.42 livestock units, using the national average yield per cow of 3,982 litres. Therefore, as the animals submitted under the special beef premium scheme were in excess of the stocking limit, no payment was due.

The person named has availed of the opportunity to appeal this decision to the agriculture appeals office. That office, which is statutorily independent of my Department, will issue a determination in due course.

Farm Retirement Scheme.

868. **Mr. Ring** asked the Minister for Agriculture and Food when a person (details supplied) in County Mayo will be approved and awarded the farm early retirement scheme. [24771/05]

Minister for Agriculture and Food (Mary Coughlan): Payment of the pension to the person named will commence on 30 September, and will include arrears of pension from 12 July 2005, the date of her application.

Grant Payments.

869. **Mr. Aylward** asked the Minister for Agriculture and Food when a grant in respect of a slatted house will be awarded to a person (details supplied) in County Kilkenny. [24804/05]

Minister for Agriculture and Food (Mary Coughlan): The application for payment by the above-named person for grant-aid under the farm waste management scheme is currently being examined within my Department. Payment will issue when it is established that the investment works concerned meet all the conditions and requirements of the scheme.

870. **Mr. Aylward** asked the Minister for Agriculture and Food when a grant in respect of a milking parlour will be awarded to a person (details supplied) in County Kilkenny. [24805/05]

Minister for Agriculture and Food (Mary Coughlan): The person concerned is an applicant for grant-aid under the dairy hygiene scheme in respect of improvements to his milking parlour. This work has not been approved, as the works were not completed to my Department’s specifications. The applicant has been advised of this.

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When the works have been completed to specification, his application will be further reviewed.

Food Labelling.

871. **Ms B. Moynihan-Cronin** asked the Minister for Agriculture and Food her plans to ensure full and adequate labelling and traceability of Irish farm produce especially beef; her views on reports of some hotels and restaurants falsely selling and advertising imported beef as Irish; and if she will make a statement on the matter. [24820/05]

Minister for Agriculture and Food (Mary Coughlan): Traceability and labelling of Irish farm produce is an area accorded priority by my Department. Sophisticated traceability systems for cattle, sheep and pigs have been developed and implemented in recent years. In addition, the labelling of foodstuffs was examined by a food labelling group and the main recommendations of that group have been implemented, in particular the centralisation of enforcement of food labelling legislation through the Food Safety Authority of Ireland, FSAI. In respect of beef, we already have in place a full identification, traceability and labelling system under comprehensive EU regulations. The labelling requirements under those regulations extend up to and including retail level and to the point of delivery into hotels, restaurants and catering establishments.

My next priority in this area is to extend the existing beef labelling laws to require information on the 'country of origin' of beef to be provided to all consumers in the restaurant and catering sectors. I put specific proposals to Government at the end of June for a legislative framework to facilitate this, by way of an amendment to the 1947 Health Act. This will be introduced under the Irish Medicines Board (Miscellaneous Provisions) Bill 2005, which is before the Oireachtas this session. The appropriate regulations are being worked on concurrently and it is my intention to have these cleared at EU level as soon as possible. When the Act is amended and the regulations made, 'country of origin' information will be available to consumers in respect of all beef served in restaurants, hotels and the whole catering sector in Ireland on a mandatory basis.

In the meantime, the various representative bodies including the Irish Hotels Federation, the Restaurants Association of Ireland and both of the vintners groups have all agreed to recommend to their members the introduction on a voluntary basis of a mechanism for providing consumers in their premises, with information on the country of origin of the beef served there, in advance of the mandatory legal requirement. I expect this voluntary system will be in place in the very near future.

I am aware of reports that some food service outlets may be misleading consumers on the

origin of the beef served in their premises. My planned legislation will require the operators of such premises to provide consumers with "country of origin" information in respect of such beef and the necessary enforcement provisions will be applied.

Grant Payments.

872. **Mr. P. Breen** asked the Minister for Agriculture and Food when a person (details supplied) in County Clare will receive the single payment; and if she will make a statement on the matter. [24836/05]

Minister for Agriculture and Food (Mary Coughlan): Payments under the single payment scheme are scheduled to commence on 1 December 2005. An application received from the person named has been fully processed with an area determined for payment purposes of 47.61 hectares. Under the provisions of the EU regulations governing the single payment scheme, payments to eligible applicants can be made in the period from 1 December to 30 June of the scheme year of the following year. I propose to commence payments under the 2005 scheme on 1 December 2005.

Animal Diseases.

873. **Mr. McGuinness** asked the Minister for Agriculture and Food if she will report on the actions taken by her Department to resolve the issues regarding the farm of a person (details supplied) in County Kilkenny; if she will outline the co-operation given to date by the EPA and the advice the EPA has given to her Department regarding the same issues; if this person's entitlements will be increased and payments backdated to the date of their first formal complaint; and if she will make a statement on the matter. [24837/05]

Minister for Agriculture and Food (Mary Coughlan): Following concerns expressed by a small number of farmers regarding animal production on individual farms in County Kilkenny and, in accordance with an established protocol, investigations involving a number of relevant agencies were commenced. Three interagency meetings have been held on this matter involving my Department, Teagasc, South Eastern Health Board, Kilkenny County Council and the EPA.

As the problem on the farm of the person referred to is complex, the approach has been to investigate as many factors as possible in a methodical, scientific way so that the most appropriate course of action can be pursued to try to identify the underlying cause. In so far as my Department is concerned the following has taken place: feed and water intake studies conducted by my Department's regional veterinary laboratory, Kilkenny and Teagasc and elective *post mortem* investigations on a number of animals from the

farm and numerous tests on live animals on the farm. The farmer concerned has been involved and kept fully informed of my Department's investigations at all times and while testing is near completion in respect of certain aspects of the investigation, personnel in my Department are drawing up herd health programmes in conjunction with the private veterinary practitioners acting for the farmer.

The EPA has carried out its own separate monitoring and will continue to monitor the situation and the farmer has met the EPA and was informed of its findings. As the EPA is an independent public body with direct responsibility for a wide range of functions, queries on tests carried out or its role in the investigation should be addressed directly to that body. The farmer concerned applied under the *force majeure* measure of the single payment scheme — Article 40 of Council Regulation, EC No.1782/2003, — and the case was deemed eligible. Production details for the years 1997 to 2002 were examined and a decision was made to base his entitlements on the year 2000 only and to exclude 2001 and 2002 from the calculation of his entitlements. This represents the most financially advantageous position and the farmer has been notified of this decision.

Grant Payments.

874. **Mr. Aylward** asked the Minister for Agriculture and Food if the special beef premium will be awarded to a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [24858/05]

Minister for Agriculture and Food (Mary Coughlan): This case has been under review in my Department and it has been decided, given the circumstances involved, that the proposed penalty will not be applied. The application in question will be further processed with a view to payment at an early date.

875. **Mr. Hayes** asked the Minister for Agriculture and Food the position regarding the case of persons (details supplied) in County Tipperary who applied for assistance under the single payment scheme. [24859/05]

Minister for Agriculture and Food (Mary Coughlan): An application for consideration under the *force majeure*-exceptional circumstances measure of the single payment scheme was submitted by the registered herd owner — the second person named — on 6 February 2004. The registered herd owner was notified that the circumstances outlined by him do not satisfy the criteria for *force majeure*-exceptional circumstances under Article 40 of Council Regulation, EC No. 1782/2003. He was advised he could appeal the decision to the independent single payment appeals committee who will carry out a full review of the circumstances outlined. To date, no such appeal has been submitted.

876. **Mr. Kehoe** asked the Minister for Agriculture and Food the reason for the non-granting to date of slaughter premium for two animals for a person (details supplied) in County Wexford; when the premium will be granted; and if she will make a statement on the matter. [24870/05]

Minister for Agriculture and Food (Mary Coughlan): The two animals in question were exported from the EU by the person named and, thus, were potentially eligible under the slaughter premium scheme. Following standard computer validation of all animals potentially eligible for the scheme, the two animals have been confirmed as eligible. Payment in respect of these animals will issue in the coming weeks.

Proposed Legislation.

877. **Mr. Quinn** asked the Minister for Agriculture and Food if she will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of her Department, or for the commencement of which her Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if she will make a statement on the matter. [24904/05]

Minister for Agriculture and Food (Mary Coughlan): The information requested by the Deputy is contained in the following schedule.

Schedule

Act	Section	Purpose	Comment
Veterinary Practice Act 2005	—	It was necessary to leave an adequate period after the Act became law to enable the new Veterinary Council, provided for in the Act, to be in place on commencement date, and to allow the Council to make the necessary administrative arrangements to facilitate the transition to the new Council.	The Act was signed into law by the President on 12 July 2005 and will be commenced from 1 January 2006.

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Act	Section	Purpose	Comment
An Bord Bia (Amendment) Act 2004	21 & 22	Section 21 enables the Minister to make Regulations on the method(s) by which the Bord Bia levy on live exports may be paid. Section 22 provides for deletion of the Schedule to the 1994 Act. This schedule sets out the denominations of the pre-paid stamps by which payment of the levy on live exports is currently made.	The Commencement Order will be made concurrently with the Regulations which are being drawn up.
An Bord Bia (Amendment) Act 2004	24 (a)(ii)	My Department is required to make a Commencement Order to provide for public access to the Register of Potato Growers and Potato Packers. The delay resulted from the updating of the potato growers and packers register.	The Order is expected to be signed shortly.

Organic Farming.

878. **Mr. Sargent** asked the Minister for Agriculture and Food if her attention has been drawn to the investigation carried out by the Royal Commission on Environmental Pollution in the United Kingdom on the effect of agricultural chemicals when sprayed on farmers and other persons, especially developing children living in the vicinity of the sprayed area; if her attention has been further drawn to the position of a person (details supplied); and if she will redouble efforts to help farmers to embrace organic farming methods to improve their health and their financial returns. [24940/05]

Minister for Agriculture and Food (Mary Coughlan): I am aware of the report and of the concerns raised relating to potential risks associated with crop spraying. The report, commissioned in June 2004, was published on 22 September 2005. Time will be required to study the report in detail and to consider the recommendations made. The arrangements in place in Ireland for the assessment of risks for bystanders who may be exposed when crops are sprayed take account of the most extreme exposures likely to occur and are based on consideration of health effects on all sectors of the community, including vulnerable groups such as children and the elderly. The arrangements in place will be reviewed in the light of the report. The opinion of Professor Howard will be considered in conjunction with the opinions of other toxicologists and scientists that review relevant data available. Consideration is being given to the use of probabilistic approaches for the estimation of potential exposure for workers and the public, an approach that is recommended in the report.

I am strongly committed to the development of the organic sector in Ireland. Substantial financial incentives for organic farmers are already in place in the rural environmental protection scheme, REPS. The relevant conditions of REPS were

modified when REPS 3 was introduced in 2004 to make the option more attractive and accessible for farmers than it had been previously and I aim to build on these improvements in drawing up the successor to REPS 3. Special investment aid is also available for organic farmers and processors under the scheme of grant aid for the development of the organic sector.

Proposed Legislation.

879. **Mr. Naughten** asked the Minister for Agriculture and Food when she intends to publish the animal health Bill; and if she will make a statement on the matter. [25111/05]

Minister for Agriculture and Food (Mary Coughlan): My Department is continuing to draft the animal health Bill. I am not in a position, at this stage, to say when the Bill will be published.

Disadvantaged Areas Scheme.

880. **Mr. Naughten** asked the Minister for Agriculture and Food her plans for the modulation fund under the single farm payment; and if she will make a statement on the matter. [25112/05]

Minister for Agriculture and Food (Mary Coughlan): For 2006, I have decided that the modulated funds should be used on a once-off payment under the disadvantaged areas scheme. This requires EU approval and is under current consideration by the EU Commission. My decision reflects the importance of the disadvantaged areas scheme in ensuring continued agricultural land use in the less favoured areas. This in turn leads to economic and environmental benefits. For the years 2007 to 2013 the use of modulated funds will be considered in the context of the new rural development strategy and programme to be drawn up for that period.

Freedom of Information.

881. **Mr. Naughten** asked the Minister for Agriculture and Food further to Parliamentary Question No. 197 of 10 February 2005 her plans to include the Irish Horse Board under the Freedom of Information Act 1997; and if she will make a statement on the matter. [25113/05]

Minister for Agriculture and Food (Mary Coughlan): Proposals to extend the FOI Act to a further group of public bodies are being completed by the Department of Finance. Pending publication of the details, the Department of Finance does not intend to make further statements about the position of individual bodies.

Departmental Correspondence.

882. **Mr. Naughten** asked the Minister for Agriculture and Food when she will respond to correspondence (details supplied) forwarded to her office; the reason for the delay in replying to same; and if she will make a statement on the matter. [25114/05]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for consideration in respect of both the new entrant and inheritance measures of the single payment scheme. There were no entitlements established on the lands from the date of purchase by the person named and, therefore, a year or years from the 2000 to 2002 reference period cannot be excluded to meet new entrant criteria. A decision rejecting both measures was notified to the person named on 27 November 2004. The lands in question were purchased and the entitlements established prior to the purchase can only be purchased by way of private contract clause. An official from my Department contacted the person named last week and further clarified the application process for the transfer of entitlements by way of private contract clause. Correspondence received in my Department regarding the new entrant and inheritance measures was replied to on 21 June 2005.

Grant Payments.

883. **Mr. Naughten** asked the Minister for Agriculture and Food if she has agreed the rules covering the allocation of the national reserve with the farming organisations; and if she will make a statement on the matter. [25115/05]

888. **Mr. Naughten** asked the Minister for Agriculture and Food her plans for the allocation of entitlements under the national reserve; when she intends to issue the entitlements; and if she will make a statement on the matter. [25121/05]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 883 and 888 together.

A meeting of the single payment advisory committee comprising representatives from my Department, Teagasc and the farming bodies was held recently to discuss the rules governing the allocation of the national reserve and in this regard, I intend to announce details in due course. The position with regard to the allocation of entitlements from the national reserve is that it is envisaged at this stage to make allocations in eligible cases by 1 December 2005.

884. **Mr. Naughten** asked the Minister for Agriculture and Food further to Parliamentary Question No. 234 of 29 September 2004, the grant aid returned to her Department by the company; the total grant aid paid to the company in the past ten years; and if she will make a statement on the matter. [25116/05]

Minister for Agriculture and Food (Mary Coughlan): Discussions are ongoing between Enterprise Ireland and the company on the contingent liability arising from the decision to discontinue the slaughtering and boning activities at Roosky, County Roscommon, while retaining and developing the cannery operations from the Roosky site, and having regard to the company's other investment plans. The total amount paid by my Department in the past ten years was €390,000, in addition to which it is understood that grant aid of €1.2 million was paid to the company by Enterprise Ireland and its predecessors. My Department, in conjunction with Enterprise Ireland, is continuing to examine the complex issues arising from the closure of the plant. It is expected that a conclusion on the question of the grant aid will be reached in the near future.

Decentralisation Programme.

885. **Mr. Naughten** asked the Minister for Agriculture and Food further to Parliamentary Question No. 127 of 14 April 2005, when she intends to complete an evaluation of the number of staff to be relocated to Drumshanbo, County Leitrim; if her Department has come to any conclusions; and if she will make a statement on the matter. [25118/05]

Minister for Agriculture and Food (Mary Coughlan): Following an evaluation of staff numbers for the Drumshanbo office an accommodation brief was sent to the Office of Public Works in July last. It is envisaged the new office will accommodate 45 staff when completed.

Animal Diseases.

886. **Mr. Naughten** asked the Minister for Agri-

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culture and Food the number of tuberculosis reactor animals in each of the years 2001 to date; the number with visible lesions; the number of animals culled and the number found positive; and if she will make a statement on the matter. [25119/05]

Year	Number of Reactor Animals	Number with Visible Lesions	Number of Cattle Slaughtered at Export Plants	Number of Animals Found with Lesions
2004	22,967	5,374	1,724,792	2,298
2003	28,002	7,392	1,762,495	2,499
2002	28,930	8,563	1,674,788	2,511
2001	33,702	7,515	1,775,501	2,639

Ireland's bovine tuberculosis eradication programme comprises a comprehensive surveillance effort where all herds are tested annually and additional risk-based testing is conducted in others, a proactive wildlife programme in the area of infective outbreaks, the routine application of gamma interferon assay in infected herds and full herd-test at 6-monthly intervals post de-restriction in respect of these herds for a two year period. There has been sustained progress in reduction of the numbers of infected animals and herds over the last number of years and it is to be hoped that this progress will be maintained. Many animals exposed to and infected with bovine tuberculosis are slaughtered as reactor animals without detection of visible lesions. This is normal and to be expected where the examination is done as part of a routine slaughter at commercial "kill" speeds and conditions and where tuberculin testing is conducted at an annual frequency.

887. **Mr. Naughten** asked the Minister for Agriculture and Food her plans for the ram genotyping programme; and if she will make a statement on the matter. [25120/05]

Minister for Agriculture and Food (Mary Coughlan): I recently announced a number of enhancements to the voluntary national genotype programme, NGP. These enhancements, which came into effect on 1 September and will continue until 18 November, are designed to encourage greater participation in the voluntary NGP and, particularly, to encourage the genotyping of rams in advance of the introduction of a compulsory breeding programme. As the overall objective of the NGP is to increase the level of resistance to scrapie among the Irish sheep flock by promoting the use of the most scrapie-resistant animals for breeding, the recently announced enhancements include the payment of a flat rate of compensation in respect of any ram which, when tested, is found to be one of those categor-

Minister for Agriculture and Food (Mary Coughlan): The following table sets out the information requested for the years 2001 to 2004. Corresponding figures for 2005 are not yet available.

ies which are susceptible or highly susceptible to scrapie.

I am pleased that, since my announcement, the number of inquiries to my Department and the number of NGP applications issued have increased significantly and I am confident that the numbers of sheep which have been genotyped will rise significantly over the next couple of months. To date, in excess of 34,000 sheep have been genotyped under the NGP. My Department is working to finalise the terms of a compulsory breeding programme, which I expect will be introduced at an early date, and has been in discussions with sheep breed societies and farm bodies in this regard.

Question No. 888 answered with Question No. 883.

Farm Waste Management.

889. **Mr. Naughten** asked the Minister for Agriculture and Food when she intends to introduce new grant rates provided to farmers under the CFP scheme in view of the increasing cost of steel and the demands which will be placed on farmers due to the nitrates directive; and if she will make a statement on the matter. [25122/05]

894. **Mr. Crawford** asked the Minister for Agriculture and Food when the 70% grant aid will be available towards pollution control and slurry accommodation; if the grant will include the farm building; if she has considered increasing the size of building that can be provided without planning permission; and if she will make a statement on the matter. [25602/05]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 889 and 894 together.

I recently announced the outline of a proposed revised farm waste management scheme to assist farmers meet the additional requirements of the nitrates directive. Under the proposed scheme, grant-aid will be available for animal housing and

slurry storage facilities at 70% in the four Zone C counties, that is, Cavan, Donegal, Leitrim and Monaghan and at 60% in other areas. Top-up grants will also be available to qualifying young farmers. However, the revised scheme requires state aid approval by the European Commission prior to its implementation. I am hopeful that the revised scheme will be in operation by 1 January 2006. The issue of changes in planning permission requirements is a matter for the Minister for Environment, Heritage and Local Government.

Grant Payments.

890. **Mr. Ring** asked the Minister for Agriculture and Food when a person (details supplied) in County Mayo will receive their special beef premium, suckler cow premium and extensification for 2004. [25297/05]

Minister for Agriculture and Food (Mary Coughlan): While the person named applied on six animals under the 2003 suckler cow premium scheme four of those animals were ineligible and, under clause 40(b)(iii) of the terms and conditions of the 2003 scheme, a 100% penalty was applied. Furthermore, as in excess of 50% of the animals applied on were rejected, a fine was applied in accordance with clause 40(b)(iv) of the terms and conditions of that scheme. Since the position pertaining to this application was established after the advance payment of €1,075.92 had issued to him, this amount will be recovered from future premia entitlements after recovery of the fine amount of €896.60.

The person named applied for premium on two animals under the 2004 suckler cow premium scheme. The application has been processed and both animals are eligible under the conditions of the scheme. However, on account of the fine referred to above, the 60% advance payment of €268.98 due to him under the 2004 suckler cow premium scheme has been recouped. Furthermore, €540.00 has been off-set from monies due under the 2004 special beef premium scheme leaving a balance of €87.62 owed to the Department on foot of the €896.60 fine. Arrangements are being made to have this deducted from the 40% balance instalment of €179.32 due under the 2004 suckler cow premium scheme. The remainder of the balance due under the 2004 scheme, amounting to €91.70, will be off-set against the overpayment amount of €1,075.92 and future off-sets against other schemes entered will be needed to recover the balance following the recent payment in full of 2004 extensification premium.

891. **Mr. Aylward** asked the Minister for Agriculture and Food when the EU extensification premium for the years 2003 and 2004 will issue to a person (details supplied) in County Kilkenny. [25406/05]

Minister for Agriculture and Food (Mary Coughlan): Under EU regulations, extensification premia for the years 2003 and 2004 may be paid only where the stocking density of a holding does not exceed 1.80 livestock units per hectare. Since the stocking density of the holding in this case amounted to 2.5598 livestock units per hectare for 2003 and 2.9283 livestock units per hectare for 2004, the person named is not eligible for premium for those years.

Animal Welfare.

892. **Mr. Ferris** asked the Minister for Agriculture and Food if consideration has been given to transferring a number of endangered wild goats to islands off the Kerry coast. [25449/05]

Minister for Agriculture and Food (Mary Coughlan): I have no statutory responsibility for the protection of feral goats nor do I have a statutory basis on which I could introduce legislation for the protection of these animals.

Grant Payments.

893. **Mr. Crawford** asked the Minister for Agriculture and Food the number of herd inspections which have been carried out in each county in the past 12 months; if she is satisfied that ordinary farmers are being treated fairly; the percentage in each of the counties which are subject to fines (details supplied); and if she will make a statement on the matter. [25462/05]

Minister for Agriculture and Food (Mary Coughlan): The position is that 18,475 scheme inspections were carried out in Ireland under the 2004 direct payment regime. The details at county level which have been requested are being prepared and will be sent directly to the Deputy. Under the new single payment scheme the number of farmers to be inspected annually will be less than 10,000.

Question No. 894 answered with Question No. 889.

Farm Retirement Scheme.

895. **Mr. Crawford** asked the Minister for Agriculture and Food if she intends to end the farm retirement scheme; if so, the reason for this decision; and if she will make a statement on the matter. [25603/05]

Minister for Agriculture and Food (Mary Coughlan): The EU Council regulation covering the current early retirement scheme will expire in December 2006. Take-up has fallen short of expectations and an expenditure review of the scheme carried out in my Department in 2004 raised a number of questions about it. The

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Council regulation on rural development for the period from 2007 to 2013 again includes provision for member states to operate early retirement measures. No decisions have been taken regarding the schemes to be operated in Ireland under this regulation.

Genetically Modified Organisms.

896. **Mr. Ferris** asked the Minister for Agriculture and Food if she will make a statement on the implications for farming here of the decision to allow the importation into the EU of a genetically modified oilseed rape as animal food. [25604/05]

Minister for Agriculture and Food (Mary Coughlan): The European Commission authorised on 31 August 2005 the importation, processing and placing on the market of the genetically modified oilseed rape — known as GT73 — for use in animal feed or for industrial purposes. The GM product is not approved for cultivation or food use. This approval, which was in accordance with the authorisation procedures set out in EU Directive 2001/18/EC, came as a consequence of both the regulatory committee and the Council of Ministers failing to reach a qualified majority either for or against the Commission proposal to approve the product.

The authorisation took place within an EU legislative framework that has been adopted by the European Parliament and Council of Ministers and is binding on all member states. The product has been scientifically assessed by the European Food Safety Authority as being as safe as any conventional oilseed rape. I am satisfied the controls contained within the EU authorisation process under which this product was authorised are such as to rule out adverse implications for Irish farming, environment or food safety.

Rural Environment Protection Scheme.

897. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason persons (details supplied) in County Galway have had a 10% penalty imposed by her Department as a result of a farm inspection for the REP scheme; if her attention has been drawn to the fact that the penalty was imposed due to the fact that a shed was not painted; if her attention has further been drawn to the fact that the paint had been purchased but could not be applied due to inclement weather at the time; and if she will make a statement on the matter. [25656/05]

Minister for Agriculture and Food (Mary Coughlan): A penalty has been imposed on the persons named because they had not carried out

certain undertakings in their REPS plan in respect of the farmyard. They have appealed the penalty to the agriculture appeals office, which is statutorily independent of my Department, and the office will notify them in due course of the outcome of their appeal.

Grant Payments.

898. **Mr. Ring** asked the Minister for Agriculture and Food when a special beef premium scheme appeal by a person (details supplied) in County Mayo will be finalised. [25684/05]

Minister for Agriculture and Food (Mary Coughlan): Appeals require individual examination and are dealt with in the order in which they are received. This appeal was received in the agriculture appeals office on 26 August 2005 and was assigned to an appeals officer on 5 September 2005. The appeals officer has been in contact with the appellant to arrange an oral hearing which will take place shortly. It is not expected that there will be undue delay in dealing with this case.

899. **Mr. Ring** asked the Minister for Agriculture and Food when a person (details supplied) in County Mayo will receive a year two payment under REP scheme 3. [25715/05]

Minister for Agriculture and Food (Mary Coughlan): There has been no delay in this case. The application was lodged in late July this year, processing has been completed and payment has issued.

Animal Diseases.

900. **Mr. Timmins** asked the Minister for Agriculture and Food if breeding rams that were scrapie-monitored prior to September 2005 qualify for grant assistance; if not, if she will include such applications in the scheme (details supplied); and if she will make a statement on the matter. [25748/05]

Minister for Agriculture and Food (Mary Coughlan): The recently announced enhancements to the national genotype programme apply only to those sheep genotyped between 1 September 2005 and 18 November 2005. The enhancements include the payment of a flat rate of compensation in respect of any ram which, when tested, is found to be in one of those categories which are susceptible or highly susceptible to scrapie, provided that such rams are slaughtered on or before 30 November 2005. Consequently, the compensation payments are not available to rams that have been genotyped prior to September 2005. I do not intend to introduce further modifications to the scheme.

Farm Retirement Scheme.

901. **Mr. Neville** asked the Minister for Agriculture and Food if an application for the retirement scheme from farming by a person (details supplied) in County Limerick will be reviewed. [25749/05]

Minister for Agriculture and Food (Mary Coughlan): The application by the person named for the early retirement scheme was incomplete at the time of application, and it remains incomplete. Evidence that his farming transferee and the transferee's father were farming as separate enterprises with separate herd numbers and handling facilities was never furnished. This deficiency in his application was communicated to him on several occasions but has not been rectified.

Bovine Diseases.

902. **Mr. Neville** asked the Minister for Agriculture and Food the situation with regard to introducing an effective scheme to deal with Johne's disease (details supplied). [25750/05]

Minister for Agriculture and Food (Mary Coughlan): Following my Department's decision in 2003 to discontinue the policy of slaughtering affected animals, with consequent compensation payment, a strategic review of the optimal approach to tackling the disease was initiated in consultation with relevant interests. The testing and culling of animals infected with Johne's disease has been found, both at home and internationally, to be ineffective as a method of control for this disease. Sustained on-farm management of the disease over a number of years is the only effective strategy in tackling Johne's disease. This requires farmers to have a particular focus on calf-rearing and other bio-security practices. The strategy being developed will, therefore, involve both short-term and long-term elements. Funding has been provided for diagnostic support at the central veterinary research laboratory.

In 2005, my Department commenced a random survey using the bovine blood samples submitted as part of the brucellosis eradication programme to the Department's laboratory in Cork. When this survey is completed, the results will be analysed and will form the basis for indicating the percentage of the national herd that may be affected by this condition. My Department is in ongoing discussion with the industry, farmers' representatives, veterinary surgeons and interested parties about the development of a national integrated approach to non-regulated diseases such as Johne's, bovine viral diarrhoea and infectious bovine rhinotracheitis, etc. My Department would consider supporting, in an appropriate manner, an industry led comprehen-

sive initiative, including accreditation programmes, if such is the chosen course of action.

Commonage Division.

903. **Mr. Deasy** asked the Minister for Agriculture and Food the reason a number of applicants involved in the dispute over commonage land at Glenahiry, Clonmel, County Waterford were awarded their area aid applications while others were not; the attempts which have been made by her Department to have the matter resolved; and if she will make a statement on the matter. [25766/05]

Minister for Agriculture and Food (Mary Coughlan): Claimants on the Glenahiry commonage have been in dispute over a number of years. Until the dispute is settled, claimants can request my Department to remove the commonage area concerned from their area aid applications, thus allowing payment for the remainder of their land to be processed. My Department's legal division has been in contact with various solicitors acting for various farmers involved with a view to progressing a resolution in this matter. However, my Department has no legal jurisdiction in this matter, which can only be resolved between the persons concerned.

Rural Environment Protection Scheme.

904. **Mr. Perry** asked the Minister for Agriculture and Food if she will ensure that no penalties are imposed on the REP scheme of a person (details supplied) in County Leitrim; and if she will make a statement on the matter. [25829/05]

Minister for Agriculture and Food (Mary Coughlan): The person named has been advised that a penalty may be imposed as a result of an inspection. In keeping with normal practice, he was asked for his comments on the issue prior to a final decision being made. Those comments have been received in my Department and are being considered. The person named will be notified directly of the decision within a week and, if the penalty is imposed, he will be given the right of appeal to the agriculture appeals office.

Grant Payments.

905. **Mr. Perry** asked the Minister for Agriculture and Food if a person (details supplied) in County Sligo has received their full area aid payment; when all outstanding payments will be released; and if she will make a statement on the matter. [25830/05]

Minister for Agriculture and Food (Mary Coughlan): The person named applied for premium on ten animals under the 2004 suckler cow premium scheme. Payments amounting to

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€1,318.00 and €878.67 issued on 19 October 2004 and 21 April 2005 respectively. These represent payment in full in respect of 9.8 animals being the number of quota rights on record for the person named. The person named also applied under the 2004 extensification premium scheme. Full payment of €784.00 in respect of 9.8 animals was made on 30 May 2005. Payment of his full entitlement under the 2004 area based compensatory allowance scheme issued on 20 September 2004.

906. **Mr. Perry** asked the Minister for Agriculture and Food if she will waive the penalties imposed on a person (details supplied) in County Sligo; and if she will make a statement on the matter. [25831/05]

Minister for Agriculture and Food (Mary Coughlan): Given the medical evidence submitted, it has been decided that no penalties will be applied in this instance and that the application of the person named will be processed with a view to payment at an early date.

EU Directives.

907. **Mr. Timmins** asked the Minister for Agriculture and Food the position in relation to the draft regulations designed to transpose EU directive 2004-28-EU into Irish Law; in view of the draconian nature of the interpretation by the Department of this directive, her plans to change the regulation in order that qualified persons other than vets are able to prescribe the LM range of animal medicines; and if she will make a statement on the matter. [25968/05]

Minister for Agriculture and Food (Mary Coughlan): There appears to be a misunderstanding at the heart of this question. The position is that the draft regulations circulated by my Department will not, other than in the case of intramammary antibiotic medicines, bring under prescription control at this time any other categories of medicine which are currently not subject to such restriction.

EU Directive 2004-28 provides that all veterinary medicines for food producing animals must be subject to prescriptions. However, it also includes a provision for exemption criteria to be adopted at EU level, which will provide a mechanism for certain categories of veterinary medicines to be exempted from the prescription requirement. The EU has not yet adopted a decision on the exemption criteria but must do so before 1 January 2007. Pending this decision, existing national prescription and distribution arrangements may remain in place.

My Department intends to avail of the exemption clause to the maximum extent possible and has made a submission to the European Com-

mission with a view to retaining “off-prescription” in Ireland all products, other than intramammarys, which enjoy this status. The draft regulations published by my Department provide that veterinary medicines, such as wormers and certain vaccines, will continue to be available off-prescription until a decision is taken at EU level on the exemption criteria. Therefore, the question of extending the range of prescribers beyond veterinary practitioners is premature.

The EU Directive provides that prescriptions may be written by “a professional person qualified to do so in accordance with applicable national law”. When the exemption criteria issue is resolved, I will review the regulations and, in particular, the provisions relating to the categories of persons who would be permitted to prescribe veterinary medicines, in light of the outcome, with a view to ensuring competition in the marketplace and to avoid imposing unnecessary costs on farmers. Full consultations will be held with all stakeholders on the matter before final decisions are taken.

Road Traffic Offences.

908. **Mr. Gormley** asked the Minister for Justice, Equality and Law Reform his plans to privatise speed cameras here; the progress made to date of any such plans; the potential cost of such plans; and if he will make a statement on the matter. [25172/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A working group chaired by my Department and consisting of representatives of the Garda Síochána, the Department of Transport and the National Roads Authority reported to me and my colleague the Minister for Transport in June of this year on how the provision, operation and processing of the output of speed cameras might be outsourced to the private sector as a non-core Garda function. We subsequently brought forward proposals to the Government and received approval for the initiative on 25 July 2005.

The purpose of this initiative is to enhance overall road safety and help reduce the numbers of deaths and serious injuries on our roads. The Garda Síochána, as the traffic law enforcement agency in the State, will be responsible for the project. The performance criteria to be applied will be determined by the Garda Síochána, and the deployment of cameras will be focused on locations where there is an established or prospective risk of collisions. As well as making a significant contribution to road safety, this initiative will release Garda resources so that their enforcement efforts can be concentrated on other motoring offences which cause death and serious injury such as drink driving, dangerous driving and careless driving.

Selection of an outsource provider will be made by way of an open and competitive tendering process, and a request for tender document will issue in due course. In accordance with EU and national procurement guidelines this document will be published in the EU journal and on the Government's procurement website. All tender proposals received will be evaluated on an individual basis in accordance with the criteria set down in the request for tender.

Legislation is being drafted by my colleague the Minister for Transport which will enable the engagement of the private sector in the operation of speed cameras. The Garda authorities inform me that preparatory work with regard to the tendering process has commenced. I am not in a position at this time to indicate to the Deputy the potential cost of the project as this will depend, *inter alia*, on the tenders received.

Liquor Licensing Laws.

909. **Cecilia Keaveney** asked the Minister for Justice, Equality and Law Reform his views on measures being taken to combat under age drinking; and if he will make a statement on the matter. [24253/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): While I have general responsibility for the liquor licensing laws in my capacity as Minister for Justice, Equality and Law Reform, the Minister for Health and Children has responsibility for public health policies which encompass health promotion initiatives relating to alcohol consumption, including under age and binge drinking. As regards reform of the licensing laws, earlier this year I published proposals for an intoxicating liquor Bill which will streamline and modernise the liquor licensing code. It will repeal the licensing Acts 1833 to 2004, as well as the registration of clubs Acts 1904 to 2004, and replace them with updated provisions more suited to modern conditions.

I am conscious of public concerns about alcohol-related harm in our society and the new Bill will contain safeguards and provide for increased penalties in order to combat such harm. These include requiring applicants for retail licences, including off-sales licences, to present proof of planning permission and certification of compliance with planning conditions and fire safety standards to the District Court; extending the jurisdiction of the District Court to all retail licences and giving specified notice parties, including the health authority and members of the public, the right to object to the grant of a licence; streamlining the system for renewing licences and clarifying the right of members of the public to object to renewal in any particular case on stated grounds; strengthening provisions designed to combat sales to under age persons

by, for example, requiring all off-sales premises to have written policies and control procedures; supplementing existing offences relating to under age consumption of alcohol with a new offence of being in possession of a forged Garda age card; and increasing the levels of penalties and sanctions, including a proposal that all temporary closure orders should involve closure for a minimum of two days.

The Bill will also allow the Garda to object to applications for new retail licences on the grounds of an undue risk of public nuisance or a threat to public order or safety. In addition, it will contain provisions for dealing with drunkenness and disorderly conduct on licensed premises, as well as combating the sale and supply of alcohol to under age persons.

The Intoxicating Liquor Act 2003 contains measures aimed at combating drunkenness and disorderly conduct and tackling the problem of under age and binge drinking. The provisions in the 2003 Act, which gave effect to certain recommendations of the Commission on Liquor Licensing and the strategic task force on alcohol, include a strengthening of the provisions prohibiting the sale or delivery of alcohol to persons under the age of 18; restrictions on the presence of persons under the age of 18 in bars of licensed premises, and a new requirement that persons aged 18 to 20 must carry an age document in order to be in the bar of licensed premises after 9 p.m. — 10 p.m. during the period from 1 May to 30 September. These provisions are intended to assist licensees in complying with provisions relating to under age consumption of alcohol and to assist gardaí in enforcing the law.

Garda Stations.

910. **Mr. J. Brady** asked the Minister for Justice, Equality and Law Reform if it is proposed to have a Garda station located in the Dublin north fringe development area. [24294/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that the area referred to is policed by Coolock, Raheny and Howth Garda stations. The personnel strength of Coolock, Raheny and Howth Garda stations as at 1 January 1999 and 14 September 2005 was as set out in the following table:

Station	01/01/99	14/09/05
Coolock	89	94
Howth	34	46
Raheny	59	61

I am informed that local Garda management do not propose to locate a Garda station in the north

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fringe development area as it is adequately policed by gardaí attached to Coolock, Howth and Raheny Garda stations.

Furthermore, Garda management is of the view that the opening of a Garda station in the north fringe area would be inconsistent with contemporary policing plans and would necessitate the employment of additional personnel on indoor administrative duties who may be more effectively employed on outdoor policing duties.

Human Rights Issues.

911. **Mr. Sargent** asked the Minister for Justice, Equality and Law Reform the progress which has been made in establishing an all-island charter of rights as intended following the signing of the Good Friday Agreement. [24318/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Paragraph 10 of the section entitled “Rights, Safeguards and Equality of Opportunity” of the Agreement reached in the multi-party negotiations provides for the establishment of a joint committee of representatives of the two human rights commissions, North and South, as a forum for consideration of human rights issues in Ireland. It is stated in paragraph 10:

The joint committee will consider, among other matters, the possibility of establishing a charter, open to signature by all democratic political parties, reflecting and endorsing agreed measures for the protection of the fundamental rights of everyone living in the island of Ireland.

In so far as the position in this jurisdiction is concerned, section 8(i) of the Human Rights Commission Act 2000 provides that the Human Rights Commission shall take whatever action is necessary in this regard. I have made inquiries with the commission on the position and have been informed that the two commissions have met regularly in joint committee and produced, *inter alia*, a pre-consultation paper on a charter of rights for the island of Ireland. This document was published on 14 May 2003 and circulated to stakeholders in the area, including the major political parties. Replies to this paper were subsequently considered by the joint committee which is scheduled to meet again on 19 October 2005.

Garda Deployment.

912. **Mr. Sargent** asked the Minister for Justice, Equality and Law Reform the delay in having some senior Garda personnel seconded to the police service of Northern Ireland; and if his attention has been drawn to the importance attached to such secondment in the interests of ensuring the police service of Northern Ireland

is representative of different traditions at senior grades as well as at lower grades. [24319/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): On 29 April 2002 the Irish and British Governments signed an agreement on police co-operation providing a framework for the implementation of certain Patten recommendations on enhanced police co-operation. The implementation of Articles 1, lateral entry, 2, secondments with police powers, and 5, personnel exchange without police powers, of the agreement is a key measure towards improving the level of cross-community confidence in the impartiality of the criminal justice system.

The legal basis for secondments and permanent appointments is contained in the Garda Síochána (Police Co-operation) Act 2003. Specifically, the Act provides that members of the Garda Síochána and the PSNI will be eligible to apply for certain posts in the other police service, and for the secondment of members of each police service to the other police service, with full police powers, for periods not exceeding three years.

While secondment means appointment to the host service for up to three years, with the seconded officer exercising police powers in the host jurisdiction, and having the rights and obligations of an officer of the host service, personnel exchange means placement with the host service for up to one year, without the exercise of police powers in the host jurisdiction. Legislation was not required for the implementation of a programme of personnel exchanges.

The Garda Síochána (Police Co-operation) Act 2003 has been commenced by way of ministerial order with effect from 1 May 2004. Regulations are not required for secondments and personnel exchanges. The Garda Síochána Act 2005 was enacted in July 2004. It incorporated the provisions of the Garda Síochána (Police Co-operation) Act 2003.

On 21 February 2005 the Garda Commissioner and the Chief Constable of the PSNI signed protocols which provide for the implementation of a programme of personnel exchanges and secondments between the Garda Síochána and the PSNI. These protocols set out a framework for the operation of personnel exchanges and secondments.

Discussions between my Department and the Garda associations have continued regarding the implementation of the intergovernmental agreement on police co-operation. In this regard, I am pleased to say that the Garda associations conveyed their agreement in July 2005 to the arrangements that would apply to implementing a programme of personnel exchanges.

Following this, the Garda Commissioner and Chief Constable have engaged in active discussions with a view to commencing the programme of personnel exchanges in the coming

weeks. I welcome the implementation of the programme of personnel exchanges and believe that it represents clear evidence of the continued commitment of both Irish and British Governments to the successful implementation of the intergovernmental agreement on police co-operation and, in turn, to the implementation of the recommendations of the Patten Commission. Furthermore, I believe these exchanges will take co-operation between the two police forces to a new level and will bring benefits to both jurisdictions in the form of improved effectiveness in crime prevention and detection.

Remembrance Commission.

913. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he will resolve the complaints from a person (details supplied); and if the money due to him will be granted. [24320/05]

969. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if the issues relating to counselling expenses for a person (details supplied) will be resolved; and if this person will be given the maximum support. [24956/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Remembrance Commission administers the scheme of acknowledgement, remembrance and assistance for victims in this jurisdiction of the conflict in Northern Ireland. The person to whom the Deputy refers has applied for assistance from the scheme. I have made inquiries with the commission, and have been informed that all validly submitted claims for the reimbursement of medical expenses have been dealt with and payment made in respect of them.

In regard to the issue of counselling expenses, I understand that the commission is supportive of the application. However, the commission has requested further information from the person in question which is required in order to enable a decision to be made on the matter. The commission has responded to the person in respect of complaints made by him.

Prisoner Releases.

914. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform if convicted drug dealers are required to register with the Garda after leaving prison; and if he will make a statement on the matter. [24323/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An Agreed Programme for Government contains a commitment to require convicted drug dealers to register with the Garda

after leaving prison. In accordance with that commitment, I intend to bring forward by way of amendment to the Criminal Justice Bill 2004, which is currently on Second Stage, a statutory provision for the establishment of a drug offenders register.

Citizenship Applications.

915. **Mr. G. Mitchell** asked the Minister for Justice, Equality and Law Reform when an application for citizenship will be processed for a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [24328/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person to whom the Deputy refers was received in the citizenship section of my Department on 17 February 2004. The average processing time for such applications is 24 months. It is likely, therefore, that in the case of the application of the person concerned a decision will be finalised in or around February 2006. I will be in touch with both the Deputy and the applicant when a decision has been made in the matter.

Visa Applications.

916. **Mr. G. Mitchell** asked the Minister for Justice, Equality and Law Reform when an application by a person (details supplied) will be processed; and if he will make a statement on the matter. [24329/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The application in question was made to the Department of Foreign Affairs in October 2004. The visa was sought to allow a non-EEA national to join with his wife in the State under the family reunification scheme. Following an examination by the family reunification unit the application was returned as it was deemed that the application could not be considered under the provisions of section 18 of the Refugee Act.

The applicant's spouse in Ireland does not have full refugee status and therefore is not entitled to apply for family reunification under the Act in respect of any family members. If the applicant still wishes to travel they should make a fresh, joint spouse type application with up-to-date supporting documentation.

917. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform the status of the application to remain here for a person (details supplied) in County Wexford; the length of time it will be before a decision is made; and if he will make a statement on the matter. [24348/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The applicants concerned were granted temporary leave to remain for an initial period of two years effective from 17 August 2005. Some 18,000 applications for permission to remain were received under the revised arrangements and more than 13,000 cases have been processed to date.

Pension Provisions.

918. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he will respond to correspondence (details supplied) and if he will give the maximum support and advice. [24350/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An internal disputes resolution procedure has been put in place in my Department for the Garda Síochána pensions scheme. A complaint from the person referred to in the Deputy's question was investigated under this procedure and a determination was made on 19 August 2005. The official who made the determination found that, under the relevant regulations, a short service gratuity amounting to €16,240.29 was payable. This payment was made to the person in question on 22 August 2005. If he is dissatisfied with the outcome of the internal disputes resolution procedure he may appeal the matter to the Pensions Ombudsman.

Criminal Prosecutions.

919. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if a warrant has been issued for the arrest of persons (details supplied); and the position regarding the company concerned. [24353/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that bench warrants were issued at the Circuit Civil Court on 14 July 2005 in respect of the individuals to whom the Deputy refers. I am further informed that the warrants were subsequently cancelled on 18 and 21 July respectively. I understand that there is no record of the company to which the Deputy refers in the Companies Office.

Garda Strength.

920. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the number of gardaí per head of population in the Clontarf, Coolock, Raheny and Santry districts of Dublin; and if he will report on new community policing services in these areas. [24354/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities, who are responsible for the detailed allocation of personnel and resources, that the personnel strength of Clontarf, Coolock, Raheny and Santry sub-districts as at 14 September 2005, together with the population figures formulated from statistics gathered for the 2002 Census of Population was as set out in the table.

Sub-District	Strength at 14/09/2005	Population (2002 Census)
Clontarf	60	39,422
Coolock	94	47,918
Raheny	61	25,799
Santry	119	20,537

The allocation of Garda personnel is determined by a number of factors including population, crime trends and other operational policing needs of the area. The personnel strength of the community policing units attached to Clontarf, Coolock, Raheny and Santry Garda stations as at 14 September was as set out in the table.

Garda Station	Community Gardaí
Clontarf	6
Coolock	9
Raheny	4
Santry	5

I am further informed by the Garda authorities that local Garda management report that the community gardaí attached to these stations have an excellent relationship with the local community and the Garda bicycle unit attached to Ballymun and Howth Garda stations also provides additional personnel to police these areas as and when required.

Garda management will continue to monitor the policing and administrative strategy employed in the Dublin Metropolitan Region, north division, with a view to ensuring that an effective Garda service is maintained.

Drug Seizures.

921. **Mr. English** asked the Minister for Justice, Equality and Law Reform the percentage, increase or decrease in the amount of drugs seized by the Garda from 2000 to the end of 2004; and if he will make a statement on the matter. [24355/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Data provided by the Garda authorities in respect of seizures of the principal illicit drugs and the percentage increase or decrease in such seizures over the period 2000 to 2004, inclusive is summarised in the tables. Quantities of drugs seized 2000 to 2004

Quantities of drugs seized 2000 to 2004.

Type of Drug	2000	2001	2002	2003	2004*	Overall increase/ (decrease) 2000 to 2004*
Heroin	23.9kg	29.5kg	16.7kg	27.046kg	26.4kg	10%
Cocaine	18kg	5.3kg	31.7kg	107.4kg	167.3kg	829%
Cannabis Resin	379.8kg	567kg	3,333kg	5,349kg	3,226.45kg	750%
Ecstasy (Tablets & Capsules)	557,357	469,862	117,046	1,291,812	1,098,322	97%
Amphetamine	149 tabs & 5.8kg	17.9kg	12,728 tabs & 16.4kg	1,019 tabs & 67.7kg	91 tabs & 92.4kg	(39%) tabs 1493% kgs

* 2004 figures are provisional.

Percentage increase/(decrease) in drugs seized each year 2000 to 2004.

Type of Drug	2000-2001	2001-2002	2002-2003	2003-2004*
Heroin	23%	(43%)	62%	(2%)
Cocaine	(71%)	498%	239%	56%
Cannabis Resin	49%	488%	60%	(40%)
Ecstasy	(16%)	(75%)	1004%	(15%)
Amphetamine	209% kgs	(8%) kgs	(92%) tabs 313% kgs	(91%) tabs 36% kgs

* 2004 figures are provisional.

It is a key objective of the national drugs strategy to reduce access to all drugs, particularly those drugs that cause most harm, to young people especially in those areas where misuse is most prevalent. The strategy specifies a number of supply reduction targets for the Garda Síochána in terms of seizures and detections and the Garda have achieved considerable successes in respect of these targets to date.

Human Rights Issues.

922. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if the recent agreement with the US authorities and their agencies overrides the rights of Irish citizens; if it is unconstitutional; and if he will make a statement on the matter. [24360/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The agreement to which the Deputy refers is the bilateral instrument concerning mutual legal assistance which I signed on behalf of Ireland with the United States on 14 July 2005. The purpose of this instrument is to update and supplement existing mutual legal assistance arrangements with the United States, approved by Dáil Éireann in November 2001, in order to bring them into line with the EU-US Agreement on Mutual Legal Assistance signed by the European Union and the United States on 25 June 2003.

All member states of the EU must complete a similar process. Following this process and the

completion of any internal constitutional and parliamentary procedures necessary by member states prior to ratification, the European Union will then adopt the 2003 agreement.

This instrument does not override the rights of Irish citizens and is not in breach of the Irish Constitution. The Constitution does not permit international agreements to have effect in Ireland other than in accordance with domestic law and all domestic law must conform to the Constitution.

The 2003 EU-US agreement was extensively debated in the Oireachtas Joint Committee on Justice, Equality, Defence and Women's Rights on four occasions in the context of Oireachtas scrutiny of EU affairs. The main changes to the bilateral Treaty on Mutual Legal Assistance approved by Dáil Éireann in November 2001 concern the addition of provisions dealing with the identification of bank information, the establishment of joint investigation teams and the use of video-conferencing for the taking of testimony of witnesses or experts in relation to mutual assistance requests. These new features are in line with provisions in the Convention on Mutual Assistance in Criminal Matters between the member states of the EU agreed in 2000 and the protocol to that convention agreed in 2001.

With regard to the original provisions of the treaty between Ireland and the United States agreed to in 2001, these are already given legislative effect by means of the international co-operation provisions in Part VII of the Criminal

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Justice Act 1994. Legislation will be necessary prior to ratification of the mutual legal assistance instrument to give effect to the provisions dealing with the identification of bank information and the use of video-conferencing for the taking of testimony of witnesses or experts in regard to mutual assistance requests. In addition, the scope of the Criminal Justice (Joint Investigation Teams) Act 2004 which deals with the establishment of joint investigation teams between EU member states will need to be extended to include the US. The criminal justice (mutual assistance) Bill to be published this session will deal with these issues.

I would like to take this opportunity to assure the Deputy of several issues arising from erroneous news coverage of the scope of this instrument. There is no question of the CIA, or any police force, interrogating Irish citizens, residents or persons in custody in Ireland either in secret or at all. The Garda Síochána are the only persons who can arrest, detain or question suspects in this State. There is also no question of the CIA, or any other police force, having access to bank accounts. Such accounts can be accessed only by the Garda Síochána at the request of foreign police forces under mutual legal assistance legislation. A court order must be obtained for such access to be granted. Finally, there is no provision in the instruments for the transfer of prisoners against their will.

Consultancy Contracts.

923. **Mr. Morgan** asked the Minister for Justice, Equality and Law Reform the name of each company which secured a contract over €100,000 in value with his Department in each of the past five years. [24408/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is set out in the table on the basis of the year in which each contract was awarded and the final cost of each contract.

Year Awarded: 2000

Name of Company	Value of Contract
	€
Fitzpatricks	102,747.00
Siemens	2,298,107.00
Hay Management Consultants	182,326.27
Dell	1,891,866.00
OKI Systems	135,535.00

Year Awarded: 2001

Name of Company	Value of Contract
	€
Helm Corporation	715,719.39
WRC (Workers Research Co-Operative)	1,937,366.00
Eblana/Exselan	465,033.00
Sureskills	757,750.00

Year Awarded: 2002

Name of Company	Value of Contract
	€
Cawley Nea	149,109.00
Accenture — 2 Contracts.	(i) 14,124,005.81 (ii) 4,760,011.00
Indecon Ltd	118,916.00
Brindley Advertising	220,452.56
First Flight Aviation Ltd	432,980.00
Microsoft	568,790.00
PricewaterhouseCoopers	4,779,473.00
Pearl Communications	194,888.00
Security Plus	171,860.00
Messrs. Gleeson, Mc Grath, Baldwin	172,821.33

Year Awarded: 2003

Name of Company	Value of Contract
	€
Ailesbury Cleaning Services	131,519.01
Brindley Advertising	239,062.35
Banaman Ltd	105,875.00
Allnet	133,147.00
Intertech	321,217.00
Gwen Malone Stenography	297,295.00
Brightwater Recruitment	100,188.00
Bearing Point (formerly KPMG)	436,915.24

Year Awarded: 2004

Name of Company	Value of Contract
	€
Ailesbury Cleaning Services	174,376.51
ADM Ltd	1,047,995.00
Weston Helicopters Ltd.	146,500.00
Airpartner Plc UK.	248,610.00
Gwen Malone Stenography	430,000.00

In the time available it has not been possible for the reception and integration agency to compile the detailed information requested by the

Deputy. The information sought is being compiled and will be forwarded to the Deputy shortly.

Child Care Services.

924. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the reason for delays in payment of salary to persons (details supplied) in Dublin 11; and if the board of the centre in question will end this practice immediately. [24424/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy may be aware the Equal Opportunities Childcare Programme, EOCP, 2000-06 provides grant assistance towards the staffing costs of community-based, not-for-profit child care services which have a clear focus on disadvantage.

In September 2000, the group in question was awarded a staffing grant of €133,703 over three years under the EOCP. In November 2003, the group was approved staffing continuation funding of €37,000 up to 31 December 2004. A further €29,600 was approved up to 31 August 2005. Following a detailed review of the staffing grants under the EOCP, the group was approved staffing continuation funding of €119,600 up to end December 2007. This brings the total staffing grant assistance approved to €319,903. All funding approvals are subject to the conclusion of a contractual agreement with Area Development Management Limited, ADM, which administers the grants on behalf of my Department.

Drawdown of staffing grants is by quarterly instalment and is triggered by the beneficiary group submitting quarterly returns to ADM. Submission of timely and accurate quarterly returns is part of the contractual obligation of each group in receipt of staffing grant assistance under the EOCP.

I understand from inquiries I have made that the group in question submitted a drawdown request to ADM in May 2005 which was incomplete. Payment of €19,050 was made in August 2005 on foot of the group's June quarterly return. I further understand that ADM Limited awaits a response from the group with regard to resolving any outstanding issues regarding this group's staffing grant. Responsibility for timely payment of salaries rests with the management of the project in question.

Residency Permits.

925. **Mr. Hogan** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for residence for a person (details supplied); and if he will make a statement on the matter. [24480/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I informed the Deputy in response to Parliamentary Question No. 297 on 12 October 2004 that it was anticipated that the application in question would be finalised in or around May 2006. This is still the position.

Visa Applications.

926. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform the reason a tourist visa application for a person (details supplied) has been refused; and if he will make a statement on the matter. [24515/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application in question was received in my Department on 17 February 2005, for the stated purpose of enabling a non-EEA national travel to the State for a visit to an Irish national.

When assessing any visa application, the visa officer will consider various matters, including whether it is reasonable in all the circumstances to conclude that the applicant would fully honour the conditions of the visa, for example, it is unlikely that the applicant would overstay the length of time applied for. The visa officer will also have regard to information provided and to such factors as the applicant's ties and general circumstances in their country of origin.

The application in question was refused because the visa officer could not reasonably be satisfied, on the basis of the documentation supplied to my Department, that the applicant would observe the conditions of the visa. In particular, it was felt that the applicant had not displayed sufficient evidence of obligations to return home following the proposed visit.

Additionally, it was felt that sufficient evidence was not submitted to permit the visa officer to establish to an acceptable degree, that a previous relationship history existed between the applicant and the reference in Ireland. An appeal was received in relation to the application. However, the visa appeals officer who dealt with the appeal was unable to conclude that the initial decision to refuse the visas should be overturned.

Public Order Offences.

927. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the number of persons prosecuted for public urinating in the environs of Croke Park on major match days to date in 2005. [24564/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The table below shows the total number of proceedings commenced, and convictions for, the offence of urinating in a public place

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in the Fitzgibbon Street Garda district for the year to 23 September.

To provide figures which specifically relate to Croke Park match days would incur a disproportionate expenditure of Garda time and resources. The statistics provided are provisional, operational and liable to change.

District	Proceedings Commenced	Convictions
Fitzgibbon Street	17	0

Garda Strength.

928. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the number of community gardaí based at Mountjoy Garda station; when additional community gardaí will be provided; and if he will make a statement on the matter. [24565/05]

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 resources, including personnel, that one sergeant and 11 gardaí are attached to the community policing unit at Mountjoy Garda station. There are no plans to increase this figure.

Garda management states that it will continue to monitor and appraise the policing and administrative strategy employed in the Mountjoy sub-district with a view to ensuring an effective Garda service is maintained.

Deportation Orders.

929. **Mr. G. Mitchell** asked the Minister for Justice, Equality and Law Reform if he will review the case of a person (details supplied); if he will ensure that all of the circumstances are taken into account and that the matter is dealt with compassionately. [24575/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A deportation order was made on 22 December 2004 in respect of the applicant to whom the Deputy refers. She was notified of this by registered letter dated 16 February 2005. The applicant instituted judicial review proceedings on 13 March 2005 challenging the deportation order.

These proceedings are ongoing and, accordingly, as the matter is *sub judice* it would not be appropriate to comment further at this time.

Closed Circuit Television Systems.

930. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform the position regarding

the installation of closed circuit television in Waterford city; and if he will make a statement on the matter. [2491/05]

931. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform the position regarding the installation of closed circuit television, CCTV, in Dungarvan, County Waterford; and if he will make a statement on the matter. [24592/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to answer Questions Nos. 930 and 931 together.

Waterford is one of 17 locations nationwide which has been selected to receive a Garda CCTV system. This programme of implementation of CCTV systems 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. Phase 1 has been completed in five of the six locations.

Installation of CCTV systems is a detailed, complex and lengthy process. I am anxious to accelerate the implementation of the CCTV programme, and reduce as far as possible the workload of the Garda Síochána in this regard. I believe that the answer is to outsource the installation of Garda CCTV systems to the greatest extent possible, making use not only of the technical but also of the project management expertise in the private sector. I have asked the Commissioner to submit proposals for outsourced CCTV systems in the 11 locations in the remaining two phases, with a view to achieving implementation in priority locations, including Waterford, by the end of 2006.

As a first step in this process the Garda authorities engaged a consultancy firm to examine all aspects of Garda involvement in CCTV systems, including the installation, operation and management of CCTV systems; monitoring, recording and related activities; accommodation and situation of facilities and staff for the town CCTV system and Garda station premises; and assessment of civilianisation of Garda CCTV monitoring conducted under the management of the Garda Síochána. The consultancy firm also examined which procurement model is the most suitable in terms of commercial viability and cost effectiveness for the provision of town centre CCTV systems. This consultancy process concluded recently and the Garda authorities are finalising their proposals in consultation with my Department.

An application for a Garda CCTV system in Dungarvan has been received by the CCTV advisory committee. The inclusion of other town centre locations, including Dungarvan, beyond the 17 already listed in the programme of Garda

CCTV systems will be considered in the context of the revised procurement model.

Garda Strength.

932. **Ms O. Mitchell** asked the Minister for Justice, Equality and Law Reform the number of additional gardaí added to the Garda traffic corps to date in 2005; the total number of gardaí now in the corps; the Garda area divisions which have received such additional corps members; and if he will make a statement on the matter. [24602/05]

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 resources, including personnel, that 27 gardaí have been added to the traffic corps in 2005. This gives a total of 565 gardaí, all ranks, attached to the traffic corps.

The breakdown of additional members by division is outlined in the following table.

Division	
Carlow/ Kildare	3 Gardaí
Clare	1 Garda
Cork City	1 Inspector
Donegal	2 Gardaí
Laois/ Offaly	1 Garda
Limerick	1 Garda
Roscommon	1 Garda
Sligo/ Leitrim	1 Garda
D.M.R. East	1 Garda
D.M.R. Traffic	15 Gardaí

I have been further informed that an additional sergeant and five gardaí have been proposed for assignment to Laois-Offaly division today, 28 September 2005.

I announced the establishment within the Garda Síochána of the traffic corps on 23 November 2004. 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. As each cycle of recruit training is completed, the Garda Commissioner will assign these new members to the areas of greatest need with particular regard to certain priorities, which include the traffic corps.

I am informed by the Garda authorities that the number of gardaí assigned to the traffic corps will increase from the current level of 565 to 1,200 by 2008. The strength of the traffic corps will be increased on the following phased basis in tandem with the recruitment of almost 1,100 recruits in each of the next three years — 2006 — 805; 2007 — 1,030; and 2008 — 1,200.

Visa Applications.

933. **Mr. Hogan** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for a temporary visa for a person (details supplied); and if he will make a statement on the matter. [24613/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application in question was received in my Department on 20 June 2005. When assessing any visa application, the visa officer will consider various matters, including whether it is reasonable in all the circumstances to conclude that the applicant would fully honour the conditions of the visa. For example, it is unlikely that the applicant would overstay the length of time applied for. Where previous visas have been granted to an applicant, my Department also examines whether the applicant adhered to the conditions of such visas. The visa officer will also have regard to information provided and to such factors as the applicant's ties and general circumstances in their country of origin.

The application in question was refused on 1 July 2005 as the applicant did not observe the conditions of a visit visa on a previous occasion. The application was the subject of an appeal by the applicant at which time additional information was supplied to my Department addressing the reason for refusal. However, the visa appeals officer was unable to conclude that the initial decision should be overturned. Consequently, the decision to decline the grant of a visa was upheld. As each application is entitled to only one appeal, no further review can be facilitated.

Garda Investigations.

934. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the position regarding the Richie Barron inquiry; if he will give the maximum support to Mr. Frank McBrearty Jr.; and if he will make a statement on the matter. [24616/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The position with regard to the tribunal of inquiry into complaints concerning some gardaí of the Donegal division is that it has completed and reported on a second module of its work in regard to the Garda investigation into the death of Mr. Richard Barron and the making of extortion telephone calls to the home of Michael and Charlotte Peoples.

As regards the person concerned, the tribunal, in its second report, has found that he was wrongly suspected of murder and it is unequivocal in its exoneration of him. The person concerned has recently reached a settlement with the

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State in respect of a number of civil actions arising from those events.

The tribunal, however, has not completed its task. One significant aspect of the work yet to be undertaken is the question of the arrest and detention of the person and his treatment while in custody. This module of the work will also include the circumstances in which an alleged statement of admission came about. The facts need to be aired and I urge the person concerned, and all other relevant persons, to co-operate with the tribunal at the appropriate time so that the full truth can emerge.

935. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the fact that a new prime suspect has emerged in the killing of a person (details supplied) in County Donegal. [24617/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The death of the person concerned remains under investigation. If the Deputy has any information which would be of assistance to the Garda I urge him to inform them as soon as possible.

936. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the position regarding persons (details supplied) in County Donegal and their efforts for truth and justice in relation to Garda corruption; and if he will make a statement on the matter. [24618/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The family in question were completely exonerated of any suspicion of wrongdoing by Mr. Justice Morris in both his reports into matters in Donegal. There is an ongoing related civil action against the State and the family's solicitors have been informed that the case will proceed on the basis of assessment of damages only.

Refugee Status.

937. **Ms B. Moynihan-Cronin** asked the Minister for Justice, Equality and Law Reform the reason for the delay in processing an application for family reunification for a person (details supplied) in County Kerry; and when a decision is expected in this case. [24619/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question is a refugee who applied for family reunification in respect of her husband. The application was forwarded to the Office of the Refugee Applications Commissioner for investigation as required under section 18 of the Refugee Act 1996. During the course of assessing this application questions

arose in relation to the validity of the marriage. This is now the subject of a Garda investigation which is still ongoing. On completion of this investigation a decision on this application will be made.

Criminal Prosecutions.

938. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the position regarding the case of a person (details supplied); if this was another miscarriage of justice case; and if he will support an inquiry into this matter. [24650/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the person in question was arrested pursuant to Section 30 of the Offences against the State Act 1939 on 12 January 1991.

The person was subsequently charged before the Special Criminal Court on 14 January 1991, on the directions of the Director of Public Prosecutions. On 12 June 1991, the prosecution entered a *nolle prosequi* in respect of five of the six charges preferred. In respect of the final charge, membership of an unlawful organisation, the person pleaded not guilty and the Court returned a verdict of not guilty.

I have no reason to believe that any miscarriage of justice occurred in this case and, hence, see no grounds which would warrant the establishment of an inquiry.

Child Care Services.

939. **Mr. Neville** asked the Minister for Justice, Equality and Law Reform the position regarding the provision of funding for a new child care centre at Rathkeale, County Limerick. [24668/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): This group submitted an application for capital grant assistance under the Equal Opportunities Childcare Programme, EOCP, 2000-06, to my Department some time ago. The group in question was approved for EOCP staffing grant assistance of over €206,332. Subject to the group complying with the terms of their staffing grant and satisfactory contractual arrangements with Area Development Management Limited, ADM, their current level of grant support will be extended to 31 December 2007.

The capital grant application was forwarded to ADM, which is engaged by my Department to carry out detailed assessments of all EOCP grant applications on my behalf. Each application undergoes a thorough assessment by ADM to ensure it meets the EOCP funding criteria. In addition, large scale projects, such as this capital

development, undergo an intensive assessment by an external building consultant.

The ongoing assessment of the applications in the pipeline will be concluded as speedily as possible to facilitate the development of additional child care facilities and places at the earliest opportunity. When the assessment on the project in question is completed, the application will be considered by the programme appraisal committee, chaired by my Department, before a final decision is made regarding funding. The group will be informed of the outcome of the assessment in due course.

Residency Permits.

940. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when a person (details supplied) in County Mayo will be granted permission to remain here based on their parentage of an Irish-born child. [24700/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): My Department officials advise me that they have no record of receiving an application from the person concerned, with the details which were supplied, under the revised arrangements for permission to remain in the State from the non-national parents of Irish-born children born before 1 January 2005. The Deputy may wish to write to me with further details about the person concerned.

Citizenship Applications.

941. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when an application for naturalisation will be finalised for a person (details supplied) in County Mayo. [24704/05]

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 13 April 2004.

The average processing time for such applications is currently 24 months. It is likely, therefore, that in the case of the application of the person concerned a decision will be finalised in or around April 2006.

I will be in touch with both the Deputy and the applicant when a decision has been made in the matter.

Asylum Support Services.

942. **Mr. Allen** asked the Minister for Justice, Equality and Law Reform the number of centres housing asylum-seekers and refugees on a yearly basis from 2000 to 2005 inclusive; the total expenditure differentiating between capital and other expenditure including rental on each centre on an

annual basis since their opening to date. [24730/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In the time available for answering questions it has not been possible to compile the detailed information requested by the Deputy.

The information sought is being compiled at present, and I will forward it to the Deputy shortly.

Crime Prevention.

943. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 593 of 14 June 2005, the outcome of consultations referred to in that reply; the steps he contemplates to give effect to Council Framework Decision 2005/212/JHA; if those steps will include primary legislation; and if he will make a statement on the matter. [24744/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Consultations with the Office of the Attorney General on Council Framework Decision 2005/212/JHA regarding confiscation of crime-related proceeds, instrumentalities and property are continuing. Initial indications are that there will be a requirement for some primary legislation in order that Ireland might ratify the instrument. However, while I am not yet able to state definitively the steps required to give effect to the framework decision, any legislative proposals will be brought to Government in the normal way.

Registration of Title.

944. **Mr. Aylward** asked the Minister for Justice, Equality and Law Reform if a dealing for a person (details supplied) in County Kilkenny will be expedited. [24762/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to inform the Deputy that I have requested the Land Registry to contact him directly concerning the current position of the application in question.

I understand that in circumstances where the completion of an application in a particular case is urgent, the Land Registry will make every reasonable effort to facilitate such requests on receipt of a written explanation as to the reason underlying the urgency.

Criminal Justice Bill 2004.

945. **Mr. Sargent** asked the Minister for Justice, Equality and Law Reform the number of submissions made to this Department which were sought regarding section 30 of the Criminal

[Mr. Sargent.]

Justice Bill 2004; if those have been presented to the Dáil Select Committee on Justice, Equality, Defence and Women's Rights for consideration as part of the Committee Stage of the Criminal Justice Bill 2004; if those submissions will be made public; and if he will make a statement on the matter. [24763/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): When the Criminal Justice Bill 2004 was published, an invitation was issued to the general public, through the Department's website, inviting views on section 30 of the Bill. Section 30 provides for the secure custody of firearms and requires all applicants for firearms certificates to satisfy the Garda superintendent, to whom the application is made, that they have provided secure accommodation for the firearm.

My Department has received a large number of comments in response; some favour the proposal, while others oppose it. Many of the respondents refrained from commenting on section 30 of the Bill but took the opportunity to address wider issues relating to the licensing of firearms. In that regard, I have previously informed the House that I will be proposing the inclusion of further provisions in the Bill, and several of those new provisions will address some of the wider issues raised. The Bill is currently on Second Stage in the Dáil, and it is my intention to bring forward the new provisions by way of amendments to the Bill on Committee Stage.

Closed Circuit Television Systems.

946. **Mr. Hogan** asked the Minister for Justice, Equality and Law Reform when the necessary finance will be made available for closed circuit television cameras in Carlow; and if he will make a statement on the matter. [24772/05]

947. **Mr. Hogan** asked the Minister for Justice, Equality and Law Reform when the necessary finance will be made available for closed circuit television cameras in Kilkenny city; and if he will make a statement on the matter. [24773/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to deal with Questions Nos. 946 and 947 together.

As the Deputy is aware, Carlow and Kilkenny are two of 17 locations nationwide which have been selected to receive a Garda CCTV system. That programme of CCTV systems 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. Phase 1 has been completed in five of the six locations.

Installation of CCTV systems is of necessity a detailed, complex and lengthy process. I am anxious to accelerate the implementation of the CCTV programme, and reduce as far as possible the workload of the Garda Síochána in that regard. I believe that the answer is to outsource the installation of Garda CCTV systems to the greatest extent possible, making use not only of the technical but also of the project management expertise in the private sector. I have asked the Commissioner to submit proposals for outsourced CCTV systems in the 11 locations in the remaining two phases, with a view to achieving implementation in priority locations, including Carlow and Kilkenny, by the end of 2006.

As a first step in that process, the Garda authorities engaged a consultancy firm to examine all aspects of Garda involvement in CCTV systems, including: the installation, operation and management of CCTV systems; monitoring, recording and related activities; accommodation and situation of facilities and staff regarding the town CCTV system and Garda station premises; and assessment of civilianisation of Garda CCTV monitoring conducted under the management of the Garda Síochána.

The consultancy firm also examined which procurement model is the most suitable regarding commercial viability and cost-effectiveness for the provision of town centre CCTV systems. That consultancy process has recently concluded, and the Garda authorities are now finalising their proposals in consultation with my Department.

Garda Investigations.

948. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to a person (details supplied) regarding Donegal Garda corruption and the McBrearty case. [24778/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am aware that the person concerned is a retired member of the Garda Síochána who was criticised in the second report of the Morris tribunal.

Residency Permits.

949. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if a person (details supplied) will remain here to complete their third level education; and if he will give them the maximum support. [24779/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The immigration division of my Department has recently been in correspondence with the person concerned requesting documentation in support of his application for resi-

dency. On receipt of all the documentation requested, a decision will be made on the case.

Garda Síochána Act 2005.

950. **Mr. Ferris** asked the Minister for Justice, Equality and Law Reform if he has received a file relating to a person (details supplied) in County Kerry; if the file will be passed to this person's legal representatives; and if he will make a statement on the matter. [24790/05]

962. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he will exercise his powers under the Garda Síochána Act 2005 and deal with the case of a person (details supplied); and if he will make a statement on the matter. [24874/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to deal with Questions Nos. 950 and 962 together.

Representatives of the person in question have communicated with me in writing, and I am currently considering my response, which will issue in due course. That response will address the request by those representatives to invoke the provisions of the Garda Síochána Act 2005.

Residency Permits.

951. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the reason permission was not granted to a person (details supplied) to enter and stay in Ireland based on marriage; if the case will be reviewed with a view to granting permission; and if he will make a statement on the matter. [24792/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am pleased to inform the Deputy that a "C" visit visa has been approved in this case.

Closed Circuit Television Systems.

952. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the timeframe for the provision of a closed circuit television system for Kilkenny city; and if he will make a statement on the matter. [24793/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware, Kilkenny is one of 17 locations nationwide which have been selected to receive a Garda CCTV system. That programme of CCTV systems 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. Phase 1 has been completed in five of the six locations.

Installation of CCTV systems is of necessity a detailed, complex and lengthy process. I am anxious to accelerate the implementation of the CCTV programme, and reduce as far as possible the workload of the Garda Síochána in that regard. I believe that the answer is to outsource the installation of Garda CCTV systems to the greatest extent possible, making use not only of the technical but also of the project management expertise in the private sector. I have asked the Commissioner to submit proposals for outsourced CCTV systems in the 11 locations in the remaining two phases, with a view to achieving implementation in priority locations, including Kilkenny, by the end of 2006.

As a first step in that process, the Garda authorities engaged a consultancy firm to examine all aspects of Garda involvement in CCTV systems, including: the installation, operation and management of CCTV systems; monitoring, recording and related activities; accommodation and situation of facilities and staff regarding the town CCTV system and Garda station premises; and assessment of civilianisation of Garda CCTV monitoring conducted under the management of the Garda Síochána.

The consultancy firm also examined which procurement model is the most suitable regarding commercial viability and cost-effectiveness for the provision of town centre CCTV systems. That consultancy process has recently concluded, and the Garda authorities are now finalising their proposals in consultation with my Department.

Asylum Applications.

953. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform if a decision will be expedited in the case of a person (details supplied). [24795/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 7 October 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 section 3 of the Immigration Act 1999, as amended, he was informed by letter dated 16 August 2005, that the Minister proposed to make a deportation order in his respect. 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.

[Mr. McDowell.]

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 a decision in due course.

Visa Applications.

954. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the reason a visa application in the name of a person (details supplied) was refused; and if he will make a statement on the matter. [24799/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application in question was refused by my Department at initial stage on 23 August on two separate grounds.

First, the visa officer was not satisfied on the basis of the documentation supplied in support of the application that sufficient finances were available to guarantee the support of the applicant while in the State without requiring recourse to public funds.

Second, the applicant had visited Ireland during 2003 and overstayed on the visit, thereby failing to comply with the conditions of the visa.

An appeal in respect of the decision to refuse the visa application was subsequently submitted by the applicant and received in my Department on 19 September. To guarantee the provision of a fair and consistent service to all our customers, appeals are dealt with strictly in date-received order and take, on average, three to four weeks to process. The applicant can expect a decision within that timeframe.

955. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform if approval of a visa application will be expedited in the name of a person (details supplied); and if he will make a statement on the matter. [24800/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application in question was received in my Department on 2 September 2005. Applications are dealt with strictly in the order of date received.

As we have an obligation to provide the best possible service to all our customers and to deal objectively with all applications received in a fair and transparent manner, applications are not, as a rule, given priority over earlier applications in the queue. In exceptional circumstances, prioritisation of one or more applications may be warranted. However, it does not appear that any such circumstances exist in this case.

As processing times for visa applications are, on average, between four and six weeks, the

applicant can expect a decision in this case in the near future.

Child Care Services.

956. **Ms B. Moynihan-Cronin** asked the Minister for Justice, Equality and Law Reform the future position regarding staffing grants for community-based child care centres; if and when a review of this funding beyond 2007 will take place; and if he will make a statement on the matter. [24819/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy may be aware, the Equal Opportunities Childcare Programme 2000 to 2006 provides staffing grant assistance towards the staffing costs of community-based or not-for-profit child care services which have a clear focus on disadvantage.

To date, I have approved over €447 million in capital, staffing and quality improvement grants. Of that, a total of almost €160 million has been approved to date under the staffing measure of the EOCP. It is anticipated that the funding will lead to the creation of 9,451 new child care places and will support a further 14,132 existing places.

Following a detailed review of the existing staffing grants under the EOCP, my Department recently extended the terms of the grants, to the end of December 2007, to groups which have received staffing grants for a period of three or more years and which continue to deliver a child care service in accordance with their pre-agreed targets. To benefit from such funding, the groups must continue to pay particular attention to the support of disadvantaged families and the implementation of a fee structure tailored to the differing economic circumstances of the client group and which ensures that child care places subsidised by the EOCP are targeted towards those most in need.

The issue of a follow-on programme to the EOCP is currently under consideration by a high-level group which is being chaired by the National Children's Office. Pending finalisation of the high-level group report and its consideration by the Government in due course, it would be premature of me to comment any further regarding the issue raised by the Deputy.

Crime Prevention.

957. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he will work closely with the Garda Síochána in putting an anti-vandalism plan in place at a school (details supplied) in Dublin 7; and the security measures which will be put in place in all schools to prevent fire and vandalism. [24829/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that local Garda management are aware of the problems at the school mentioned and are in regular contact with school management to address the problems.

The incidents of criminal damage are attributable to youths frequenting several vacant and derelict buildings which back onto the school. Intensive Garda patrols have been set up to combat anti-social behaviour and incidents of criminal damage at the school and in the area. Gardaí have recently made several arrests on and adjacent to the derelict buildings.

I have been further informed by the Garda authorities that local Garda management have also been proactive in having the derelict buildings fenced off and a security guard placed on site between 6 p.m. and 5 a.m. daily. Community gardaí are liaising with management at the school on an ongoing basis and have made recommendations to school management on school security improvements.

I understand that school security throughout the State is a matter for the relevant Department. However, principals and boards of management of schools can seek advice regarding crime prevention and security systems from their local Garda station.

Garda Operations.

958. **Mr. Gormley** asked the Minister for Justice, Equality and Law Reform the action which the gardaí intend to take regarding anti-social behaviour by persons on the Campshires City Quay who continue to drink alcohol and consume drugs in the open; and if he will make a statement on the matter. [24830/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the area referred to is policed by gardaí from Pearse Street Garda station. The policing consists of patrols by uniformed gardaí, the detective unit, the divisional crime task force, the crime prevention unit, the mountain bike unit, the community policing unit and the district drugs unit.

The gardaí are aware of complaints regarding drug and alcohol abuse in the area and as a result are paying special attention to the locality during the course of patrolling. Any breaches of the criminal law detected by gardaí are followed by swift action in dealing with the offenders. The gardaí are determined to eliminate the nuisance complained of and will continue to monitor the situation very closely.

959. **Mr. Gormley** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to a recent spate of robberies at

a location (details supplied) and to the concern that this has caused to local residents; the steps the gardaí are taking to deal with this matter; and if he will make a statement on the matter. [24831/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that several burglaries and robberies from the person have occurred in recent months in the area referred to by the Deputy. Those incidents are under investigation by gardaí from Pearse Street station.

The area is frequently patrolled by uniformed gardaí, the detective unit, the divisional crime task force, the crime prevention unit, the mountain bike unit, the community policing unit and the district drugs unit. The gardaí are aware of recent incidents that have occurred and as a result are paying particular attention to the area in the course of patrolling.

Any breaches of the criminal law detected by gardaí are followed by swift action in dealing with offenders. The gardaí will continue to monitor the situation very closely with a view to preventing further criminal acts occurring.

Citizenship Applications.

960. **Mr. Gilmore** asked the Minister for Justice, Equality and Law Reform if he has considered representations on behalf of a person (details supplied); the response he intends to make; and if he will make a statement on the matter. [24847/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Deputy is aware that I wrote to the person concerned in January and April 2004 setting out the position regarding how she might set about acquiring Irish citizenship.

While the preferred option is post-nuptial citizenship, the medical condition of her Irish husband appears to rule out the possibility of proceeding in this way.

It appears that the only other option is naturalisation, and I am favourably disposed to grant an application from the person concerned. However, she would have to apply in the normal way, and her application would be assessed against the statutory provisions in place. Following formal approval of her application, she would be required to swear an oath of fidelity to the nation and loyalty to the State in open court and pay the appropriate statutory fee of €634.87. I appreciate that the person concerned has indicated that she is not in a financial position to pay that fee, but I do not have any discretion in the matter.

Prison Staff.

961. **Mr. Aylward** asked the Minister for

[Mr. Aylward.]

Justice, Equality and Law Reform if he will review travel and subsistence payments to several prison officers temporarily assigned from the Curragh and Fort Mitchel prisons who received reduced payments, unlike other officers who received full remuneration; and if he will make a statement on the matter. [24861/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The position regarding the payment of travel and subsistence to the staff concerned was set out in my replies to Parliamentary Questions Nos. 198 and 199 on 16 June 2004 and Parliamentary Question No. 615 on 28 June 2005. I indicated that the payment of travel and subsistence is governed by the provisions of Department of the Public Service Circular 11/ 82. It is a matter for each Department to determine whether it would be appropriate to make travel and subsistence payments to its staff in any particular situation.

Accordingly, regarding temporary transfers from the Curragh and Fort Mitchel, it was decided that subsistence payments relating to breakfast, dinner or tea allowances should not be paid, as the costs of same would normally be incurred by the officer in any event. Furthermore, mileage expenses were to be at the lower rate, and the payment was reviewed regularly. For the purposes of clarification, where an officer travels from home to the prison of temporary transfer he or she will qualify for mileage, at the lower rate, based on the lesser of the distance from home to the prison of temporary transfer or the distance from his or her normal prison to the prison of

temporary transfer, except that if any part of the journey from home to the prison of temporary transfer covers part of the usual route from home to his or her normal prison, that portion will not qualify for payment of mileage — mileage is only payable for that part of the journey after the officer leaves his or her normal route to work to his or her normal prison.

I have no proposals to review those arrangements. However, I understand that the director general of the Irish Prison Service proposes to address the issue of the permanent redeployment of Fort Mitchel staff in the context of the implementation of the current change agreement in the Prison Service.

Question No. 962 answered with Question No. 950.

Legislative Programme.

963. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commencement of which his Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [24905/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is set out in the following tabular statement.

Act (or part of)	Whether it is proposed to make a commencement order	When commencement order will be made	The reason for the delay
Section 5(d) of the Data Protection (Amendment) Act 2003, in so far as it inserts subsection (13) of section 4 of the Data Protection Act 1988.	Yes	In due course	It is necessary to permit employment related access requests, pending the extension of the Garda vetting system, to continue under data protection law.
Section 16 and section 22, in so far as it repeals the Third Schedule to the Data Protection Act 1988, of the Data Protection (Amendment) Act 2003.	Yes	In due course	These provisions relate to registration of data controllers and data processors. The commencement of the revised registration requirements provided for in the 2003 Act is under consideration following completion of a consultation process.
Section 15 of the Intoxicating Liquor Act 2000	To be considered further in the context of the codification of the liquor licensing laws.	To be considered further	This provision relates to the display of notices containing a statement of the offences provided for in Part IV of the Intoxicating Liquor Act 1988. This issue is being considered further in the context of the codification of the liquor licensing laws.
Section 30 of the Civil Liability and Courts Act 2004.	Yes	As soon as possible	Database for personal injury register to be developed by Courts Service.
Sections 45, 46, 47, 48, 50, 51, 52 and 53 of the Civil Liability and Courts Act 2004.	Yes	To be decided	Commencement of these sections is dependent on the revaluation of property to be carried out by the Valuation Office under the Valuation Act 2001.
Children Act 1997: Section 11 (insofar as it inserts sections 26 and 28 into the Guardianship of Infants Act 1964)	Yes	In due course	These two sections have staffing implications for certain bodies and they will be brought into operation as soon as the necessary staff can be made available.
The Private Security Service Act 2004 — Part 2 (Section 13, 14, 15, 16), Parts 3, 4, 5, 6, 7 and Schedules 2 and 3.	The Department is in discussion with the Private Security Authority regarding the commencement of further sections of the Act.	Provisions in relation to a licensing system are to be commenced shortly. Others provisions to be commenced in due course.	Phased implementation envisaged when enacted.
Aspects of the Children's Act 2001 coming within the Department's responsibility (the age of criminal responsibility, community-based options and the provision of detention centres for 16 — 17 year old offenders).	Yes	Certain provisions relating to community based sanctions are to be commenced later this year. Other element to be commenced in due course, including in context of review of Youth Justice Services which is being finalised in this Department.	The Act is a complex and comprehensive piece of legislation and implementation is taking place on a phased basis, as was envisaged at time of enactment.
Garda Síochána Act 2005 — The following Sections have been brought into effect: Part 1 (other than section 4) and sections 7, 39, 40, 41, 47, 48, 49, 60, 62, 121 (other than subsection (2)(b) and (c)), 124, 130 and 131. Commencement Orders to be made in relation to remainder of the Act	Yes	In due course.	No delay. Legislation recently enacted.
Section 57 of the Criminal Justice (Theft and Fraud Offences) Act 2001	I am not in a position to confirm this at present.	To be decided	The section provides for the giving of information, including transcripts of evidence, to juries in relation to a trial on indictment of an offence under that Act. Its commencement is delayed because of resource issues for the Courts Service.
Criminal Justice (Illicit Traffic by Sea Act 2003)	Yes	To be decided	Commencement order cannot be made until procedures finalised in relation to enforcement officers obtaining the authority of the Minister for Foreign Affairs to exercise certain powers of enforcement. It is expected these procedures will be finalised in the near future.

[Mr. McDowell.]

Citizenship Applications.

964. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if the maximum advice and support will be given to a person (details supplied) in that person's application for citizenship. [24928/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question entered the State in April 1999 and applied for naturalisation in December 2002. Since she had only been resident in the State for just over two and a half years at that stage, her application was deemed ineligible.

The person in question applied again for naturalisation on 21 July 2005, at which stage she had the necessary reckonable residence of five years. The average processing time for an application for naturalisation is 24 months at present. It is likely, therefore, that the application of the person concerned should be finalised by the middle of 2007.

Air Services.

965. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform the proportion of aircraft with a declared origin or destination of Andrews Air Force Base, Washington DC which landed in the State during each of 2004 and 2005 to date and which were examined by the Garda Síochána to ensure that they complied with their obligations on declaration of the persons and cargo being carried, especially regarding the transportation of weapons, munitions and explosives, categorised by airport landed at in the State and by final destination of the aircraft; if the Garda Síochána intends to make any such investigations during the remainder of 2005; if he intends to instruct the Garda Síochána in any manner regarding this issue; and if he will make a statement on the matter. [24933/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Permission for foreign military aircraft to land in the State is granted by the Minister for Foreign Affairs, pursuant to the Air Navigation (Foreign Military Aircraft) Order 1952. Permission is normally granted based on several policy stipulations, included among which are requirements relating to cargo contents.

Chartered civilian aircraft are also sometimes used to transport military cargo through the State. Permission for the transport of any such cargo on civilian aircraft must first be obtained from the Minister for Transport, who, in turn, consults with the Minister for Foreign Affairs before reaching a decision.

Regarding civilian aircraft generally landing in the State for refuelling or other purposes, there is no requirement under international or Irish law

to notify the Department of Transport in advance, although many airlines voluntarily do so.

In the case of US military aircraft or chartered civilian aircraft transporting military cargo, the US Embassy submits applications to confirm that the aircraft seeking landing permission will comply with the operative criteria.

The Garda Síochána is notified in advance of the arrival of all foreign military and chartered civilian flights carrying military cargo and of the cargo contents and passenger numbers. I am informed by the Garda authorities that such aircraft are not routinely inspected and that, for the period in question, no inspections were undertaken.

I have no information to indicate that the operative criteria applying to such aircraft are being or have been breached. However, I can assure the Deputy that the Garda Síochána conducts a full investigation in any case where a credible complaint of criminal activity is made, to include, where appropriate, an inspection of the aircraft in question. As a consequence, I do not consider that further action is warranted.

Citizenship Applications.

966. **Mr. Howlin** asked the Minister for Justice, Equality and Law Reform the reason a person (details supplied) in County Wexford has fallen short of the requirements for naturalisation; if his Department received the confirmation which it sought from this person regarding reckonable residence in the State; and if he will make a statement on the matter. [24934/05]

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 24 February 2003.

The Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, at his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled, including where the applicant has had a period of one year's continuous residency in the State immediately before the date of the application and, during the eight years immediately preceding that period, has had a total residence in the State amounting to four years.

It should be noted that in the context of naturalisation certain periods of residence in the State are excluded. Those include periods of residence in respect of which an applicant does not have permission to remain in the State, periods granted for the purposes of study and periods granted for the purposes of seeking recognition as a refugee within the meaning of the Refugee Act 1996. Generally speaking, immigration

stamps in an applicant's passport are used to determine periods of permission to remain in the State.

It appears that the person concerned is unable to provide documentary evidence that he has had permission to remain in the State for the periods during which he maintains he has been resident here. Officials in the citizenship section have been corresponding with him in respect of the matter and the contents of a letter received in June from a group representing the person concerned are being considered at present.

I will advise both the Deputy and the person concerned when the matter has been fully considered.

Sale of Fireworks.

967. **Mr. Haughey** asked the Minister for Justice, Equality and Law Reform the way in which he proposes to tackle the importation and sale of illegal fireworks in the State; if there is a public record of illegal fireworks seizures by the gardaí and subsequent arrests; and if he will make a statement on the matter. [24943/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Explosives Act 1875 provides for the control of the importation, manufacture, storage and sale of fireworks. As the Deputy will be aware, last February I published a fireworks policy consultation document and initiated a process of consultation with a view to bringing forward proposals for amending and strengthening the provisions in the 1875 Act. My Department has received a wide range of submissions in response to the consultation document which are currently being examined.

It is already clear, from the submissions received, that, among the options for change outlined in the consultation document, there is a general acknowledgement of the need to strengthen the enforcement provisions in the 1875 Act. Accordingly, I propose to take the opportunity presented by the Criminal Justice Bill 2004, which is currently before the House, to bring forward, on Committee Stage of that Bill, amendments which will provide for new offences governing the misuse of fireworks in public places and an offence of possession of illegally imported fireworks with intent to supply. I also propose significantly to increase penalties governing the illegal importation, sale and use of fireworks.

In so far as the seizure of fireworks is concerned, the Garda authorities make every effort to identify persons involved in the illegal importation and sale of all types of fireworks. Where necessary, specific policing plans are put in place in areas where particular problems arise. Those plans include intelligence-gathering on known dealers and suppliers and, once identified, putting plans in place to arrest them and seize their

stocks of illegal fireworks. Each year, leading up to Hallowe'en, special efforts are made to combat the illegal importation of fireworks. This year, an intelligence-led operation called "Operation Tombola", which aims to prevent and detect the organised importation, for sale, of fireworks in the lead up to Halloween, has been put in place by the Garda Commissioner.

Over the last five years, such operations have resulted in the following seizures:

	Individual items seized	Value of seizures
		€
2000	5,759	1,294,575
2001	15,007	105,304
2002	16,690	67,375
2003	25,771	57,430
2004	36,223	408,890

All fireworks seized are forfeited by the person importing them and destroyed in accordance with the provisions of the Explosives Act 1875.

Garda Stations.

968. **Mr. J. O'Keeffe** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the long-standing and continuing concerns in Dunmanway in west Cork owing to the lack of suitable Garda station facilities; if he will take immediate steps to ensure the provision of same; and if he will make a statement on the matter. [24955/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am aware of the Garda accommodation difficulties existing in Dunmanway.

There are plans to refurbish and extend the Garda station there, and to that end the Office of Public Works is endeavouring to acquire a small piece of land to the rear of the station to allow access to the site and commencement of the project. Until that has been done, the Deputy will appreciate that it is not possible to give a time scale for the project.

However, I would like to assure the Deputy that there will be no avoidable delay in addressing the accommodation needs of the gardaí at Dunmanway.

Question No. 969 answered with Question No. 913.

Citizenship Applications.

970. **Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform if his policy of denying naturalisation to applicants who have availed of social welfare within the past three

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years applies to parents in receipt of child benefit. [25010/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have informed this House on several occasions in the recent past in response to parliamentary questions that I have adopted a general policy that applicants for naturalisation, other than refugees, programme refugees or stateless persons, should have been supporting themselves and their families without recourse to State support for a three-year period prior to applying for naturalisation and, furthermore, that they must show, as far as is practicable, that they have the capacity to support themselves into the future. I apply that general policy to all applications for naturalisation unless the exceptional circumstances of a particular case suggest otherwise.

Since child benefit is payable in respect of all children who are resident in the State, irrespective of the family's financial circumstances, persons will not be refused naturalisation solely on the basis of receipt of that benefit.

Residency Permits.

971. **Mr. N. O'Keefe** asked the Minister for Justice, Equality and Law Reform the position regarding an application for residency in respect of a person (details supplied) in County Cork. [25061/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 11 September 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 section 3 of the Immigration Act 1999, as amended, he was informed by letter, dated 11 May 2005, that the Minister proposed to make a deportation order in his respect. He was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why 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 a decision in due course.

Garda Deployment.

972. **Mr. Kirk** asked the Minister for Justice, Equality and Law Reform if he is satisfied with staffing levels for immigration control personnel at Dublin Airport, to ensure no undue delay occurs for travellers; and if he will make a statement on the matter. [25062/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Owing to the unprecedented growth in the number of foreign nationals arriving in Ireland, the Garda authorities have reviewed the human resource allocation at Dublin Airport in particular on several occasions since 2000.

It should be noted that in 2000 the total number of gardaí of all ranks attached to the immigration unit at Dublin Airport was 53. At present there are in total 80 gardaí of all ranks assigned to immigration duty at Dublin Airport. That is supplemented by an additional eight gardaí who have been temporarily transferred from the Garda national immigration bureau at Burgh Quay.

Owing to several terrorist atrocities, including USA, 11 September 2001, Madrid, 11 March 2004 and London, 7 July 2005, more rigorous checks against watch lists of known terrorists and criminals are required to protect this State and the common travel area with the UK. The nature of the immigration control duty in the climate of an international terrorist threat requires an appropriate balance to be struck between robust checks on the one hand and the need for reasonable efficiency on the other hand so as not to inconvenience travellers unnecessarily.

The GNIB information system was installed at each immigration booth at Dublin Airport in January 2003. In 2004 the Interpol 24/7 system was made available to Garda immigration officers at Dublin Airport. In 2005, the Office of Public Works installed state-of-the-art new immigration control booths designed to cater for the photographic equipment used with the GNIB information system at each of the three existing piers at Dublin Airport. Those new immigration control booths have increased the capacity of the Garda immigration personnel to deal with passengers owing to an increase from six to eight queuing lanes at Pier B, the main pier at the airport.

Garda management are in constant contact with the Dublin Airport Authority and will review the need for additional Garda immigration personnel in light of infrastructural developments at the airport.

I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that they are satisfied that sufficient staff have been allocated to

immigration at Dublin Airport in line with the existing infrastructure.

Visa Applications.

973. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 765 of 26 January 2005, when a decision will be made on the application for a change of status on a person's visa; and if he will make a statement on the matter. [25123/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As previously stated in my reply of 26 January 2005, 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 that type are dealt with in chronological order and currently take approximately 16 months to process.

Decentralisation Programme.

974. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the timetable for the decentralisation of the Land Registry Office to Roscommon town; and if he will make a statement on the matter. [25124/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Under the Government's decentralisation programme, 230 posts in the Land Registry are scheduled to relocate to Roscommon town.

The decentralisation implementation group reported to the Minister for Finance on 30 June 2005 giving time scales for all decentralising organisations. In that report, the indicative date for completion of construction of a building for the Land Registry in Roscommon is mid-2009. That report is published on the Government's decentralisation website, www.decentralisation.gov.ie.

Liquor Licensing Laws.

975. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform his plans to reform the liquor licensing legislation; when he intends to publish such legislation; and if he will make a statement on the matter. [25125/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Earlier this year, I published proposals for an intoxicating liquor Bill which will streamline and modernise the liquor licensing laws. The Bill will repeal the licensing Acts 1833 to 2004, as well as the registration of clubs Acts 1904 to 2004, and replace them with updated provisions more suited to modern conditions.

When publishing the proposals, I invited organisations and individuals with an interest in this area to submit their views or suggestions on all, or specific parts, of the proposed Bill. I will take account of the views of those who made submissions in the context of the drafting of the Bill. It is intended to publish the Bill as early as possible in 2006, following Government approval.

Criminal Prosecutions.

976. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform if he will furnish a response to correspondence (details supplied) concerning the murder of a member of the Garda; and if he will make a statement on the matter. [25131/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am considering my response to the correspondence in question, which will issue as soon as possible.

Proposed Legislation.

977. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 435 of 30 November 2004, if he will report on the issue; his plans to introduce a family law Bill; and if he will make a statement on the matter. [25132/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Subsequent to my reply to Parliamentary Question No. 435 of 30 November 2004 which addressed the issues raised by the group in question, I have made the following regulations and orders under section 40 of the Civil Liability and Courts Act 2004, which relates to court proceedings heard otherwise than in public.

I made regulations under section 40(3) specifying three categories of persons who would be allowed access to family law cases for the purpose of preparing and publishing reports. These are family mediators, researchers and persons engaged by the Courts Service, subject to compliance with the conditions laid down in the regulations. These categories are in addition to barristers and solicitors, who are already specified in the Act. It is a requirement under the Act that the reports do not contain any information which would identify the parties or any child to which the proceedings relate.

I made an order under section 40(4) which lists persons to whom copies of orders or extracts from orders in family law cases can be given, subject to a requirement of confidentiality. I made orders under section 40(6) and section 40(7) prescribing the non-statutory bodies to which, and the matters in respect of which, documents, information or evidence can be given for the pur-

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pose of conducting hearings, inquiries or investigations.

Recommendations requiring legislative change which were made by the group will be looked at in the context of a family law Bill which I hope to introduce next year.

Visa Applications.

978. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform if he will approve a residency visa for a person (details supplied); and if he will make a statement on the matter. [25133/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am pleased to inform the Deputy that the person in question has recently been granted permission to remain in the State.

Garda Investigations.

979. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform if he is satisfied with existing procedures when a person (details supplied) in Garda custody sustains serious injuries. [25154/05]

981. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform if he will report on the circumstances whereby a person (details supplied) sustained serious injuries while in custody in Store Street Garda station which ultimately led to their death; the action he is taking; and if he will make a statement on the matter. [25156/05]

982. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform if the relevant Garda statements on the circumstances of the serious injury of a person (details supplied) sustained while in custody in Store Street Garda station, will be made available to the solicitor representing this person's family and if the clothes and personal belongings of the person have been returned to their family. [25157/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 979, 981 and 982 together. The person in question was arrested on 2 June 2005 and conveyed to Store Street Garda station where he was detained and placed in a cell. During the afternoon of that date, he was found in an unconscious state in the cell and removed to hospital where he died on 16 September 2005.

The full circumstances surrounding the arrest, detention and subsequent death of the person are currently the subject of an investigation by a detective superintendent from Dun Laoghaire Garda station. I have received a preliminary

report of the investigation and have requested that the Garda submit to me a full report on the outcome of its investigation, which is nearing completion. When the full report of the investigation is received, I will consider it.

Garda Operations.

980. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the number, type and make of firearms seized by the Garda to date in 2005. [25155/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): According to the Garda authorities, the following table shows the number and type of firearms recorded as seized by the Garda Síochána to date in 2005. The figures cover the period up to 18 September 2005 and are provisional at this stage.

Firearm type	Number seized
Air pistol	91
Air pifle	41
Toy gun/imitation	58
Stun gun	17
Shotgun	147
Rifle	66
Revolver	18
Replica	24
Pistol	20
Crossbow	6
Other	21
Total	509

Questions Nos. 981 and 982 answered with Question No. 979.

Deportation Orders.

983. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if criminal convictions for offences committed in the State operate as a bar to non-EEA nationals being granted permission to remain and as grounds for revoking any such permission; if any non-EEA nationals have been given permission to remain in the State notwithstanding that they have been convicted of criminal offences in this jurisdiction; if so, the number of such permissions in each of the past five years; if he will report on the legal and policy considerations involved in deciding on such applications; if he has satisfied himself that he has access to and is given accurate and timely information in regard to such applications; if any permissions have been revoked in cases in which it was discovered that inaccurate or inadequate information was provided in regard to criminal convictions in the State; if so, if he will outline the

circumstances of such cases; and if he will make a statement on the matter. [25161/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I assume the Deputy is referring to the cases of non-EEA nationals who are served with a notice of intention to deport them under section 3(3)(a) of the Immigration Act 1999, as amended.

Section 3(2) of the Immigration Act 1999, as amended, allows the Minister to make a deportation order in respect of nine categories of persons including a person who has served or is serving a term of imprisonment imposed on him or her by a court in the State; a person whose deportation has been recommended by a court in the State before which such person was indicted for or charged with any crime or offence; and a person whose deportation would, in the opinion of the Minister, be conducive to the common good.

In deciding whether to make a deportation order or grant temporary permission to remain in a particular case, the Minister must have regard to 11 factors, in so far as they appear or are known to him, under section 3(6) of the Immigration Act 1999, as amended, including the character and conduct of the person both within and — where relevant and ascertainable — outside the State, including any criminal convictions; the common good; and considerations of national security and public policy.

Before making a decision in such cases, it is usual for the Minister to seek a Garda report as to the character of the person while in the State, in so far as it is known to the Garda, particularly where temporary leave to remain is being contemplated. This information is taken into consideration along with the other factors in section 3(6) in arriving at a decision in the particular case.

The statistical information as sought by the Deputy is not readily available as it would require the devotion of a disproportionate amount of resources to ascertain it.

Residency Permits.

984. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if extension of residency will be offered to a person (details supplied) in Dublin 8 to facilitate an ongoing legal issue; and if he will make a statement on the matter. [25223/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my response to Parliamentary Question No. 141 of 16 June 2005. My Department has not received information regarding the current status of the court proceedings in question. Neither has information been supplied concerning the person's ongoing ability to maintain herself without

recourse to public funds. I am not in a position to consider granting the extension of permission to remain in the absence of such information.

It is open to the person in question to apply for the appropriate visa to enter the State should she be required to give evidence in the context of any future High Court proceedings.

Citizenship Applications.

985. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding the case of persons (details supplied) in Dublin 6 who have applied for permission to remain in the State on the basis of parentage of an Irish-born child; and if he will make a statement on the matter. [25224/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Applications for permission to remain in the State under the revised arrangements for the non-national born parents of Irish-born children born before 1 January 2005 are being dealt with in order of receipt in so far as is possible and as expeditiously as possible. Some 18,000 applications were received under the revised arrangements and to date more than 13,000 of those have been given decisions. It will take several weeks before the processing of the applications from the persons concerned will be completed.

986. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the way in which it is proposed to accommodate situations whereby one child born here before a certain date qualifies for an Irish passport and another child in the same family born here after this date cannot qualify for citizenship; and if he will make a statement on the matter. [25225/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The amendment to the Constitution following the referendum on 11 June 2004 has allowed the Oireachtas to deal with the issue of citizenship for children of non-national parents. The Irish Nationality and Citizenship Act 2004, which commenced on 1 January this year, provides that certain non-nationals are required to be resident in the island of Ireland for a three-year period prior to the birth of their child for that child to be entitled to Irish citizenship. This altered the previous situation whereby a child born in the island of Ireland was automatically entitled to Irish citizenship. I am on the record of this House voicing my concern that this automatic entitlement was an attraction to persons, with no link to Ireland, to seek to come to Ireland to acquire Irish and EU citizenship for their children.

The conditions for naturalisation, which provides for the acquisition of Irish citizenship by

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those non-nationals who have established a link with Ireland, were amended in the above mentioned Act to address the very situation outlined by the Deputy in his question. With effect from 1 January 2005, the parent, guardian or those acting *in loco parentis* of a child born in the State, who was not entitled to Irish citizenship, will be able to apply for naturalisation on behalf of the child after five years residence in the State.

In addition, section 16 of the Irish Nationality and Citizenship Act 1956, as amended, contains a provision that I may, at my absolute discretion, waive some or all of the statutory conditions for naturalisation and grant an application where the applicant is a parent or guardian acting on behalf of a minor of Irish descent or Irish associations. The circumstances of an individual case would be relevant in my determining to employ these discretionary powers.

Refugee Status.

987. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if he will reconsider the application for refugee status in the case of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [25226/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned applied for asylum on 19 August 2003. Her application was investigated by the Refugee Applications Commissioner who made a recommendation that she should not be recognised as a refugee. This position was conveyed to the person concerned by letter dated 31 December 2004. She appealed this recommendation to the Refugee Appeals Tribunal. Following its examination of the appeal, the tribunal concluded that the person concerned did not meet the criteria for recognition as a refugee. She was notified in writing of this decision by letter dated 26 July 2005.

In accordance with normal procedures, this person's file was forwarded to my Department's ministerial decisions unit for final processing. Following the completion of the necessary processing, a representative of that unit wrote to the person concerned, in recent days, to advise her of my decision to formally refuse her a declaration of refugee status. This communication also advised the person concerned that her entitlement to be in the State had expired and, as such, she was advised as to the options now open to her, namely, to leave the State voluntarily, to consent to deportation or to submit, within 15 working days, written representations as to why she should not be deported, that is, reasons she should be permitted to remain in the State.

The Deputy can be assured that any representations made by or on behalf of the person con-

cerned will be fully considered before any further decision is taken in regard to her case.

Citizenship Applications.

988. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding the naturalisation application by a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [25227/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my replies to Parliamentary Questions Nos. 424 of 19 April 2005 and 199 of 21 April 2005.

In those replies I informed the Deputy that I had decided to refuse the application of the person concerned and I set out the basis for my decision, that is, that the applicant did not have sufficient residency in the State at the time he applied. I also informed the Deputy that the person appeared, at the time I was responding to the questions, to have the appropriate residence and that it was open to him to submit a new application.

A new application for a certificate of naturalisation from the person referred to by the Deputy was received in the citizenship section of my Department on 18 July 2005. This application will be processed in the normal manner.

Refugee Status.

989. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding the family reunification of persons (details supplied) in Dublin 22; and if he will make a statement on the matter. [25228/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The refugee in question made an application for family reunification in November 2004. The application was forwarded to the Refugee Applications Commissioner for investigation as required under section 18 of the Refugee Act 1996.

The commissioner submitted a report on the investigation to my Department on 26 September 2005. Further documentation in support of the application has been requested from the refugee concerned. On receipt of this documentation a decision will be taken on the case.

Citizenship Applications.

990. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the procedure for naturalisation in the case of the children of persons (details supplied) in County Kildare; and if he will make a statement on the matter. [25229/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It seems the man in question obtained Irish citizenship by registration in the foreign births register on 16 July 2001. The woman to whom the Deputy refers recently became an Irish citizen on foot of making a declaration of post-nuptial citizenship. Since all three children were born before the couple became Irish citizens, they cannot obtain Irish citizenship automatically through their parents.

However, it is open to the woman in question to apply for naturalisation on behalf of all three children, or the man in respect of the two youngest children and the woman in respect of the oldest child, and I have asked officials in the citizenship section of my Department to send the appropriate forms to her. The average processing time for applications for naturalisation is approximately 24 months but it is usually possible to finalise applications on behalf of minors more quickly. In the meantime, the couple's eldest child, who is 16 years, should register immediately with the Garda National Immigration Bureau.

991. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if and when naturalisation will be offered in the case of persons (details supplied) in County Kildare; and if he will make a statement on the matter. [25230/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Applications for certificates of naturalisation from the persons referred to by the Deputy were received in the citizenship section of my Department on 21 January 2005. Based on the volume of applications on hand at the present time, it is likely the applications of the persons referred to, both of whom have refugee status in the State, will be finalised by the middle of 2006.

I will inform both the applicants and the Deputy as soon as I have arrived at a decision in the matter.

Garda Recruitment.

992. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform his plans for the recruitment of persons to the Garda Síochána drawn from various ethnic groups and representative of minorities; and if he will make a statement on the matter. [25231/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Following the Government decision to approve my proposal to increase the strength of the Garda Síochána to 14,000, I asked the Garda Commissioner to review the eligibility criteria for entry to the force. I initially increased the maximum age of applicants from 26 to 35 in time for the recruitment competition in November 2004. That change has had a significant

effect, with a significant percentage of recent recruits coming within the extended age range.

In advance of advertising the next Garda recruitment campaign, which will be launched on Thursday next, 29 September, I was keen to make any reasonable changes to the entry criteria that would facilitate recruitment from different ethnic backgrounds in our society. I am of the belief that future intakes of recruits to the Garda Síochána should as far as possible reflect the composition of Irish society and this is an opportune time to ensure the criteria for entry meet the evolving needs of the Garda Síochána and the society it serves.

For this reason I asked the Commissioner to examine whether any of the eligibility criteria militated, however indirectly, against the recruitment of members from ethnic communities. The main issue that arose in this context was the requirement to hold an academic qualification in Irish — a matter which is of particular relevance not only to those from different ethnic backgrounds but to all those who did not receive their schooling within the Irish educational system.

Following receipt of the Commissioner's review and following consultations with my colleagues in Government, in particular the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, and with the Attorney General and the Garda representative associations, I brought proposals to Government and obtained its approval for the introduction of significant changes to the rules governing entry to the Garda Síochána.

In the above regard, the requirement to hold a qualification in both Irish and English in the leaving certificate or equivalent has been replaced with a requirement to hold a qualification in two languages, at least one of which must be Irish or English.

A new nationality or residency requirement has also been introduced. While there was previously no such requirement, the requirement to have a qualification in Irish had effectively limited entry to the Garda Síochána to Irish citizens. The new provision significantly changes this. Entry to the Garda Síochána is now open to nationals of an EU member state, an EEA state or the Swiss Confederation, and nationals of any other state who are lawfully present in Ireland and have five years' lawful residence here.

In addition to the above, there is a technical requirement on nationals from outside the EEA or Switzerland, before entry to the Garda college, to secure the permission of the Minister for Justice, Equality and Law Reform to be in employment in the State without an employment permit.

It is intended that recruits who do not have a qualification in Irish will undertake basic training in the language in the Garda college as part of their training, and the details of that language

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training will be finalised shortly in consultation with the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív.

These new changes will open up entry to the Garda Síochána to persons in Ireland from all parts of the community and from all ethnic backgrounds. This is a significant step which will help ensure future intakes of recruits to the Garda reflect the composition of Irish society, to the benefit of the force and the people it serves.

The Commissioner has already commenced work on the new recruitment campaign, in conjunction with my Department, the Public Appointments Service and the National Consultative Committee on Racism and Interculturalism, as part of the process of increasing the strength of the force to 14,000. This involves an awareness campaign with media publicity and further consultations with representatives of the ethnic minority communities.

This initiative clearly shows the commitment of the Government and the Garda Síochána to effective policing in a more diverse society. As part of this plan, approximately 275 recruits will be taken into the Garda college in every quarter this year and the following two years, amounting to approximately 1,100 recruits each year. This will — taking into account projected retirements — lead to a combined organisational strength, of both attested gardaí and recruits in training, of 14,000 as early as 2006.

Finally, while the absolute requirement for Garda trainees to hold an academic qualification in Irish is now removed, I make clear that Irish will continue to have an important place in the Garda Síochána. All Garda recruits will be required to achieve an appropriate standard in Irish before becoming full members of the force, and basic training in Irish will be given to recruits who have no qualification in the language. Everyone who wishes to must be able to communicate with the force through our native language. The Garda Síochána has a strong commitment to delivering a service through Irish. Proficiency in Irish is strongly promoted within the force and that will continue to be the case.

Closed Circuit Television Systems.

993. **Mr. Carey** asked the Minister for Justice, Equality and Law Reform if it is intended to proceed with the installation of a closed circuit television system in Finglas; if it is intended that this project await the construction of the new Finglas Garda station; and if he will make a statement on the matter. [25233/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that it is intended to proceed with the installation of the proposed town centre CCTV

system in Finglas. As the Deputy is aware, a key issue to be addressed in the installation of this system is the provision of suitable accommodation to house the monitoring equipment. It was initially hoped that this could be accommodated in Finglas Garda station. However, the station is not of an acceptable standard and I have already stated that immediate priority is being given to providing a new Garda station there.

I am advised that the Office of Public Works is in negotiations with the owners of a premises with a view to leasing the necessary accommodation for the monitoring of the CCTV cameras in Finglas until such time as the proposed new station is built.

Grant Payments.

994. **Mr. Carey** asked the Minister for Justice, Equality and Law Reform the grant support which has been made available to a group (details supplied) in Dublin 11 in the current round of grants; if any finance is available to it to assist with the group's administration costs; and if he will make a statement on the matter. [25234/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In August 2004, I announced the allocation of €7 million in funding as part of phase II of the equality for women measure to fund projects specifically supporting the development of women located in areas of economic disadvantage.

Following a call for proposals, funding applications were received from more than 130 organisations, including the group referred to by the Deputy. Each application was individually assessed against selection criteria set out in the guideline notes, including evidence of need, quality of the proposal and value for money. A scoring system was put in place and a report with recommendations based on the assessments was submitted to me. In March, I approved funding of approximately €7 million payable over the period 2005 to 2007 to 58 projects, in accordance with the recommendations I received. The proposal submitted by the group referred to by the Deputy did not score as highly as competing proposals and was not among those approved for funding. All funding under the measure has now been fully allocated.

Prison Building Programme.

995. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the terms of reference given to the expert committee charged with finding a new prison site to relocate Mountjoy Prison; if he is satisfied that the committee complied with the terms of reference; and if he will make a statement on the matter. [25261/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The committee was established to draw up and apply a matrix of objective criteria to assess the suitability of sites for the development of a prison facility to replace the Mountjoy complex and to short list a number of suitable sites for consideration by me.

I am satisfied with the work of the committee and pleased that a suitable site with considerable potential for development has been located and acquired. It will allow me to press ahead with the modernisation of prison facilities in the Dublin area and, in particular, will allow us end the practice of prisoners slopping out.

996. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform the reason for choosing to acquire a prison site by open tender at a cost considerably greater than market value rather than using compulsory purchase order powers to acquire the site; and if he will make a statement on the matter. [25262/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I completely reject the suggestion that a prison site has been purchased at a cost considerably greater than the market value. Moreover, I have at present no statutory powers to acquire sites or land for the construction of new prison facilities through compulsory purchase orders. However, this is a matter I am reviewing.

997. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform if a Government official approached the owner of Thornton Hall to suggest the site be proffered as a candidate site for the relocation of Mountjoy Prison; and if he will make a statement on the matter. [25263/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): No official under my direction either in the Department or in the Prison Service made such an approach and, to the best of my knowledge, no official from any other Department or agency made such an approach either.

998. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform if he is satisfied with the conduct of the expert committee charged with finding a new prison site to relocate Mountjoy Prison considering that one of the committee members (details supplied) identified, negotiated and arranged a survey of the chosen site even though the site was not offered to the committee by the normal mechanism; and if he will make a statement on the matter. [25264/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am totally satisfied with the conduct of all members of the committee, includ-

ing advisers, and I reject any criticism of their conduct. No committee member or adviser identified the site. It was submitted by an agent for the vendor. A technical assessment of the site was carried out through the Office of Public Works on the same basis as that which applied to the other sites considered by the committee.

999. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform if he visited Thornton Hall prior to accepting the expert committee's recommendation that it be chosen as the replacement site for Mountjoy; if he has visited the site since then; and if he will make a statement on the matter. [25265/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I did not personally visit the site but was fully briefed on all matters relating to it and was provided with large-scale maps and aerial photographs.

1000. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform if he will estimate the costs of providing access road, water mains, power supplies and foul sewerage to Thornton Hall; and if he will make a statement on the matter. [25266/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Preliminary estimates of the cost of servicing the Thornton Hall site were prepared as part of the detailed site evaluation process which was carried out by engineering consultants on a number of sites. This placed the total estimated cost of providing mains water, foul sewer and power, including gas and electricity, to the site at €8.5 million. This figure is similar to the level of costs associated with many of the other sites assessed.

Regarding the matter of road access, the existing access road has been assessed as adequate by the site evaluation report. The report did, however, recommend some improvements to and upgrading of the road which will be pursued following consultations with the appropriate authorities.

1001. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform if any estimate has been made with regard to the increased cost of transporting prisoners from Thornton Hall to the courts; and if he will make a statement on the matter. [25267/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I assure the Deputy that appropriate arrangements will be put in place to deal with the transporting of prisoners to the courts. These measures will also deal with hospital visits, visitors and all other transport needs.

1002. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform if any consultations have been held with the Department of Health and Children or the Health Service Executive with regard to the effects of relocating Mountjoy Prison from the city centre to north County Dublin; and if he will make a statement on the matter. [25268/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Specific consultations were not held with the Health Service Executive in this regard. The Minister for Health and Children was consulted on the general proposal to acquire a site for a development to replace the Mountjoy Prison complex in the context of the Government decision. The site selection committee did have regard to the location of emergency services, including hospitals, when considering the location of the site at Thornton Hall.

Coroners Service.

1003. **Mr. J. Higgins** asked the Minister for Justice, Equality and Law Reform if he will amend the Coroners Act 1962 as a matter of urgency to end the restriction on the number of medical and other witnesses a coroner may call during an inquest in order to ensure that families have proper expert medical representation when attending the coroner's court. [25273/05]

1004. **Mr. J. Higgins** asked the Minister for Justice, Equality and Law Reform when he will implement the recommendations contained in the 2000 report of the working group set up to review the coroners service. [25274/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 1003 and 1004 together.

The report of the coroners review group published in December 2000 recommended a comprehensive overhaul and modernisation of the coroners service in Ireland, with regard to the legislation governing the work of coroners, the support services available to coroners and the structural organisation of the coroners service. In keeping with the commitment in the Government legislative programme, announced by the Chief Whip on 27 September 2005, detailed proposals providing for that comprehensive reform are being finalised in my Department for submission to Government. I confirm the Bill I am proposing will contain provisions to end the restriction on the number of medical witnesses who can be summoned to an inquest.

Citizenship Applications.

1005. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if a person's

citizenship application will be resolved; and if this person will be given the maximum support and advice. [25281/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by officials in the citizenship section of my Department that there is no record of an application for naturalisation or a declaration of post-nuptial citizenship having been received from the person referred to by the Deputy.

However, I understand the person concerned lodged an application on 2 June 2004 for permission to remain on foot of her marriage to an Irish citizen. Officials in the immigration operations section of my Department are currently processing applications for such permission which were received in April 2004. It is likely, therefore, that the application of the person concerned will be finalised in the next few months.

Garda Recruitment.

1006. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform the date of the next advertisement for new recruits for the Garda Síochána; and if he will make a statement on the matter. [25316/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An advertisement for new recruits to the Garda Síochána is due to appear in the national media and on the Public Appointments Service website on 29 September 2005.

Deportation Orders.

1007. **Mr. Kirk** asked the Minister for Justice, Equality and Law Reform the criteria for and the circumstances in which deportation orders are issued in respect of asylum seekers; and if he will make a statement on the matter. [25317/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It should firstly be stated that asylum seekers are not deported. In regard to a non-national who arrives in the State seeking refugee status, a deportation order is issued only after the asylum application has been investigated in full and has been found not to meet the criteria for recognition as a refugee as defined in section 2 of the Refugee Act 1996, as amended, and, moreover, when the individual circumstances of the case have been further examined under section 5, prohibition of *refoulement*, of that Act and under section 3 of the Immigration Act 1999, as amended.

Responsibility for the investigation of asylum applications rests, at first instance, with the Refugee Applications Commissioner who must make a recommendation as to whether an applicant should or should not be declared to be a refugee.

Where an applicant is given a negative recommendation by the commissioner, the applicant is made aware of his or her entitlement to appeal this recommendation to the Refugee Appeals Tribunal. In such instances, the tribunal must decide whether the earlier recommendation should be affirmed or set aside.

Where a refusal is affirmed, the applicant's file is forwarded to the Minister for Justice, Equality and Law Reform with a recommendation that the applicant be refused a declaration of refugee status following which the Minister, through the Department's ministerial decisions unit, conveys a refusal decision to the applicant, in accordance with the provisions of section 17(1) of the Refugee Act 1996, as amended. This communication also advises applicants that their entitlement to be in the State has expired and advises them of the options open to them at that point in time, namely, to leave the State voluntarily, to consent to deportation or to make, within 15 working days, written representations to the Minister setting out reasons they should not be deported, that is, why they should be permitted to remain in the State.

Any representations received from or on behalf of such applicants are fully considered, in accordance with the 11 headings set out in section 3(6) of the Immigration Act 1999, as amended, for example, the family and domestic circumstances of the person concerned, the duration of their residence in the State and other humanitarian considerations, together with section 5 of the Refugee Act 1996, as amended, on the prohibition of refoulement. Following consideration of the representations submitted, the Minister must decide whether to sign a deportation order in respect of the applicant or whether the person concerned should be granted temporary leave to remain. Where a deportation order is made, the applicant is informed in writing accordingly. The effecting of the order is then a matter for the Garda National Immigration Bureau.

Refugee Status.

1008. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if he will review the decision to refuse refugee status in the case of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [25325/05]

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 is aware, applications for refugee status 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 as to 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.

Visa Applications.

1009. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if his Department will review the decision to refuse a holiday visa to a person (details supplied); and if he will make a statement on the matter. [25326/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): When assessing any visa application, the visa officer will consider various matters, including whether it is reasonable in all the circumstances to conclude that the applicant would fully honour the conditions of the visa, for example, whether it is likely that the applicant would overstay the length of time applied for. The visa officer will also have regard to information provided and to such factors as the applicant's ties and general circumstances in their country of origin.

The application in question was refused on 11 August 2005 because the visa officer could not reasonably be satisfied on the basis of documentation supplied to my Department that the applicant would observe the conditions of the visa. In particular, it was felt that the applicant had not displayed evidence of an obligation to return home following the proposed visit. In addition, no evidence of finances was submitted with the application to show how the applicant intended to maintain himself while in the State and there was no documentary evidence of the sponsor's trip to Nigeria.

If the applicant still wishes to travel it is open to him to appeal the refusal decision by writing to the visa appeals officer of my Department within two months of the date of receipt of the decision letter. Any appeal should be accompanied by additional documentation designed to address the reasons for refusal outlined above.

Registration of Title.

1010. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform when an application for a person (details supplied) in County Galway will be completed. [25367/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to inform the Deputy that I have requested the Land Registry to contact him directly concerning the current position of the application in question.

Garda Deployment.

1011. **Cecilia Keaveney** asked the Minister for Justice, Equality and Law Reform when a Garda sergeant will be appointed for a station (details supplied) in County Donegal; and if he will make a statement on the matter. [25377/05]

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 resources including personnel, that the current personnel strength of the Garda station in question is two gardaí. The allocation of personnel within a division is a matter for the local chief superintendent. I am further informed by Garda management that the situation will be kept under review and when the next group of newly promoted sergeants is being allocated, the needs of the Donegal division will be fully considered within the overall context of the needs of Garda divisions throughout the country.

Residency Permits.

1012. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the reason for the delay in dealing with the application by a person (details supplied) in Dublin 20 for the right to remain here on the grounds of marriage to an Irish national and if his attention has been drawn to the circumstances of this application. [25396/05]

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 April 2004. Applications of this type are dealt with in chronological order and currently take approximately 16 months to process. A number of requests for documentation to further process the application have already issued to the person in question. On receipt of the required documentation the application will then be in a position to be finalised. However, it should be noted that marriage to an Irish national does not confer an automatic right of residence in the State.

1013. **Mr. Hogan** asked the Minister for Justice, Equality and Law Reform when a decision will be made regarding an application by a person (details supplied) to remain here; and if he will make a statement on the matter. [25405/05]

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 as to 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, which I expect to receive shortly.

Visa Applications.

1014. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the position with regard to the application for visas for persons (details supplied) in County Wicklow; if, in view of the circumstances, visas will be issued as a matter of urgency; and if he will make a statement on the matter. [25408/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In assessing any visa application, the visa officer will consider various matters, including whether it is reasonable in all the circumstances to conclude that the applicant would fully honour the conditions of the visa, for example, the likelihood that the applicant would overstay the length of time applied for. The visa officer will also have regard to information provided and such factors as the applicants' ties with and general circumstances in their country of origin. The applications in question were refused because the visa officer could not reasonably be satisfied, on the basis of the documentation supplied to my Department, that the applicants would observe the conditions of the visas applied for. In particular, it was felt that the applicants had not displayed evidence of their obligations to return home following the proposed visit.

Additionally, it was felt that sufficient evidence was not submitted to permit the visa officer to establish to an acceptable degree, that a previous relationship history existed between the applicants and their reference in Ireland. No evidence of finances was submitted to show how the applicants intended to maintain themselves while in the State without recourse to public funds and the Department is therefore not in a position to grant visas at this time.

Crime Prevention.

1015. **Mr. Broughan** asked the Minister for Justice, Equality and Law Reform the steps he is taking to end the scourge of car theft and joyriding in parts of the Dublin North-East constituency; and if a sustained effort will be made in this regard during the run up to Halloween. [25445/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As I am sure the Deputy will appreciate, so-called joyriding is a complex prob-

lem which, while requiring significant inputs from the criminal justice system, can only be tackled to lasting effect through a multi-faceted and multi-agency response involving both the community and relevant statutory bodies.

I am informed by the Garda authorities that gardaí at Santry, Raheny and Coolock districts patrol the Dublin north-east area. There are community police assigned to these areas who have an excellent rapport with the local community and offer advice, support and assistance to the community. I am assured by the Garda authorities that a sustained effort will be made by gardaí in the division of Dublin north to address the issue of car theft and joyriding in the run up to Halloween.

Specific strategies have been put in place to reduce the incidence of joyriding and a large number of stolen vehicles were recovered in the division of Dublin north in 2004. Substantial resources have been allocated to this critical area of policing, including specialist policing units from the divisional traffic section, divisional task force and the detective units. Operational strategy is supported by an effective partnership approach involving community representatives, the Garda Síochána and the public authority. I have been further informed by the Garda authorities that the current policing plans for the area are designed, *inter alia*, to address the issue of joyriding and the prevention of anti-social and public order offences.

Garda Stations.

1016. **Mr. Deasy** asked the Minister for Justice, Equality and Law Reform if he will provide funding for the provision of two additional Garda sub-

stations in Waterford City; and if he will make a statement on the matter. [25533/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that there are currently no plans to establish additional Garda stations in Waterford City. The Garda authorities also point out that the provision of additional Garda stations in Waterford City would necessitate the deployment of additional Garda personnel to indoor administrative duties. Such personnel can be utilised more effectively in providing a visible Garda presence on outdoor policing duties.

Garda Strength.

1017. **Mr. Deasy** asked the Minister for Justice, Equality and Law Reform the number of gardaí per 1,000 people in Cork, Dublin, Limerick, Galway and Waterford for the years 2002, 2003 and 2004. [25534/05]

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 resources, including personnel, that the personnel strength, all ranks, of the Dublin metropolitan region and the Cork City, Cork west, Cork north, Limerick, Galway west and Waterford-Kilkenny divisions as on 31 December 2002, 2003 and 2004 was as set out in the following table. The corresponding population figures are drawn from the 2002 census of population. It should be noted that the allocation of Garda personnel is determined by a number of factors including population, crime trends and other operational policing needs of the area.

Division	2002	2003	2004	Population (2002 Census)
DMR East	546	522	552	224,326
DMR North Central	594	635	653	73,144
DRM North	567	578	602	252,693
DMR South Central	743	779	808	102,739
DMR South	529	538	564	243,198
DMR West	631	626	658	253,581
Cork City	616	617	628	209,046
Cork West	246	241	251	122,259
Cork North	247	245	243	124,883
Limerick	460	472	482	179,496
Galway West	347	345	363	161,427
Waterford/ Kilkenny	344	347	351	172,803

1018. **Mr. Deasy** asked the Minister for Justice, Equality and Law Reform the number of gardaí in the force on 1 January 2005; the number who are expected to join the force during 2005; the number who will be retiring; and the estimated

numbers in the force on 31 December 2005. [25535/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, who are responsible for the

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detailed allocation of resources, including personnel, that the personnel strength of the Garda Síochána on 1 January 2005 was 12,209, all ranks. I have been further informed that 825 trainees have been admitted to the Garda college to begin training to date in 2005. A further 275 trainees are due to begin training at the Garda college before 31 December 2005. A total of 370 members, all ranks, have resigned, retired or otherwise left the Garda Síochána to date in 2005. A further 22 members will retire compulsorily and a further 17, thus far, have indicated they wish to retire voluntarily by 31 December 2005.

Garda management states that, based on the foregoing, the projected strength, all ranks, of the Garda Síochána on 31 December 2005 is 12,315. I might add that the accelerated recruitment campaign of 1,100 Garda recruits each year to reach a force strength of 14,000, in line with the commitment in An Agreed Programme for Government, is fully on target. This will lead to a combined strength of both attested gardaí and recruits in training of 14,000 by the end of 2006 or early 2007.

Garda Operations.

1019. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform the number of additional hours of duty which have been served under Operation Anvil in the Clondalkin, Ronanstown, Lucan, Ballyfermot and Rathcoole stations for the year to date. [25536/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the number of hours expended to date under Operation Anvil in Lucan Garda district, which includes Lucan and Ronanstown Garda stations, is 6,895 hours; and in Clondalkin Garda district, which includes Clondalkin, Ballyfermot and Rathcoole Garda stations is 6,079 hours. This covers the period up to and including the roster ended 28 August, 2005.

Garda Strength.

1020. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform the strength of the force of the Garda Síochána at Clondalkin, Ronanstown, Lucan, Ballyfermot and Rathcoole stations in June 2005, June 2004, June 2002, June 2000 and June 1998. [25537/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength, all ranks, of Clondalkin, Ronanstown, Lucan, Ballyfermot and Rathcoole

stations at June 1998, 2000, 2002, 2004 and 2005 was as follows.

Station	1998	2000	2002	2004	2005
Clondalkin	56	60	78	83	82
Ronanstown	57	62	69	82	87
Lucan	62	64	72	69	69
Ballyfermot	69	75	71	80	76
Rathcoole	14	19	23	22	26

Garda Training.

1021. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform the number of recruits currently undergoing training for the Garda Síochána; and the way in which this compares to the numbers in training at the same date in 2004, 2003 and 2002. [25538/05]

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 resources, including personnel, that the number of Garda recruits currently undergoing training and on comparable dates in each year from 2002 to 2004 is as set out in the following table.

Year	
2002	503
2003	675
2004	716
2005	990

Residency Permits.

1022. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform when a decision will be made regarding an application for permission to remain in the State by a person (details supplied) in County Dublin. [25539/05]

1024. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform when a decision will be made in the case of a person (details supplied) in County Dublin who has applied for care to remain here on humanitarian grounds. [25541/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 1022 and 1024 together.

The person concerned arrived in the State on 18 April 2002 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. Subsequently, in accordance with section 3 of the Immigration Act 1999, as amended, she was informed by letter dated 22 September 2004 that the Minister proposed to make a deportation order in respect of her. She was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why she 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. Her 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.

Crime Levels.

1023. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform if he will provide a breakdown of crime figures for stations (details supplied) for June 2005, June 2004, June 2003, June 2002 and June 2001. [25540/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I regret that it has not been possible in the time available to obtain the information requested by the Deputy. I will be in contact with the Deputy concerning this matter.

Question No. 1024 answered with Question No. 1022.

Citizenship Applications.

1025. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform when a decision will be made regarding an application for naturalisation made by a person (details supplied) in County Dublin. [25543/05]

1026. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform when an application for naturalisation made by a person (details supplied) in County Dublin will be decided. [25544/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 1025 and 1026 together.

Applications for certificates of naturalisation from the persons referred to by the Deputy, who are husband and wife, were received in the citizenship section of my Department on 7 April 2004. I have already informed the Deputy in response to Parliamentary Question No. 222 of 7 October 2004, which was in respect of the wife only, that it was likely that the application would be finalised in or around the middle of 2006. The applications of the husband and wife will be

assessed together and both will be finalised around that time. I will inform both the applicant and the Deputy as soon as I have reached a decision on the applications.

1027. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform when a decision will be made regarding an application for naturalisation by a person (details supplied) in Dublin 22. [25545/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by officials in the citizenship section of my Department that there is no record of an application for a certificate of naturalisation having been received from the person referred to by the Deputy. The reference number provided by the Deputy appears to concern different individuals.

Residency Permits.

1028. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform when an application for residency of a person (details supplied) in County Dublin will be decided. [25546/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made an application for residency in the State on the sole basis of marriage to an Irish national. The application is currently under consideration and it is expected that a decision will be made within the next two weeks. However it should be noted that marriage to an Irish national does not confer an automatic right of residence in the State.

Closed Circuit Television Systems.

1029. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the number of applications received by ADM Limited for the new community closed circuit television scheme for stage 1 and stage 2 by county and by Dublin postal district; and if he will make a statement on the matter. [25547/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware, I launched the community based CCTV scheme on 15 June 2005. This scheme has been developed in response to a demonstrated demand from local communities across Ireland for the provision of CCTV systems. The scheme is designed to provide financial assistance to qualifying local organisations towards meeting the capital costs associated with the establishment of local community CCTV systems.

The Scheme is being administered on behalf of my Department by Area Development Management Limited, ADM. I am informed by ADM that a total of 83 applications for funding under

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the community based CCTV scheme, 51 under stage 1 and 32 under stage 2, were received by the

closing date of 20 September 2005. The following table sets out the information sought by the Deputy in the format requested.

Applications under the Community Based CCTV Scheme listed by County and by Dublin Postal District.

AREA	Stage 1 Applications	Stage 2 Applications	Total Applications
Dublin 1	1	0	1
Dublin 7	2	0	2
Dublin 8	3	0	3
Dublin 10	0	1	1
Dublin 15	0	1	1
Dublin 17	1	0	1
Dublin 22	1	0	1
Dublin 24	3	0	3
Co. Cavan	2	2	4
Co. Clare	0	1	1
Co. Cork	3	6	9
Co. Donegal	1	1	2
Co. Galway	3	3	6
Co. Kerry	1	1	2
Co. Kildare	0	1	1
Co. Kilkenny	3	0	3
Co. Laois	2	2	2
Co. Leitrim	1	0	1
Co. Limerick	1	3	4
Co. Longford	0	1	1
Co. Louth	2	2	4
Co. Mayo	2	0	2
Co. Meath	1	2	3
Co. Monaghan	2	0	2
Co. Offaly	1	0	1
Co. Roscommon	2	0	2
Co. Sligo	1	2	3
Co. Tipperary	3	1	4
Co. Westmeath	2	0	2
Co. Waterford	1	1	2
Co. Wexford	5	0	5
Co. Wicklow	0	1	1
	51	32	83

Crime Prevention.

1030. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if he will accept an invitation from persons (details supplied) to meet them to discuss their concerns regarding ongoing prostitution in their area. [25548/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have not received a request for a meeting from the persons concerned. On receipt of such a request I will consider the matter.

Bar Reform.

1031. **Mr. Morgan** asked the Minister for Justice, Equality and Law Reform his views on the fact that the Society of the King's Inns has rejected most of the recommendations made by the Competition Authority for reform of entry to the profession of barrister. [25511/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The King's Inns have made a submission to the Competition Authority in response to, as I understand it, the Competition Authority's preliminary report entitled Study of Competition in Legal Services. This is part of the consultation process being engaged in by the

Competition Authority, pending completion of its final report which will take into account the various submissions made to it. The Government will in due course consider the recommendations contained in the final report. I do not propose in the meantime to draw conclusions from a process that is still ongoing or to anticipate the outcome of the final report.

Residency Permits.

1032. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform when residency and naturalisation will be finalised in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [25643/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by officials in the citizenship section of the Department that there is no record of an application in respect of naturalisation having been received from the person referred to by the Deputy. However, I understand that an application for family reunification under section 18 of the Refugee Act 1996 has been received in my Department in February 2005 in respect of the person concerned and her daughter.

The application was forwarded to the Refugee Applications Commissioner in March 2005 for investigation as required under the Act. When this investigation is completed, the commissioner will prepare and forward a report to my Department. Upon receipt of this report the application will be carefully considered and a decision will issue shortly thereafter. The timeframe for completion of the investigation will depend on the timeliness of the applicant's responses to requests for documentation and information from the Office of the Refugee Applications Commissioner.

Citizenship Applications.

1033. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the position with regard to citizenship in the case of a person (details supplied) in County Kildare. [25644/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Applications for certificates of naturalisation from the person referred to by the Deputy and two members of her family were received in the citizenship section of my Department on 4 August 2005. The average processing time for standard adult applications is currently 24 months. It is likely, therefore, that the applications of the individuals concerned will be finalised in or around August 2007. I will inform the applicants and the Deputy when a decision has been made on the applications.

Garda Complaints Procedures.

1034. **Dr. Cowley** asked the Minister for Justice, Equality and Law Reform when he will appoint a Garda ombudsman with powers equivalent to the office of Ms Nuala O'Loan in Northern Ireland; and if he will make a statement on the matter. [25645/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Garda Síochána Act 2005 provides for the establishment of a Garda Síochána ombudsman commission with equivalent powers in this jurisdiction to the Police Ombudsman for Northern Ireland. Under the provisions of the Act, the ombudsman commission will be empowered to directly and independently investigate complaints against members of the Garda Síochána. It will also be empowered to investigate any matter, even where no complaint has been made, where it appears that a garda may have committed an offence or behaved in a manner that would justify disciplinary proceedings. In addition, the ombudsman commission will be able to investigate any practice, policy or procedure of the Garda Síochána with a view to reducing the incidence of related complaints.

In carrying out a criminal investigation, designated officers of the ombudsman commission will have Garda powers, immunities and privileges. They will be able to obtain search warrants, arrest members of the force, detain and question members of the force, take forensic samples and bring charges against them. Such investigations will therefore be full criminal investigations, carried out independently by the ombudsman commission.

Where a criminal offence is not at issue or where a prosecution has been ruled out, the ombudsman commission will be able to conduct a civil investigation and as part of that may require persons to provide documents or other information to it or may require persons to attend before it and answer fully and truthfully any questions put to them by the ombudsman commission. If any person fails to comply with these requirements, the ombudsman commission may seek an order of the Circuit Court requiring him or her to comply and failure to comply with such an order will itself constitute a criminal offence.

The implementation of the provisions of the Act has been given a top priority within my Department and in this context the Deputy will also be aware that I set up a review group under the chairmanship of Senator Maurice Hayes to oversee the arrangements for implementation. Plans for the establishment of the ombudsman commission are already well advanced and I expect to bring the necessary resolutions for the appointment of the three members of the ombudsman commission before the Oireachtas

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shortly so that these positions can be filled at the earliest possible opportunity.

Criminal Prosecutions.

1035. **Mr. Connaughton** asked the Minister for Justice, Equality and Law Reform the total number of prosecutions that arose in the years 2000 to 2005 inclusive for the non-wearing of seatbelts; and if he will make a statement on the matter. [25657/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the numbers of prosecutions for non-wearing of seat belts in the years 2000 to 2004 are shown in the following table:

Year	Proceedings Instituted
2000	16,912
2001	9,612
2002	10,492
2003	8,114
2004	4,003

The number of prosecutions in 2005 is not readily available and could only be obtained by the expenditure of a disproportionate amount of Garda staff time and resources. The declining trend in prosecutions is indicative of a greater awareness of motorists in ensuring seat belts are worn. This has been brought about through Garda enforcement and the extension of the penalty points system to include seat belt offences in August, 2003.

Colombia Three.

1036. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the discussions he had with his Colombian counterpart between January 2005 and 31 July 2005 with respect to an extradition treaty between the two countries; and if he will make a statement on the matter. [25704/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There have been contacts regarding a request from the Colombian authorities for the extradition of three persons but there have been no discussions with respect to an extradition treaty between the two countries. With the appearance of the so called Colombia three in Ireland in August 2005, a major Garda investigation was immediately put in place. This investigation, which is ongoing and active, has involved, *inter alia*, the interview of the three persons in question and a recent Garda visit to Colombia. The Garda Síochána remain in close contact with the Colombian authorities in respect of

matters of mutual interest and importance, with a view to progressing the Garda investigation.

1037. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the discussions he had with the Department of Foreign Affairs between January 2005 and 31 July 2005 with respect to establishing an extradition treaty between this country and Colombia; and if he will make a statement on the matter. [25705/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There have been contacts with the Department of Foreign Affairs regarding a request from the Colombian authorities for the extradition of three persons, but there have been no discussions with respect to an extradition treaty between the two countries.

Road Traffic Offences.

1038. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform his plans for County Clare to deal with the problem of boy racing (details supplied); and if he will make a statement on the matter. [25706/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the Clare divisional traffic corps and the Ennis Garda district have been proactive in enforcing road traffic legislation so as to deter so called boy racers and that there have been a number of speeding detections in the area referred to by the Deputy. With regard to reviewing speed limits, the Garda authorities inform me that a Garda inspector has been appointed to liaise with Clare County Council in respect of its review of speed limits within the county.

Garda Deployment.

1039. **Mr. Neville** asked the Minister for Justice, Equality and Law Reform when a garda will be appointed to Ballingarry Barracks, County Limerick, following a recent retirement. [25707/05]

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 resources, including personnel, that the process to select a replacement garda for Ballingarry Garda station is currently being progressed.

Garda Stations.

1040. **Mr. Neville** asked the Minister for Justice, Equality and Law Reform when a new Garda barracks will be constructed at Kilfinane, County Limerick. [25708/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Deputy will be aware from previous replies that Kilfinane was one of eight Garda stations in counties Limerick and Tipperary which were selected by the Office of Public Works, following consultation with my Department and the Garda authorities, for inclusion in that office's pilot equity exchange programme which was publicised last year. The Office of Public Works considered that the level of interest expressed was not adequate to meet the requirements of the programme and they are now considering alternative approaches to the programme. Accordingly, the Deputy will appreciate that it is not possible at this time to indicate when a new Garda station will be provided at Kilfinane.

Year	Nenagh Community Reparation Current	Nenagh community Reparation Capital	Victim/Offender Mediation Tallaght Current	Victim/Offender Mediation Tallaght Capital
	€	€	€	€
2000	38,092.14	1,701.84	154,908.05	—
2001	41,901.36	—	170,398.85	63,844.02
2002	45,254.00	—	184,032.00	—
2003	30,000.00	—	142,875.00	—
2004	30,000.00	5,844.30	269,625.00	—
2005	30,000.00	—	320,000.00	—
Total	215,247.50	7,546.14	1,241,838.90	63,844.02

Consideration is being given by my Department to further extending restorative justice projects. In this regard, Department of Finance sanction has been granted to extend the Tallaght restorative programme to north Dublin at an estimated annual running cost of €172,000. At the moment, work is underway to identify suitable premises for the project which is expected to commence in early 2006. In addition to the running cost, it is estimated that there will be a once off expenditure of €208,000 to secure and fit out the premises and an additional €15,000 to recruit train staff.

Prison Inspections.

1042. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if the Prison inspector's visit to a prison (details supplied) in the UK, detailed in the inspector's second annual report, was funded by his Department, the Irish Prison Service or the inspectorate's own budget; and if he will make a statement on the matter. [25728/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The office of the inspector of prisons and places of detention was established on a non-statutory basis in 2002. I wish to advise the Deputy that the annual budget for the prisons inspectorate is allocated from the Justice,

Restorative Justice Projects.

1041. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the total annual funding provided by his Department for restorative justice projects in the State each year sine 2000. [25727/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to inform the Deputy that my department, through the probation and welfare service, provides funding to two restorative justice projects, the Nenagh community reparation project and the victim offender mediation project in Tallaght. Details of the total annual funding provided to these projects each year since 2000 follow.

Equality and Law Reform Vote (Vote No. 19). The expenditure in question was met from that budget in the normal manner.

Prison Service.

1043. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if at any time, in communications with the prison inspector, written or otherwise, he or officials of his Department suggested that the prison inspector should investigate private prisons or partially privatised prisons or outsourcing prison services; and if so, the details in this regard, including the dates and context. [25729/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Neither I nor officials from my Department have at any time suggested to the Inspector of Prisons and Places of Detention, either by written communication or otherwise, that he should investigate private prisons or partially privatised prisons or the outsourcing of prison services. The inspector is independent in the exercise of his functions.

Visa Applications.

1044. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if his Department operates a policy that mothers who

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are not employed outside the home should be denied visas to visit their Irish resident children on the grounds that they do not have economic or professional ties to their home country; and if he will make a statement on the matter. [25730/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There is an extensive set of criteria applied when assessing any visa application. These criteria, to a large extent, depend on the context in which the application is made, the personal circumstances of the applicant, and the nature and purpose of the application itself. Government policy of the day will also have an influence on the assessment of applications falling into specific categories.

The onus rests with the applicant to provide evidence of actual ties with their country of origin, which may be ties of an economic, social, personal or professional nature. Such ties are factors which may be taken into consideration when examining an application for a visa. An applicant for a visit visa seeks to enter the State for a short period only and must clearly demonstrate that he or she will adhere to the conditions of that visa and will depart the State in line with those conditions. Such criteria apply to all applicants including, as the Deputy mentioned, mothers visiting children who are residing in the State.

Missing Persons.

1045. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to claims that a greater number of children who entered the State as unaccompanied minors are missing from the care of the Health Service Executive than the number listed on the Garda website missing persons index; and the reason for this continuing discrepancy. [25732/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Health Service Executive, HSE, has statutory responsibility for the provision of care to unaccompanied minors. I have been informed by the HSE that they report all cases of missing unaccompanied minors to local gardaí and the Garda National Immigration Bureau. I am unaware of any specific claims to which the Deputy might be referring.

The Garda missing persons website is only one of a number of facilities available to the gardaí in their search for missing minors.

A working group, chaired by my Department, and consisting of representatives of the Health Service Executive and the Garda Síochána, meet on a regular basis to examine issues relating to unaccompanied minors.

International Agreements.

1046. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the reason the Government has neither signed nor ratified the optional protocol on the convention against torture; and his views on whether the Government is obliged to sign and ratify the OPCAT in order to meet the human rights equivalence requirement under the Good Friday Agreement in view of the fact that Britain has already ratified it. [25733/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): On 18 December 2002, the third committee of the United Nations General Assembly adopted the draft Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, OPCAT. Ireland, along with other EU partners, fully supported the draft optional protocol and worked for its adoption at the UN General Assembly and the Commission on Human Rights.

The object of the protocol is to establish a system of regular visits undertaken by independent international and national bodies to places of detention with a view to preventing torture and other cruel, inhuman or degrading treatment or punishment. The international body is proposed to be a subcommittee of the UN Committee against Torture and Other Cruel, Inhuman or Degrading Treatment. The national bodies may consist of one or several bodies as national preventive mechanisms for the prevention of torture at the domestic level.

Ireland's position in regard to the ratification of international instruments generally, including the optional protocol, is constantly reviewed in light of prevailing circumstances and in the context of the ongoing assessment and prioritisation of Ireland's international commitments. My Department is continuing to review national legislation to ascertain whether legislative changes would be required before signature and ratification of the optional protocol. Consultations have commenced with other Departments and bodies, including the Departments of Health and Children, Defence and Education and Science, in respect of arrangements for the inspection of institutions for which they are responsible in which persons may be detained without their consent.

I would also like to advise the Deputy that Ireland ratified the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment which entered into force for Ireland on 1 February 1989. The Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, CPT, which comes under the aegis of the Council of Europe, was established under this Convention and operates a system of inter-

national visits across Europe. The Committee visited Ireland in 1993, 1998, and 2002.

It is Government policy for all aspects of the Good Friday Agreement to be implemented.

1047. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if the Government's first periodic report under the convention against torture, due to be submitted by 11 May 2003, was submitted; if not, the reason therefor; and the date on which it will be submitted. [25734/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Work on the completion of Ireland's first periodic report under the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment is ongoing as a matter of urgency. Preparation of the report has involved my Department consulting with other Departments and bodies in respect of their responsibilities under the convention and that process is almost complete. I expect the report will be submitted in the coming months.

1048. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the names of petitioners against Ireland under the Convention on the Elimination of All Forms of Discrimination Against Women; the issues raised by them; and the status or outcome in each case. [25737/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I assume the Deputy is referring to the procedures under Articles 2 to 9 of the Optional Protocol to the UN Convention on the Elimination of All Forms of Discrimination Against Women, CEDAW, whereby the CEDAW committee may receive and consider communications from individuals and groups of individuals in the jurisdiction of a state party claiming to be victims of a violation by that state party of any of the rights under the convention. This procedure is one that applies where a state party — as in the case of Ireland — has declared that it recognises the competence of the CEDAW committee to act in this way. Ireland ratified the optional protocol in September 2000.

My information is that to date, no complaints against the State have been registered by the UN CEDAW committee under the optional protocol procedure.

1049. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the names of petitioners against Ireland under the Convention on the Elimination of Racial Discrimination; the issues raised by them; and the status or outcome in each case. [25738/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I assume the Deputy is referring to the procedure under Article 14 of the UN Convention on the Elimination of All Forms of Racial Discrimination, CERD, whereby the CERD committee may receive and consider communications from individuals or groups of individuals in the jurisdiction of a state party claiming to be victims of a violation by that state party of any of the rights under the convention. The procedure is one that applies where a state party — as in the case of Ireland — has declared that it recognises the competence of the CERD committee to act in this way.

My information is that to date, no complaints against the State have been made to the UN CERD committee under the Article 14 procedure.

Visa Applications.

1050. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform when he will reach a decision in the visa appeal case of a person (details supplied). [25775/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In assessing any visa application, the visa officer will consider various matters, including whether it is reasonable in all the circumstances to conclude that the applicant would fully honour the conditions of the visa, that is, if it is unlikely that the applicant would overstay the length of time applied for. The application in question was refused on 18 April 2005 because the visa officer could not be reasonably satisfied on the basis of documentation supplied to my Department, that the applicant would observe the conditions of the visa.

The onus is on the applicant to provide sufficient documentation to enable both the initial application and where applicable, an appeal to be examined fully and in this case it was deemed that the evidence provided by the applicant at appeal stage did not warrant a reversal of the initial decision to refuse the application. Consequently the decision to decline the grant of a visa to the applicant was upheld on 26 May 2005. As each application is entitled to only one appeal, no further review can be facilitated.

Human Rights Issues.

1051. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the way in which the Government intends to assist the inquiries of Mr. Martin Scheinin who is leading a UN investigation into extraordinary renditions for which Shannon Airport may have been or continues to be used; and if he will make a statement on the matter. [25776/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am aware of media reports in respect of Martin Scheinin, the UN Commission on Human Rights' special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

However, I understand from the Department of Foreign Affairs that Professor Scheinin's office has confirmed that neither he, nor any other special rapporteur, is currently investigating or enquiring into the matter raised by the Deputy. Hence, the issue of Government assistance does not arise.

Visa Applications.

1052. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform when he will make a determination to allow a person (details supplied) to return here in order to continue their studies and be with their family. [25777/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned was deported from the State on 17 November 2004 following the earlier refusal of his asylum claim and subsequent further consideration of his case under section 3 (6) of the Immigration Act 1999, as amended, and section 5 of the Refugee Act 1996 (Prohibition of Refoulement).

The effect of the deportation order is that the person concerned must leave the State and stay out of it thereafter, unless and until the order is revoked by me. It is open to the person concerned to apply from abroad to have his deportation order revoked and to seek to re-enter the State legally on foot of a visa granted for study or other purposes. I should say that a deportation order is not made lightly and any application for revocation would need to be based on substantial grounds to be successful.

1053. **Ms Harkin** asked the Minister for Justice, Equality and Law Reform the reason a visa was refused for a person (details supplied). [25810/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): When assessing any visa application, the visa officer will consider various matters, including whether it is reasonable in all the circumstances to conclude that the applicant would fully honour the conditions of the visa, that is, it is unlikely that the applicant would overstay the length of time applied for. The visa officer will also have regard to information provided and to such factors as the applicant's ties and general circumstances in their country of origin. The application in question was refused because the visa officer could not be reasonably be satisfied, on the basis of the documentation supplied to my

Department, that the applicant would observe the conditions of the visa.

Additionally, it was felt that sufficient evidence was not submitted to permit the visa officer to establish to an acceptable degree, that a previous relationship history existed between the applicant and the reference in Ireland. No evidence of finances was submitted to show how the applicant intended to maintain herself while in the State.

An appeal of the decision to refuse the visa application was subsequently submitted. However, based on the additional documentation supplied, the visa appeals officer was unable to conclude that the initial decision should be overturned. Consequently, the application was refused on appeal on 23 June 2005.

Citizenship Applications.

1054. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform when an application for citizenship will be processed for persons (details supplied) in County Leitrim. [25812/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by officials in the citizenship section of my Department that there is no record of an application for naturalisation or a declaration of post-nuptial citizenship having been received from either of the persons referred to by the Deputy.

Registration of Title.

1055. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform when a land registry application will be processed (details supplied); and if he will make a statement on the matter. [25813/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have requested the Land Registry to contact the Deputy directly concerning the current position of the application in question.

Grant Payments.

1056. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform when an application for funding will be approved for a group (details supplied) in County Sligo. [25814/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand that an application for capital grant assistance under the Equal Opportunities Childcare Programme 2000-2006, EOCP, was submitted by this group to my Department some time ago. This application was forwarded to Area Development Management Limited, ADM, which is engaged by my Department to carry out detailed assessments of all EOCP grant applications. Each application for

funding undergoes a thorough assessment by ADM to ensure that it meets the EOCP funding criteria.

I understand from inquiries I have made that this capital application is in the final stages of the appraisal process, following which a decision will be made regarding funding. The group will be informed of the outcome in due course.

Visa Applications.

1057. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform when a decision will be made on a visa application for a person (details supplied); and if he will make a statement on the matter. [25815/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application in question has been approved.

Garda Investigations.

1058. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the outcome of the review of the Garda papers in the case of the Grangegorman murders; the recommendations made; if an inquiry is required; and if he will make a statement on the matter. [25816/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): On 27 June I appointed Mr.

Shane Murphy SC to conduct an independent review and examination of the Garda Síochána papers relating to the making by the late Mr. Dean Lyons of false inculpatory statements in the course of the Garda investigation into the murders of Mary Callinan and Sylvia Sheils on 6-7 March 1997. Mr Murphy has submitted his report to me, and I am considering it. I hope to be in a position to make a full statement on the matter in due course.

Garda Strength.

1059. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the number of gardaí serving in each of the Dublin Garda stations for each year since 1997 to the present; the population served by each Garda station in 1997 and 2005; and if he will make a statement on the matter. [25817/05]

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 resources, including personnel, that the personnel strength of each Garda station in the Dublin Metropolitan Region, as at year ends 1997 to 2004, inclusively, and as at 26 September 2005, as well as the population covered by each station formulated from the figures gathered in the 2002 census of population were as set out in the following table:

Station	1997	1998	1999	2000	2001	2002	2003	2004	09/2005	Population
Ballyfermot	72	71	66	77	75	73	77	76	79	26,782
Ballymun	57	57	56	63	64	64	63	65	63	20,312
Blackrock	71	75	75	75	74	66	66	68	74	31,853
Blanchardstown	89	94	104	106	124	132	140	152	164	70,661
Bray	76	74	76	77	77	79	75	85	87	30,390
Bridewell	156	157	167	167	155	157	164	166	164	23,033
Cabinteely	42	42	46	49	41	39	40	41	38	23,577
Cabra	82	76	80	83	76	76	66	63	68	21,044
Clondalkin	56	51	62	63	66	82	81	82	81	31,392
Clontarf	57	59	56	56	60	64	62	69	60	39,422
Coolock	93	89	93	89	85	84	87	84	95	47,918
Crumlin	82	85	83	84	86	88	83	87	91	36,358
Dalkey	27	23	23	23	23	29	28	26	26	15,163
Donnybrook	126	129	126	120	116	114	123	125	120	24,511
Dublin Airport	50	48	56	57	58	19	23	24	23	15
Dundrum	62	57	51	53	62	69	65	68	71	40,202
Dun Laoghaire	109	110	104	107	109	106	90	104	100	9,842
Enniskerry	6	7	7	6	6	5	5	5	5	3,455
Finglas	76	83	90	88	78	78	70	74	77	24,394
Fitzgibbon Street	120	118	114	113	112	116	119	119	116	11,553
Greystones	28	28	28	28	26	28	29	28	28	15,488
Harcourt Terrace	91	93	84	84	80	79	74	77	79	7,570
Howth	30	34	35	37	39	41	42	44	46	21,283
Irishtown	60	59	57	59	54	49	55	57	56	17,751

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Station	1997	1998	1999	2000	2001	2002	2003	2004	09/2005	Population
Kevin St.	124	122	113	116	117	117	117	119	122	23,557
Kill-O-Grange	35	35	38	36	33	36	37	35	31	23,587
Kilmainham	75	87	101	97	76	76	73	81	79	18,948
Leixlip	11	16	19	21	18	24	26	28	26	15,089
Lucan	58	61	57	67	75	73	65	74	68	29,419
Malahide	43	39	39	44	43	43	40	40	39	25,393
Mountjoy	78	84	80	75	77	82	86	91	87	26,073
Pearse St.	231	215	215	221	216	214	238	252	245	10,402
Raheny	64	59	61	63	61	64	60	66	61	25,799
Rathcoole	0*	17	19	19	23	21	23	28	25	10,016
Rathfarnham	63	57	63	63	67	74	71	76	68	53,927
Rathmines	90	90	76	79	81	67	72	72	70	32,478
Ronanstown	58	65	63	65	66	72	79	81	90	24,784
Santry	93	87	78	77	83	91	105	107	118	20,537
Shankill	50	48	53	53	48	53	55	61	57	19,315
Stepaside	40	40	42	42	37	36	32	31	29	11,444
Store St	231	227	234	233	228	225	260	269	266	12,485
Sundrive Road	54	57	52	56	58	57	60	65	62	23,165
Swords	45	44	49	52	54	57	56	68	69	37,283
Tallaght	133	139	142	159	159	159	165	173	174	74,485
Terenure	49	46	60	67	66	84	86	91	94	22,795
Whitehall	45	42	38	43	40	40	40	35	33	14,731

The asterisk signifies that in 1997, Rathcoole formed part of the Carlow-Kildare division.

Garda management states that the allocation of Garda personnel is determined by a number of factors including population, crime trends and other operational policing needs of the area.

Garda Deployment.

1060. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the reason the five gardaí who were criticised in the second Morris tribunal and whom the Garda Commissioner proposed to transfer to Dublin are still serving in Donegal; and if he will make a statement on the matter. [25818/05]

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 resources, including personnel, that the current position with regard to the five members of the Garda Síochána referred to by the Deputy is that one member was transferred on 24 June 2005; one member retired from the force before his transfer was to come into effect; and one member appealed his transfer to the Assistant Commissioner with responsibility for human resource management, HRM. This was refused and that member is currently on sick leave. Another member appealed his transfer to the Commissioner and was refused. This member is currently suspended from duty. The last member has taken his appeal to the transfers

review body — the third and last stage in the appeals process — and his case is due to be heard on Monday, 10 October.

Child Care Costs.

1061. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the difficulties and expenses encountered by a person (details supplied) in County Sligo in relation to child care costs; and if he will make a statement on the matter. [25834/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware, my Department is responsible for the delivery of the Equal Opportunities Childcare Programme 2000-2006. This programme, which falls under the regional operational programmes of the national development plan and benefits from significant investment from the EU Structural Funds, aims to increase the availability and quality of child care services. The programme makes capital grants available to community based child care and private child care providers for the purpose of building, renovating or equipping facilities. In areas of disadvantage the programme also provides multi-annual staffing grants to community based groups who provide child care services which assist disadvantaged families to access employment, education and training opportunities.

I have approved more than €447 million in capital, staffing and quality improvement grants to date under the programme. These grants when fully drawn down are expected to lead to the creation of approximately 40,000 new child care places, over 26,000 of which were already in place by the end of June 2005. In Sligo alone, I have allocated more than €10.4 million in grants. These grants will lead to the creation of more than 830 new child care places and support another 500 existing places in the county. I understand that more than 550 of these new child care places were already in place at end June 2005.

The programme also aims to provide support and assistance to the many childminders who are providing valuable child care services across the country as a childminder is the chosen child care option of many parents. The programme also encompasses many other quality initiatives identified in the child care strategy and aims to ensure there is a co-ordinated delivery of services nationwide.

The measures outlined relate to the supply of quality child care places. At the same time as the Government set up the equal opportunities child care programme to develop child care places, it decided to use child benefit as a way of assisting parents to pay for child care. Child benefit is the main fiscal instrument through which support is provided to parents with dependent children leaving parents with the choice of caring for their children themselves in the home or by paying for a child care service.

Effectively since 1997, child benefit has almost quadrupled. In the 2005 budget, child benefit was increased by €10 to €141.60 per month, per child, for the first two children and by €12 to €177.30 per month for the third and each subsequent child, from April 2005. This clearly signals the Government's commitment to assisting all parents in respect of the care of their children irrespective of income and employment status. It is noteworthy that the cost of child benefit now exceeds €1.9 billion per year.

I understand that a supplemental payment, under the supplementary welfare allowance scheme which is under the responsibility of the Department of Social and Family Affairs and administered by the community welfare officers of the HSE, is available in certain specified circumstances toward child care payments.

A review of income supports for lone parents has also been established by my colleague, the Minister for Social and Family Affairs. I understand that this review will also examine the supports, including child care, necessary to support lone parents availing of education and training and progressing into employment.

Crime Levels.

1062. **Mr. Stagg** asked the Minister for Justice,

Equality and Law Reform if the provisional headline crime statistics for the Carlow-Kildare division for 2004 show an increase in headline crime of 50% when compared with the corresponding figures for 2000; if the detection rate has fallen in the Carlow-Kildare division from 36% in 2000 to 28.8% in 2004; his views on whether the Garda are under resourced in terms of manpower in the Carlow-Kildare division; if he will increase the number of gardaí in the division; and if he will make a statement on the matter. [25853/05]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): As I previously outlined to the Deputy in my reply to question No. 217 on Thursday, 23 June 2005 in respect of crime figures, on becoming Minister for Justice, Equality and Law Reform, I arranged for the publication of headline crime statistics on a quarterly basis to improve the quality of information available to the public. While caution should be exercised in interpreting levels of crime between quarters, I am pleased to note that during my term of office as Minister, the quarterly crime rate has decreased from 6.7 per 1,000 population to six per 1,000 over the longer period of 11 quarters for which figures are available. This trend is reflected throughout most Garda districts. In interpreting these figures, account has also to be taken of the introduction of the new PULSE computer system by the Garda Síochána in 1999, which led to more complete and comprehensive recording of crimes reported than was previously the case. The Deputy should also be aware that, taking into account the significant increase in our population since 1995, the headline crime rate has fallen from 29 per 1,000 population in 1995 to 25 per 1,000 population in 2004.

To give the Deputy a more comprehensive and balanced view following is a table outlining the headline crime statistics from 2000 to 2004 for the Carlow-Kildare division. I am pleased to note that the figures show a decrease in the headline offence of homicide from six in 2002 to nil in both 2003 and 2004. Also, the number of headline offences recorded in 2004 is less than in 2003. This is against a background of a large increase in the population of the Carlow-Kildare area.

I am informed by the Garda authorities that the current personnel strength of the Carlow-Kildare division as at 27 September 2005 is 333. This compares to a figure of 303 on 31 December 2000 and represents an increase of 10% in the personnel allocated to the Carlow-Kildare division. However, the situation will be kept under review and when additional personnel next become available the needs of the Carlow-Kildare division will be fully considered in the context of the needs of Garda stations throughout the country.

In respect of Garda resources generally, the Government has approved my proposal to

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increase the strength of the Garda Síochána to 14,000 members on a phased basis, in line with An Agreed Programme for Government commit-

ment 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.

Headline offences recorded and detected for Carlow-Kildare division 2000-2004.

	2000		2001		2002		2003		2004	
	Rec	Det								
Homicide	6	6	4	4	1	1	0	0	0	0
Assault	72	65	119	98	282	227	216	147	201	143
Sexual Offences	41	30	80	63	123	70	168	110	88	46
Arson	51	18	50	16	55	10	63	12	62	13
Drugs	77	77	83	83	87	87	93	92	87	86
Thefts	1,196	487	1,661	527	2,049	550	2,290	723	2,293	683
Burglary	1,385	217	1,434	206	1,672	212	1,605	186	1,634	204
Robbery	58	23	79	30	80	31	74	15	74	18
Fraud	216	190	203	174	205	134	212	167	169	115
Other	10	9	38	34	85	76	51	39	61	39
Total	3,112	1,122	3,751	1,235	4,639	1,398	4,772	1,491	4,669	1,347

Garda Strength.

1063. **Mr. Stagg** asked the Minister for Justice, Equality and Law Reform the personnel strength of all ranks of the Garda Síochána in the Carlow-Kildare division as of 1 September 2005; and the strength nationally on the same date. [25855/05]

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 resources, including personnel, that the personnel strength — all ranks — of the Carlow-Kildare division, as at 1 September 2005, was 331. I am further informed that the personnel strength — all ranks — of the Garda Síochána, as at 1 September 2005, was 12,228.

Gangland Killings.

1064. **Ms Burton** asked the Minister for Justice, Equality and Law Reform the steps he is taking to identify the perpetrators of the recent fatal shooting in Dublin 15 and to reassure residents of that area regarding their safety from the spate of violent crimes and shootings which have occurred there in recent times; if he will assign an increased police presence in the area; and if a badly needed new Garda station is to be commissioned for the quickly growing areas of Dublin 15 such as Ongar, Littlepace, Castaheany and Clonee. [25867/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that a full investigation is being carried out into the recent fatal shooting in the Dublin 15 area. Through operation Anvil, extra

uniformed and armed patrols are in place on a twenty four hour basis. These patrols are supplemented by gardaí from divisional and national units.

I am further informed that Littlepace and Castaheany are policed by Blanchardstown Garda station. Ongar is policed by Lucan Garda station. Clonee is policed by Dunboyne Garda station. There are currently no plans to establish an additional Garda station for the areas referred to. The provision of an additional Garda station would necessitate the employment of Garda personnel on indoor administrative duties. Such personnel can be utilised more effectively in providing a visible Garda presence on outdoor policing duties.

I am assured that local Garda management is satisfied that the arrangements currently in place in the Dublin 15 area are adequate to meet the present policing needs of the area. However the situation will be kept under review and when additional personnel next become available, the needs of Blanchardstown, Lucan and Dunboyne Garda stations will be fully considered in the context of the needs of Garda stations throughout the country.

Garda Strength.

1065. **Ms Burton** asked the Minister for Justice, Equality and Law Reform the number of gardaí allocated to Blanchardstown Garda station; the number of these allocated to the Dublin 15 area and the number allocated to community gardaí policing duties. [25868/05]

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 resources, including personnel, that the personnel strength — all ranks — of Blanchardstown Garda station, as at 26 September 2005, was 164.

I am further informed by Garda management that all personnel attached to Blanchardstown Garda station perform duties in Dublin 15. In addition, there are currently 17 personnel of all ranks allocated to community policing at Blanchardstown Garda Station.

Garda Stations.

1066. **Mr. Stagg** asked the Minister for Justice, Equality and Law Reform the reason he has no intention of closing any of the existing 109 Garda district headquarters in the State, and yet refuses to even consider the provision of a 24 hour station to cover the North Kildare towns of Maynooth, Leixlip and Celbridge. [25893/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It is the case that the use of Garda stations was considered as part of the major review of the Garda organisation structures under the strategic management initiative, SMI, programme of modernisation which looked in detail at a range of areas within the organisation. The Garda SMI implementation steering group's final report, which I have laid before the House and which is available on my Department's website and from the Government Publications Office, does not refer to the closure of any specific Garda station, but rather makes recommendations to assist policy making in the management and use of all available resources, including Garda stations.

It is also the case, however, that the position has changed significantly since the consideration of these issues under the strategic management initiative, in that the Garda Síochána Act 2005 — which proposes the most fundamental modernisation of the Garda Síochána since the foundation of the State — provides that the Commissioner will have enhanced responsibilities in preparing proposals for organisational reform. It would be premature to anticipate at this stage what proposals, if any, might be developed by the Commissioner in this context.

I am informed that local Garda management is satisfied that the arrangements currently in place for Maynooth, Leixlip and Celbridge are adequate to meet the present policing needs of the North Kildare area.

1067. **Mr. Stagg** asked the Minister for Justice, Equality and Law Reform if he has sanctioned the revised sketch scheme for the new Leixlip Garda Station in County Kildare; if not, when he will sanction same; and if he will make a statement on the matter. [25894/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Garda authorities are currently considering the revised sketch scheme, prepared by the Office of Public Works, for the proposed new Garda station for Leixlip. The Garda authorities will submit the scheme together with their observations to officials of my Department and, once agreed, it will be submitted to the Office of Public Works.

Visa Applications.

1068. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the position in respect of an application for travel documentation for a person (details supplied) in County Wicklow; if this can be dealt with as a matter of urgency; and if he will make a statement on the matter. [25966/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question was issued with a travel document on the basis that he was granted temporary leave to remain in the State until 8 July 2005. On receipt of a further period of temporary leave to remain in the State it is open to him to apply for a renewal of this travel document. To date no such application for a renewal of his travel document has been received in my Department.

1069. **Mr. Timmins** asked the Minister for Justice, Equality and Law Reform the position in relation to an application for a visa by a person (details supplied) in County Wicklow; if this can be dealt with as a matter of urgency; and if he will make a statement on the matter. [25967/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A search of all visa records held by my Department did not locate any visa applications for a person of this name or similar name as that supplied by the Deputy. If such an application exists, the Deputy may wish to contact my Department through the standard channels, with the reference number, at which time my officials will ascertain the status of the application.

Inquiry into Child Abuse.

1070. **Mr. F. McGrath** asked the Minister for Education and Science the reason nothing was done regarding the case of a person (details supplied) in Dublin 8; and the position regarding survivors of institutional abuse and compensation options. [24777/05]

Minister for Education and Science (Ms Hanafin): The Residential Institutions Redress Board is an independent body set up under statute in 2002 to provide a mechanism for persons who were victims of child abuse while in residen-

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tial institutional care to obtain financial compensation for the injuries they have suffered. The scheme applies to institutions for children which are specified in the Schedule to the Residential Institutions Redress Act 2002. Section 4 of the Act provides that the Minister may make an order providing for the insertion of additional institutions in the Schedule to the Act. In November 2004, I signed an order which provided for the inclusion of thirteen additional institutions in the Schedule and a further three institutions were added by order made in July 2005. The closing date for submitting applications to the redress board is 15 December 2005.

I understand the case referred to which the Deputy relates to alleged child abuse in an institution which is listed on the Schedule and that the person in question has initiated legal proceedings in the High Court. While it would not be appropriate for me to comment on individual cases that may be under consideration by the redress board or pending in the courts, I suggest that the person should consult his legal representatives to discuss the options that may be open to him in the matter.

School Transport.

1071. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science if she has received an application (details supplied) for the extension of a bus route to Knockbrack, Firies, Killarney, County Kerry; when a decision will be made on the application; and if she will make a statement on the matter. [24266/05]

Minister for Education and Science (Ms Hanafin): For the purposes of the post-primary transport scheme, the country is divided into catchment areas, each of which has its own post-primary centre. The scheme is designed to ensure that pupils who live more than a certain distance from the school in whose catchment area they reside, called eligible pupils, can avail of transport to that school. Such eligible pupils are collected at various pick up points along the school bus route. Post-primary school transport routes are planned so that, as far as possible, no eligible child will have more than 3.2 km to travel to a pick-up point, while also trying to minimise journey times in the interests of all passengers.

Eligible pupils who wish to attend a post-primary centre other than the centre serving the catchment area in which they reside may be allowed transport on a concessionary basis from within the catchment boundary of the centre attended. Such pupils are called catchment boundary pupils. This is subject to there being spare seats available on the service and provided no additional cost to the State is incurred.

I understand the eligible pupils to whom the Deputy refers would like the route to be arranged so they can be picked up at a point closer to their home. However, regard must be had to the need to minimise the journey time for all passengers, and the passengers concerned live within 3.2 km of the present pick up point.

I further understand that the other passengers to whom the Deputy refers are eligible for school transport within the catchment area in which they reside but have opted instead to attend a school in another catchment area and are being transported to that school on a concessionary basis. It would not be possible to facilitate those pupils with a pick up at a point within the catchment area in which they reside as this would be in breach of the terms of the school transport scheme.

Schools Building Projects.

1072. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science if she will expedite work on extensions and renovations at a school (details supplied) in County Kerry; and if she will make a statement on the matter. [24267/05]

Minister for Education and Science (Ms Hanafin): The project to which the deputy refers is at an advanced stage of architectural planning. The pre-selection of contractors is complete and the design team is preparing the bill of quantities. Once this work has been completed the project should be in a position to proceed to the invitation of tenders.

School Staffing.

1073. **Mr. Bruton** asked the Minister for Education and Science if she will review the current teaching resources provided to a school (details supplied) in Dublin 24 in view of the likely reduction in the number of teachers in the school by 1.5 in September 2005; and if she will make a statement on the matter. [24279/05]

Minister for Education and Science (Ms Hanafin): According to my Department's records, the school referred to by the Deputy had an enrolment of 149 pupils on 30 September 2004. On the basis of this enrolment, I am pleased to inform the Deputy that the appointment of one additional mainstream class teacher is warranted for the 2005-2006 school year. Therefore, the mainstream staffing of the school for the 2005-2006 school year will be a principal, administrative principal, five mainstream class teachers and one special class teacher.

As the Deputy is also aware, a new general allocation scheme has been announced under which schools have been provided with resource teaching hours, based on their enrolment figures,

to cater for children with high incidence special needs such as dyslexia and those with learning support needs.

The general allocation for the school in question is one full-time permanent teaching post. On the basis of information supplied by the school to officials in my Department, approval was given to retain an additional full-time post for the current school year by combining hours for individual pupils with low incidence special needs and also some transitional hours. Consequently the school has two full-time posts to cater for the special educational needs of its pupils.

The school is included in the disadvantaged areas scheme, the giving children an even break programme and the support teacher scheme.

Under the disadvantaged areas scheme the school has one concessionary teaching post, additional capitation grants of €38.09 per capita, a refund of the television licence fee and eligibility for 95% building grants for building projects. It also has the service of a shared home-school community liaison co-ordinator.

Under the urban dimension of the giving children an even break programme, the school is benefiting from supplementary funding to enable it to provide additional educational supports for its pupils.

Furthermore the school has one full support teacher project post. The support teacher project supports 47 designated schools with 41 teachers. It aims to co-ordinate a whole school approach to designing and implementing good practice and strategies. These strategies will help to prevent the occurrence of disruptive behaviour and to teach and counsel small groups and individuals who exhibit persistent behaviour difficulties in the classroom.

In total, the school has twelve full-time teachers and one shared teacher. Given that the enrolment on 30 September 2004 was just 149 pupils, I consider that the school is very well supported in terms of teaching resources.

Special Educational Needs.

1074. **Mr. F. McGrath** asked the Minister for Education and Science the reason a person (details supplied) in County Galway has been refused resource teaching hours; and if this situation will be changed before September 2005. [24285/05]

Minister for Education and Science (Ms Hanafin): In this case, an application for resource teaching hours was made to the relevant special educational needs organiser, SENO, of the National Council for Special Education, NCSE. The application in question did not meet the criteria for resource teaching hours and this decision was conveyed to the pupil's parents by the SENO. However, I understand that the

SENO has recently received an additional report which is currently being examined. The outcome of this examination will be communicated to the parents in the near future by the SENO.

Schools Building Projects.

1075. **Mr. O'Dowd** asked the Minister for Education and Science if funding will be granted to provide for an extension to a school (details supplied) in County Louth; and if she will make a statement on the matter. [24299/05]

Minister for Education and Science (Ms Hanafin): My Department is in receipt of an application for an extension at the school to which the Deputy refers. The application has been examined in the school planning section of my Department and agreement has been reached with the school authority with regard to the school's long-term accommodation needs. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

School Transport.

1076. **Mr. Hayes** asked the Minister for Education and Science when school transport will be provided for a person (details supplied) in County Tipperary. [24304/05]

Minister for Education and Science (Ms Hanafin): There is no record of an application for transport having been received by either my Department or the transport liaison officer of County Tipperary South Riding VEC, in respect of the pupil referred to by the Deputy.

In the event that an application is received in the future in respect of the pupil concerned, it will be considered subject to the normal terms and conditions prescribed in my Department's school transport scheme.

Pupil-Teacher Ratio.

1077. **Mr. F. McGrath** asked the Minister for Education and Science if she will reduce the class size at a school (details supplied) in Dublin 3; and if she will give the school the maximum support in 2005-2006. [24316/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule, agreed between my Department and the education partners. The system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level

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to use their teaching resources to have smaller numbers in other classes.

The mainstream staffing for the school referred to by the Deputy for the school year 2005-06 is a principal and 14 mainstream class teachers based on an enrolment of 384 pupils on 30 September 2004. To ensure openness and transparency in the system an independent appeal board is now in place to decide on any appeals for mainstream staffing. The criteria under which an appeal can be made are set out in Department primary circular 19/02 which is also available on my Department's website. The appeal board will meet in October to consider appeals on the mainstream teaching allocation to schools for the 2005-06 school year. The closing date for appeal is 7 October 2005. Appeals must be submitted to primary payments section of the Department of Education and Science in Athlone, on the standard application form, clearly stating the criterion under which the appeal is being made. The application form is available from primary payments section of the Department of Education and Science in Athlone or on my Department's website.

The Deputy will appreciate that it would not be appropriate for me to intervene in the operation of the independent appeal board. The Deputy will be aware that a new general allocation model for the allocation of teaching resources to schools to cater for the needs of children with high-incidence special needs and learning support needs has been introduced. This school's teaching allocation under the new general allocation model is two full time permanent posts.

Following consideration of a proposal submitted by the school to create additional posts using part-time general allocation hours and low incidence hours, my Department has sanctioned an additional two temporary resource teaching posts, one of these posts to be shared with another local school. It is a matter for each school to determine the pupils with high incidence special education and learning support needs who will receive this support.

Multi-Denominational Schools.

1078. **Mr. F. McGrath** asked the Minister for Education and Science if she will support the case for realistic core funding from the State for Educate Together, the national representative body for multi-denominational education here; and if she will give the maximum support. [24331/05]

Minister for Education and Science (Ms Hanafin): The level of funding that my Department provides to Educate Together as a school management body is on a par with that provided

to Foras Patrúnachta na Gaelscoileanna, the Church of Ireland Board of Education, the Islamic Board of Education and the National Association of boards of management in special education.

However, following discussions with Educate Together my Department has provided additional funding to Educate Together in 2005 to meet the immediate issues of concern to that body. The matter of the future funding to be provided to the primary management bodies, including Educate Together, in 2006 will be considered as part of the normal estimates process. With regard to support for the establishment of new multi-denominational schools, my Department has supported the establishment of many new Educate Together schools in recent years. Of the 24 new schools granted provisional recognition in the past three years, 12 of them are under Educate Together patronage — 11 of which are open.

My Department has made a number of changes in recent years which have made the provision of accommodation for new schools much easier. One of these changes, which was strongly welcomed by Educate Together, was the abolition of the local contribution to the building costs for state-owned school buildings, which had cost up to €63,500 per school. Other innovations include the development of the design and build model to provide permanent accommodation much faster—such as in the case of the new Educate Together school in Griffeen Valley, Lucan which was designed and built in under 13 months.

Schools Building Projects.

1079. **Mr. Hayes** asked the Minister for Education and Science the position regarding the case of a school (details supplied) in County Tipperary for which application has been made for the provision of a new school building. [24340/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works is acting on behalf of my Department for site acquisitions generally and is continuing to explore the possibility of acquiring a suitable site for the school referred to by the Deputy. The question of the provision of new accommodation for the school will be considered further when a site has been acquired.

School Sponsorship.

1080. **Mr. F. McGrath** asked the Minister for Education and Science if she will support a school (details supplied) in Dublin 7 and if she will make a statement on the matter. [24343/05]

Minister for Education and Science (Ms Hanafin): The correspondence accompanying the

Deputies question relates to the search for a new sponsor for the form and fusion design awards. I have attended the national final of form and fusion awards and was impressed with the excellent creative work of the students involved in the competition. I was very disappointed to learn that the sponsor of this year's awards has decided not to continue its sponsorship for next year. While my Department is not in a position to sponsor the competition, I hope that another sponsor will come forward to ensure that this very valuable venture can continue.

Schools Building Projects.

1081. **Mr. Hayes** asked the Minister for Education and Science the position regarding the case of a school (details supplied) in County Tipperary in relation to an application for funding for additional facilities. [24346/05]

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 Department's officials are in the process of examining outline costs and drawings associated with the building project at this school, and when this is completed they will be in contact with the school authorities regarding the next stage in progressing this project.

1082. **Mr. Hogan** asked the Minister for Education and Science if she will sanction grant assistance for site works for a school (details supplied) in County Kildare; and if she will make a statement on the matter. [24349/05]

Minister for Education and Science (Ms Hanafin): My Department is not in receipt of an application for grant assistance for site works from the school to which the Deputy refers.

Special Educational Needs.

1083. **Mr. F. McGrath** asked the Minister for Education and Science if the hours of home tuition for a person (details supplied) in Dublin 5 will be improved; and if her Department will work closely with this person's family in implementing the recommendations of the assessment team. [24380/05]

Minister for Education and Science (Ms Hanafin): Ten hours per week home tuition has been sanctioned for the child in question with effect from 1 September 2005. This decision was conveyed to the family recently. The parents in

question have appealed the number of hours sanctioned. My officials have been in further contact with them and sought additional information on the matter. The outcome of the appeal will be conveyed to the family very shortly once the ongoing deliberations have been finalised.

Schools Building Projects.

1084. **Mr. Sargent** asked the Minister for Education and Science the position regarding progress in providing the urgently needed secondary school for the Donabate/Portrane peninsula in north County Dublin; if her attention has been drawn to the predominant view in the community that such a school be run by County Dublin VEC; if she has taken on board the provision to date of a free site as well as a patron body and the presence of large numbers of children justifying the immediate establishment of a local secondary school; and if her attention has further been drawn to the dangerous nature of the journey for many children in accessing secondary schools in other places. [24389/05].

Minister for Education and Science (Ms Hanafin): Officials in the school planning section of my Department are carrying out a review of educational needs in the north Dublin, east Meath and south Louth areas, including Donabate and Portrane, by way of a draft area development plan. The need for a post primary school in Donabate is being considered in this context. The draft plan is nearing completion and I hope to be in a position to publish it shortly. Following this, a public consultation process will be conducted by the commission on school accommodation. The process will culminate in a final area development plan which will provide a blueprint for educational infrastructure in the area for the next decade including the need or otherwise to provide a post primary school in Donabate.

Departmental Expenditure.

1085. **Mr. Morgan** asked the Minister for Education and Science the name of each company which secured a contract more than €100,000 in value with her Department in each of the past five years. [24409/05]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is contained in the following tabular statement. The vast majority of the contracts were in respect of construction works associated with the school building programme.

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Department of Education and Science: Contracts awarded 2000-2004 in excess of €100,000.

Year	Name of Company	Value of Contract
		€
2000	Alliance Systems Ltd.	676,693.79
2000	Purcell Construction Ltd	6,644,619.54
2000	Clancy Construction Ltd	6,239,539.90
2000	J. Stewart Construction Ltd	3,968,320.73
2000	John Sisk and Sons Ltd	2,794,702.41
2000	Larry Drew and Sons	153,851.46
2000	Thomas Mulvaney Ltd.	150,680.00
2000	James Doyle Construction	201,553.00
2000	Thomas McGuirk Ltd.	170,265.94
2000	John Clarke and Sons (Ardee) Ltd.	2,395,893.00
2000	Murphy and O'Sullivan	2,057,469.00
2000	The Educational Research Centre, St. Patrick's College, Drumcondra	141,089.49
2000	Farrell Grant Sparks	400,000.00
2000	Prospectus	120,495.73
2000	Children's Research Centre, Trinity College, Dublin	114,784.00
2000	Club Travel	180,690.00
2000	National Women's Council of Ireland (NWCI)	250,000.00
2000	AV Edge TV production	380,000.00
2000	Dell	572,364.00
2000	Datapac	408,625.00
2000	BusEireann School Transport	Cost not readily available
2000	Pierse Constructing Ltd.	2,188,825.00
2000	Michael Fitzgerald	1,250,948.00
2000	Francis McGuigan	1,419,968.00
2001	Office of Public Works	657,000.00
2001	Office of Public Works	140,000.00
2001	James Doyle Construction	298,047.88
2001	Thomas Mulvaney Ltd.	3,965,098.47
2001	P. Fallon Construction	1,502,985.40
2001	Pierce Healy Developments	786,627.08
2001	James Smyth Architect	373,259.32
2001	K.A.Smyth	131,546.64
2001	Moloney O'Beirne	244,932.48
2001	Tanstarr Ltd.	345,795.07
2001	Fiat Auto Ireland	120,193.40
2001	Cumnor Construction	3,718,098.68
2001	McInerney Construction Ltd	6,629,389.42
2001	Mathew Wall and Sons	1,777,207.09
2001	Frank Murray and Sons, Co. Tipperary	2,092,796.00
2001	Francis Haughey and Co., Armagh	2,451,216.00
2001	John Sisk and Sons , Ltd.	342,466.00
2001	Padraig Egan, Ballinlough, Co.Roscommon	582,588.00
2001	Allspace Ltd.	308,460.00
2001	Kinsella Systems Buildings	952,633.00
2001	Euroframe Construction Ltd.	3,254,335.00
2001	Jackie Folan, Carna, Co. Galway	2,175,362.00
2001	Bus Eireann School Transport	71,300,000.00
2001	Dell	1,540,788.00
2001	CCM Software Services	4,500,000.00

Year	Name of Company	Value of Contract
		€
2001	BSS Ltd	141,313.00
2001	Farrell Grant Sparks	120,000.00
2001	Icon Systems L.T.D.	119,210.52
2001	AV Edge	401,110.00
2001	Deloitte and Touche	495,000.00
2001	Jarvis Projects Ltd	127,790,000.00
2001	Club Travel	309,995.00
2001	Time and Data	139,767.69
2001	Xerox	167,605.43
2001	Mazars	131,551.02
2002	Icon Systems Ltd.	112,501.40
2002	Arcline	130,114.00
2002	Barnardos	200,000.00
2002	AV Edge	427,200.00
2002	Bus Eireann School Transport	87,300,000.00
2002	Club Travel	234,054.00
2002	DSS	145,940.00
2002	Unitech	182,231.00
2002	Dell	360,028.00
2002	MCI Worldcom	228,690.00
2002	BSS Ltd	246,314.00
2002	Compaq	155,645.00
2002	Lan Communications	130,026.00
2002	Datapac	273,861.00
2002	Xerox	139,664.25
2002	TOS (Ireland) Ltd	125,866.62
2002	Bob Bushell Ltd.	154,033.00
2002	Office of Public Works	200,000.00
2002	Office of Public Works	150,000.00
2002	Office of Public Works	145,200.00
2002	Office of Public Works	227,650.00
2002	Beleen Construction Ltd	1,359,224.16
2002	J M Roofing	1,251,955.35
2002	O'Connor Bros. Ltd	1,567,054.65
2002	Michael McNamara	7,726,049.30
2002	James Doyle Construction	936,339.63
2002	Pierce Healy Developments	2,255,413.69
2002	Pierce Healy Developments	180,139.68
2002	Larry Drew & Sons	100,738.53
2002	Barrett Mahoney	137,886.81
2002	James Smyth Architects	294,556.89
2002	Kerrigan Sheanon Newman	160,394.07
2002	McBains Cooper	155,942.89
2002	Moloney O'Beirne	296,368.30
2002	Varming Mulcahy Reilly	115,743.49
2002	Sigma Wireless	117,252.95
2002	Collins Building and Civil Engineering (Limerick) Ltd.	1,685,132.00
2002	Western Building Systems, County Tyrone	413,328.00
2002	MDY Construction	3,873,558.00
2002	John Sisk and Sons Ltd.	1,149,666.00
2002	Collen Construction Ltd.	4,133,195.00
2002	Portcastle BuildersLtd.	3,349,883.00

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Year	Name of Company	Value of Contract
		€
2003	Joseph Lane and Sons	572,587.13
2003	Townlink Construction Ltd	1,625,152.08
2003	James Smyth Architects	102,376.68
2003	Pierce Contracting Ltd.	257,711.96
2003	Demolition Masters Ltd.	188,291.96
2003	Noel Deane Roofing	167,413.94
2003	John F. Supple Ltd.	1,598,608.00
2003	John Paul Construction Ltd.	3,018,795.00
2003	Shine Builders Contractors	3,137,897.00
2003	Office of Public Works	120,000.00
2003	Bus Eireann School Transport	92,600,000.00
2003	National Council for Curriculum and Assessment	100,000.00
2003	Siemens	100,406.92
2003	AV Edge	410,845.00
2003	Barnardos	603,117.00
2003	Talbot Associates	138,000.00
2003	OCS One Complete Solution Ltd.	300,000.00
2003	Bovis Lendlease	88,726,000.00
2003	Club Travel	335,044.00
2003	Datanet Ltd.	439,599.00
2003	Oracle	3,155,945.58
2003	Oracle	242,112.00
2003	Unitech	1,194,594.00
2003	Compuware	186,102.00
2003	Dell	171,158.00
2003	Curriculum Development Unit, City of Dublin, VEC	103,000.00
2003	Equality Studies Centre, UCD	172,420.00
2004	National Council for Curriculum and Assessment	100,000.00
2004	Bus Eireann School Transport	94,600,000.00
2004	Carr Communications	114,574.31
2004	ESRI	126,425.80
2004	BearingPoint	1,250,000.00
2004	Barnardos	561,791.00
2004	Unitech	197,691.00
2004	Canon	112,210.55
2004	Siemens	123,203.74
2004	Club Travel	325,703.00
2004	Leargas	260,000.00
2004	AV Edge	440,260.00
2004	CCM Software Services	3,900,000.00 (estimated) (Four year contract)
2004	Robert Quinn and Sons Ltd.	3,992,654.00
2004	Kerlin Construction Ltd.	2,385,011.00
2004	Richard Browne & Sons Ltd	2,305,348.00
2004	Mulligan Builders (Midlands) Ltd.	1,335,467.00
2004	Glenman Corporation	2,261,380.00
2004	P.Rogers and Sons, Ltd.	3,657,520.00
2004	PJ McLoughlin & Sons	6,317,001.00
2004	Cedarview Ltd.	1,250,601.00
2004	Clancy Construction	1,967,597.00
2004	Western Building Systems	3,466,533.00

Year	Name of Company	Value of Contract
		€
2004	DPB Construction Ltd	414,144.00
2004	Denis Moriarity Ltd	1,379,038.04
2004	Glenbeigh Construction Ltd	1,499,138.42
2004	Graham Construction	3,672,822.18
2004	Woodvale Construction Ltd	8,726,954.48
2004	J F Supple Ltd	13,771,710.29
2004	Forge Hill Construction	1,378,928.38

Note: It was not possible to provide definitive information in respect of minor building projects at primary and post primary level due to the level of examination involved. However, it is unlikely that such a process would yield many contracts in excess of €100,000.

School Staffing.

1086. **Mr. Kehoe** asked the Minister for Education and Science if she has received an application for funding towards the provision of accommodation for an additional teacher for a school (details supplied) in County Wexford; if so, when the application will be processed; and if she will make a statement on the matter.

[24425/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department has recently received an application for major capital funding from the management authority of the school to which the Deputy refers. The application will be assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works will be considered in the context of the school building and modernisation programme from 2006 onwards.

Inquiry into Child Abuse.

1087. **Mr. Kehoe** asked the Minister for Education and Science if she will include a unit (details supplied) under the Residential Institutions Redress Board in order that victims of alleged abuses can have redress; and if she will make a statement on the matter. [24455/05]

1201. **Mr. Carey** asked the Minister for Education and Science if consideration has been given to a unit (details supplied) in the Residential Institutions Redress Board's additional schedule; and if she will make a statement on the matter. [25450/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1087 and 1201 together.

Section 4 of the Residential Institutions Redress Act 2002 provides that the Minister for Education and Science may, by order, provide for the insertion in the Schedule of additional institutions in which children were placed and resi-

dent and in respect of which a public body had a regulatory or inspection function.

Since the enactment of the legislation, my Department has been contacted by individuals and solicitors regarding various institutions not specified in the Schedule, including the facilities mentioned by the Deputies. Following consideration of the matter and consultation with relevant public bodies, I signed an Order on 9 November 2004 which provided for the inclusion of 13 additional institutions in the Schedule. A further Order was made on 1 July 2005 adding three institutions to the Schedule. The question of including additional institutions has now been fully considered by my Department in consultation with relevant Departments and it is not proposed to add any further institutions to the Schedule at this point.

Institutes of Technology.

1088. **Ms O'Sullivan** asked the Minister for Education and Science when she expects to transfer responsibility for institutes of technology to the Higher Education Authority; and if she will make a statement on the matter. [24472/05]

Minister for Education and Science (Ms Hanafin): As part of the proposals for modernisation and reform of the higher education sector contained in the OECD review of higher education in Ireland, the Government recently approved the early drafting of an Institutes of Technology Bill 2005 to transfer responsibility for the day-to-day management of the institutes of technology sector from the Department of Education and Science to a reconstituted Higher Education Authority. This will facilitate the development of a strategic approach to higher education within a unified policy framework and the gradual devolution to the institutes of technology of greater academic and managerial autonomy.

The Office of the Parliamentary Counsel to the Government is currently finalising the drafting of the Bill and expects to have a first draft available shortly. On completion of the drafting process,

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the draft Bill will be brought to Government seeking approval to publish. Transfer of responsibility for the institutes of technology will be effected when the legislation has been enacted.

1089. **Ms O'Sullivan** asked the Minister for Education and Science if she will consider setting up a direct entry system to institutes of technology for students with disabilities to facilitate their participation in higher education; and if she will make a statement on the matter. [24473/05]

1090. **Ms O'Sullivan** asked the Minister for Education and Science if she will address the problems experienced by students with disabilities in institutes of technology by requiring the colleges to draft and implement a policy on disability, by providing a duplicate fund for this purpose as well as for the employment of disability officers in the institutes of technology; and if she will make a statement on the matter. [24474/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1089 and 1090 together. The position at present is that six of the universities operate a direct entry system for students with a disability. The arrangements in place under the system, such as the points threshold for entry to courses, the type of courses that students can enter, and the selection procedures for admission to courses are matters for which each institution is responsible. In the institute of technology sector, the Dublin Institute of Technology also operates a direct entry system with its own admissions arrangements.

The absence of a formal direct entry system in the institutes of technology does not mean that the sector is not catering for students with a disability. A recent report for the Association for Higher Education Access and Disability, AHEAD, which examined the participation of and services for students with disabilities in the institutes of technology show that there were some 1,366 undergraduates with disabilities enrolled in the institutes in the 2004-05 academic year. This represented 2.7% of the undergraduate population in the institutes and is a significant improvement since 1998-99 when the rate was 1.5%.

The institutes of technology offer a broad range of courses at a range of levels such as higher certificate, ordinary degree and honours degree, many with low points requirements, and students with a disability can access their chosen

course, at higher certificate level if necessary, and then progress to their full potential.

As part of the implementation of the national action plan on access, the national office for equity of access to higher education is currently completing an evaluation of access programmes for all under-represented groups in higher education, including students with a disability. The evaluation aims to identify what works in access programmes and to support the development of good practice in all higher education institutions. Emerging findings point to the importance of clear policies and practical objectives and targets to achieve equity of access. Following completion of the evaluation in December 2005, the national office proposes to work with all institutions to develop their access policies and practice, and to encourage effective monitoring and evaluation of progress.

The national access office is also currently working with the Conference of Heads of Irish Universities to evaluate another direct entry system in place in some of the universities and the DIT for socio-economically disadvantaged students. The outcome of this evaluation, which is expected in January 2006, should be of assistance in establishing the merits of direct entry systems and also their impact on entry systems and procedures in general.

School Transport.

1091. **Mr. P. Breen** asked the Minister for Education and Science the amount of funding Bus Éireann received from the Department of Finance to operate the school bus service for 2001, 2002, 2003, 2004 and to date; and if she will make a statement on the matter. [24485/05]

Minister for Education and Science (Ms Hanafin): The funding allocated by my Department to Bus Éireann in the years 2001 to 2004, and in the year 2005 to date in respect of the school transport scheme is outlined as follows. The details provided refer to the value of payments made in each calendar year, although some payments would relate to services provided in the previous year.

2001	€71.3 million
2002	€87.3 million
2003	€92.6 million
2004	€94.6 million
2005 (to date)	€69.9 million

Additional funding is being provided to increase capacity on school transport services to provide one-for-one seating and seat belt equipped buses. The additional costs are as follows:

	Cost
Hiring of 250 extra vehicles:	€2 million
Recurrent cost for remainder 2005:	€5-6 million
Full year recurrent cost from 2006:	No capital cost
Purchase of 50 second hand coaches:	€7.5 million capital €2 million full year recurrent cost
Purchase 20 custom built school buses:	€3 million capital €0.75 million full year recurrent cost
Purchase further 66 buses next year:	€10 million capital €2.6 million recurrent cost
Lap belts for Bus Éireann buses:	€2.5 million once-off in 2005 €1.5 million once-off in 2006

Education Welfare Officer.

1092. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science if and when a second education welfare officer will be appointed for County Kerry; the number of referrals to the board from Kerry in the past three years; and if she will make a statement on the matter. [24492/05]

Minister for Education and Science (Ms Hanafin): The Education (Welfare) Act 2000 established the national educational welfare board as the single national body with responsibility for school attendance. The Act provides a comprehensive framework promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The general functions of the board are to ensure that each child attends a recognised school or otherwise receives a certain minimum education.

The service is developing on a continuing basis. The total authorised staffing complement is currently 94, comprising 16 HQ and support staff, five regional managers, 12 senior educational welfare officers, or SEWOS, and 61 educational welfare officers, or EWOS. The board has filled 13 vacancies arising from a recent recruitment campaign. The vacancies are specific to particular locations and comprise one SEWO post in Sligo and 12 EWO posts to be located as follows: four in Dublin, one in Athlone, Cavan, Ennis, Galway, Tullamore, Sligo, and two in non-fixed locations. The EWOS with non-fixed locations will not work from a designated headquarters but will be deployed by the board to meet urgent needs of the service throughout the country. Decisions relating to the assignment of staff to specific areas are a matter for the board, which is an independent statutory agency. As regards the Deputy's question relating to the number of referrals to the board from Kerry in the past three years, my Department has requested the NEWB to respond directly to the Deputy on the matter.

Schools Building Projects.

1093. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science the position regarding the provision of a new secondary school in Dingle, County Kerry; and if she will make a statement on the matter. [24500/05]

Minister for Education and Science (Ms Hanafin): The tender for the new community school in Dingle has been approved by my Department and a letter of intent has been issued to the contractor. Work on the new building is expected to commence shortly.

1094. **Ms O. Mitchell** asked the Minister for Education and Science the current status of the purchase plans for land for a school (details supplied) in Dublin 16; and if she will make a statement on the matter. [24524/05]

Minister for Education and Science (Ms Hanafin): My Department has identified a suitable site for the school referred to in the question. However, legal matters regarding title to the site in question need to be addressed by the local authority before the purchase of the site can be progressed further.

Juvenile Detention Schools.

1095. **Mr. Bruton** asked the Minister for Education and Science the number of places of detention available in the Dublin area for children who have received custodial sentences from the courts; the number of residential places provided in each year over the past ten years; the existing waiting lists for places for such persons who have gone through the courts system and who are under 18 years of age; and if she will make a statement on the matter. [24525/05]

Minister for Education and Science (Ms Hanafin): There are four children detention schools under the aegis of my Department in the

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Dublin area, providing residential services for children generally up to age 16 years, who have been convicted of an offence or placed on remand by a Court.

The four Dublin schools currently provide 74 places. Table 1 details the number of residential places provided in the ten year period from 1996 to 2005. The reduction in capacity requirements over recent years can be attributed to the provision of facilities for children within the health sector, the increasing view of detention as a last resort, consistent with the provisions of the Children Act 2001, and the development of alternatives to custody.

Currently, all requests for beds in the children detention schools from the courts are channelled centrally via the special residential services board. This board was established pursuant to the Children Act 2001. Its function is to provide policy advice to my Department and to the Department of Health and Children on the remand and detention of children and to ensure the effective, efficient and co-ordinated delivery of services to children in respect of whom children detention orders or special care orders are made. The board liaises with the courts, and advises, on request, with regard to suitable bed placements or alternate child care options depending on the case circumstances. There is on-going co-ordination by the board with the various agencies, including my Department, to provide appropriate placements to meet the needs of the individual child. The board has confirmed that it does not operate a placement waiting list for children up to age 16 years. At present, the number of places available in the children detention school sector can provide adequately for the number of children committed by the courts.

The provision of detention places for young people over age 16 years and under 18 years of age is the responsibility of the Minister for Justice, Equality and Law Reform. For the purpose of this question, a juvenile is assumed to be a person under 18 years of age. There are currently no places reserved solely for juveniles in the prison system. In practice, the majority of juveniles committed to custody are detained in St. Patrick's Institution, which is a closed institution reserved in law exclusively for male offenders aged 16 to 21 years. St Patrick's Institution currently has bed capacity for 217 prisoners, a figure which has increased from 172 in the mid 1990s. In addition, each of the prisons in the State can accommodate persons aged 17 years and over. As the prison system must accommodate all those committed to its custody from the courts, it does not therefore operate on a waiting list system.

There were ten male offenders aged 16 years of age in custody on 21 September 2005. Each of these persons was detained in St Patrick's Institution. In addition, there were 45 male offenders aged 17 years of age in custody on that date. The details are set out in table 2. On the same date, there were no female juveniles in the prison system.

Offenders under the age of 15 years cannot be committed to a prison under any circumstances. Fifteen year old male prisoners and 15 and 16 year old female offenders can be committed to prison only in exceptional circumstances. This can occur only in cases where the court certifies under the provisions of Sections 97 and 102 of the Children Act 1908, that the young person is so unruly or depraved of character that he or she cannot be detained in a place of detention provided under Part V of the Act.

Table 1: The number of residential places for children up to age 16 years convicted of an offence or placed on remand by a Court in the 10 year period 1996 to 2005.

Year	Total number of places.	Number of places in Dublin.
1995	226	151
1996	226	151
1997	226	151
1998	226	151
1999	226	151
2000	185	135
2001	142	102
2002	142	102
2003	130	110
2004	121	81
2005	114	74

Table 2

Prison	Remands	For Trial	Trial & Remand	Sentenced	Total
Cloverhill	1	0	2	0	3
Cork	0	0	0	2	2
Limerick	0	0	0	1	1
St Patrick's	8	1	0	29	38
Wheatfield	0	0	0	1	1
Total	9	1	2	33	45

School Transport.

1096. **Ms O. Mitchell** asked the Minister for Education and Science if either or all of the Garda Síochána, the Health and Safety Authority and Bus Éireann investigations into the County Meath school bus crash in May 2005 are completed; and if she will publish their results. [24568/05]

Minister for Education and Science (Ms Hanafin): It is a matter for the independent board of inquiry commissioned by Bus Éireann to investigate the County Meath school bus crash to determine the timeframe for completion of its investigation. I am not aware that any decision has been taken regarding the publication of the investigation report.

Current progress on the other investigations referred to by the Deputy and the publication of their results are matters for the Garda and the Health and Safety Authority, respectively.

1097. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science if and when she intends to initiate a detailed review of school bus transport catchment boundaries in view of recent difficulties with the system; if she has engaged in discussions with the local education service providers and the transport liaison officers in this regard; and if she will make a statement on the matter. [24577/05]

1139. **Mr. P. Breen** asked the Minister for Education and Science her plans to alter and change the catchment areas for post-primary school pupils in view of the recent changes in the school bus situation; and if she will make a statement on the matter. [24892/05]

1205. **Mr. Deasy** asked the Minister for Education and Science if her Department will carry out a review of the catchment boundaries for school transport purposes in view of the difficulties that have arisen at the commencement of the school year 2005-2006; the number of applications she has received from educational interests in each county over the past two years; and if this resulted in any changes to catchment

boundaries; and if she will make a statement on the matter. [25475/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1097, 1139 and 1205 together.

Catchment boundaries have their origins in the establishment of free post-primary education in the late 1960s. For planning purposes, the country was divided into geographic districts, each with several primary schools feeding into a post-primary centre with one or more post-primary schools. The intention was that these defined districts would facilitate the orderly planning of school provision and accommodation needs. They also facilitated the provision of a national school transport service, enabling children from remote areas to get to their nearest school.

While the service has been developed over the years to take account of such factors as linguistic and denominational considerations in the matter of school choice, it was never the intention that such choice would be unlimited. Clearly, the cost of operating such a scheme would be unsustainable, especially in the context of competing demands, including the major safety programme my Department is implementing at present.

A review of catchment boundaries may be appropriate where, for example, a new post-primary school is established in an area where previously there was none or, conversely, where a "sole provider" school closes due to declining enrolment. Furthermore, while it is reasonable for parents to exercise educational choice, expectation as to the extent to which that choice can be facilitated must be tempered with realism. To revise boundaries in order to provide school transport for pupils to their school of choice would not be appropriate.

Schools Building Projects.

1098. **Mr. Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 638 of 28 June 2005, when a decision will be made on the application; and if she will make a statement on the matter. [24583/05]

1167. **Mr. Naughten** asked the Minister for Education and Science if she will approve an application for funding to a building unit (details supplied) in County Roscommon; and if she will make a statement on the matter. [25090/05]

Minister for Education and Science (Ms Hanafin): I propose to take Question Nos. 1098 and 1167 together.

The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

School Transport.

1099. **Ms O. Mitchell** asked the Minister for Education and Science the number of new and of existing catchment/boundary and other concessionary students who have failed to secure a seat in the school bus system as of mid September 2005. [24584/05]

Minister for Education and Science (Ms Hanafin): It is difficult to give a precise answer to the Deputy's question for a number of reasons. In the first instance, a large number of families do not submit remittances until very shortly before, or even after the new school year is under way, and this has been the case this year. In addition, a large number of new applications on behalf of eligible children, catchment boundary children and concessionary children have been received since the school year began and these are currently being processed.

The position with regard to available seats is changing on a daily basis as arrangements are being put in place to accommodate fresh applications and as remittances are received. In addition, some primary schools are returning unused tickets for cancellation that were originally issued to fully eligible children but were subsequently not needed. This has in turn released seats for re-allocation. Tickets are still in the process of being returned. Currently, 260 new catchment boundary applicants who have submitted remittances are awaiting transport being made available. A further 142 post primary children and 240 primary children have applied for transport on a concessionary basis. Some of the applications pending for concessionary post primary students relate to students attending post leaving certificate courses.

Each year, student who live within three miles from the post primary centre of their catchment or two miles from their national school apply for

a place on a concessionary basis. To date, 151 post primary children and 234 primary children have applied for transport on a concessionary basis only, and to date have been refunded moneys because no transport was available for concessionary applicants on the routes concerned. In the overall context of an operation which involves the transportation of 138,000 children on a daily basis, these figures are not significant and may be further reduced in the context of the rapidly changing situation outlined. In addition to all eligible pupils, Bus Éireann is endeavouring to ensure, through the organisation and management of routes and services, that all existing catchment boundary pupils are carried and that new catchment boundary pupils will be facilitated to the greatest possible extent. Concessionary pupils will continue to be carried on an incidental basis subject to seat availability.

School Staffing.

1100. **Ms O. Mitchell** asked the Minister for Education and Science if she will grant the sanctioning of a second full-time teacher to a school (details supplied) in Dublin 18. [24596/05]

Minister for Education and Science (Ms Hanafin): In the case of a new primary school, the enrolment required for the appointment of the first mainstream class teacher in the first year of operation is 20 pupils. This enrolment must be achieved by 30 September.

The school referred to by the Deputy is a new school which opened in September 2005. The board of management of the school has projected an enrolment of 20 pupils on 30 September 2005 and, based on this projected enrolment, my Department has approved the appointment of a temporary teacher until 30 September.

The enrolment of the school will be reviewed in October 2005. It will be necessary for the board of management to confirm in writing to the primary payments section of my Department the actual enrolment achieved in the school on 30 September 2005. The confirmation letter must reach primary payments section within five days of 30 September 2005. It will then be considered.

Schools Building Projects.

1101. **Ms O. Mitchell** asked the Minister for Education and Science the status of an application for a capital grant for additional classrooms for a school (details supplied) in Dublin 16 which was submitted in January 2002. [24597/05]

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.

Languages Programme.

1102. **Ms O. Mitchell** asked the Minister for Education and Science the status of the review on the circular 12/96 to afford pupils attending private schools to obtain a Department exemption in Irish. [24598/05]

Minister for Education and Science (Ms Hanafin): The review of circular 12/96 is ongoing. It is expected that the review will be completed and a revised circular issued to schools in the current school term.

School Staffing.

1103. **Mr. P. Breen** asked the Minister for Education and Science further to Parliamentary Question No. 441 of 29 June 2005, when a full-time resource teacher for a school (details supplied) in County Clare will be in place; and if she will make a statement on the matter. [24607/05]

Minister for Education and Science (Ms Hanafin): I am aware of the case referred to by the Deputy concerning the allocation of a resource teacher for Travellers post for pupils in the school in question.

The school in question has the services of a shared RTT post which is currently based in another school in the area. My Department's inspectorate has recently reviewed the needs of all Traveller pupils in the area concerned and has recommended a reorganisation of the delivery of this service to the schools in question. My officials are currently examining the recommendation and will be in contact with the relevant school authorities to advise them of the outcome in the near future.

Special Educational Needs.

1104. **Mr. O'Shea** asked the Minister for Education and Science the proposals she has to provide a third level institution for persons with mild or moderate intellectual disability; and if she will make a statement on the matter. [24658/05]

Minister for Education and Science (Ms Hanafin): The work of the HEA, National Office for Equity of Access to Higher Education is directed towards facilitating increasingly inclusive and equitable access to higher education from amongst under-represented groups in the sector, including persons with a disability. This work includes managing the access strand of the HEA strategic initiative fund which has supported the

development of core infrastructure on the part of higher education institutions targeting the increased access and participation of under-represented groups. The national office also manages the fund for students with disabilities.

In December 2004, the national office published a three year action plan "Achieving Equity of Access to Higher Education". Among the key objectives of this plan are the development of a national framework of policies and initiatives for successful access programmes, encouraging and supporting partnerships and collaboration at all levels of the education system towards increased access and participation in higher education by under-represented groups, including students with a disability.

An important element of this work, for the national office and higher education institutions, will include collaborating with the recently established National Council for Special Education who have a particular remit in advising and supporting the process of planning for the participation and progress of students with special educational needs, including what provisions may need to be made to assist such a student in continuing his or her education on becoming an adult. The work of the national qualifications authority and the two awarding councils in developing equitable and transparent routes of access, transfer and progression through the national qualifications framework will also be key to the further development of effective access policies and programmes.

Under the HEA strategic initiative fund for access, funding allocated to the seven universities and four other HEA funded institutions includes support for initiatives targeted at increasing the participation of students with a disability in higher education. Since the commencement of this funding programme in 1996 more than €10.5 million has been allocated to institutions to support the development of core disability access infrastructure, such as the establishment of dedicated disability offices and personnel and towards the development of practical support strategies and accommodations for this group of students.

The ESF aided fund for students with disabilities was introduced in 1994. Since 2004 the fund has been administered by the national office. It provides support for students in further and higher education who have serious sensory, physical, or learning disabilities. The aim of the fund is to assist students with disabilities to access and participate fully in higher and further education by providing support for the provision of equipment and services. The kind of supports and assistance for which funding can be sought falls into three broad categories: equipment: e.g. assistive technology and specialised software linked directly to the students disability; assistance: e.g. sign language interpreters; personal assistants; note takers; speed text operators;

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services: e.g. transport for students with a physical disability; additional tuition; learning supports; photocopying.

The preliminary results of a recent survey conducted by AHEAD, the Association for Higher Education Access and Disability, indicates that participation by students with a disability in third level education has improved over the past decade. In 2004 students with a disability represented 2.4% of all undergraduate students in higher education institutions, compared to a participation rate of only 0.6% in 1994. Figures from individual institutions support this indication of growth and point to the need for continued and increased supports for increasing numbers of students with a disability who form up to 8% of the student population of some third level institutions. A substantial proportion of this rise in participation is accounted for by increased participation or identification of students with specific learning difficulties such as dyslexia who form more than 52% of students with a disability. Other categories include 16% who have a mobility disability; 5% who are blind or visually impaired; 7% who are deaf or hard of hearing; 8% who have mental health difficulties and 12% who have other disabilities.

I will continue to support the higher education institutions in their efforts to increase participation for students with disabilities.

1105. **Mr. Ring** asked the Minister for Education and Science the reason the resource hours for a person (details supplied) in County Mayo have been taken away and when they will be restored. [24678/05]

Minister for Education and Science (Ms Hanafin): My Department reviewed the file on the child concerned in the last school year and based on the documentation submitted to my Department it was determined that the child concerned falls into the high incidence disability category.

As the Deputy is aware, a new general allocation system has been announced under which schools have been provided with resource teaching hours, based on their enrolment figures, to cater for children with high incidence special needs such as dyslexia and those with learning support needs. Under the new system, the school's allocation is one full time post and five hours.

The posts being provided under the new general allocation scheme are designed to ensure that each school has enough resource teaching hours to meet the needs of children with high incidence special needs, such as dyslexia and children with learning support needs. Resource teaching hours for children with low incidence special needs, such as hearing impairment, will

continue to be provided on the basis of an individual application for each child. It is a matter for each school to determine the pupils with high incidence special education and learning support needs that will receive this support. Each school has been allocated enough resource teaching hours to provide its pupils with a level of support appropriate to their needs.

The school can use its professional judgment to decide how these hours are divided between different children in the school, to ensure that all their needs are met. Research shows that some children with special needs will respond better with one-to-one tuition. Others, however, do better when taught in small groups. Often it is best for resource teachers to work with children in the classroom rather than taking them away to a separate room, as the children then have to catch up work done by the rest of the class in their absence. The point is that the type of response needed depends on the child.

My Department has recently issued a comprehensive circular, Sp Ed 02/05, to all primary schools regarding the organisation of teaching resources for pupils who need additional support in mainstream primary schools. The main purpose of this circular is to provide guidance for schools on the deployment and organisation of the teaching resources allocated under the general allocation model. This circular also refers to the deployment of additional teaching resources that are allocated to schools for the support of individual pupils with low incidence disabilities.

School Transport.

1106. **Mr. Ring** asked the Minister for Education and Science the number of children in a village (details supplied) in County Mayo being picked up by school transport; the reason a route is being used where there are no children; and the further reason the Department is paying for transport along a route where there are no children. [24679/05]

1117. **Mr. Ring** asked the Minister for Education and Science the reason her Department has a school bus taking a particular route (details supplied) in County Mayo where there are no children to be picked up. [24748/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1106 and 1117 together.

Bus Éireann administers the school transport scheme, including the planning of bus routes, on behalf of my Department. In general, Bus Éireann plans routes in such a way as to ensure that, as far as possible, no eligible child will have more than 2.4 kilometres to travel to a pick-up-point. Pupils living off the route of a service are

generally expected to make their own way to convenient pick-up points along the route. Home pick-ups were never envisaged as being part of the school transport scheme as the cost involved at a national level would be prohibitive.

I understand the family referred to by the Deputy resides 1.1 kilometres from the bus service route to the school concerned. This is considered to be a reasonable level of service within the context of the general operation of the scheme and, as there would be additional costs involved in re-routing the current service, it is not proposed to sanction a change of route.

I should point out, however, that there is a facility available whereby parents of eligible children who are accommodated within my Department's school transport guidelines may pay to have a bus route changed. Payment in respect of such payable extensions should generally be made to the local Bus Éireann office in advance of each school term.

1107. **Mr. Ring** asked the Minister for Education and Science if the figure awarded to a person (details supplied) in County Mayo to pay for transport to bring their child to school will be increased. [24680/05]

1131. **Mr. Ring** asked the Minister for Education and Science the reason children in County Mayo are being refused school transport following the closure of a primary school (details supplied). [24823/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1107 and 1131 together.

I understand the family referred to by the Deputy reside 5.4 miles from Drumslide national school and that there is no service operating to that school from their area. I further understand that the pupil concerned previously attended Shranamonragh national school and after the closure of this school in June moved to Drumslide national school.

In cases where families are considered to live remote from the main body of pupils on a particular school transport service, as the cost involved in extending the service may be prohibitive, my Department offers grant aid towards the cost of private transport arrangements.

My Department has offered the family concerned a grant of €4.20 per day, which is the maximum rate of grant payable in this case, towards the cost of private transport arrangements from their home to Drumslide national school.

1108. **Mr. Ring** asked the Minister for Education and Science if school transport will be provided to children (details supplied) in County Mayo. [24681/05]

Minister for Education and Science (Ms Hanafin): Under the terms of my Department's school transport scheme, transport may be provided in respect of catchment boundary pupils, subject to there being room available on a service after all fully eligible children have been accommodated, and provided there is no additional cost involved by way of extending a service, or introducing a larger bus.

My Department recently received a report from the transport liaison officer for County Mayo, confirming that the pupils to whom the Deputy refers reside within the Ballina catchment area. They are, however, in receipt of catchment boundary transport to Crossmolina and they have been issued with tickets.

Special Educational Needs.

1109. **Mr. Ring** asked the Minister for Education and Science the help which is available to assist a person (details supplied) in County Mayo to purchase a laptop or computer as an aid in third level studies. [24682/05]

Minister for Education and Science (Ms Hanafin): The fund for students with disabilities, which is ESF-aided, was introduced in 1994. It provides funding to students with disabilities attending courses in third level institutions and, since 1998, in post-leaving certificate centres. This fund is administered by the National Office for Equity of Access to Higher Education — the national office.

The purpose of the fund is to provide 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. To be considered eligible for the fund an applicant must meet the prescribed criteria.

Applications for assistance are made by the individual students through the disability-access officer of a third level Institution on registration. Decisions on applications are taken by the national office, and verified by an independent panel comprising representatives of agencies and individuals who have experience of working with people with disabilities.

Teaching Qualifications.

1110. **Mr. Ring** asked the Minister for Education and Science when the qualifications of a person (details supplied) in County Mayo will be recognised on appeal by her Department; and if she will make a statement on the matter. [24683/05]

Minister for Education and Science (Ms Hanafin): The Registration Council is the statu-

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tory body responsible for the recognition of qualifications for the purposes of post-primary teaching here. The council stipulates that to be eligible for recognition as a post-primary teacher, a person must hold: a suitable degree or equivalent award, not including a training-in-teaching qualification, but with recognised post-primary subject(s) taken as major component(s) of the degree programme. The duration of such a degree programme must be at least three years of full-time study or equivalent, and, a recognised training-in-teaching qualification equivalent to the higher diploma in education. The duration of such a programme must be at least one year of full-time study, or, a suitable degree or equivalent award with recognised post-primary subject(s) taken as major component(s) of the degree programme, incorporating a training-in-teaching course recognised as being equivalent to the higher diploma in education. The duration of such a degree programme must be at least four years of full-time study or equivalent.

Following a detailed examination of the qualifications of the person referred to by the Deputy, the Registration Council decided that these qualifications did not satisfy the requirements. The person was notified of this decision and of the reasoning behind it in April 2005. The decision has now been appealed and the appeal will be considered at the next meeting of the council, due to take place on 29 September.

Higher Education Grants.

1111. **Mr. Ring** asked the Minister for Education and Science if the once-off benchmarking pay award to persons employed in local authorities is fully assessable as reckonable income for the purposes of the higher education grant scheme; and if she will make a statement on the matter. [24684/05]

Minister for Education and Science (Ms Hanafin): The assessment of means for all applicants under my Department's third level student maintenance grant schemes is based on gross income from all sources in the immediately preceding tax-year, with specified social welfare and health board payments being excluded from the calculation.

The general position in regard to once-off payments is that part or all, as the case may be, of the payment can only be excluded from the reckonable income for 2004 on production of an amended P21 from the tax office confirming the amount of the payment appropriate to that tax year. My Department understands that the P21 will only be amended by the tax office if the client in question provides a letter from his employer confirming the breakdown of the benchmarking

payment and the year(s) to which it is appropriate.

In the event that it is confirmed, in the case referred to by the Deputy, that only a portion of the benchmarking payment is attributable to the particular tax year under review, 2004, only that portion will be taken in account for the purposes of the 2005-06 grant application.

Modern Language Teaching.

1112. **Mr. Ring** asked the Minister for Education and Science if a school (details supplied) in County Mayo will be included in the modern languages in primary schools initiative. [24685/05]

Minister for Education and Science (Ms Hanafin): My Department launched a pilot project for modern languages in primary schools in September 1998. The aims of the pilot project included the development of communication skills in four target languages which are French, German, Spanish and Italian, the fostering of positive attitudes to language learning and the diversification of the languages taught in schools. To achieve these aims in the project schools the teaching of a modern European language to pupils in 5th and 6th class was introduced.

When the project started, 270 schools were selected for participation. The project has since been renamed as the modern languages in primary schools initiative and there are now 394 participating primary schools. The number of schools which can be accepted into the initiative is limited and a waiting list system is now in place. Schools which opt out of the initiative are replaced with schools from the waiting list.

Higher Education Grants.

1113. **Mr. N. O'Keefe** asked the Minister for Education and Science if a higher education grant will be awarded to a person (details supplied) in County Cork. [24737/05]

Minister for Education and Science (Ms Hanafin): The decision on eligibility for third level grants is a matter for the relevant local authority or VEC. 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. 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 s/he has been unjustly refused a maintenance grant, or that the rate of grant awarded is not the correct one, s/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 schemes correctly in his or her case, a letter outlining the position may be sent to my Department. Alternatively, as already indicated, the local authority or VEC may, itself, in exceptional circumstances, seek clarification on issues from my Department. However, it is not open to me, or my Department, to depart from the terms of the maintenance grants schemes in individual cases.

I understand from the information provided by the Deputy that the candidate has already pursued and completed one year of a degree programme and is currently a first year student on a second degree programme. Section 7.6 of the higher education grants scheme provides that a candidate that has previously pursued an undergraduate course approved for the purposes of the scheme is not eligible to be considered for grant assistance until they have completed an equivalent period of study at undergraduate level, irrespective of whether or not a grant was paid previously. A similar provision exists in the VEC's scholarship scheme.

The candidate may be considered for grant assistance, subject to the usual terms and conditions, once she has completed the equivalent period of study on the current course and progresses, for the first time, to year two of the undergraduate course.

Third Level Completion Rates.

1114. **Mr. Kenny** asked the Minister for Education and Science the drop out rates in each of the universities and institutes of technology in the past five years; and if she will make a statement on the matter. [24741/05]

Minister for Education and Science (Ms Hanafin): The statistical information requested by the Deputy in respect of individual third level institutions is not available in my Department. The most recent figures on general attrition rates for third level education are the result of research carried out, at the request of my Department, by the educational research centre at St. Patrick's College, Drumcondra, Dublin which published surveys of completion rates in undergraduate courses in the institutes of technology in 2000 and in the universities in 2001. The average drop out rate in the case of the universities was found to be 15% while in the case of the institutes of technology it was found to be 42%. It should be noted, however, that there were differences between fields of study in both surveys with subject areas such as computing, engineering and science showing higher non-completion rates than business studies and the humanities.

The Dublin Institute of Technology also conducted a similar survey which showed an overall non-completion rate of 39.46% for the 1994 cohort of full-time first year students.

International and national research has identified a wide range of reasons students do not complete their courses. These reasons may relate to individual student factors such as age, personality, student background and finances or to institutional factors such as college selectivity and size of institution or to a combination of both individual and institutional factors such as levels of commitment, compatibility and student faculty interaction.

Through the strategic initiative scheme, the HEA has worked to support the universities and other HEA designated institutions to identify and address student non-completion. The student retention initiative was introduced in 2000 and funded appropriate pilot projects and activities that examined and improved student retention and participation in HEA funded institutions. Since 2000 a total of €4.659 million has been allocated under the student retention strategic initiative.

In addition, the technology in education strategic initiative supports a range of activities including those that specifically address non-completion in IT-related areas. Since 2000 a total of €4.478 million has been allocated under the technology in education strategic initiative.

Since 1999, additional funding has been provided to the technological sector to address the area of non-completion. This funding has supported the appointment of retention officers and school liaison officers, provision of additional advisory services including counselling, academic support and career guidance, the establishment of staff training seminars, upgrading of orientation programmes and the expansion of mentoring programmes.

I have also sanctioned a number of additional financial supports to alleviate the financial difficulties faced by disadvantaged students. The most notable of these supports include the top-up maintenance grant and the student assistance-access fund.

The HEA is working with the universities and institutes of technology in the development of a new electronic student records system which should facilitate the collection of a wider range of data in regard to student completion. A critical part of this system will be the use of the public personal security number, PPSN. The first full collection of this data is scheduled for autumn 2005 and this will provide a new baseline to measure completion rates as that cohort and future cohorts move through their courses.

The Council of Directors of Institutes of Technology and the president of DIT have recently commissioned the Circa Group, an independent consultant, to formulate a report on completion

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rates for students taking full-time programmes of study in institutes of technology between 1999 and 2004. This will, in effect, consider programmes leading to awards in 2002, 2003 and 2004.

The final report will include an up-to-date literature review with national and international comparisons, an analysis and interpretation of completion rates on full-time academic programmes based on information provided by the 14 institutes participating, and proposals for further studies. Key assessment points will be pass rate for first year — eligible to progress to next year or level of course — completion of full academic programme in scheduled time, or allowing one year for repeats, and gender differences in performance. The report is expected to be available in early 2006.

Special Educational Needs.

1115. **Mr. Ring** asked the Minister for Education and Science further to Parliamentary Question No. 552 of 21 June 2005, her views on whether the implementation of the general allocation scheme will not ensure that each school has enough resource teaching hours to meet the needs of children with high incidence special needs. [24746/05]

1116. **Mr. Ring** asked the Minister for Education and Science the person who made the decision pertaining to children with Down's syndrome no longer being eligible to receive resource hours; if this person has experience of teaching children with Down's syndrome; the way in which decisions are arrived at without ever seeing the child in the classroom environment; and if she will make a statement on the matter. [24747/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1115 and 1116 together.

As the Deputy is aware, a new general allocation system has been introduced under which schools are being provided with resource teaching hours, based on their enrolment figures, to cater for children with high incidence special needs such as dyslexia and those with learning support needs.

My Department has issued a comprehensive circular, Sp Ed 02/05, recently to all primary schools regarding the organisation of teaching resources for pupils who need additional support in mainstream primary schools. The main purpose of this circular is to provide guidance for schools on the deployment and organisation of the teaching resources that were allocated under the general allocation model. This circular also refers to the deployment of additional teaching resources that are allocated to schools for the

support of individual pupils with low incidence disabilities.

It is a matter for each school to determine the pupils with high incidence special education and learning support needs that will receive supplementary teaching support. Each school will have enough resource teaching hours to provide its pupils with a level of support appropriate to their needs.

My Department has reviewed the file on the child concerned in the last school year and based on the documentation submitted to my Department it was determined that the child concerned falls into the high incidence category.

The professionally-assessed needs of the individual child determine the appropriate model of response in each case. It would appear that a significant percentage of children with Down's syndrome have been assessed as having a mild general learning disability which comes under the high incidence disability category. Such pupils fall to be catered for from within a schools general allocation of resource teaching support. The school in question has been allocated one full-time post and 2.5 part-time hours under the general allocation system.

The school can use its professional judgment to decide how these hours are divided between different children in the school, to ensure that all their needs are met. Research shows that some children with special needs will respond better with one-to-one tuition. Others, however, do better when taught in small groups. Often it is best for resource teachers to work with children in the classroom rather than taking them away to a separate room, as the children then have to catch up on work done by the rest of the class in their absence. The point is that the type of response needed depends on the child. There is nothing to stop the school from allocating one-to-one resource teaching support to this pupil if they feel that this is the best type of support to meet her needs.

In circumstances where a Down's syndrome child has other associated needs and would fall into the low incidence disability categories, this may automatically attract an individual resource teaching allocation. Such applications should be referred to the local special educational needs organiser, SENO, by the school.

Question No. 1117 answered with Question No. 1106.

Vocational Education and Training.

1118. **Mr. P. Breen** asked the Minister for Education and Science the reason a school (details supplied) in County Clare has been refused to start new FETAC courses; and if she will make a statement on the matter. [24757/05]

Minister for Education and Science (Ms Hanafin): Vocational preparation and training programmes, VPT, courses must be full-time and of one or two years duration only. Courses must conform with the format set out for VPT programmes as follows: Area of study and hours as a percentage of time; vocational studies, 400-480 hours, 50-60%, 5-6; general studies, 160-240 hours, 20-30%, 2-3; preparation for work-work experience, 160-240 hours, 20-30%, 2-3; total, 720-960 hours.

The proposed new VPT courses in community and health services child-care in the college in question do not conform with the requirement of at least 720 hours per annum.

In the case of business studies, approval for a one year full-time course has been granted. However, my Department has refused approval for a similar course requiring part-time attendance over two years.

Separately, the Deputy may be interested to note that each year under the back to education initiative, BTEI, my Department will consider proposals from VECs and schools for funding for part-time courses. The BTEI provides opportunities to return to learning for young people and adults, a re-entry route for those in the workplace who wish to upgrade their skills in line with emerging needs, and with its emphasis on part-time provision, the chance to combine a return to education and training with family, work and other responsibilities.

Prioritisation of courses for delivery, in full-time mode under the VPT programme or, in part-time mode under the BTEI, is an operational matter for determination locally by the VEC.

Teaching Qualifications.

1119. **Mr. Kehoe** asked the Minister for Education and Science the requirements or qualifications necessary in respect of home-based school teachers; and if she will make a statement on the matter. [24758/05]

Minister for Education and Science (Ms Hanafin): My Department is responsible for the regulation of the professions of primary school teacher, community and comprehensive school teacher, vocational school teacher and teacher or lecturer in the institutes of technology. These are regulated professions under the EU directive on the mutual recognition of professional qualifications, and the requirements for recognition of qualifications in this area are set out in the Department's website.

My Department does not regulate teacher qualifications in the private sector, or prescribe minimum qualifications for home educated pupils. The Department's guidelines on the assessment of education in places other than recognised schools, published in 2003, state in

section 4.5 that there is no requirement for home based educators to have any special qualifications. However, they must demonstrate a commitment and capacity to provide an education suitable to the needs of the child. The guidelines set out the basis on which a certain minimum education may be assessed for the purpose of meeting the requirements of the Education (Welfare) Act. Under the Act, the National Educational Welfare Board is responsible for ensuring that each child attends a recognised school or otherwise receives a suitable minimum education.

Pension Provisions.

1120. **Mr. Ring** asked the Minister for Education and Science if her Department will be responsible in the future for paying pension increases directly to retired teachers rather than the Department sending a circular to the vocational educational committee. [24760/05]

Minister for Education and Science (Ms Hanafin): Responsibility for the award of pensions and retirement gratuities to former staff of institutes of technology, IOTs, and vocational education committees, VECs, is a matter for either the VEC or IOT, which decides the level of gratuity and rate of pension payable to each individual, and by the associated local authority, county council or borough authority, which makes the actual payments. As serving staff, including teachers, are directly employed and paid by IOTs and VECs, I do not propose that the pension payment function should transfer to my Department.

However, arising from the transfer to my Department from the Department of the Environment and Local Government of the regulatory function in respect of superannuation schemes for IOT and VEC staff, it has been agreed between my Department and that Department that it would be administratively more appropriate that responsibility for the pension payment function should transfer from the local authorities to the VECs and IOTs, where appropriate. Discussions involving the respective Departments, VECs, IOTs, local authorities and other interested parties, in regard to the arrangements for the transfer of payments are currently under way.

Third Level Sector.

1121. **Mr. O'Shea** asked the Minister for Education and Science the proposals she has to establish a university in Waterford city; and if she will make a statement on the matter. [24765/05]

1122. **Mr. O'Shea** asked the Minister for Education and Science the proposals she has to establish a university in Waterford city (details supplied) on the basis that Waterford is the larg-

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est city in the region; and if she will make a statement on the matter. [24766/05]

1123. **Mr. O'Shea** asked the Minister for Education and Science the proposals she has to address the major weakness in the south eastern region regarding the low level of investment in higher education; and if she will make a statement on the matter. [24767/05]

1125. **Mr. O'Shea** asked the Minister for Education and Science if she has given serious consideration to the concept of the university of the south east with the hub campus in the regional capital Waterford and satellite campuses in the other counties in the region; and if she will make a statement on the matter. [24769/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1121, 1122, 1123 and 1125 together.

Third level education in the south-east region is provided by the institutes of technology at Waterford and Carlow.

In 2004, an expert group from the OECD carried out a major review of our higher education system. In the course of its review, the expert group visited Ireland and consulted extensively with all the major education stakeholders. In its report, published in September 2004, it recommended that the differentiation of mission between the university and the institute of technology sectors be preserved and that for the foreseeable future there should be no institutional transfers into the university sector.

There are no plans to change the status of Waterford Institute of Technology.

In the event that any institute of technology were to apply for university status, the application would be processed in accordance with section 9 of the Universities Act 1997.

Recurrent funding for third level education in the south-east region in 2005 is approximately €59 million which represents an increase of some €31 million, or 110%, since 1997. In addition, capital investment in third level infrastructure in the south-east over this period has been of the order of €83 million.

Third Level Education.

1124. **Mr. O'Shea** asked the Minister for Education and Science the proposals she has to bring about a higher participation rate at university for students in the south-eastern region; and if she will make a statement on the matter. [24768/05]

1126. **Mr. O'Shea** asked the Minister for Education and Science her views on whether admission rates to university from among the population of the south-eastern region are 25% below

rates from the west region; and if she will make a statement on the matter. [24770/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1124 and 1126 together.

The most recent evidence available on participation in higher education by county background comes from the HEA review of participation in higher education in 2003. This report shows very encouraging levels of participation in the south eastern region.

	2003	1998
Tipperary	.61	.49
Waterford	.58	.41
Wexford	.57	.44
Carlow	.57	.44
Kilkenny	.54	.41

The comparable figures for the western counties are as follows:

	2003	1998
Sligo	0.62	0.56
Galway	0.64	0.57
Mayo	0.65	0.56
Roscommon	0.62	0.50
Leitrim	0.75	0.53
National	.54	.44

It will be noted that the data indicates for 2003 confirms that all of these counties are at or in excess of the national average, and Kilkenny is at the national average. I am confident that this trend will continue to increase as the Government continues to improve access measures and financial support for students in higher education.

Question No. 1125 answered with Question No. 1121.

Question No. 1126 answered with Question No. 1124.

Schools Building Projects.

1127. **Mr. Ring** asked the Minister for Education and Science the position regarding an extension to a secondary school (details supplied) in County Mayo; the stage at which it is at present; when it is expected to progress to the next stage; her Department's plans in relation to the health and safety risk presently at that school; and if she will make a statement on the matter. [24780/05]

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 Department's officials recently wrote to the school requesting a condition report on the existing mechanical and electrical services as a matter of urgency together with a revised stage 1-2 submission, outline sketch scheme, and a response is awaited before further progression of the project.

As a voluntary secondary school, it is privately owned and managed and it is the responsibility of the board of management to address health and safety issues that arise at the school. This is underpinned in the Education Act. In practical terms, individual school authorities are best placed to assess the detail of their own health and safety requirements. My Department also sets aside a contingency sum each year to deal with emergency works in primary and post-primary schools, including health and safety works. In addition, the summer works scheme was introduced during 2004 which provided capital grants for improvement works at primary and post-primary schools. It is open to the school authorities to apply for works under this scheme and the closing date for receipt of applications under the summer works scheme 2006 is 14 October 2005.

School Transport.

1128. **Mr. Noonan** asked the Minister for Education and Science if her attention has been drawn to the fact that for some years school transport was provided to a school (details supplied) in County Limerick for children outside the catchment area of that school resident in Mungret and Clarina, County Limerick; if her attention has further been drawn to the fact that six first year students have been refused this facility in 2005; if her attention has further been drawn to the fact that the service is provided in a 24-seater bus which never carries more than 13 children; if she will restore the service to the six children in question; and if she will make a statement on the matter. [24786/05]

Minister for Education and Science (Ms Hanafin): Under the terms of the post-primary school transport scheme, a pupil is eligible for transport if he or she resides 4.8 kilometres or more from her or his local post-primary education centre, that is, the centre serving the catchment area in which he or she lives. In addition, an eligible pupil may be allowed the concession of transport, known as catchment boundary transport, to a centre other than her or his local centre, provided there is room on the bus to that centre after all eligible pupils have been catered for.

Pupils from the areas referred to by the Deputy who reside within the Limerick city catchment area may apply for catchment boundary transport. The decision in regard to the post-primary

centre concerned was made following a full assessment of all relevant factors, and there is no proposal to reverse it.

1129. **Mr. McGuinness** asked the Minister for Education and Science the cost to the Government of the school transport system; the method of payment to Bus Éireann; the way in which service and customer satisfaction is monitored; if she has satisfied herself with the deal between Bus Éireann and the private contractors and the way in which they are paid; if there is a tender process each year; and if she will make a statement on the matter. [24801/05]

Minister for Education and Science (Ms Hanafin): The total amount paid by my Department to Bus Éireann in 2004 in respect of the school transport scheme was € 94.6 million. The company is paid on the basis of monthly accounts submitted to my Department.

Additional funding is being provided to increase capacity on school transport services in order to provide one-for-one seating and seat belt equipped buses. The additional costs are as follows: the hiring of 250 extra vehicles — €2 million recurrent cost for the remainder of 2005 and €5 million to €6 million for full year recurrent cost from 2006; there is no capital cost; the purchase of 50 second-hand coaches — €7.5 million capital in capital costs and €2 million in full year recurrent costs; the purchase of 20 custom built school buses — €3 million in capital costs and €750,000 full year recurrent costs; the purchase of a further 66 buses next year — €10 million in capital terms and €2.6 million in recurrent costs; lap belts for Bus Éireann buses — €2.5 million once-off in 2005 and €1.5 million once-off in 2006.

Bus Éireann administers the scheme through a dedicated school transport head office, a network of 11 local offices and 40 mobile school bus inspectors. The inspectors plan and monitor all school bus services, including those provided by contractors, and carry out comprehensive service checks with follow-up procedures in place to ensure that the required standard of service is being delivered. The inspectors routinely visit school authorities to provide assistance in school transport matters and to investigate any difficulties that may arise.

The Bus Éireann network of school transport offices can be conveniently accessed by the public, and they are in regular contact with the various transport liaison officers around the country. Bus Éireann also operates a lo-call information line on behalf of my Department to handle any school transport-related queries from members of the public.

Bus Éireann negotiates with contractors on an individual basis to ensure that the service is delivered in the most efficient and cost-effective fashion. The rates paid to contractors depend on

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several factors such as the size of vehicle provided, car, minibus, medium-sized bus or large bus, whether the vehicle is equipped with specialised equipment such as a wheelchair lift, the number of trips that the bus is needed for each day, the mileage involved, and the local transport market environment.

All new routes are filled by a contractor, except where no suitable operator can be found. Bus Éireann places a generic advertisement in the national media annually, inviting any transport operator who is interested in providing school transport services, to make application to the local Bus Éireann office. A list of suitable operators is drawn up from these applications and, where vacancies arise before the beginning of the school year, a new service is required, or the cost of the existing service is higher than the norm, operators who are convenient to the route with the appropriate size of vehicle are invited to tender. In addition, local routes may be advertised during the course of the school year as vacancies arise and, where there is sufficient interest from private operators, a tender competition is used to select the successful candidate.

Higher Education Grants.

1130. **Mr. F. McGrath** asked the Minister for Education and Science the reason a person (details supplied) in Dublin 17 was refused a grant; and if their family will be given the maximum support and advice. [24806/05]

Minister for Education and Science (Ms Hanafin): Under the terms of my Department's 2005 third level student maintenance grant schemes the position is that, generally speaking, students who are entering approved courses for the first time are eligible for grants where they satisfy the prescribed conditions with regard to age, residence, means, nationality and previous academic attainment.

The condition relating to residency requires, in the case of a candidate under 23, the candidate's parents or guardians to have been ordinarily resident in the administrative area of a local authority or VEC from 1 October 2004. In the case of an independent mature candidate, the candidate must have been ordinarily resident in the administrative area of a local authority or VEC from 1 October 2004. The local authority or VEC has discretion to waive this requirement in exceptional circumstances.

A mature candidate is defined as a student who is at least 23 years of age on 1 January of the year of entry or re-entry to an approved course. Mature candidates are categorised as either independent mature candidates or mature candidates dependent on parents. An independent mature candidate is defined to mean a mature candidate

who was not ordinarily resident at home with his or her parents from 1 October 2004. Independent mature candidates are assessed without reference to either their parents' income or residence. For the purpose of the residency requirement, "normal residence" is defined to mean the permanent or ordinary address of the candidate's parents or guardians from 1 October 2004, or, in the case of an independent mature candidate, his or her ordinary or permanent address from 1 October 2004.

I regret that in cases such as the one referred to by the Deputy, where an independent mature candidate is not ordinarily resident in the State from the specified date, 1 October 2004 in this instance, he or she is ineligible for financial assistance. It is not open to me, or to my Department to depart from the terms of the schemes in individual cases.

Question No. 1131 answered with Question No. 1107.

Special Educational Needs.

1132. **Mr. McGuinness** asked the Minister for Education and Science if the special needs requirement of a person (details supplied) in County Kilkenny will be examined; if the assistance required, based on the reports submitted to her office, will be expedited; and if she will make a statement on the matter. [24834/05]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, a new general allocation scheme has been introduced under which schools have been provided with resource teaching hours, based on their enrolment figures, to cater for children with high incidence special needs such as dyslexia and those with learning support needs.

My officials have been in contact with the National Council for Special Education, NCSE, which has confirmed that following examination of an application for additional support for the pupil in question, it was determined that his needs fall within the high incidence disability category. Therefore, his needs fall to be met from within the school's allocation of one full-time post and 2.5 part-time hours under the new general allocation system. This outcome has been communicated to the school authorities.

The general allocation scheme is designed to ensure that each school has enough resource teaching hours to meet the needs of children with high incidence special needs, such as dyslexia and children with learning support needs. Resource teaching hours for children with low incidence special needs, such as hearing impairment, will continue to be provided on the basis of an individual application for each child.

It is a matter for each school to determine the pupils with high incidence special education and learning support needs that will receive this support.

Each school has been allocated enough resource teaching hours to provide its pupils with a level of support appropriate to their needs.

The school can use its professional judgment to decide how these hours are divided between different children in the school, to ensure that all their needs are met. Research shows that some children with special needs will respond better with one-to-one tuition. Others, however, do better when taught in small groups. Often it is best for resource teachers to work with children in the classroom rather than taking them away to a separate room, as the children then have to catch up work done by the rest of the class in their absence. The point is that the type of response needed depends on the child.

My Department has recently issued a comprehensive circular, Sp Ed 02/05, to all primary schools regarding the organisation of teaching resources for pupils who need additional support in mainstream primary schools. The main purpose of this circular is to provide guidance for schools on the deployment and organisation of the teaching resources that were allocated under the general allocation model. Reference is also made in this circular to the deployment of additional teaching resources that are allocated to schools for the support of individual pupils with low incidence disabilities.

Schools Building Projects.

1133. **Mr. Aylward** asked the Minister for Education and Science if she will approve funding for the provision of additional rooms at a school (details supplied) in County Kilkenny; and if she will make a statement on the matter. [24844/05]

Minister for Education and Science (Ms Hanafin): The school in question progressed a capital project without the approval or agreement of my Department. Retrospective funding was subsequently sought. Since the introduction of the school building programme, it is not possible to consider applications for retrospective funding. Accordingly, the grant sought in this case was not approved.

Early Childhood Education.

1134. **Mr. F. McGrath** asked the Minister for Education and Science if she will support a new inter-agency initiative for children aged up to five on the northside of Dublin in conjunction with Atlantic Philanthropies with matching funding; and if the maximum support will be given to this project. [24855/05]

Minister for Education and Science (Ms Hanafin): The issue raised by the Deputy will be considered by my Department in the context of existing and future programmes to tackle educational disadvantage.

It is not possible at this stage to say if or when funding may become available for the project in question. Officials of my Department have been involved at various stages in the development of the initiative and these contacts will continue.

Special Educational Needs.

1135. **Ms M. Wallace** asked the Minister for Education and Science the reason for the long waiting list for children with autism in County Meath seeking an autism specific education place such as at CABAS at Drogheda and Stepping Stones at Kilcloon; and her plans to provide additional places to alleviate waiting lists in cases in which three-year old children are advised that they are No. 40 on the list and have no hope of obtaining a school place. [24862/05]

Minister for Education and Science (Ms Hanafin): My Department is currently funding 11 autism specific facilities, including CABAS Drogheda and Stepping Stones at Kilcloon. Some of these facilities provide an applied behavioural analysis model of response which involves the provision of tuition on a one-to-one basis for children on the autistic spectrum.

In addition to the autism specific facilities outlined above, the Department also provides the following dedicated facilities for the education of children with autism: 153 special classes for children with autism have been created attached to special schools and mainstream schools; 15 pre-school classes for children with autism have been established; five special classes for children with Asperger's syndrome have been created. Furthermore, my Department sanctions home tuition grants for children with autism for whom a home-based applied behavioural analysis programme is considered appropriate or in cases where such children are awaiting an appropriate school placement.

In addition to the above, the Deputy will be aware that the National Council for Special Education is now operational. A specific function of the NCSE, through its network of local special educational needs organisers, SENOs, will be to identify appropriate educational placements for all children with special educational needs, including children with autism.

I am confident that the steps that I have outlined above, and especially the establishment of the NCSE, will ensure that an appropriate educational provision can be put in place for all children with special needs, including children with autism.

Schools Refurbishment.

1136. **Mr. Aylward** asked the Minister for Education and Science if she has received a submission for grant aid under the capital funding for major works for second level schools from a college (details supplied) in County Waterford; and if so, the progress being made with regard to same. [24864/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application is being examined in the school planning section of my Department in the context of an overall review of primary and post-primary educational provision in the Waterford city area. I expect this review to be finalised before the end of the year.

1137. **Mr. Gregory** asked the Minister for Education and Science the reason for the long delay in the long standing commitment for the refurbishment of a school (details supplied); the position regarding this refurbishment project; and if she will make a statement on the matter. [24865/05]

Minister for Education and Science (Ms Hanafin): My Department has taken a decision that the costs involved in refurbishing the properties originally occupied by the school in question are excessive and, accordingly, it is not intended to pursue this option as a long-term accommodation solution for the school. This has been communicated to the trustees. In the circumstances, my Department is pursuing alternative accommodation solutions. A decision in this matter will be taken as soon as all the possibilities are identified and examined.

Medical Education.

1138. **Mr. Noonan** asked the Minister for Education and Science her views on the establishment of a postgraduate medical school at the University of Limerick; and if she will make a statement on the matter. [24885/05]

Minister for Education and Science (Ms Hanafin): I will be bringing proposals to Government in the near future in conjunction with my colleague, the Minister for Health and Children, on a wide range of issues associated with the delivery of medical education in Ireland. The development of a graduate entry stream to medical education is also being considered in this context.

The University of Limerick's proposal is but one of a number of proposals being presented as a response to this development. It would not be

appropriate for me to comment further on this until such time as the Government has deliberated on the matter.

Question No. 1139 answered with Question No. 1097.

School Transport.

1140. **Mr. P. Breen** asked the Minister for Education and Science the reason correspondence (details supplied) to her Department has not been replied to; and if she will make a statement on the matter. [24893/05]

Minister for Education and Science (Ms Hanafin): My Department has requested further information on the cases referred to by the Deputy from the transport liaison officer for County Clare. A decision in the case will be conveyed to the transport liaison officer as soon as all the relevant information has been received and assessed.

Legislation Enactment.

1141. **Mr. Quinn** asked the Minister for Education and Science if she will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of her Department, or for the commencement of which her Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if she will make a statement on the matter. [24906/05]

Minister for Education and Science (Ms Hanafin): The Education for Persons with Special Educational Needs Act was enacted in July 2004. On 14 July 2005, sections 1, 2, 14(1)(a), 14(1)(c), 14(2) to 14(4), 19 to 37, 40 to 44, 50 to 53 and both Schedules to the Act were commenced. Separate establishment day orders were made in respect of the National Council for Special Education and the Special Education Appeals Board, setting their establishment dates as 1 October 2005 and 3 April 2006, respectively. A further commencement order was signed to commence sections 45 to 49, with effect from 1 October 2005, abolishing the council established under section 54 of the Education Act 1998 and replacing it with the council established under the 2004 Act. These sections could not come into effect prior to the establishment of the new council under section 19 of the 2004 Act. The remaining sections relate mainly to the statutory assessment and education plan process for which the Act provides. These cannot come into effect without the council having an opportunity to present an

implementation report to the Minister, which it must do before 1 October 2006.

The Grangegorman Development Agency Act was enacted in July this year. It is not possible to estimate a likely commencement date for the provisions for this Act. Consultations are ongoing with interested parties in this regard. As the Deputy is aware, there was much cross-party consensus on the provisions of this Act. The agency will require the involvement of the Minister for Health and Children, the Health Service Executive, the Dublin Institute of Technology and the people of the Grangegorman neighbourhood in the course of its development. Upon establishment, the agency will produce a strategic plan for the site. It is envisaged that commencement of the whole Act would take place simultaneously rather than through a series of separate orders.

Part 2 of the Disability Act 2005 provides a statute-based right to an assessment of disability-related health, personal social service and education needs. The process is independent of existing services or cost constraints. The quality of the assessment will be supported by standards to be developed by the proposed Health Information Quality Authority. Work is ongoing in the Department to put in place the structures and services that will be required to meet these obligations. Consultation with statutory bodies and stakeholders will form an integral part of this process.

Part 10 of the Children Act 2001 relates to the governance and operation of children detention schools. Section 159(1) of the Act has been commenced for the purpose of allowing three representatives of children detention schools to be appointed to the Special Residential Services Board. As a result of the youth justice task force report, the Cabinet committee on social inclusion has decided that the Department of Justice, Equality and Law Reform should assume responsibility for these detention centres. My Department is working with the Departments of Justice and Health on the necessary legislation to give effect to this decision. As this will result in changes to Part 10, it is not possible to commence these provisions at this time.

Thirty-one of the 38 sections of the Vocational Education (Amendment) Act 2001 have been partially or fully commenced. Those not yet commenced include changes in accounting functions which cannot be commenced until the transition to accrual accounting in VEC accounts is completed, and participation by institutes of technology in limited liability companies, which is being reviewed in the context of the Institutes of Technology Bill.

The Teaching Council Act 2001 has been commenced to the extent necessary to allow for the holding of elections. These were held last year. The Act requires the council to be in a position to perform certain functions from the day it is

formally established. These functions include laying down procedures and criteria for teacher registration and taking over the functions of the registration council. Getting ready to do these tasks will take some time. Therefore, a target date of 1 March 2006 has been set as the establishment day for the council. This will allow the council members and staff time to get this work done.

Nine sections of the Youth Work Act 2001 were commenced in April 2002. In addition to technical provisions, the commencement included sections dealing with the appointment and role of the National Youth Work Advisory Committee, NYWAC, and the designation of bodies as national youth work representative organisations for the purposes of nominating members to NYWAC.

Schools Building Projects.

1142. **Mr. Neville** asked the Minister for Education and Science the position regarding the completion of the extension to a primary school (details supplied) in County Limerick. [24909/05]

Minister for Education and Science (Ms Hanafin): As part of the expansion of the devolved scheme for primary school building works a grant was sanctioned to enable the management authorities of the school in question to provide additional accommodation.

The initiative allows boards of management to address their accommodation and building priorities with a guaranteed amount of funding and gives boards of management control over the building project.

I understand an application for planning permission has been lodged and the board of management of the school expects to be at pre-tender stage within the next few weeks.

1143. **Mr. Neville** asked the Minister for Education and Science the position regarding the upgrading and major refurbishment of a school (details supplied) in County Cork. [24910/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy is one of three post-primary schools serving the post-primary educational needs of the area. This school has made application to my Department for capital investment to upgrade and refurbish facilities at the school. As part of the assessment process all relevant factors, including enrolment and demographic trends, must be taken into consideration in order to determine how best to meet the overall educational needs in the area. However, my Department provided an all-in grant of €257,000 to the school authority in late 2004 to address urgent capital works at the school.

Higher Education Grants.

1144. **Mr. Ring** asked the Minister for Education and Science if she will change the closing date for applications for the third level grant to enable staff in local authorities and VECs to process applications and issue letters of entitlement to students, thereby alleviating the need for students who will receive the grant to pay registration fees on commencing college; and if she will make a statement on the matter. [24911/05]

Minister for Education and Science (Ms Hanafin): My Department funds three maintenance grant schemes for third level students. These are the higher education grants scheme, the vocational education committees' scholarships scheme, and the third level maintenance grants scheme for trainees. The higher education grants scheme is administered by the local authorities. The other two schemes are administered by the vocational education committees.

The closing date for receipt of applications for grant assistance in respect of each academic year is specified by the Department in its annual maintenance grant schemes. Applications for grant assistance under the third level student support schemes are made on the official student grant application form. The student grant application forms and accompanying notes booklets are published annually and are issued as early as possible in advance of each academic year. They are then distributed to the awarding bodies where they are made available to the public.

The 2005-06 student grant application forms and notes booklet were made available to the awarding bodies before the end of March 2005 and consequently the general public in mid-April 2005. This was well in advance of the deadline for receipt of the grant applications, which for the 2005-06 schemes was set at not later than 31 August 2005.

My Department, in recognition of the importance of the timely provision of payment to eligible students and timely notification of decisions re-entitlement, is engaged in ongoing consultations with the Irish Vocational Education Association and the County and City Managers' Association with a view to improving the existing arrangements, to ensure the earlier processing of applications and the earlier notification of decisions regarding eligibility to students. In this regard, a working group with representatives from both associations has been established. The broad terms of reference of this group are to examine ongoing operational issues with the current system of administration of the schemes. Issues regarding the early notification of decisions to eligible students and the timely payments of grants are a priority for this group.

My Department is also reviewing the arrangements for the future administration of the

schemes. My intention is that whatever future administration of the schemes we put in place will be one which delivers a quality and timely service to students, which ensures consistency of application and client accessibility. The issue of closing date and guarantees regarding notifications of decisions are being considered as part of this examination.

School Transport.

1145. **Mr. Noonan** asked the Minister for Education and Science if her attention has been drawn to the fact that the dispute involving the transport of children to a school (details supplied) in County Limerick has not yet been resolved; if her attention has further been drawn to the fact that the practice and precedent of recent years has been broken and that first year students who would have been offered transport in recent years are now being deprived of the facility; if her attention has further been drawn to the fact that the parents involved are demanding the maintenance of the *status quo* rather than any new concession; and if she will make a statement on the matter. [24946/05]

Minister for Education and Science (Ms Hanafin): Under the terms of the post-primary school transport scheme, a pupil is eligible for transport if she or he resides 4.8 km or more from her or his local post-primary education centre, that is, the centre serving the catchment area in which she or he lives. In addition, an eligible pupil may be allowed the concession of transport, known as catchment boundary transport, to a centre other than her or his local centre, provided there is room on the bus to that centre after all eligible pupils have been catered for. Pupils from the areas referred to by the Deputy who reside within the Limerick city catchment area may apply for catchment boundary transport. The decision on the post-primary centre concerned was made following a full assessment of all relevant factors, and there is no proposal to reverse it.

1146. **Mr. J. O'Keeffe** asked the Minister for Education and Science the position regarding the continuation of special school transport facilities for a person (details supplied) in County Cork; and if urgent arrangements will be made therefor. [24954/05]

Minister for Education and Science (Ms Hanafin): I understand that the person referred to by the Deputy is 20 years old and as such is not entitled to school transport. While persons in his circumstances may be offered school transport on an incidental free basis where there is a spare place on a route, unfortunately there is no spare

place on this bus. However, support may be available for him from the Health Service Executive.

Departmental Investigations.

1147. **Mr. F. McGrath** asked the Minister for Education and Science the position regarding the investigation into two educational establishments, particularly regarding allegations of bullying of a person (details supplied), misuse of funds, management of the college, the purchase of apartments and the future management of the college. [24959/05]

Minister for Education and Science (Ms Hanafin): As the Deputy is well aware, the president of Coláiste Mhuire, Marino, resigned from that position in April 2005. The matter relates to the employee-employer relationship between the head of the college and that person's employers, which, I understand, was subject to legal proceedings. In this regard, it is considered inappropriate for me to make any comment on the matter.

The Deputy will also be aware that I asked the accountancy firm, PwC, to examine the use of moneys paid by my Department to Marino Institute of Education, MIE. The main findings of the report, which I published in early August, revealed that there has been no misuse of the public moneys paid by my Department to MIE.

As I have previously stated on a number of occasions, although my Department did not have any concerns regarding the use of funding provided for the purpose of training teachers, it was, nevertheless, important in view of the level of public and media interest in this matter, to demonstrate clearly that public funding was properly applied for teacher training. I am happy that the findings of the examination confirm this position.

The PwC report did, however, propose a number of improvements to address shortcomings identified in financial management systems and reporting arrangements at MIE. The issues highlighted in the report are being considered by officials in my Department and have been brought to the attention of the management of the institute and other similar colleges of education.

The report found that small surpluses occurred in the institute in question and that these surpluses were either spent on minor capital works at the institute or are represented in current cash balances. My Department has also received assurances from the MIE trustees that these surpluses will continue to be applied for the purposes of teacher training.

The trustees of MIE have also commissioned a report by Farrell Grant Sparks. I am confident that these two reports can be used to develop financial and management practices which will bring greater accountability in regard to moneys paid

by my Department. They will also contribute to the current review by the trustees of the present structure of the institute and facilitate permanent governance and management arrangements which will attract the support and confidence of all concerned.

I am pleased to inform the Deputy that the trustees of MIE have announced that a new interim director and interim president are in place for the coming academic year. In addition, a senior official from my Department has recently joined the governing body of the institute for an interim period. I am sure that the Deputy will agree that these significant developments at the institute demonstrate a clear indication, from all concerned, that they remain fully committed to the future of teacher education at the institute.

My Department's inspectorate will continue to monitor the quality of the graduates on an ongoing basis to ensure that the highest quality students leave all colleges of this nature. This is a well-established monitoring process and one which has worked very well.

School Transport.

1148. **Cecilia Keaveney** asked the Minister for Education and Science the position on a school transport matter (details supplied) in County Donegal; and if she will make a statement on the matter. [24996/05]

Minister for Education and Science (Ms Hanafin): Bus Éireann, which operates the school transport service on behalf of my Department, has been asked to provide a report on the case referred to by the Deputy. When the report is received and considered, my Department will advise the Deputy of the position.

Schools Building Projects.

1149. **Cecilia Keaveney** asked the Minister for Education and Science the position on an extension for a school (details supplied) in County Donegal; and if she will make a statement on the matter. [24997/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy originally applied for an extension and refurbishment to provide improved ancillary accommodation. The project proposed initially did not provide for any additional mainstream classrooms.

In the process of assessment in accordance with the prioritisation criteria revised last year following consultation with the education partners, increasing enrolments and the consequent need for additional mainstream accommodation became clear. A detailed assessment of demographic trends, housing developments and enrol-

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ment trends was initiated to ensure that any capital funding provided will deliver accommodation appropriate to the school's need into the future. On completion of this assessment, a decision will be taken on how best to provide for the school's long-term accommodation needs. The application will then be considered for progression in the context of the schools building and modernisation programme 2005-09.

1150. **Cecilia Keaveney** asked the Minister for Education and Science the position on a school building (details supplied) in County Donegal; and if she will make a statement on the matter. [24998/05]

Minister for Education and Science (Ms Hanafin): As part of the assessment of the school's application for additional accommodation, my officials have undertaken a detailed assessment of demographic trends, housing developments and enrolment trends in the area to ensure that any capital funding provided will deliver accommodation appropriate to the school's need into the future. This assessment has recently been completed and a decision will be taken shortly on how best to provide for the school's long-term accommodation needs. The project will then be considered for progression in the context of the schools building and modernisation programme 2005-09.

School Transport.

1151. **Mr. J. O'Keeffe** asked the Minister for Education and Science the reason 25 persons from the Dunbeacon area attending a school (details supplied) in west Cork have been left without school transport; and if immediate steps will be taken to restore the school bus service in this area. [25009/05]

Minister for Education and Science (Ms Hanafin): My Department has requested an up-to-date report from the transport liaison officer for County Cork regarding the situation outlined by the Deputy. As soon as the required information is received, a response will issue directly to the Deputy in the matter.

Special Educational Needs.

1152. **Mr. P. Breen** asked the Minister for Education and Science if extra teaching hours for nomadic Traveller children at a school (details supplied) in County Clare will be allocated; and if she will make a statement on the matter. [25013/05]

Minister for Education and Science (Ms Hanafin): My officials have been in contact with

my Department's inspectorate regarding the issue in question. I advise the Deputy that there are currently no Traveller pupils enrolled in this school and, therefore, the issue of additional teaching hours does not arise at this time.

School Staffing.

1153. **Mr. P. Breen** asked the Minister for Education and Science if consideration will be given to a resource teacher being shared between two schools (details supplied) in County Clare; and if she will make a statement on the matter. [25014/05]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, a new general allocation scheme has been announced under which schools have been provided with resource teaching hours, based on their enrolment figures, to cater for children with high-incidence special needs such as dyslexia and those with learning support needs.

The general allocation for the schools in question is 15 part-time hours in total. The schools' management authorities submitted a proposal to my Department in relation to putting in place a full-time post to be shared between both schools on the basis of the general allocation hours and also hours allocated to them in respect of pupils with low incidence disabilities. In this regard, I am pleased to advise the Deputy that the schools' authorities were notified in writing on 5 August 2005 that a full-time learning support-resource teacher, LSRT, post is approved on a temporary basis for the 2005-06 school year.

1154. **Cecilia Keaveney** asked the Minister for Education and Science the position regarding a school (details supplied) in County Donegal; and if she will make a statement on the matter. [25024/05]

Minister for Education and Science (Ms Hanafin): On the basis of the information available to my officials it is my understanding that this matter has now been resolved in that the teacher referred to by the Deputy has taken up a teaching position in another school in the Donegal area.

Departmental Programmes.

1155. **Cecilia Keaveney** asked the Minister for Education and Science the position on a school (details supplied) in County Donegal; and if she will make a statement on the matter. [25025/05]

Minister for Education and Science (Ms Hanafin): The home-school-community liaison scheme is one of my Department's main programmes for promoting educational inclusion.

Home-school-community liaison services will have a central role in the new action plan for educational inclusion, DEIS, Delivering Equality of Opportunity in Schools, which I launched on 30 May last.

The new action plan, which will be introduced on a phased basis — starting during the current school year — aims to ensure that the educational needs of children and young people, from pre-school to completion of upper second-level education — three to 18 years — from disadvantaged communities are prioritised and effectively addressed. The new plan is the outcome of the first full review of all programmes for tackling educational disadvantage that have been put in place in the past 20 years and it will involve an additional annual investment of some €40 million on full implementation. It will also involve the creation of about 300 additional posts across the education system generally.

A key element of this new action plan is the putting in place of a standardised system for identifying levels of disadvantage in our primary and second-level schools, which will result in improved targeting of resources at those most in need. The identification and analysis processes are being managed by the ERC on behalf of my Department.

As a result of the identification process, approximately 600 primary schools, comprising 300 urban-town and 300 rural, and 150 second-level schools will be included in a new school support programme, SSP. The SSP will bring together, and build upon, a number of existing interventions for schools and school clusters or communities with a concentrated level of educational disadvantage.

As part of the new school support programme, home-school-community liaison services will be extended to all of the 300 urban primary schools and 150 second-level schools in the SSP that are not already participating in the scheme. Access to teacher-co-ordinator support will also be made available to rural schools in the SSP that do not already have access to such a service. We anticipate being in a position to notify participating schools regarding the outcome of the ongoing identification process by the end of the year.

Special Educational Needs.

1156. **Cecilia Keaveney** asked the Minister for Education and Science the outcome regarding correspondence (details supplied); and if she will make a statement on the matter. [25026/05]

Minister for Education and Science (Ms Hanafin): In general, classes for pupils with severe and profound general learning disability, GLD, established by my Department, including the one referred to by the Deputy, are staffed by one teacher and two special needs assistants and

can cater for a maximum of six pupils. My Department's records show that there are five pupils enrolled in the class in question which is currently staffed by one class teacher and four special needs assistants. Such pupils are also entitled to enhanced capitation grants and special equipment, where appropriate.

Responsibility for the delivery of therapy services to children with special educational needs lies with the relevant health authorities which are allocated funding for this purpose. Any issues associated with the assessment of or determination of cases for funding would be a matter for the local health authorities.

Special schools and special classes funded by my Department are intended to cater for children and young persons with special educational needs from four years of age until the end of the school year in which they reach their 18th year. The Department of Health and Children has direct responsibility for provision for young adults over 18 years of age with special needs. My Department is willing to provide funding towards the cost of an appropriate education component of such provision.

On the transport issue raised by the Deputy, Bus Éireann operates the school transport scheme on behalf of my Department and is responsible for the safe conditions of the vehicles in use and the implementation of adaptations, where approved. Where it is considered that a particular vehicle needs to be adapted to meet the particular needs of pupils, an application may be submitted to the school transport section of my Department for consideration.

I can confirm that an application for additional accommodation has been received from the management authority of the school in question. The application has been assessed in accordance with the published prioritisation criteria which were revised last year following consultation with the education partners. The building project at the school will be considered in the context of the schools building and modernisation programme 2005-09.

The Deputy may be aware that the National Council for Special Education, NCSE, which became operational on 1 January 2005, now processes applications for special educational needs supports and decides on the level of support appropriate to the school.

The council has a key role in the development and delivery of services for persons with special educational needs, including children with severe and profound general learning disability. It will have a research and advisory role and will establish expert groups to consider specific areas of special needs provision. It will also establish a consultative forum to facilitate inputs from the education partners and other interested parties. The council has a local area presence through a network of over 70 special educational needs

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organisers, SENOs. They represent a focal point of contact for schools and parents. The SENOs are responsible for co-ordinating and facilitating delivery of educational services to children with disabilities at local level.

1157. **Cecilia Keaveney** asked the Minister for Education and Science the position regarding special education support at a school (details supplied) in County Donegal; and if she will make a statement on the matter. [25028/05]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that this matter has been resolved and that my Department has recently given sanction for a resource teaching post to be based in the school concerned. This is a shared post which will also cater for resource hours which have been sanctioned to other schools in the vicinity. I also understand that the teacher the Deputy is concerned with has been taken off the special education panel and will be assigned to this resource position.

1158. **Cecilia Keaveney** asked the Minister for Education and Science the position regarding special education support at a school (details supplied) in County Donegal; and if she will make a statement on the matter. [25029/05]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, a new general allocation scheme has been announced under which schools have been provided with resource teaching hours, based on their enrolment figures, to cater for children with high-incidence special needs such as dyslexia and those with learning support needs. Under the new system, the school in question has a full-time learning support-resource teaching post, LSRT, based therein and also the services of a resource teaching post based in a neighbouring school.

The posts provided under the new general allocation scheme are designed to ensure that each school has enough resource teaching hours to meet the needs of children with high-incidence special needs, such as dyslexia and children with learning support needs. Resource teaching hours for children with low-incidence special needs, such as hearing impaired, will continue to be provided on the basis of an individual application for each child.

It is a matter for each school to determine the pupils with high-incidence special education and learning support needs who will receive this support. Each school will have enough resource teaching hours to provide its pupils with a level of support appropriate to their needs. The school can then use its professional judgement to decide how these hours are divided between different

children in the school, to ensure that all their needs are met. Research shows that some children with special needs will respond better with one-to-one tuition. Others, however, do better when taught in small groups. Often it is best for resource teachers to work with children in the classroom rather than taking them away to a separate room, as the children then have to catch up on work done by the rest of the class in their absence. The point is that the type of response needed depends on the child.

My Department has recently issued a comprehensive circular — Sp Ed 02/05 — to all primary schools regarding the organisation of teaching resources for pupils who need additional support in mainstream primary schools. The main purpose of this circular is to provide guidance for schools on the deployment and organisation of the teaching resources that were allocated under the general allocation model. Reference is also made in this circular to the deployment of additional teaching resources that are allocated to schools for the support of individual pupils with low-incidence disabilities.

Schools Building Projects.

1159. **Cecilia Keaveney** asked the Minister for Education and Science the position on a school building project (details supplied) in County Donegal; and if she will make a statement on the matter. [25030/05]

Minister for Education and Science (Ms Hanafin): An application for additional accommodation has been received from the management authority of the school mentioned by the Deputy. A detailed assessment of demographic trends, housing developments and enrolment trends was initiated in order to ensure that any capital funding provided will deliver accommodation appropriate to the school's need into the future. On completion of this assessment, a decision will be taken on how best to provide for the school's long-term accommodation needs.

The application will then be considered for progression in the context of the schools building and modernisation programme 2005-09.

Special Educational Needs.

1160. **Cecilia Keaveney** asked the Minister for Education and Science the outcome of a review for a person (details supplied) in County Donegal concerning the provision of a special needs assistant; and if she will make a statement on the matter. [25031/05]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that the National Council for Special Education, NCSE, which was established recently, and which has

been operational since 1 January 2005, is responsible for processing applications for special educational needs, SEN, supports. I have requested my officials to liaise with the NCSE on this particular case and I will inform the Deputy of the outcome of that process as soon as possible.

Residential Institutions Redress Board.

1161. **Ms Shortall** asked the Minister for Education and Science the options open to a person (details supplied) in Dublin 11 who is not satisfied with the settlement awarded to them by the Residential Institutions Redress Board; if there is an appeals procedure this person can now pursue; if this person may alternatively pursue a further claim through the courts; and if she will make a statement on the matter. [25035/05]

Minister for Education and Science (Ms Hanafin): The Residential Institutions Redress Board is independent in the performance of its functions in accordance with the terms of the Residential Institutions Redress Act 2002 and my Department is not a party to the consideration of applications for financial redress.

The Act provides a mechanism for an applicant to apply for a settlement rather than to proceed to a full hearing. Settlements arise in cases where applicants voluntarily select that option on the application form for the processing of their application. No application goes to settlement without the agreement of both sides, nor is any pressure applied by the board to encourage such a course. A person must be legally professionally represented before entering settlement discussions, as the disparity in legal knowledge and negotiating skills at the settlement talks might render any settlement with such a person open to legal challenge.

An applicant may, within one month of receiving notice of an award by the redress board, accept or reject the award made by the redress board or submit the award for review by the review committee. Once an award has been accepted an applicant is required under section 13(6) of the Act to waive any right or action that he or she may have had against a public body or a person who has made a contribution to the special account in accordance with section 23 of the Act.

As the person referred to by the Deputy appears to have already accepted an award, it is not now open to him to refer the award to the review committee or to initiate a further claim through the courts. However, I suggest that he should consult his legal representatives to discuss the matter.

Grant Payments.

1162. **Mr. N. O'Keeffe** asked the Minister for

Education and Science the reason for the delay in having a remote area boarding grant sanctioned in respect of a pupil (details supplied) in County Cork; and if the continuation of payment of this grant for the duration of the child's time in this specific school will be ensured. [25056/05]

Minister for Education and Science (Ms Hanafin): The purpose of the remote area boarding grants scheme is to give pupils who are educationally disadvantaged because of their remoteness from schools an opportunity to attend school on the same basis as other pupils not so disadvantaged. The grant is paid in respect of pupils who are outside the range of school transport services from the nearest school providing suitable free second level education. In assessing applications my Department refers to Bus Eireann, which advises on eligibility.

On the application referred to by the Deputy, the position is that in view of the number of students from the area concerned expressing an interest in attending the school referred to by the Deputy, the possibility of providing a dedicated transport service from that area to the school concerned is under consideration.

In light of this position, my Department has approved a grant in respect of the pupil concerned for the school year 2005-06, pending a decision on the dedicated transport service. This position will be reviewed at the end of the 2005-06 school year.

Third Level Fees.

1163. **Mr. Gormley** asked the Minister for Education and Science if she can justify the fees charged to Chinese students at a school (details supplied) while Irish students pay only €120; her plans to make the fee system fairer for Chinese students; and if she will make a statement on the matter. [25068/05]

Minister for Education and Science (Ms Hanafin): International education is one of the fastest growing business sectors as students increasingly pursue studies overseas. Throughout the world there is an accelerating demand for English language courses, and it is estimated that by 2020 some 6 million students will be seeking to obtain an international education experience mainly in an English speaking environment. The English language sector currently brings in about 200,000 students annually to Ireland and is estimated to generate of the order of €300 million in foreign earnings.

The report on internationalisation of Irish education services, published in November 2004, sets out recommendations aimed at ensuring that Ireland is well placed to capture a substantial share of this growing international market, based on a reputation for high-quality English language

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training and higher education provision. The report envisages that a new body, to be called Education Ireland, will be established to coordinate and promote developments in this area. Benefits to Irish education institutions and the economy from the presence of overseas students studying in Ireland include significant additional revenues, promotion of understanding and tolerance of other cultures, strengthening of economic, financial and political co-operation with countries all over the world and increased tourism in future years.

Students from outside the EU are admitted to further and higher education and training in Ireland on the basis of paying the economic fee, and the charge to a student from the People's Republic of China in this case is the recommended economic annual fee for post leaving certificate courses. This approach is consistent with the report on internationalisation of Irish education services, which recommended expanding the number of overseas students in the PLC sector while ensuring full cost recovery from fees charged.

Departmental Programmes.

1164. **Mr. F. McGrath** asked the Minister for Education and Science if there is any special budget or extra funds to assist schools with vandalism problems; and if she will give the maximum support and advice to these schools. [25069/05]

Minister for Education and Science (Ms Hanafin): The scope of works described by the Deputy would be appropriate for consideration under the summer works scheme. It is open to a school management authority to apply for funding towards any necessary small-scale works required at a school under this scheme. The summer works scheme for 2006 was recently advertised. The closing date for the receipt of applications is the 14 October 2005.

School Staffing.

1165. **Mr. F. McGrath** asked the Minister for Education and Science if she will give the maximum support to a school (details supplied) in Dublin 5. [25070/05]

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 teaching timetable and subject options having regard to pupils needs within the limit of its approved teacher allocation. The rules for allocating teach-

ing 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. An independent appeals mechanism is available to school authorities who wish to appeal the adequacy of their teacher allocation.

The school in question applied for a curricular concession allocation and was allocated 1.45 whole-time equivalent teacher posts. The school was notified of this allocation on 14 April 2005 and advised that, in the event of its not being satisfied with this allocation, it could appeal in writing to the independent appeals committee. To date, the school has not availed of the independent appeals mechanism.

The National Council for Special Education, NCSE, has been established as an independent statutory body with responsibilities as set out in the National Council for Special Education (Establishment) Order 2003. Since 1 January 2005, the NCSE, through local special educational needs organisers, SENOs, has responsibility for processing resource applications for pupils with special educational needs. Where a pupil with special educational needs enrolls in a post-primary school, it is open to the school to apply to the local SENO for additional teaching support and/or special needs assistant support for the pupil. The school referred to by the Deputy has been allocated 13.66 hours per week additional teaching support to address the special educational needs of pupils attending the school.

The school has applied for capital grant aid for a new PE hall. This application has been assessed in accordance with the published criteria for prioritising large-scale building projects and its progress will be considered in the context of the schools building and modernisation programme from 2006 onwards.

Departmental Funding.

1166. **Mr. Naughten** asked the Minister for Education and Science her plans to address the discrepancy in the level of funding provided for voluntary second level schools and those in the community and comprehensive sector; and if she will make a statement on the matter. [25089/05]

Minister for Education and Science (Ms Hanafin): The funding arrangements made by my Department for second level schools reflect the sectoral division of our second level system. 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 backup services such as for secretarial and caretaking services. This Government and its predecessor have removed some of the anomalies and the process continues.

There have been significant improvements in the level of funding for voluntary secondary schools in recent years. In addition to the increases in the standard *per capita* grant that now stands at €286 per pupil from January last, voluntary secondary schools have benefited additionally by the introduction of grants under the school services support initiative. The standard support services grant that was increased to €103 from January 2005 was increased further to €145 per pupil in the case of voluntary secondary schools. This increased grant of €42 per pupil is paid in addition to the range of equalisation grants of up to €15,554 — €44.44 per pupil — per annum that have also been approved for voluntary secondary schools. These significant increases in the funding of secondary schools is a clear demonstration of my commitment to prioritise available resources to address the needs of schools.

Question No. 1167 answered with Question No. 1098.

School Staffing.

1168. **Mr. Naughten** asked the Minister for Education and Science further to Question No. 268 of 22 June 2005, the outcome of the appeal; and if she will make a statement on the matter. [25091/05]

Minister for Education and Science (Ms Hanafin): The staffing of this school for the 2005-06 school year was considered by the appeals board on 21 July 2005. The board, having considered the appeal with regard to the criteria outlined in Department Circular 19/02, was satisfied that a departure from the staffing schedule is not warranted in this case. The board of management of the school was notified in writing of the decision of the appeals board on 21 July 2005. I am sure the Deputy will appreciate that it would not be appropriate for me to intervene in the operations of the independent appeals board.

Schools Building Projects.

1169. **Mr. Naughten** asked the Minister for Education and Science if she will approve an application for funding for an extension to a school (details supplied) in County Galway; and if she will make a statement on the matter. [25092/05]

Minister for Education and Science (Ms Hanafin): An application for additional accommodation has been received from the management authority of the school referred to by the Deputy. The application has been assessed in accordance with the published prioritisation criteria which were revised last year following

consultation with the education partners. The project is being considered for progression in the context of the schools building and modernisation programme 2005-09.

School Staffing.

1170. **Mr. Naughten** asked the Minister for Education and Science the number of vacancies for deaf teachers within the regional service at present; the regions involved; her plans to fill these posts; when each position became vacant; the measures taken to date to fill each post; and if she will make a statement on the matter. [25093/05]

Minister for Education and Science (Ms Hanafin): There are presently two vacancies for deaf teachers within the regional service, both of which are in the Dublin area. The two positions became vacant on 31 August 2005 due to retirements.

I am pleased to inform the Deputy that interviews are due to be held on 28 September 2005 to select suitable candidates to fill the vacancies. My Department intends to fill the vacancies as quickly as possible after the interview date.

Officials in the Department are currently examining caseloads and regions within the visiting teacher service to ensure that there is a comprehensive coverage for the whole country. I expect that this review will be complete in the coming weeks.

Schools Building Projects.

1171. **Mr. Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 316 of 15 June 2005, if the assessment has been completed by the school planning section of her Department; the progress on obtaining a site for the school; and if she will make a statement on the matter. [25094/05]

Minister for Education and Science (Ms Hanafin): The application has been assessed in accordance with the published prioritisation criteria which was revised last year following consultation with the education partners. The proposed project, including the acquisition of a site, is being considered for progression in the context of the school building and modernisation programme 2005-09.

School Curriculum.

1172. **Mr. Naughten** asked the Minister for Education and Science, further to Parliamentary Question Nos 402 and 486 of 29 September 2004, if she will establish a timescale for the introduction of physical education as an examination sub-

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ject; and if she will make a statement on the matter. [25095/05]

Minister for Education and Science (Ms Hanafin): Under the rules and programme for secondary schools, second level schools should offer a physical education programme based on an approved syllabus with teaching hours registered on the school timetable. The phasing in of a revised syllabus at junior cycle level for physical education (non-examination) commenced in September 2003. The syllabuses in physical education have been developed on the basis of a time allocation of two hours per week. It is not possible at this time to set a timescale for the introduction of physical education as an examination subject.

Special Educational Needs.

1173. **Mr. Naughten** asked the Minister for Education and Science, further to Parliamentary Question No. 468 of 29 June 2005, if she will provide additional resource hours for a person (details supplied) in County Sligo; and if she will make a statement on the matter. [25096/05]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, the local special educational needs organiser, SENO, has sanctioned 3.5 individual resource teaching hours for the pupil in question and the school authorities were notified accordingly on 22 June 2005.

The National Council for Special Education, NCSE, will undertake to review the relevant decision on resource teaching supports on foot of a request from the school or parents-guardians, when accompanied by relevant additional information, which may not have been to hand at the time of the decision. The NCSE has outlined this process in its Circular 01/05.

My officials have been in contact with the SENO who has confirmed that no additional information has been received in this case. However, if additional information is made available the SENO will further review the case and notify the school accordingly.

Pupil-Teacher Ratio.

1174. **Mr. Naughten** asked the Minister for Education and Science the steps she is taking to deliver on the commitment in the programme for Government to introduce class sizes of 20 pupils to one teacher; and if she will make a statement on the matter. [25097/05]

Minister for Education and Science (Ms Hanafin): Significant improvements have been made in the pupil-teacher ratio and in average class size in recent years. The average class size

at primary level for the 2004-05 school year was 23.9, down from 26.6 in 1996-97. The pupil-teacher ratio, which includes all the teachers, including resource teachers, has fallen from 22.2:1 in the 1996-97 school year to 17.1:1 — projected — in 2004-05. Over 4,500 additional teachers have been employed in our primary schools since 1997. In allocating teaching posts regard has been had to the commitments of the Government to reduce class size, tackle educational disadvantage and to provide additional resources for pupils with special educational needs. The additional teaching posts created since 1997 have been deployed to address all of these priorities.

In relation to providing for children with special educational needs, there are now over 5,000 teachers in our primary schools working directly with children with special needs, including those requiring learning support. This compares to under 1,500 in 1998. One out of every five primary school teachers is now working specifically with children with special needs. The Deputy will be aware of the new action plan for educational inclusion, DEIS, Delivering Equality of Opportunity in Schools, which I launched recently. This action plan will result in a reduction in class sizes in schools serving the most disadvantaged communities to 24:1 at senior level and 20:1 at junior level. 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, those from disadvantaged areas and those in junior classes.

Decentralisation Programme.

1175. **Mr. Naughten** asked the Minister for Education and Science the timetable for the decentralisation of sections of her Department to Athlone; and if she will make a statement on the matter. [25098/05]

Minister for Education and Science (Ms Hanafin): The planned decentralisation of part of my Department to Athlone will be undertaken by extending the existing building at Cornamaddy, Athlone to accommodate in excess of 100 additional staff. At this early stage, it is not possible to give an exact timetable because there are issues yet to be dealt with, such as planning permission, which are outside the control of my Department. However, planning for the move is proceeding on the basis that the accommodation should be ready for occupation by the latter part of 2007.

Education Services.

1176. **Mr. Naughten** asked the Minister for

Education and Science, further to Parliamentary Question No. 156 of 16 June 2005, the progress to date on the implementation of the recommendations; and if she will make a statement on the matter. [25100/05]

Minister for Education and Science (Ms Hanafin): The matter that the Deputy refers to concerns the report on the internationalisation of Irish education services which was published in November 2004. My Department is continuing a consultation process with the main stakeholders in the sector with a view to informing the implementation process and the preparation of the necessary legislation to establish the new body, Education Ireland, which was recommended in the report.

Schools Building Projects.

1177. **Mr. Naughten** asked the Minister for Education and Science, further to Question No. 637 of 30 June 2005, if she will review the ongoing delay in progressing a project in County Leitrim; if she will expedite the project; if she will meet a deputation from the school; and if she will make a statement on the matter. [25101/05]

Minister for Education and Science (Ms Hanafin): The new school building referred to by the Deputy was listed to proceed to tender and construction as part of the 2004 school building programme. The design work on the project has been completed, however, progress on the next stages, tendering-construction work, must await resolution of legal issues regarding the site.

The site for the school is being acquired by my Department under the terms of the Residential Institutions Redress Act 2002. My Department has accepted in principle a site for the new school which was offered under the terms of the property aspect of the indemnity agreement between the State and 18 religious congregations dated 5 June 2002.

An independent expert has recently valued the site and the Chief State Solicitor's office has been advised of the agreed valuation. My Department is now awaiting further instruction from the Chief State Solicitor's office regarding the legal transfer of the property.

School Transport.

1178. **Mr. Ring** asked the Minister for Education and Science if school transport will be provided for a person (details supplied) in County Mayo. [25148/05]

Minister for Education and Science (Ms Hanafin): Bus Éireann has confirmed to my Department that the pupil referred to by the Deputy is fully eligible for school transport and

that a ticket has recently been issued to her on this basis.

School Accommodation.

1179. **Mr. Durkan** asked the Minister for Education and Science if consideration will be given to a school (details supplied) in County Kildare for grant aid for additional classroom accommodation; and if she will make a statement on the matter. [25177/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

1180. **Mr. Durkan** asked the Minister for Education and Science if extra classroom accommodation will be made available to a school (details supplied) in County Kildare; if consideration will be given to proposals to fund a second storey extension to the present school; and if she will make a statement on the matter. [25178/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large-scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

School Curriculum.

1181. **Mr. Durkan** asked the Minister for Education and Science if her attention has been drawn to the fact that pupils commencing fourth class in a school (details supplied) in County Kildare will be amalgamated with fifth class students and may be working from the curriculum set for fifth class level in the majority of subjects; if she will investigate this matter further; and if she will make a statement on the matter. [25179/05]

Minister for Education and Science (Ms Hanafin): The organisation of classes within a school is a matter for the school authorities, which may choose to amalgamate pupils from different standards where it is deemed appro-

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priate. Multi-standard class-groupings are unavoidable in a school of less than eight mainstream class teachers, such as the school to which the Deputy refers.

The Deputy should note that, even in a class where the pupils are of the same standard, aspects of English are normally taught on an individual, group or class basis. In an amalgamated class of pupils of fourth and fifth standard, mathematics is normally taught separately to the fourth and fifth class components of the group. The amalgamation of these two standards is not unusual and it is normal practice to work on a combined basis in the remaining areas of the curriculum. In delivering the curriculum to any class the teacher will plan to meet the particular learning needs of all pupils in that class.

School Transport.

1182. **Mr. Durkan** asked the Minister for Education and Science if she will reinstate school transport for children attending a school (details supplied) in County Kildare due to an increase in the number of children who are attending same; and if she will make a statement on the matter. [25180/05]

Minister for Education and Science (Ms Hanafin): Bus Éireann has confirmed that the provision of school transport to the school referred to by the Deputy was withdrawn in 2002 as no eligible pupils were offering for transport. In the event that an application is received in the future, it will be considered subject to the prescribed terms and conditions of my Department's school transport scheme.

In relation to the specific family referred to by the Deputy, Bus Éireann has confirmed that the two pupils concerned have progressed to post-primary level and are currently in receipt of transport.

School Accommodation.

1183. **Mr. P. McGrath** asked the Minister for Education and Science the amount which was spent on temporary school buildings for new schools in each of the past seven years; and if she will make a statement on the matter. [25181/05]

Minister for Education and Science (Ms Hanafin): In the last seven years my Department has spent €42.8 million on the rental of temporary school accommodation, mainly in primary schools, see following table for breakdown by year. However, the information is not readily available in the format requested by the Deputy as the financial records maintained for expenditure on temporary school accommodation is not separated into categories relating to new schools,

existing schools and schools for special needs pupils.

In addition, over the last seven years my Department has spent €82.5 million on the purchase of prefabricated buildings in the primary and post-primary sectors, see following table for breakdown by year. This expenditure was for the supply and installation of prefabricated buildings including associated site works, and other costs such as for compliance with planning permission conditions, professional fees, connections for water, electricity and sewage and represents less than 5% of the total expenditure on school buildings, €1.6 billion, between 2000 and 2004.

The demand for additional accommodation in schools has risen significantly in recent years mainly due to the rapid expansion in teacher numbers, particularly in the area of special needs, the growth in the school-going population in rapidly developing areas and the demands to cater for diversity through the recognition of new gael-scoileanna and Educate Together schools.

The current focus within my Department is to empower schools to resolve their accommodation needs, wherever possible by way of permanent accommodation. In order to reduce the amount of temporary accommodation at primary level a new initiative was launched in 2003. The purpose of this initiative is to allow primary schools to undertake a permanent solution to their classroom accommodation needs and to achieve the best value for money. The feedback from the 20 schools in that pilot initiative was very positive and the initiative was expanded to 44 primary schools in 2004 and over 70 schools were invited to participate in this initiative in 2005.

Rental of Temporary Accommodation for primary schools.

Year	Expenditure €'s
1998	1.3m
1999	2.3m
2000	4.0m
2001	6.1m
2002	8.4m
2003	9.4m
2004	11.3m
Total Cost	42.8m

Purchase of prefabricated buildings in Primary and Post Primary Schools.

Year	Expenditure €'s
1998	4.7m
1999	4.3m
2000	4.4m
2001	9.1m

Year	Expenditure €'s
2002	21.5m
2003	25.8m
2004	12.7m
Total Cost	82.5m

Computerisation Programme.

1184. **Mr. Carey** asked the Minister for Education and Science if there is any financial assistance available from her Department to enable a school (details supplied) in Dublin 11 to purchase a computer suite for the principal's use; if there is any other financial assistance for a school in a start up situation; and if she will make a statement on the matter. [25182/05]

Minister for Education and Science (Ms Hanafin): My Department has since 1998 issued a number of grants to recognised first and second level schools, under the Schools IT2000 and Blueprint for the Future of ICT in Education initiatives, to assist in the development of school ICT infrastructure. These grants were expended according to development priorities set locally by school authorities in their school ICT plan and as such neither included nor precluded expenditure on equipment for the principal's use. My Department's emphasis for support in 2004 and the current year has been the specific development of ICT networking facility in schools rather than equipment purchase and more recently in 2005 for the provision of broadband internet connectivity to schools.

A start-up grant in the amount of €6,348.69 is payable to newly recognised primary schools which began operating from 1 September 2001 onwards, apart from those resulting from amalgamations. The grant is payable to any primary school which is newly recognised and has not previously existed as a recognised school in any form. The grant is intended to provide start-up funding to enable new schools to purchase such items as equipment, furniture, teaching and administrative materials and to cover insurance and other costs attendant with the operation of a new school.

Schools Building Projects.

1185. **Mr. Carey** asked the Minister for Education and Science if a suitable location has been found to accommodate the needs of a school (details supplied) in Dublin 9; and if she will make a statement on the matter. [25183/05]

Minister for Education and Science (Ms Hanafin): Officials in the school planning section of my Department are considering two options as possible solutions to the long term accommo-

modation needs of the school in question. The first option is the provision of a new school on a greenfield site. The property management section of the Office for Public Works, which acts on behalf of my Department in relation to site acquisitions generally, has identified a site, which could provide for the long term accommodation requirements of the school in question. The second option is looking at the primary school provision in the area where the school is located to enable the use of existing accommodation to be maximised.

Discussions relating to the possible rationalisation of certain schools are ongoing. However, as the Deputy will appreciate, due to the requirement for sensitivity and confidentiality surrounding these discussions, it would not be appropriate to make a further statement in the matter at this point in time.

Schools Amalgamation.

1186. **Mr. Carey** asked the Minister for Education and Science if discussions regarding the proposed amalgamation of schools (details supplied) in Dublin 9 have proceeded to the stage where an agreement is likely on the outcome; and if she will make a statement on the matter. [25184/05]

Minister for Education and Science (Ms Hanafin): Officials in the school planning section of my Department are in ongoing discussions with the management authorities of the schools to which the Deputy refers regarding a possible amalgamation. My Department is making every effort to facilitate the process in question. Due to the requirement for sensitivity and confidentiality in relation to these discussions, it would not be appropriate to make a statement until the negotiations have reached a conclusion.

Schools Recognition.

1187. **Mr. Kehoe** asked the Minister for Education and Science when her Department will respond to numerous representations from a school (details supplied) in County Wexford; when the initial application will be acknowledged; and if she will make a statement on the matter. [25185/05]

Minister for Education and Science (Ms Hanafin): I can confirm that the school planning section of my Department is in receipt of correspondence in relation to the possible establishment of an all-Irish post-primary school in the area to which the Deputy refers. School planning section wrote to the proposers in July this year seeking clarification on the proposal. This clarification is now to hand and the matter is being considered in the context of a review of overall

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primary and post-primay provision in the area in question. I expect this review to be completed before the end of the year.

Special Educational Needs.

1188. **Mr. Ring** asked the Minister for Education and Science if she will investigate the reason resource teaching hours were withdrawn from a person (details supplied) in County Mayo; if the hours will be restored immediately; and if she will make a statement on the matter. [25215/05]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, a new general allocation system has been announced under which schools have been provided with resource teaching hours, based on their enrolment figures, to cater for children with high incidence special needs such as dyslexia and those with learning support needs.

My officials have been in contact with the National Council for Special Education, NCSE, which has confirmed that following examination of an application additional support for the pupil in question, it was determined that his needs fall within the high incidence disability category. Therefore, his needs fall to be met from within the school's allocation of 7.5 hours under the new general allocation system. This outcome has been communicated to the school authorities.

The general allocation scheme is designed to ensure that each school has enough resource teaching hours to meet the needs of children with high incidence special needs, such as dyslexia and children with learning support needs. Resource teaching hours for children with low incidence special needs, such as hearing impairment, will continue to be provided on the basis of an individual application for each child.

It is a matter for each school to determine the pupils with high incidence special education and learning support needs that will receive this support. Each school has been allocated enough resource teaching hours to provide its pupils with a level of support appropriate to their needs. The school can use its professional judgment to decide how these hours are divided between different children in the school, to ensure that all their needs are met. Research shows that some children with special needs will respond better with one-to-one tuition. Others, however, do better when taught in small groups. Often it is best for resource teachers to work with children in the classroom rather than taking them away to a separate room, as the children then have to catch up work done by the rest of the class in their absence. The point is that the type of response needed depends on the child.

My Department has recently issued a comprehensive circular, Sp Ed 02/05, to all primary schools regarding the organisation of teaching resources for pupils who need additional support in mainstream primary schools. The main purpose of this circular is to provide guidance for schools on the deployment and organisation of the teaching resources that were allocated under the general allocation model. Reference is also made in this circular to the deployment of additional teaching resources that are allocated to schools for the support of individual pupils with low incidence disabilities.

Third Level Grants.

1189. **Mr. Carey** asked the Minister for Education and Science the reason an application for a VEC maintenance grant in respect of a person (details supplied) in Dublin 11 has been refused; the further reason the SSIA account of this person's parents is included as reckonable income; and if she will make a statement on the matter. [25279/05]

Minister for Education and Science (Ms Hanafin): Under the terms of my Department's 2005 third level student maintenance grant schemes the position is that, generally speaking, students who are entering approved courses for the first time are eligible for grants where they satisfy the prescribed conditions with regard to age, residence, means, nationality and previous academic attainment.

A mature candidate is defined as a student who is at least 23 years of age on 1 January of the year of entry or re-entry to an approved course. Mature candidates are categorised as either independent mature candidates or mature candidates dependent on parents. An independent mature candidate is defined to mean a mature candidate who was not ordinarily resident at home with his or her parents from 1 October 2004. Independent mature candidates are assessed without reference to either their parents' income or residence. For the purpose of the residency requirement "normal residence" is defined to mean the permanent or ordinary address of the candidate's parents or guardians from 1 October 2004, or, in the case of an independent mature candidate, his or her ordinary or permanent address from 1 October 2004.

My Department understands that the student in question has been ordinarily resident at home with his parents. Accordingly, he is ineligible to be assessed as an independent mature candidate. He is, however, eligible to be assessed as "a mature candidate dependent on parents". Other than in the case of Independent mature students, candidates are assessed with reference to their parents income and address.

For the purposes of determining reckonable income, all investments must be declared, including savings certificates, life assurance bonds and other financial instruments where the interest-profit is accumulated and paid out as a lump sum at the end of the investment period. The amount of income to be included in respect of special savings incentive accounts, SSIA's, is the Government grant earned on the savings in the relevant tax year plus in the case of savings accounts, the gross interest earned in the relevant tax year, and, in the case of investment accounts, the investment profit earned in the relevant tax year. Investment losses sustained in the relevant tax year are deductible. The treatment of the SSIA's in this regard is consistent with the treatment of similar financial products such as Post Office savings bonds.

Special Educational Needs.

1190. **Mr. P. Breen** asked the Minister for Education and Science when an application for two classroom assistants will be processed for a school (details supplied) in County Clare; and if she will make a statement on the matter. [25296/05]

Minister for Education and Science (Ms Hanafin): I wish to confirm for the Deputy that the local special educational needs organiser, SENO, has confirmed that there are no applications in hand for additional special needs assistant, SNA, support in the school in question. Therefore, as the pupils being catered for by the SNAs in question have left the school, there is no provision under which the SNAs can be retained and the board of management of the school should make immediate arrangements to terminate their contracts in line with agreed procedures.

In this regard I can confirm that my Department recently concluded a redundancy package for surplus SNAs with the union that represents SNAs. The SNAs in question can obtain details of whatever redundancy arrangements that may apply to them from the payroll section of my Department.

School Transport.

1191. **Mr. Ring** asked the Minister for Education and Science if she will review the school transport situation with regard to concessionary students on routes less than three miles from secondary schools and outside of the catchment areas; the transport which will be provided to such students in future years; and if she will make a statement on the matter. [25302/05]

Minister for Education and Science (Ms Hanafin): Primary and post-primary pupils who are ineligible for school transport on the basis of the distance requirement may be offered trans-

port on a concessionary fare-paying basis. Such pupils are not guaranteed school transport for every year of their schooling, rather the granting of such concessionary transport is dependent on the availability of additional capacity on the buses used to transport eligible students. Any such additional capacity is calculated on a year to year basis.

Post-primary pupils who are eligible for school transport to the post-primary centre in their own catchment area may sometimes elect to attend a post-primary centre in a different catchment area from the one in which they reside. In such instances, these pupils may avail of school transport to the post-primary centre they have chosen to attend. However, such pupils will only be offered transport if there is additional capacity available on the relevant bus after all eligible pupils have been accommodated.

These are the established provisions of the school transport schemes.

Departmental Property.

1192. **Mr. Morgan** asked the Minister for Education and Science if she will provide details of all land belonging to her Department in the Dún Laoghaire — Rathdown County Council area. [25303/05]

Minister for Education and Science (Ms Hanafin): I have made arrangements to have the information requested to be forwarded directly to the Deputy as soon as possible.

Schools Building Projects.

1193. **Mr. McCormack** asked the Minister for Education and Science the position regarding the provision of a new building for a school (details supplied) in County Galway; and if she will make a statement on the matter. [25306/05]

Minister for Education and Science (Ms Hanafin): An application for a new school building has been received from the management authority of the school referred to by the Deputy. The application has been assessed in accordance with the published prioritisation criteria which was revised last year following consultation with the education partners. The project is being considered for progression in the context of the school building and modernisation programme 2005-09.

Special Educational Needs.

1194. **Mr. P. Breen** asked the Minister for Education and Science the status of an application by the board of management of a school (details supplied) in County Clare for an autism unit; and

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if she will make a statement on the matter.
[25361/05]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that my Department sanctioned a special class for autism at the school in question. A letter confirming the sanction issued to the school on 2 June 2005. Furthermore a detailed letter also issued to the school on 6 September 2005 from the special education section outlining the Department's response to various issues that the school had raised with it.

In addition, I am aware that my Department's school planning section recently forwarded an application form for major capital improvement works, Form FLE, to the school authority. When the completed application form is returned, the issue of additional accommodation for the autism unit will be considered further by my Department's school planning section.

Schools Refurbishment.

1195. **Mr. F. McGrath** asked the Minister for Education and Science if maximum funding will be provided to upgrade the science laboratories at a school (details supplied) in Dublin 3; and if the school will be facilitated by sending more of its students to third level colleges to study the sciences. [25366/05]

Minister for Education and Science (Ms Hanafin): The scope of work referred to by the Deputy is appropriate for consideration under the summer works scheme, SWS. Details of the SWS for 2006 were recently advertised and the closing date for receipt of completed applications is 14 October 2005.

School Placement.

1196. **Aengus Ó Snodaigh** asked the Minister for Education and Science the reason no school place has been made available for a person (details supplied) in Dublin 12 for over one and a half years. [25389/05]

1197. **Aengus Ó Snodaigh** asked the Minister for Education and Science the steps she will take to ensure that a person (details supplied) in Dublin 12 will be accommodated in a school (details supplied) in Dublin 8. [25390/05]

1198. **Aengus Ó Snodaigh** asked the Minister for Education and Science the steps which can be taken by the parents of a person (details supplied) in Dublin 12 to ensure that their child receives educational instruction under the Education for People with Disabilities Act 2005. [25391/05]

1199. **Aengus Ó Snodaigh** asked the Minister for Education and Science the reason a school in Dublin 3 refused to teach a person (details supplied) in Dublin 12, after only a day; and the further reason that this person's family had to wait over a year and a half before another school in Dublin 8 made a decision that it could not accommodate this person's multiple disabilities. [25392/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1196 to 1199, inclusive, together.

I can confirm that in relation to the pupil referred to by the Deputy, the local special educational needs organiser, SENO, recently attended a meeting with the principal of the school in question and the educational welfare office, EWO, to discuss an appropriate educational placement there. I understand that at this stage the school is considering the enrolment of the child. If the child is enrolled in the school it is a matter for the school authorities to seek additional special educational needs supports for this pupil and the SENO is awaiting a decision from the school in this regard.

Responsibility for ensuring the enrolment of the child in an appropriate educational facility is a matter for both the EWO and the SENO. I have asked my officials to liaise with the EWO and the SENO to ensure that this case is dealt with as a priority and that the child in question is enrolled in an appropriate setting as quickly as possible.

Where a board of management refuses to enrol a student in a school the parent of the student or, where the student has reached 18 years of age, the student themselves, following the conclusion of any appeal procedures at school level, has a statutory entitlement under section 29 of the Education Act 1998, to appeal that decision to the Secretary General of the Department of Education and Science. Under the appeal process, a committee is established to hear the appeal. Oral hearings are conducted with a minimum of formality. In most cases appeals must be dealt within 30 days. Where appropriate, the Secretary General may give whatever directions to the board of management that are considered necessary to remedy the matter complained of. However I would hope that the involvement of the EWO and the SENO in this case will resolve this matter without the need for such an avenue to be taken.

School Building Projects.

1200. **Mr. J. O'Keefe** asked the Minister for Education and Science the position regarding the proposed new community school in Skibbereen in West Cork; and if she will make a statement on the matter. [25397/05]

Minister for Education and Science (Ms Hanafin): Agreement has been reached between the trustees of the three existing post-primary schools in Skibbereen to amalgamate into a single school. The accommodation needs of the amalgamated school will be met by way of the provision of a new school on a greenfield site.

The application has been assessed in accordance with the published prioritisation criteria which was revised last year following consultation with the education partners. The project is being considered for progression in the context of the school building and modernisation programme 2005-09.

Question No. 1201 answered with Question No. 1087.

School Transport.

1202. **Mr. Connaughton** asked the Minister for Education and Science if persons (details supplied) will be accommodated on a school bus to a school (details supplied) in view of the fact that another school (details supplied) has no objection to the school bus taking these children to the first school; and if she will make a statement on the matter. [25463/05]

Minister for Education and Science (Ms Hanafin): In order to be eligible for school transport at primary level, pupils must live at least 3.2 kms from, and be attending, their nearest national school or school of amalgamation. Concessionary fare paying transport may be offered provided the written agreement of the board of management of the nearest national school or school of amalgamation is obtained and no additional state cost is incurred, and subject to there being spare seats available.

Bus Éireann, which operates the school transport service on behalf of my Department, has been asked to provide a report on the case referred to by the Deputy. When the report has been received and considered, my Department will advise the Deputy of the position.

Medical Education.

1203. **Caoimhghín Ó Caoláin** asked the Minister for Education and Science if she has received the report of the working group on medical training and education; if she will publish the report; and if there is a plan of action for the implementation of its recommendations. [25469/05]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, a working group on undergraduate medical education and training, representative of education and health interests, has been reviewing the organisation and delivery of medical training and education in

Ireland. I am currently considering the broad range of recommendations made by the working group, in consultation with my colleague, the Tánaiste and Minister for Health and Children and we will be bringing proposals to Government in the near future on a wide-range of issues associated with the delivery of medical education in Ireland.

School Transport.

1204. **Mr. Deasy** asked the Minister for Education and Science the additional funding which was provided to increase the school transport fleet capacity in view of changes regarding school transport seating arrangements for post primary students. [25474/05]

Minister for Education and Science (Ms Hanafin): The measures being implemented by my Department to increase capacity on school transport services and the associated cost of those measures is as follows: Regarding the hiring of 250 extra vehicles, there is a €2 million recurrent cost for the remainder of 2005; a €5 million to €6 million full year recurrent cost from 2006; and no capital cost. Regarding the purchase of 50 second hand coaches there is a €7.5 million capital cost; and a €2 million full year recurrent cost. Regarding the 20 custom built school buses, there is a €3 million capital cost; and a €0.75 million full year recurrent cost. Regarding the purchase of a further 66 buses next year, there is a €10 million capital cost and a €2.6 million recurrent cost.

Question No. 1205 answered with Question No. 1097.

School Provision.

1206. **Mr. Durkan** asked the Minister for Education and Science her plans to expand school capacity in Kildare town to take account of the decision to sell the land at Magee Barracks for the purposes of the affordable housing initiative. [25476/05]

Minister for Education and Science (Ms Hanafin): The process of assessing the need for new or additional educational facilities at primary or post primary level in any given area entails consideration of all relevant factors, including enrolment and demographic trends, housing and other developments and the capacity of existing schools to meet the demand for places.

As part of this process, my Department is included among the prescribed authorities to whom local authorities are statutorily obliged to send draft development plans or proposed variations to development plans for comment. As a matter of course meetings are arranged with local authorities to establish the location, scale and

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pace of any major proposed developments and their possible implications for school provision. Where extra provision is necessary, my Department seeks to optimise the use of existing provision in the first instance. It is necessary to adopt this approach due to the limited availability and prohibitive costs of new sites.

With regard to Kildare town, the issue of the provision of affordable housing in Magee Barracks will require consultation with the local authority with particular regard to the extent of the provision and the likely timescale for its delivery. An assessment of the capacity of existing schools in the area to meet any anticipated extra demand will follow together with plans to make extra provision available if this is deemed necessary.

In the meantime, if the management authority of any school in particular is experiencing an increase in demand and is unable to meet this demand it should contact the school planning section of my Department.

School Transport.

1207. **Mr. Durkan** asked the Minister for Education and Science her plans to ensure the provision of seat-belts in all school buses throughout the country; when this requirement will be met; and if she will make a statement on the matter. [25477/05]

Minister for Education and Science (Ms Hanafin): The fitting of seat belts will commence this autumn and a target date of end December 2006 to complete the programme has been set.

Schools Building Projects.

1208. **Mr. Durkan** asked the Minister for Education and Science if her Department has received a submission from a school (details supplied) in County Kildare for capital funding; if she will progress this matter; and if she will make a statement on the matter. [25478/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application will be assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works will be considered in the context of the school building and modernisation programme from 2006 onwards.

Site Acquisitions.

1209. **Mr. Durkan** asked the Minister for Education and Science the extent to which she has

studied the need for the provision of a new primary school (details supplied) in County Kildare; if she has received submissions from the school authorities in this regard; when this matter will be progressed; and if she will make a statement on the matter. [25479/05]

1289. **Mr. Stagg** asked the Minister for Education and Science if a site has been identified for a new national school (details supplied) in County Kildare; if agreement on its purchase has been obtained; if not, if the option of commencing a compulsory purchase order procedure will be examined; and if she will make a statement on the matter. [25857/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1209 and 1289 together.

The property management section of the OPW, which acts on behalf of my Department in relation to site acquisitions generally, is continuing to explore the possibility of acquiring a suitable site to cater for the new primary school referred to by the Deputy.

As soon as a site has been acquired, the school building project will be progressed in the context of the School Building and Modernisation Programme 2005-2009.

Schools Building Projects.

1210. **Mr. Durkan** asked the Minister for Education and Science the position regarding extension, ancillary accommodation and autistic unit which are on target for completion at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25480/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction is well under way on the extension at the school in question. The project is scheduled for completion in the first half of 2006.

1211. **Mr. Durkan** asked the Minister for Education and Science the position regarding the completion of a school extension at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25481/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction of this building project will be completed shortly.

1212. **Mr. Durkan** asked the Minister for Education and Science the position regarding the completion of school works at a school (details supplied) in County Dublin; if same is still on schedule to complete by mid 2006; and if she will make a statement on the matter. [25482/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the building works is still on schedule to complete by mid-2006.

1213. **Mr. Durkan** asked the Minister for Education and Science the position regarding the completion of a school extension at a school (details supplied) in County Kildare; the position relating to the further eight classroom extensions and ancillary accommodation to be provided; and if she will make a statement on the matter. [25483/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction of the seven classroom extension has just been completed.

The school was also included in my recent announcement of schools to commence architectural planning to provide a further eight classrooms. The design team has been appointed and architectural planning has commenced.

1214. **Mr. Durkan** asked the Minister for Education and Science the position regarding the completion of a school extension at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25484/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that a new eight classroom building for the school in question has just been completed.

1215. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; when extension will commence to this school; and if she will make a statement on the matter. [25485/05]

Minister for Education and Science (Ms Hanafin): As part of the expansion of the devolved scheme for primary school building works, a grant of €250,000 was sanctioned to enable the management authorities of the school in question to provide additional accommodation.

The initiative allows boards of management to address their accommodation and building priorities with a guaranteed amount of funding and gives boards of management control of the building project.

It is my understanding that the board of management will be making an application for planning permission in the next week and expects that the project will be on site by March 2006.

1216. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; if the project will be advanced in

the current year; and if she will make a statement on the matter. [25486/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

1217. **Mr. Durkan** asked the Minister for Education and Science if the classroom extension at a school (details supplied) in County Kildare is on target for completion in the latter half of 2005; and if she will make a statement on the matter. [25487/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction of the extension at the school in question has just been completed.

1218. **Mr. Durkan** asked the Minister for Education and Science if a classroom extension at a school (details supplied) in County Kildare is on target; when same is likely to be completed; and if she will make a statement on the matter. [25488/05]

1251. **Mr. Durkan** asked the Minister for Education and Science the position regarding the completion of an extension at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25577/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1218 and 1251 together.

The extension at the school to which the Deputy refers was completed earlier this year.

1219. **Mr. Durkan** asked the Minister for Education and Science when she will be in a position to provide extra facilities required at a school (details supplied) in County Kildare; if she will provide new temporary prefabs in the current year to replace the existing ones; and if she will make a statement on the matter. [25489/05]

1243. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25569/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1219 and 1243 together.

The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

My Department is not in receipt of an application for the replacement of existing prefabs.

School Staffing.

1220. **Mr. Durkan** asked the Minister for Education and Science if extra teaching staff will be allocated to a school (details supplied) in County Kildare based on class size and pupil numbers; and if she will make a statement on the matter. [25490/05]

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 system for allocating teachers to primary schools is based on ensuring an overall maximum class of 29 in each school. Where some classes in a school have class sizes of greater than 29, it is generally because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes.

The enrolment of the school referred to by the Deputy increased from 139 pupils on 30 September 2003 to 148 pupils on 30 September 2004. This latter enrolment entitled the school to a staffing of a principal and five mainstream class teachers for the school year 2005-06, an increase of one mainstream class teacher.

The agreement referred to above can only be deviated from when a school experiences rapid growth in its enrolment. Rapid growth is defined as an increase in its enrolment in one year relative to the previous year of 25 pupils plus a stipulated excess of five pupils on the appointment figure.

An application was made by the board of management of the school seeking the appointment of two mainstream class teachers for September 2005 under developing school criteria.

Provisional sanction for the appointment of the sixth and seventh mainstream class teachers was given by the primary payments section of my

Department in a letter to the chairperson on 16 June 2005 based on a projected enrolment of 194.

The enrolment of the school will be reviewed in October 2005. It will be necessary for the board of management to confirm in writing to the primary payments section the actual enrolment achieved in the school on 30 September 2005. The confirmation letter must reach the primary payments section within five days of 30 September 2005.

If at this stage the projected enrolment has not materialised the post or posts will be suppressed and the teacher or teachers, if eligible for panel rights, will immediately be placed on the redeployment panel.

Health and Safety Regulations.

1221. **Mr. Durkan** asked the Minister for Education and Science if her attention has been drawn to any potential breach of health and safety regulations due to overcrowding at various schools throughout County Kildare at either primary or second level; her plans to address these issues; and if she will make a statement on the matter. [25491/05]

Minister for Education and Science (Ms Hanafin): In accordance with the Safety, Health and Welfare at Work Act 1989, it is the responsibility of school management authorities to have a safety statement in place in their schools. Schools are obliged to identify possible hazards, assess the risks to health and safety and to put appropriate safeguards in place.

Provision is built into the school building programme to enable schools address urgent health and safety problems. Primary schools are given an annual allocation, currently amounting to €3,809 plus €12.70 per pupil, under the grant scheme for minor works which can be used entirely at the discretion of school management to address basic health and safety issues relating to school infrastructure.

In addition, the summer works scheme was introduced during 2004 which provided capital grants for improvement works at primary and post-primary schools. A total of 457 schools were approved for funding under this scheme in 2004. Over 740 schools have been approved for funding under the scheme for 2005.

My Department also sets aside a contingency sum each year to deal with emergency works in primary and post-primary schools, including health and safety works.

The Deputy will be aware that where any school has a need for additional accommodation it may apply to the school planning section of my Department under the process for large scale capital works or under the additional accommodation scheme.

Both the additional accommodation scheme and the summer works scheme for 2006 were recently advertised and the closing date for each is 14 October 2005.

Schools Building Projects.

1222. **Mr. Durkan** asked the Minister for Education and Science her proposals for the future of a girls' primary 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. [25492/05]

Minister for Education and Science (Ms Hanafin): My Department has not received an application for improved facilities from the school in question.

1223. **Mr. O'Connor** asked the Minister for Education and Science if she will report on the development of the physical education hall at a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25549/05]

Minister for Education and Science (Ms Hanafin): The construction of the PE hall at the school to which the Deputy refers has been completed and the equipment is expected to be delivered in the very near future. Discussions are ongoing with the Departments of Environment, Heritage and Local Government and Community, Rural and Gaeltacht Affairs regarding the current funding required to facilitate the community usage of the halls.

1224. **Mr. O'Connor** asked the Minister for Education and Science if she will provide an update regarding progress towards the building programme at a school (details supplied) in Dublin 24; and if she will make a statement on the matter. [25550/05]

Minister for Education and Science (Ms Hanafin): The refurbishment and extension project for the schools referred to by the Deputy is currently at tender stage. The schools are in the process of appointing a contractor and work is due to commence on site shortly.

School Staffing.

1225. **Mr. O'Connor** asked the Minister for Education and Science if she has given further consideration to the special needs of schools (details supplied) in Dublin 24; and if she will make a statement on the matter. [25551/05]

Minister for Education and Science (Ms Hanafin): Schools catering for non-national pupils who have significant English language defi-

cits are entitled to assistance to enable these pupils gain full access to the curriculum.

Schools that have 14 to 27 non-English speaking non-national pupils enrolled are entitled to a full-time temporary language support teaching post at primary level. Schools with 28 or more such pupils are entitled to two full-time temporary language support teachers. In exceptional cases, following consideration by my Department's inspectorate, a third teaching post may be sanctioned. The support for an individual pupil is provided for a period of up to two years.

On the basis that the non-national pupils for whom support was sought are enrolled in the schools referred to by the Deputy on 30 September 2005, my Department recently sanctioned the retention of a third language support teacher in the junior school and a second language support teacher in the senior school concerned.

Schools Building Projects.

1226. **Mr. Durkan** asked the Minister for Education and Science the position regarding the application for extra facilities urgently required at a school (details supplied) in County Kildare; when phase two will be progressed; and if she will make a statement on the matter. [25552/05]

Minister for Education and Science (Ms Hanafin): An extension catering for the immediate needs of the school to which the Deputy refers is currently under construction and is due to be completed shortly.

Phase two, consisting of a further extension, is at an early stage of architectural planning. My Department's officials recently wrote to the school requesting a stage two submission — outline sketch scheme — and a response is awaited before further progression of this project.

Site Acquisitions.

1227. **Mr. Durkan** asked the Minister for Education and Science if and when funding will be sanctioned for the building and budget of a school (details supplied) in County Meath; and if she will make a statement on the matter. [25553/05]

Minister for Education and Science (Ms Hanafin): The question of the purchase of the site and buildings of the school referred to by the Deputy is under consideration in my Department at present.

Officials will be in contact with the school authorities as soon as a decision has been made.

Schools Building Projects.

1228. **Mr. Durkan** asked the Minister for Education and Science the position in relation to the

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application for provision of a new school (details supplied) in County Kildare; and if she will make a statement on the matter. [25554/05]

Minister for Education and Science (Ms Hanafin): The building project for the school to which the Deputy refers is at an early stage of architectural planning. Specifically, the school building section is in the process of examining a recently received stage one/two submission — outline sketch scheme. When this examination is completed, contact will be made with the school authorities with regard to the next steps to progress the project.

1229. **Mr. Durkan** asked the Minister for Education and Science the position in relation to the application for extra facilities at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25555/05]

Minister for Education and Science (Ms Hanafin): An extension to cater for the immediate needs of the school to which the Deputy refers is currently under construction and is due to be completed shortly.

Phase two, consisting of a further extension, is at an early stage of architectural planning. My Department recently wrote to the school authorities requesting a stage two submission — outline sketch scheme. A response is awaited to progress matters further.

Site Acquisitions.

1230. **Mr. Durkan** asked the Minister for Education and Science the position in relation to site acquisition to meet the required alternative and new school facilities at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25556/05]

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, has identified a number of possible site options for the school referred to by the Deputy. Discussions between the relevant landowners and the OPW are continuing.

Delivery of the project can be considered in the context of the school building and modernisation programme when a site has been acquired.

Schools Building Projects.

1231. **Mr. Durkan** asked the Minister for Education and Science the position regarding the completion of an extension to a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25557/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the extension at the school in question will be completed shortly.

1232. **Mr. Durkan** asked the Minister for Education and Science the position regarding the extension project at a school (details supplied) in County Kildare; if her Department's building unit have agreed the revised plans for the school; when this project will be completed; and if she will make a statement on the matter. [25558/05]

Minister for Education and Science (Ms Hanafin): The project referred to by the Deputy is listed among the large scale projects on the capital programme for 2005 which have been approved to move to tender and construction.

My Department's technical staff is currently examining the revised stage three documentation for this project. It is anticipated that this examination will be completed shortly.

Pupil-Teacher Ratio.

1233. **Mr. Durkan** asked the Minister for Education and Science the pupil-teacher ratio class size at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25559/05]

Minister for Education and Science (Ms Hanafin): The most recent information available regarding the class size and pupil teacher ratio, PTR, of the school to which the Deputy refers is for the 2004-05 school year.

The staffing of the school for 2004-05 was a principal, 21 mainstream class teachers, two learning support teachers, two special class teachers, three resource teachers and one language support teacher. Based on the allocation of mainstream class teachers and an enrolment of 577 ordinary pupils on 30 September 2005, the average class size in ordinary classes was 27.5.

The PTR of the school was 19.6:1. The Deputy should note that, when calculating PTR, all posts based in the school, including ex-quota posts, are taken into consideration.

Schools Building Projects.

1234. **Mr. Durkan** asked the Minister for Education and Science the position regarding the provision of a school (details supplied) in County Kildare; when a decision will be made to progress this matter in early date; and if she will make a statement on the matter. [25560/05]

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 Department's officials

recently wrote to the school requesting further information from the consultant quantity surveyor on its stage three submission — developed plans/costs — and a response is awaited before further progression of this project.

Schools Refurbishment.

1235. **Mr. Durkan** asked the Minister for Education and Science when works will commence at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25561/05]

Minister for Education and Science (Ms Hanafin): My Department is moving towards a model of devolving the responsibility for building projects to school management authorities where appropriate. The devolving of funding to local level will accommodate school authorities to have responsibility and ownership of their building projects and assist in moving projects in a specific timeframe through the design process, to tender action and construction.

I am pleased to inform the Deputy that County Kildare VEC has been allocated a grant under the 2005 summer works scheme in respect of conversion works at the college in question and I understand that works have commenced on site.

1236. **Mr. Durkan** asked the Minister for Education and Science when a decision will be made to progress an application for major capital funding which has been assessed by her Department regarding a school (details supplied) in County Kildare; when same will be advanced; and if she will make a statement on the matter. [25562/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards

Pupil-Teacher Ratio.

1237. **Mr. Durkan** asked the Minister for Education and Science the pupil/teacher ratio class size at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25563/05]

Minister for Education and Science (Ms Hanafin): The most recent information available regarding the class size and pupil-teacher ratio, PTR, of the school to which the Deputy refers

relates to the 2004-05 school year. The staffing of the school for 2004-05 was a principal, nine mainstream class teachers, one learning support teacher, one special class teacher, one resource teacher, one shared resource teacher and one shared language support teacher.

Based on the allocation of mainstream class teachers and an enrolment of 239 ordinary pupils at 30 September 2005, the average ordinary class size was 26.6.

The PTR of the school was 17.4:1. The Deputy should note that, when calculating PTR, all posts based in the school, including ex-quota posts, are taken into consideration.

Schools Building Projects.

1238. **Mr. Durkan** asked the Minister for Education and Science the position in relation to extra facilities required at a school (details supplied) in County Kildare; when this project will advance to tender stage; and if she will make a statement on the matter. [25564/05]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that on 6 May, 2005 my Department gave devolved authority for the project in question to proceed to tender and construction. Planning permission for the project had been obtained from Kildare County Council in February 2005. Tender documents are being prepared by the project's design team and it is envisaged that it will go to tender shortly.

1239. **Mr. Durkan** asked the Minister for Education and Science the position in relation to the provision of extra facilities required at a school (details supplied) in Dublin 24; when this project will proceed beyond the tender stage; and if she will make a statement on the matter. [25565/05]

Minister for Education and Science (Ms Hanafin): The refurbishment and extension project for the school referred to by the Deputy is currently at tender stage. The school is in the process of appointing a contractor and work is due to commence on site shortly.

1240. **Mr. Durkan** asked the Minister for Education and Science the position regarding the relocation of a school (details supplied) in County Kildare to extend its capacity to 1000 pupils; and if she will make a statement on the matter. [25566/05]

Minister for Education and Science (Ms Hanafin): The question of the relocation of the school referred to by the Deputy is under examination in my Department at present. Discussions have been held with County Kildare VEC, the local authority and representatives of the land-

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owner. These discussions are ongoing and a decision will be taken in the matter as soon as they are completed.

1241. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; when application for extension will commence in this regard; and if she will make a statement on the matter. [25567/05]

Minister for Education and Science (Ms Hanafin): As part of the expansion of the devolved scheme for primary school building works, a grant of €250,000 was sanctioned to enable the management authorities of the school in question to provide additional accommodation.

The initiative allows boards of management to address their accommodation and building priorities with a guaranteed amount of funding and gives them control of the building projects.

I understand the board of management will be making an application for planning permission in the next week and expects that the project will be on site by March 2006.

1242. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25568/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

Question No. 1243 answered with Question No. 1219.

1244. **Mr. Durkan** asked the Minister for Education and Science the position regarding extra facilities required at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25570/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the

proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

1245. **Mr. Durkan** asked the Minister for Education and Science the position regarding school renovations required at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25571/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

1246. **Mr. Durkan** asked the Minister for Education and Science the position regarding the application for extra facilities at a school (details supplied) in County Kildare; when same will be progressed; and if she will make a statement on the matter. [25572/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

1247. **Mr. Durkan** asked the Minister for Education and Science the position regarding the application for extra facilities urgently required at a school (details supplied) in County Kildare; when same is likely to progress; and if she will make a statement on the matter. [25573/05]

1301. **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; and the timeframe and cost for the contract. [25915/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1247 and 1301 together.

Tenders have been received for the extension project at the school referred to by the Deputies. These are currently being assessed by the design team appointed by County Kildare VEC. My Department is awaiting receipt of the tender

report which will be available when the assessment is completed. The contract period will be in the region of 15 months. Details of costs cannot be released until a contract is signed.

School Completion Programme.

1248. **Mr. Durkan** asked the Minister for Education and Science the extent to which the objectives set in the school building programme in respect of primary and second level schools in County Kildare is likely to be met in 2005; and if she will make a statement on the matter. [25574/05]

Minister for Education and Science (Ms Hanafin): The 2005 schools building programme comprises many different strands including major projects to construction, devolved capital projects, summer works schemes and projects commencing and progressing through architectural planning.

In many cases my Department has moved towards a model of devolving responsibility, authority and funding for smaller scale building projects to school management authorities where appropriate. This allows schools to have ownership of their projects and determine for themselves the progress of projects to tender and construction in line with each school's needs. Major projects in County Kildare are progressing in line with expectations.

Site Acquisitions.

1249. **Mr. Durkan** asked the Minister for Education and Science the position in relation to site acquisition to meet alternative or required new school facilities at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25575/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department as regards site acquisitions generally, has identified a number of possible site options for the school referred to by the Deputy. Discussions between the relevant landowners and OPW are continuing. Delivery of the project itself can be considered in the context of the school building and modernisation programme when a site has been acquired.

Schools Refurbishment.

1250. **Mr. Durkan** asked the Minister for Education and Science the position regarding proposals to improve accommodation at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25576/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

Question No. 1251 answered with Question No. 1218.

School Accommodation.

1252. **Mr. Durkan** asked the Minister for Education and Science the position regarding her Department's assessment of the accommodation needs of a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25578/05]

Minister for Education and Science (Ms Hanafin): My Department is not in receipt of an application for additional accommodation at the school to which the Deputy refers.

1253. **Mr. Durkan** asked the Minister for Education and Science the position regarding her Department's assessment of the accommodation needs of a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25579/05]

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 Department's officials recently wrote to the school authorities giving approval to proceed to stage 1-2, developed sketch scheme, of architectural planning and a response is awaited before further progression of this project.

1254. **Mr. Durkan** asked the Minister for Education and Science the position regarding her Department's assessment of the accommodation needs of a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25580/05]

Minister for Education and Science (Ms Hanafin): My Department is not in receipt of an application for additional accommodation at the school to which the Deputy refers.

Special Educational Needs.

1255. **Mr. Durkan** asked the Minister for Education and Science if a school (details supplied)

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in County Kildare is fully staffed to meet the requirements of its double autistic unit; when same is likely to be up and running; and if she will make a statement on the matter. [25581/05]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, it is proposed that a double autism unit will be established at the school in question. Appropriate classroom accommodation has been provided in the school for this purpose. My officials have been liaising with the school authorities for some time as regards the resources to be made available to facilitate the operation of the classes. My Department has confirmed that the classes will be capable of catering for up to 12 pupils with autism at a pupil teacher ratio of 6:1. In addition, two full-time special needs assistants, SNAs, will be allocated to each class. Additional SNAs for the classes may be considered on the basis of the individual assessed needs of the pupils enrolled.

The school authorities submitted a request for resources over and above those which are generally provided to schools when establishing such classes. A number of meetings have taken place between the school and officials from the Department with a view to resolving the issues that have been raised by the school. The latest of these meetings took place on 2 June when three officials from the Department met with the school's board of management.

At that meeting it was agreed that the board consider the issues that had been discussed and send its views in writing to the Department. The Department is currently awaiting that submission and on receipt of it will give this matter urgent consideration.

I would add that the Department is anxious that this purpose built facility for children with autism should become operational as soon as possible and it is hoped that the issues raised by the school can be resolved in the near future.

1256. **Mr. Durkan** asked the Minister for Education and Science the degree to which she expects to increase the number of resource, remedial and special needs teachers at all schools throughout the country; and if she will make a statement on the matter. [25582/05]

Minister for Education and Science (Ms Hanafin): Enormous progress has been made in recent years as regards increasing the number of teachers in our schools who are specifically dedicated to providing education for children with special educational needs.

At primary level there are now approximately 5,000 teachers working directly with children with special needs, including those requiring learning support. This compares to under 1,500 in 1998. Indeed, one out of every five primary school

teachers is now working specifically with children with special needs.

At second level, there are approximately 1,580 whole time equivalent resource teachers in place to support pupils with special educational needs. This compares to the 200 teachers that were in place in the 1997-98 school year. I can confirm that I will continue to prioritise the issue of special needs education and, in co-operation with the National Council for Special Education, ensure that all children with special needs are adequately resourced to enable them to meet their full potential.

1257. **Mr. Durkan** asked the Minister for Education and Science the degree to which she expects to increase the number of special needs assistants at all schools at primary and second levels throughout the country; and if she will make a statement on the matter. [25583/05]

Minister for Education and Science (Ms Hanafin): Enormous progress has been made in recent years as regards increasing the number of special needs assistants, SNAs in our schools who specifically cater for the care needs of children with special educational needs. At this stage there are approximately 6,304 whole time equivalent SNAs in our primary and second level schools supporting children with special needs. The National Council for Special Education, through its network of locally based special educational needs organisers, is responsible for processing any applications for additional SNA support that may be received by it from schools.

I can confirm that I will continue to prioritise the issue of special needs education and, in co-operation with the National Council for Special Education, to ensure that all children with special needs are adequately resourced to enable them to meet their full potential.

School Accommodation.

1258. **Mr. Durkan** asked the Minister for Education and Science the position regarding her plans for the future provision of full primary and post-primary school facilities in line with requirements set out by the schools authorities and by reference to demographic trends with a view to ensuring that all children and primary and second level can be offered places as required at Naas, County Kildare; and if she will make a statement on the matter. [25584/05]

Minister for Education and Science (Ms Hanafin): I am aware that Naas, like many areas located within close proximity to Dublin, continues to experience population growth, a position that almost inevitably places some strain on existing educational provision. However, a range of significant measures has been undertaken by

my Department to address the current and future need for pupil places in the Naas area.

Specifically, at primary level, an entire new school has been provided at Killashee while temporary accommodation has been provided at Scoil Corbain, St. Conleth's & St. Mary's NS and St. Conleth's Naofa. Temporary accommodation has been provided at one of the two nearby national schools at Caragh, also. In addition, approval has been given to St. Corban's, Gaelscoil Nás na Ríogh and Killashee for additional temporary accommodation for September 2005.

A brand new state of the art 16-classroom school together with a double autistic unit opened in Naas town in September 2005. Additionally, there are proposals to improve accommodation at St. David's and Two Mile House national schools. The accommodation needs of the national schools at Ballycane, Caragh and the Convent of Mercy in Naas are also being assessed.

At post-primary level, the management authority of St. Patrick's, County Kildare VEC, is progressing plans to re-locate 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 that school to 900 pupils. A similar extension is under construction at Meánscoil Iognaid Rís and further accommodation needs at the school are in planning.

All these initiatives represent enormous capital investment and demonstrate my commitment to meeting the needs of the area concerned. The school planning section of the Department will keep the position under review to ensure that any additional emerging needs are met as expeditiously as possible.

Pupil-Teacher Ratio.

1259. **Mr. Durkan** asked the Minister for Education and Science the position regarding her plans for the improvement of pupil/teacher ratios in all second level schools in the country; and if she will make a statement on the matter. [25585/05]

Minister for Education and Science (Ms Hanafin): Significant improvements have been made in the pupil teacher ratio at post-primary level in recent years. The ratio has fallen from 16:1 in the 1996-97 school year to 13.6:1 in 2003-04.

1260. **Mr. Durkan** asked the Minister for Education and Science the position regarding and her plans for the improvement of pupil/teacher ratios in all primary level schools in the country; and if she will make a statement on the matter. [25586/05]

1261. **Mr. Durkan** asked the Minister for Education and Science the position with regard to the pupil/teacher ratios in other EU jurisdictions and the way in which this compares to Ireland's current pupil/teacher ratios; her plans to address this issue; and if she will make a statement on the matter. [25587/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1260 and 1261 together.

The most recent figure available for the pupil-teacher ratio in our primary schools is 17.1:1 in the 2004-05 school year — projected. The most recent figures available for pupil-teacher ratios at primary level in other EU member states refer to the 2002-03 school year and are as follows:

EU Member States	
Belgium	13:1
Czech Republic	18:1
Denmark	11:1
Germany	19:1
Greece	12:1
Spain	14:1
France	19:1
Italy	11:1
Cyprus	19:1
Latvia	16:1
Lithuania	12:1
Luxembourg	11:1
Hungary	11:1
Malta	18:1
Netherlands	16:1
Poland	12:1
Slovenia	13:1
Slovakia	19:1
Finland	17:1
Sweden	12:1
UK	20:1

The Deputy should note that the figure for Denmark includes pupils attending lower second level and that the figure for the Netherlands includes pupils attending pre-primary schools. Figures are not available for Estonia, Austria and Portugal.

Significant improvements have been made in the pupil-teacher ratio, PTR, in recent years. The PTR, which includes all the teachers including resource teachers, has fallen from 22.2:1 in the 1996-97 school year to 17.1:1 in 2004-05 — projected.

Over 4,500 additional teachers have been employed in our primary schools since 1997. In allocating teaching posts, due regard has been given to the commitments of the Government to reduce class size, tackle educational disadvantage

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and provide additional resources for pupils with special educational needs. The additional teaching posts created since 1997 have been deployed to address all these priorities.

There are now approximately 5,000 teachers in our primary schools working directly with children with special needs, including those requiring learning support. This compares to under 1,500 in 1998. Indeed, one out of every five primary school teachers is now working specifically with children with special needs.

The Deputy will be aware of the new action plan for educational inclusion, “Delivering Equality of Opportunity in Schools”, which I launched recently. This action plan will result in the reduction in class sizes in schools serving the most disadvantaged communities to 24 at senior level and 20 at junior level.

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, those from disadvantaged areas and those in junior classes.

Schools Building Projects.

1262. **Mr. Durkan** asked the Minister for Education and Science the current position in relation to the extension project at a school (details supplied) in County Kildare; when a decision was made to advance same to tender and construction; and if she will make a statement on the matter. [25588/05]

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. Officials from my Department visited the school in question in June of this year to carry out a technical inspection of the existing accommodation and assess the needs of the pupils attending the school.

The school authorities have embarked on a major redevelopment programme which is at a very early design stage. They are assessing the future needs of the residents with special needs on the campus and outreach facilities and the many support services and industries around them. The school’s design team is preparing a development control plan for the site which this school forms part and the Department is awaiting its response before the project can proceed further.

In the meantime, a member of the Department’s inspectorate is drafting a schedule of overall accommodation to reflect the current educational needs of the pupils attending the school.

1263. **Mr. Durkan** asked the Minister for Education and Science the position in relation to the extension project at a school (details supplied) in County Kildare; if a decision has been made to advance same to tender and construction; and if she will make a statement on the matter. [25589/05]

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 Department’s officials recently wrote to the school authorities, giving approval to proceed to stage 1-2 — developed sketch scheme — of architectural planning and a response is awaited before further progression of this project.

1264. **Mr. Durkan** asked the Minister for Education and Science the position in relation to the extension project at a school (details supplied) in County Kildare; when same is likely to be completed; and if she will make a statement on the matter. [25590/05]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that on 16 March 2005 the school in question was given devolved authority to progress this project to tender and construction. Planning permission for the project was obtained from Kildare County Council and the project is currently out to tender. Tenders are due back in mid October.

1265. **Mr. Durkan** asked the Minister for Education and Science the progress made in relation to the provision of the extra facilities required at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25591/05]

Minister for Education and Science (Ms Hanafin): As the Deputy may be aware, following widespread local consultation, my Department recently published an area development plan for the N4-M4 corridor. This plan outlines the Department’s long-term educational strategy at both primary and post-primary level for this area which includes the school to which the Deputy refers. The recommendations in the plan are being considered in the context of the school building and modernisation programme from 2006 onwards subject to the prioritisation criteria for large scale building projects.

School Accommodation.

1266. **Mr. Durkan** asked the Minister for Education and Science the extent to which she expects to be in a position to meet the requirements in terms of accommodation or otherwise in each of the schools, primary and post-primary, in

Celbridge, County Kildare, in the course of the next 12 months; and if she will make a statement on the matter. [25592/05]

Minister for Education and Science (Ms Hanafin): As the Deputy may be aware, following widespread local consultation, my Department recently published an area development plan for the N4-M4 corridor.

This plan outlines the Department's long-term educational strategy at both primary and post-primary level for this area which includes Celbridge. The recommendations in the plan are being considered in the context of the school building and modernisation programme from 2006 onwards, subject to the prioritisation criteria for large scale building projects.

1267. **Mr. Durkan** asked the Minister for Education and Science the extent to which she expects to be in a position to meet the requirements in terms of accommodation or otherwise in each of the schools, primary and post-primary, in Maynooth, County Kildare, in the course of the next 12 months; and if she will make a statement on the matter. [25593/05]

Minister for Education and Science (Ms Hanafin): As the Deputy may be aware, following widespread local consultation, my Department recently published an area development plan for the N4-M4 corridor. This plan outlines my Department's long-term educational strategy at both primary and post-primary level for this area which includes Maynooth. The recommendations in the plan are being considered in the context of the school building and modernisation programme from 2006 onwards subject to the prioritisation criteria for large scale building projects.

1268. **Mr. Durkan** asked the Minister for Education and Science the extent to which she expects to be in a position to meet the requirements in terms of accommodation or otherwise in each of the schools, primary and post-primary, in Leixlip, County Kildare, in the course of the next 12 months; and if she will make a statement on the matter. [25594/05]

Minister for Education and Science (Ms Hanafin): As the Deputy may be aware, following widespread local consultation, my Department recently published an area development plan for the N4-M4 corridor. This plan outlines my Department's long-term educational strategy at both primary and post-primary level for this area which includes Leixlip. The recommendations in the plan are being considered in the context of the school building and modernisation programme from 2006 onwards subject to the prioritisation criteria for large scale building projects.

1269. **Mr. Durkan** asked the Minister for Education and Science the extent to which she expects to be in a position to meet the requirements in terms of accommodation or otherwise in each of the schools, primary and post-primary, in Naas, County Kildare, in the course of the next 12 months; and if she will make a statement on the matter. [25596/05]

Minister for Education and Science (Ms Hanafin): I am aware that Naas, like many areas located within close proximity to Dublin, continues to experience population growth, a position that almost inevitably places some strain on existing educational provision. However, a range of significant measures has been undertaken by my Department to address the current and future need for pupil places in the Naas area. Specifically, 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 NS and St. Conleth's Naofa. Temporary accommodation has also been provided at one of the two nearby national schools at Caragh. In addition approval has been given to St. Corban's, Gaelscoil Nas na Riogh and Killashee for additional temporary accommodation for September 2005.

A brand new state-of-the-art 16 classroom school together with a double autistic unit opened in Naas town in September 2005. Additionally, there are proposals to improve accommodation at St. David's national school and Two Mile House national school. The accommodation needs of the national schools at Ballycane, Caragh and the Convent of Mercy in Naas are also being assessed.

At post-primary level, the management authority of St. Patrick's post-primary school, County Kildare VEC, is progressing plans to relocate the school and extend capacity to 1,000 pupils. Additionally, an extension project is under construction at St. Mary's College, which will increase capacity at that school to 900 pupils. A similar extension is under construction at Meanscoil Iognaid Ris and further accommodation needs at the school are in planning. All of these initiatives represent huge capital investment and demonstrate my commitment to meeting the needs of the area concerned. The school planning section of my Department will keep the position under review to ensure any additional emerging needs are met as expeditiously as possible.

1270. **Mr. Durkan** asked the Minister for Education and Science the position in regard to the provision of extra facilities at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [25597/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my

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Department is in receipt of an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large-scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

School Transport.

1271. **Mr. Neville** asked the Minister for Education and Science if the decision to remove a school transport facility for first year students from the Kildimo, Clarina, Ballybrown Raheen and Mungret areas to a school (details supplied) in County Limerick will be reversed. [25611/05]

Minister for Education and Science (Ms Hanafin): Under the terms of the post-primary school transport scheme, a pupil is eligible for transport if he or she resides 4.8 kilometres or more from his or her local post-primary education centre, that is, the centre serving the catchment area in which he or she lives. In addition, an eligible pupil may be allowed the concession of transport, known as catchment boundary transport, to a centre other than her or his local centre, provided there is room on the bus to that centre after all eligible pupils have been catered for. Pupils from the areas referred to by the Deputy who reside within the Limerick city catchment area may apply for catchment boundary transport. The decision on the post-primary centre concerned was made following a full assessment of all relevant factors and there is no proposal to reverse it.

1272. **Mr. Rabbitte** asked the Minister for Education and Science if she will consider introducing a greater degree of flexibility in regard to the rules governing qualification for school transport, particularly with a view to facilitating pupils who live marginally outside the relevant catchment area and especially when there is spare capacity on the buses in question; if, in this regard, she will give consideration to the problems created for parents in the Islandeady area of County Mayo who have children attending the technical school in Castlebar; and if she will make a statement on the matter. [25689/05]

Minister for Education and Science (Ms Hanafin): A report on the case referred to by the Deputy has been requested from the relevant transport liaison officer. When the report is received and considered my Department will advise the Deputy of the position.

Schools Refurbishment.

1273. **Mr. Neville** asked the Minister for Education and Science when refurbishment work to two classroom extensions will be completed for a school (details supplied) in County Limerick. [25701/05]

Minister for Education and Science (Ms Hanafin): As part of the expansion of the devolved scheme for primary school building works a grant was sanctioned to enable the management authorities of the school in question to address the required building works. The initiative allows boards of management to address their accommodation and building priorities with a guaranteed amount of funding and gives boards of management control of the building project. I understand the board of management will make an application for planning permission in the near future.

School Placement.

1274. **Ms O'Sullivan** asked the Minister for Education and Science the action she will take to ensure that all children within the Limerick City catchment area secure a place in a post-primary school for the 2006-07 school year, in view of the decision of school principals to cease operating a central applications system; and if she will make a statement on the matter. [25740/05]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that, following the difficulties which arose last summer when more than 80 Limerick city children were left without an offer of a school place, my predecessor brought together the trustees and management authorities of all of the post-primary schools to ensure a co-ordinated approach would be taken to enrolments for 2005-06. Following this initiative the schools agreed the terms of the common application system for the 2005-06 school year and this was facilitated through the Limerick education centre with support from my Department.

While difficulties were still experienced for the 2004-2005 school year, by and large the system worked. All children submitted their applications on time. There were no duplicate applications for the schools to deal with. Every child got an offer of a school place in Limerick city. Of the 1,545 applicants 95% received offers from schools within their first three preferences. Seventeen appeals were heard under section 29 of the Education Act 1998, of which only one was upheld. In all other cases the schools were held to have applied their enrolment policies in a fair and reasonable manner. A small number of other appeals were withdrawn or resolved at local level. All of this was a very different picture than that of 2004.

Contrary to reports of a decision of school principals to cease operating a central applications system, my information is that the school principals have met on a number of occasions since the start of the current school year to discuss alterations to the system as it operated in 2005. I understand these discussions are ongoing. My Department remains willing to support the schools in whatever manner is necessary to ensure the successful operation of the central applications system is developed and brought forward so as to ensure all the children of Limerick city will be accommodated, in so far as possible, in the school of their choice within the Limerick city catchment area for the coming school year and beyond.

School Transport.

1275. **Ms O'Sullivan** asked the Minister for Education and Science if an extra bus will be provided to bring students from Clarina, Mungret and Raheen, County Limerick, to a college (details supplied), in view of a commitment given by her Department in 2001 that the *status quo* would prevail until the catchment boundaries were revised; and if she will make a statement on the matter. [25741/05]

Minister for Education and Science (Ms Hanafin): Under the terms of the post-primary school transport scheme, a pupil is eligible for transport if he or she resides 4.8 kilometres or more from his or her local post primary education centre, that is, the centre serving the catchment area in which he or she lives. In addition, an eligible pupil may be allowed the concession of transport, known as catchment boundary transport, to a centre other than his or her local centre, provided there is room on the bus to that centre after all eligible pupils have been catered for. Pupils from the areas referred to by the Deputy who reside within the Limerick city catchment area may apply for catchment boundary transport. The decision on the post-primary centre concerned was made following a full assessment of all relevant factors and there is no proposal to reverse it.

School Placement.

1276. **Ms O'Sullivan** asked the Minister for Education and Science the number of sixth class primary school pupils in the Limerick city catchment area; the number of first year post-primary places available in the 2005-2006 year; and if she will make a statement on the matter. [25742/05]

Minister for Education and Science (Ms Hanafin): Information on primary school pupils is collected by reference to school roll numbers and is not readily available in the format

requested by the Deputy for the Limerick city area. The number of first year post-primary places offered is determined by the individual school authorities and information on the intake by school for 2005-06 will not be available to my Department until statistical returns are made by the schools later in the academic year. While the capacity of any individual school has a bearing on the number of first year places which can be offered by a school, other factors such as pupil preference, location and traditional patterns of transfer may impact on the number of places offered by individual schools.

I confirm that 1,544 students took up first year places in the post-primary schools in Limerick city in September 2004 and in September 2005 offers have been made to 1,545 pupils under the central applications system operated by the schools. Of all students who applied for places through the central applications facility, 95% were offered a place in a school that was one of their top three preferences. The schools' statistical returns will provide information on the breakdown of intake by school.

School Transport.

1277. **Ms O'Sullivan** asked the Minister for Education and Science if her attention has been drawn to the fact that the decision of her Minister of State to exclude first year children from outside the catchment area from access to a school bus ticket will endanger the future viability of a college (details supplied) in County Limerick; and if she will make a statement on the matter. [25743/05]

Minister for Education and Science (Ms Hanafin): For the purposes of post-primary education provision, the country is divided into catchment areas, each of which has its own post-primary education centre. The catchment boundaries were determined following consultation with local educational interests and the intention was that certain primary schools would feed exclusively into each centre. My Department provided capital funding towards an extension to the Salesian secondary school in Pallaskenry some time ago and I am confident this decision will not threaten the viability of the school in question.

1278. **Ms O'Sullivan** asked the Minister for Education and Science the approximate cost of providing an extra school bus to take children from the west side of the Limerick city catchment area to a college (details supplied); and if she will make a statement on the matter. [25744/05]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is regarded as commercially sensitive and cannot be released.

In-service Training.

1279. **Ms O'Sullivan** asked the Minister for Education and Science if and when she will restore funding for the training of members of boards of management of schools; and if she will make a statement on the matter. [25745/05]

Minister for Education and Science (Ms Hanafin): In 2002-03, the Department reviewed the process whereby it supported a range of in-service activities, including board of management training, for schools at primary and post-primary levels. Previously, limited financial support was provided to a range of course providers and organisers for elective programmes of in-service training, to the extent that resources permitted and having regard to other commitments and priorities such as curricular reform and special needs. However, this approach was regarded as too fragmented. To rationalise the process and to make better use of available resources, groups and bodies were advised to contact their local education centre whose role, among others, is to provide local in-service training and support and to provide advice and assistance to schools and their personnel in these matters.

My Department funds a national network of 21 full-time and nine part-time education centres to deliver in-service support for schools and their personnel. In 2004 the Department made a subvention of €1,048,834 to education centres to support this work. A similar amount is likely to be allocated in 2005. The education centres provide board of management training courses to schools within their catchment area, usually in conjunction with other bodies and groups. To ensure consistency of provision my Department liaises with appropriate bodies at central level.

The teacher education section of my Department has established a new mechanism for providing support to such bodies in 2005 on a pilot basis. This mechanism enables school management bodies to apply for direct support in addition to the existing support provided by the education centre network. This will remain in place pending a review of the process. The teacher education section is prepared to consider proposals and to provide support to management bodies following consultation and consideration of submissions.

Proposals must be framed within the context of the Department's policy objectives and overall strategy on in-service training. As part of this context, proposals are required to include regional and national dimensions where the regional dimension links with the education centre network. Where possible, proposals are expected to operate in close collaboration with initiatives operated by the teacher education section such as the school development programme, leadership development for schools, etc.

It is essential that the proposals do not clash with or encroach upon the work of such national programmes and support services in the areas of curriculum support and other areas relating to teaching and learning. Regardless of the means of providing support, it is critical that the support provided to the management bodies is relevant to the needs of their schools and that these needs link into departmental objectives and strategies. In this context, officials in my Department are planning a targeted campaign of information to boards of management whereby the various management bodies can provide training.

Psychological Service.

1280. **Ms O'Sullivan** asked the Minister for Education and Science the number of NEPS psychologists currently employed by her Department in the mid-west region; the number to which the region is entitled; and if she will make a statement on the matter. [25746/05]

Minister for Education and Science (Ms Hanafin): All schools in the mid-west region have access to psychological assessments for their pupils, either through the National Educational Psychological Service, NEPS, directly or through the scheme for commissioning psychological assessments. There are currently six NEPS psychologists employed in the mid-west region. The number of NEPS psychologists has increased almost threefold from 43 on establishment to 123 at present, including three NDA psychologists serving with NEPS and one psychologist currently serving with another section of my Department. This number does not include five psychologists on career break.

The NEPS development plan envisages a staff of 16 psychologists in the mid-western region at full development strength. On behalf of my Department, the Public Appointments Service recently conducted a recruitment competition for the appointment of educational psychologists to NEPS and the mid-western region has been prioritised for the filling of vacancies. Any increase in the number of psychologists in NEPS must take account of Government policy on public sector numbers.

Schools which do not currently have NEPS psychologists assigned to them may avail of the scheme for commissioning psychological assessments, whereby the school can have an assessment carried out by a member of the panel of private psychologists approved by NEPS, and NEPS will pay the psychologist the fees for this assessment directly. Details of this process and the conditions that apply to the scheme appear upon the Department's website. NEPS also provides assistance to all schools which suffer from critical incidents, regardless of whether they have a NEPS psychologist assigned to them.

Schools Building Projects.

1281. **Mr. Penrose** asked the Minister for Education and Science the reason correspondence concerning a school (details supplied) in County Westmeath of 24 August 2005 was not replied to; the reason a definitive reply was not given to the school; the steps she will take to ensure that the application made for additional funding by this school which represents exceedingly good value would be finalised and additional moneys given to the board of management; and if she will make a statement on the matter. [25768/05]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, the school to which he refers was offered specific funding under my Department's small schools initiative, SSI, to provide it with a certain level of permanent accommodation. At the tender stage, the school became aware that it was facing a funding shortfall. Unfortunately, the school authority did not bring this to the attention of my Department. In the event, it proceeded with the project without approval for the increased funding. The matter was allowed to go forward under the SSI appeals process. However, the appeals board referred the matter back to the school planning section when it emerged that the building project carried out by the school was unlikely to meet its long-term accommodation needs. A reassessment was requested, which involves a re-examination of the long-term needs of the school in the context of long term projected enrolments. The school planning section is endeavouring to have this carried out as quickly as possible so that the appeals board can take a final decision in the matter.

Special Educational Needs.

1282. **Mr. Deasy** asked the Minister for Education and Science if she will appoint a full-time classroom assistant and a computer for a person (details supplied) in view of the recommendation put forward by a clinical psychologist with the South Eastern Health Board; and if she will make a statement on the matter. [25770/05]

1283. **Mr. Deasy** asked the Minister for Education and Science the reason remedial teaching hours which were appointed for a person (details supplied) in County Waterford have been discontinued due to the person changing to another school in the locality; and if she will make a statement on the matter. [25771/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1282 and 1283 together.

The Deputy may be aware that the National Council for Special Education, NCSE, which was established recently and has been operational

since 1 January 2005, is responsible for processing applications for special educational needs — SEN — supports. My officials have been advised by the NCSE that an application for SEN supports has been made by the school authorities for the pupil in question. The local special educational needs organiser is examining the application and the school will be notified directly of the outcome of the application in the near future.

Higher Education Grants.

1284. **Mr. Perry** asked the Minister for Education and Science if her attention has been drawn to the difficulties encountered by a person (details supplied) in County Sligo concerning a maintenance grant and registration fees; the avenues open to this person to secure financial aid; and if she will make a statement on the matter. [25826/05]

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. I understand the student referred to by the Deputy already holds a degree in fine art. She is therefore ineligible for a higher education grant and is also unable 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 is, however, 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 students and part-time postgraduate students. Further details and conditions of this tax relief are available from local tax offices.

Apart from the funding provided through the student support maintenance grant schemes, financial assistance is also available from my Department through the student assistance fund. The objective of the fund is to assist students, in a sensitive and compassionate manner, who might otherwise, due to their financial circumstances, be unable to continue their third level studies. Further information on this fund is available from the student access officer at the relevant college. Tuition fees are not payable from this fund. Another 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

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higher education courses. Partnership companies and community groups manage the fund locally. Students may contact their local partnership or community group for assistance.

School Transport.

1285. **Mr. Perry** asked the Minister for Education and Science if school transport will be provided to a person (details supplied) in County Sligo; and if she will make a statement on the matter. [25827/05]

Minister for Education and Science (Ms Hanafin): The pupil referred to by the Deputy has applied for catchment boundary transport to the school in question and Bus Éireann has advised my Department that a ticket will issue in the near future.

1286. **Mr. Perry** asked the Minister for Education and Science when a decision will be made on school transport for a person (details supplied) in County Leitrim; and if she will make a statement on the matter. [25828/05]

Minister for Education and Science (Ms Hanafin): There is no record of an application for transport having been received by either my Department or Bus Éireann in respect of the pupil referred to by the Deputy. In the event that an application is received in the future in respect of the pupil concerned, it will be considered subject to the normal terms and conditions prescribed in my Department's school transport scheme.

Schools Building Projects.

1287. **Mr. Stagg** asked the Minister for Education and Science if architectural planning for phase two of the extension to a school (details supplied) in County Kildare is complete; if not, when it will be completed; if there is any capital funding available at present which is likely not to be spent in the current year which would allow her to sanction the commencement of construction of the phase two extension in 2005. [25854/05]

Minister for Education and Science (Ms Hanafin): An extension to cater for the immediate needs of the school to which the Deputy refers is under construction and due to be completed shortly. Phase two, consisting of a further extension, is at an early stage of architectural planning. My Department recently wrote to the school requesting a stage two submission — outline sketch scheme. Further progress on the project can be considered when the school's response is received.

1288. **Mr. Stagg** asked the Minister for Education and Science, further to Parliamentary Question No. 158 of 16 June 2005, if further progress has been made. [25856/05]

1298. **Mr. Stagg** asked the Minister for Education and Science when the building project for a new school (details supplied) in County Kildare will go to tender; and when work will commence on the new school. [25902/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 1288 and 1298 together.

I am pleased to advise the Deputy that on 6 May 2005 my Department gave devolved authority for the project in question to proceed to tender and construction. Planning permission for the project had been obtained from Kildare County Council in February 2005. Tender documents are being prepared by the project's design team and it is envisaged that the project will go to tender shortly.

Question No. 1289 answered with Question No. 1209.

Departmental Funding.

1290. **Ms Burton** asked the Minister for Education and Science if her attention has been drawn to the difficulties of the board of management of a school (details supplied) in Dublin 15 and its request to her Department for additional resources in view of the large numbers of international pupils currently on the role; the additional resources she proposes to allocate to the school, particularly in respect of language teaching. [25858/05]

Minister for Education and Science (Ms Hanafin): Schools catering for non-national pupils who have significant English language deficits are entitled to assistance to enable these pupils gain full access to the curriculum. Schools that have 14 to 27 non-English speaking non-national pupils enrolled are entitled to a full-time temporary language support teaching post at primary level. Schools with 28 or more such pupils are entitled to two full-time temporary language support teachers. In exceptional cases, following consideration by my Department's inspectorate, a third teaching post may be sanctioned.

The support for an individual pupil is provided for a period of up to two years. On the basis that the non-national pupils for whom support was sought are enrolled in the school referred to by the Deputy on 30 September 2005, my Department recently provisionally sanctioned the retention of a third language support teacher in the school.

Site Acquisitions.

1291. **Ms Burton** asked the Minister for Education and Science if her Department has acquired a permanent site for a school (details supplied) in Dublin 15; the cost of the site; the amount of land which has been acquired; when the building of the permanent school will commence; the estimated value of the contract; the estimated completion date; and if she will make a statement on the matter. [25860/05]

Minister for Education and Science (Ms Hanafin): Negotiations regarding the acquisition of a site to cater for the permanent accommodation needs of the school to which the Deputy refers are at an advanced stage. Given the band one status attaching to this project under the prioritisation criteria for large scale building projects, it will proceed to architectural planning as soon as possible following site acquisition. Due to the commercial sensitivities attaching to site acquisitions generally, the information requested by the Deputy relating to site cost is not available for release at present. My Department's policy on all site acquisitions is to treat them with the strictest confidentiality until the acquisition has been completed. This is to ensure my Department will achieve the best value for money option. It is a further policy of my Department not to publish estimated building contract costs to avoid prejudicing the tendering process.

The amount of land to be acquired will allow for the development of school facilities to meet the needs of the school concerned along with shared community facilities which will be developed in conjunction with Fingal County Council. This co-operation ensures the delivery of school and community facilities maximises the use of available land and avoids the duplication of facilities such as sports facilities, playing pitches, etc.

Schools Building Projects.

1292. **Ms Burton** asked the Minister for Education and Science her proposals to provide a second level school in the Littlepace and Castaheany area of Clonee, Dublin 15, in view of the thousands of new homes in the area; the progress which has been made in acquiring the reserved site in the area for the second level school; when the new school will be given sanction; when she proposes to permit the new school to proceed to contract and to open; and the estimated cost of the site and of the contract for building and fitting the school. [25861/05]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, my Department is planning the development of a new post-primary school in Dublin 15 to serve the growing population of that area. It is intended to

progress the provision of the school in Phibbles-town area as a design build project. My Department has advertised in the Official Journal of the European Union for design build teams. The short-listing of these teams is currently being undertaken and a project manager has been appointed to manage the delivery of this project.

While it is not possible to state at this early stage when the new school will open, the acquisition process for the site is at an advanced stage. Due to the commercial sensitivities attaching to site acquisitions generally, the information requested by the Deputy relating to site cost is not available for release at present. My Department's policy on all site acquisitions is to treat them with the strictest confidentiality until the acquisition has been completed. It is to ensure my Department will achieve the best value for money option. In the same way, my Department does not publish estimated contract sums to avoid prejudicing the tendering process.

Educational Disadvantage.

1293. **Ms Burton** asked the Minister for Education and Science the reason she has failed to make details available on the socioeconomic background of students who were awarded higher education grants for the academic year 2002-03 despite a parliamentary question being tabled; when the information will be made available and when she sought the information from the relevant grant awarding authorities. [25864/05]

Minister for Education and Science (Ms Hanafin): Following a detailed review of the type of information previously collected in respect of the higher education grants scheme, statistical forms in respect of the 2002-03 and 2003-04 academic years issued in August 2004 to each of the 33 local authorities. My Department is in the process of collating information on students who were awarded grants under the higher education grants scheme for these academic years from the returns that have been submitted to date from the local authorities. There are a number of returns outstanding for 2002-03 and 2003-04 which my Department is pursuing with the local authorities and the County and City Managers' Association.

Following consultations with the Irish Vocational Education Association, new arrangements were introduced earlier this year to compile a more comprehensive statistical break-down of grantholders under the schemes administered by the VECs. This complements arrangements in place in respect of the higher education grants scheme. While the majority of awarding bodies have at this stage returned completed forms for 2003-04, officials in my Department are continuing to communicate with those from whom completed forms are still outstanding.

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Statistical forms in respect of 2004-05 issued to the local authorities and VECs in July 2005 and a number of these have been returned to the Department. On receipt of the outstanding statistical forms for 2002-03 from the local authorities, my Department will be in a position to compile and analyse the relevant statistics in respect of socioeconomic background and other relevant classifications for the year. The information will be made available to the Deputy as soon as they are compiled.

School Accommodation.

1294. **Ms Burton** asked the Minister for Education and Science the action she proposes to take in respect of additions, including a gym hall, required at a school (details supplied) in Dublin 15; if her attention has been drawn to the extreme pressures on staff and pupils caused by lack of space and severe overcrowding at same; if money has been made available to her for the necessary works; and if she will make a statement on the matter. [25866/05]

Minister for Education and Science (Ms Hanafin): An application for a new physical education hall at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria for large-scale building projects, which were revised following consultation with the education partners last year. The project has been assigned a band rating under the criteria and its progress will be considered in the context of the school building programme from 2006 onwards.

Psychological Service.

1295. **Mr. Stagg** asked the Minister for Education and Science the number of additional educational psychologists allocated in 2005 to national schools in County Kildare; the number of national schools in County Kildare which still have no direct services; the number of psychological assessments sought through the scheme for commissioning psychological assessments in 2005 in Kildare; and the number refused on the ratio basis. [25890/05]

Minister for Education and Science (Ms Hanafin): All schools in County Kildare have access to psychological assessments for their pupils, either through the National Educational Psychological Service, NEPS, directly or through the scheme for commissioning psychological assessments, SCPA. At present, the number of national schools in County Kildare which do not have a NEPS psychologist assigned to them is 61. Under the SCPA scheme to date in 2005, payment for a total of 222 assessments was sought

from NEPS by schools in County Kildare, all of which were granted.

As the Deputy will be aware, the number of NEPS psychologists has increased almost three-fold from 43 on establishment to 123 at present, including three NDA psychologists serving with NEPS and one psychologist currently serving with another section of my Department. This number does not include five psychologists on career break. On behalf of my Department, the Public Appointments Service recently conducted a recruitment competition for the appointment of educational psychologists to NEPS, with recruitment being targeted in such a way so as to increase the numbers of NEPS psychologists in priority areas. Any increase in the number of psychologists in NEPS must take account of Government policy on public sector numbers. Schools which do not currently have NEPS psychologists assigned to them may avail of the scheme for commissioning psychological assessments, whereby the school can have an assessment carried out by a member of the panel of private psychologists approved by NEPS and NEPS will pay the psychologist the fees for this assessment directly. Details of this process and the conditions that apply to the scheme appear on the Department's website. NEPS also provides assistance to all schools that suffer from critical incidents, regardless of whether they have a NEPS psychologist assigned to them.

Schools Building Projects.

1296. **Mr. Stagg** asked the Minister for Education and Science when architectural planning will be completed in respect of the required extension to a school (details supplied) in County Kildare; and if capital funding is available in 2005 to allow construction to commence in 2005. [25891/05]

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 Department's officials recently wrote to the school requesting further information from the consultant quantity surveyor on their stage three submission — developed plans and costs — and a response is awaited before further progression of this project.

Site Acquisitions.

1297. **Mr. Stagg** asked the Minister for Education and Science if there has been a successful conclusion to discussions with landowners on the purchase of a site for a new national school for Ardclough, County Kildare. [25892/05]

Minister for Education and Science (Ms Hanafin): The property management section of

the OPW, which acts on behalf of my Department regarding site acquisitions generally, has identified a possible site for the new national school for Ardclough. A technical assessment has been carried out on the site and the report is now awaited by my Department.

Question No. 1298 answered with Question No. 1288.

Schools Building Projects.

1299. **Mr. Stagg** asked the Minister for Education and Science the position on the progressing of the required extension to a school (details supplied) in County Kildare. [25909/05]

Minister for Education and Science (Ms Hanafin): As part of the 2003 pilot initiative of the devolved scheme for primary school building works, a grant of €100,000 was sanctioned to enable the management authorities of the school in question to provide additional accommodation.

The initiative allows boards of management to address their accommodation and building priorities with a guaranteed amount of funding and gives boards of management control of the building project. The school is question constructed two classrooms and three resource rooms and the works were completed in 2004.

An application for additional accommodation has recently been received in the planning section of my Department and is under consideration.

1300. **Mr. Stagg** asked the Minister for Education and Science the position on the provision of additional accommodation at a school (details supplied) in County Kildare. [25914/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department has received an application for major capital funding from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria for large scale projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

Question No. 1301 answered with Question No. 1247.

Schools Building Projects.

1302. **Mr. Stagg** asked the Minister for Education and Science the position on the provision of a permanent school building for a school (details supplied) in County Kildare. [25916/05]

Minister for Education and Science (Ms Hanafin): My Department has recently received

an application for a new school building for the school referred to by the Deputy. This application is under consideration in the school planning section of my Department at present. The application will be assessed against the published prioritisation criteria which were revised last year following consultation with the education partners. The project will be assigned a band rating and progress on the project will be considered in the context of the school building programme from 2006 onwards.

1303. **Mr. Stagg** asked the Minister for Education and Science the expected completion date for the extension to a school (details supplied) in County Kildare; and if she will sanction a further extension to the school. [25919/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction of the seven classroom extension has just been completed. The school was also included in my recent announcement of schools to commence architectural planning to provide a further eight classrooms. The design team has been appointed and architectural planning has commenced.

1304. **Mr. Stagg** asked the Minister for Education and Science the position on the provision of a permanent building for a school (details supplied) in County Kildare. [25921/05]

Minister for Education and Science (Ms Hanafin): My Department has recently received an application for a new building for the school referred to by the Deputy. This application is under consideration in the school planning section of my Department at present. The application will be assessed against the published prioritisation criteria which were revised last year following consultation with the education partners. The project will be assigned a band rating and progress on the project will be considered in the context of the school building programme from 2006 onwards.

National Educational Welfare Board.

1305. **Mr. Stagg** asked the Minister for Education and Science the extent of the educational welfare service in County Kildare and the proposals to extend it. [25923/05]

Minister for Education and Science (Ms Hanafin): The Education (Welfare) Act 2000 established the National Educational Welfare Board as the single national body with responsibility for school attendance. The Act provides a comprehensive framework promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The

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general functions of the board are to ensure that each child attends a recognised school or otherwise receives a certain minimum education.

The priority that I attach to supporting the NEWB in delivering on this goal is evident from the fact that the budget which has been allocated to the board for 2005 is up by 20% on the 2004 allocation, to nearly €8 million. The service is developing on a continuing basis. The total authorised staffing complement is currently 94, comprising 16 headquarters and support staff, five regional managers, 12 senior educational welfare officers and 61 educational welfare officers (ewos).

In deploying its service staff, the board has prioritised the provision of services to the most disadvantaged areas and most at-risk groups. Five regional teams are in place 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. A total of 13 towns with significant school going populations, 12 of which are designated under the Government's RAPID programme, also have an educational welfare officer allocated to them.

County Kildare is currently served by the board's regional team for the south Leinster area. One of the educational welfare officers on this team is based in the Department of Education and Science regional office in Naas, County Kildare.

I will be keeping the issue of the NEWB's staffing under review in the light of the rollout of services and any further proposals that the board may put to me in relation to clearly identified priority needs. The National Educational Welfare Board is an independent statutory agency and, as such, issues relating to the deployment of service staff are a matter for the Board.

Schools Building Projects.

1306. **Mr. Stagg** asked the Minister for Education and Science when the new national school in Naas will be fully operational. [25924/05]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that construction of a new national school in Naas is well underway. The project is scheduled for completion by the end of 2005.

Community Education.

1307. **Mr. Curran** asked the Minister for Education and Science if the budget allocated to the Dublin City and County VECs have been increased or reduced in 2005; her views on the fact that the fee being charged by Dublin VEC for adult education classes appears to have

increased very significantly from €70 to €130 and from €22 to €45 for the over 65s. [25925/05]

Minister for Education and Science (Ms Hanafin): The funding provided by my Department to the Dublin city and county VECs for community education has increased from €2,041,147 in 2004 to €2,267,000 in 2005, an increase of over 11%.

Community education is available to all. It refers to education and learning, generally outside the formal education sector, with the aims of enhancing learning, empowerment and contributing to civic society. It is firmly community-based, with local groups taking responsibility for, and playing a key role in, organising courses, deciding on programme content and recruiting tutors. The grants provided by the Department to the VECs are to enable disadvantaged adults to avail of community education at minimal or no cost. For those attending adult literacy classes there is no charge. Others who do not come within the disadvantaged category, or who attend leisure or hobby type courses, have to pay the economic fee.

It is a matter for each VEC to finance their adult education programmes from within their approved budgets, and they have discretion in setting the fees charged to those clients who have the means to pay. The fees charged by the two VECs in question would reflect the economic cost of the courses.

School Transport.

1308. **Mr. O'Dowd** asked the Minister for Education and Science if school transport will be provided for a person (details supplied) in County Louth; and if she will make a statement on the matter. [25957/05]

Minister for Education and Science (Ms Hanafin): There is no record of an application for transport having been received by either the Department or the transport liaison officer for County Louth VEC in respect of the pupil referred to by the Deputy. In the event that an application is received in the future in respect of the pupil concerned, it will be considered subject to the normal terms and conditions prescribed in the Department's school transport scheme.

Higher Education Grants.

1309. **Mr. O'Dowd** asked the Minister for Education and Science if a higher education grant will be awarded to a person (details supplied) in County Louth; and if she will make a statement on the matter. [25958/05]

Minister for Education and Science (Ms Hanafin): Under the terms of the Department's

higher education grants scheme a student is not eligible for grant assistance in respect of a second period of study at the same level irrespective of whether or not a grant was paid previously. The candidate in question has pursued the two year full-time course leading to the international Montessori diploma at Montessori College (AMI) Milltown, which is an approved course for higher education grant purposes and that she holds an international Montessori diploma which would enable her to teach three to six year olds. In the current academic year she wishes to pursue a one year six to 12 years diploma programme. As the candidate referred to by the Deputy already holds an international Montessori diploma, she may be ineligible under the terms and conditions of the 2005 higher education grant scheme for funding in respect of a second international Montessori diploma.

My Department is currently in correspondence with AMI Milltown seeking clarification as to the precise qualification that students are awarded at the end of second year and if this is a terminal qualification, the entry requirements into third year and the terminal qualification at the end of this year. The case in question will be reviewed further when the position is clarified with the institution in question.

Special Educational Needs.

1310. **Ms Enright** asked the Minister for Education and Science when the recommendation will be implemented to have three and a half hours resource learning provided for a person (details supplied) in County Donegal; and if she will make a statement on the matter. [25963/05]

Minister for Education and Science (Ms Hanafin): The National Council for Special Education, which was established recently, and which has been operational since 1 January 2005, is responsible for processing applications for special educational needs (SEN) supports.

My officials have been advised by the NCSE that no application for SEN supports for the pupil referred to by the Deputy has been made to the SENO. It is open to the school to contact the SENO directly regarding any special education needs that the pupil may have.

School Staffing.

1311. **Mr. G. Mitchell** asked the Minister for Education and Science further to Parliamentary Question No. 141 of 22 June 2005 and 221 of 21 June 2005 (details supplied) if the appointment of the person concerned will be sanctioned if selected by the interview board for a teaching post in a school in Dublin 6; and if she will make a statement on the matter. [25964/05]

Minister for Education and Science (Ms Hanafin): To be eligible for appointment as a teacher at primary level a person must hold either a recognised primary teaching qualification or hold restricted recognition for the purposes of teaching in special schools or in special classes in ordinary primary schools. If the person referred to by the Deputy does not satisfy either of these requirements, my Department will not be in a position to approve the appointment of the person concerned.

Disability Benefit.

1312. **Mr. Hogan** asked the Minister for Defence when a refund of disability benefit will be awarded to a person (details supplied) for the tax year 2005 in view of the fact that the Department of Defence have resolved matters relating to this refund; and if he will make a statement on the matter. [24529/05]

Minister for Defence (Mr. O'Dea): The question relates to an application for a refund of income tax from an employee of my Department in respect of absences on sick leave during 2005. This employee received disability benefit for these absences and was also fully covered under the Department's sick pay schemes. Under the Income Tax Acts the first 36 days of disability benefit paid in the tax year is exempt from tax. Employees of my Department are fully covered by sick pay schemes. However, certain employees are also eligible for disability benefit while absent due to sickness. In such cases, these employees retain their full entitlement to paid sick leave but submit applications to the Department of Social and Family Affairs for disability benefit. As the employees are already in receipt of the normal level of pay, the disability benefit payments are forwarded to my Department.

In this case, the person concerned has been in receipt of disability benefit payments for more than 36 days in the current tax year. The question of a tax rebate in respect of these payments therefore arises. However, the Department's payroll system is currently unable to process applications for tax rebates in respect of periods for which an employee has received disability benefit. This is also the situation in a number of other Government Departments. Discussions are ongoing between the relevant Departments and Government offices with a view to putting a system in place whereby tax relief on disability benefit can be dealt with through payroll systems. For this reason, the individual concerned can obtain a refund of income tax in respect of disability benefit received by him at the end of the current income tax year by means of an application to the Revenue Commissioners. This employee has availed of this facility in respect of refunds in previous years. The Department will, of course,

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provide the employee concerned with any information he might require to pursue this application.

Departmental Contracts.

1313. **Mr. Morgan** asked the Minister for Defence the name of each company which secured a contract over €100,000 in value with his

Department in each of the past five years. [24410/05]

Minister for Defence (Mr. O'Dea): As the reply is in the form of a tabular statement, the information requested has been forwarded to the Deputy. The statement covers contracts over €100,000 in value in the period January 2001 to date. Contracts of a security nature are not included on the statement. Every effort has been made to ensure the accuracy of the information given the large amount of work involved in formulating the reply.

Year	Name of Company	Contract Value (rounded nearest €000)
		€
2001	Motor Distributors Limited	1,842,000
	Nissan Ireland	429,000
	Henry Ford & Son Limited	730,000
	LJ. Warnants & Co. Limited	772,000
	K C Commercials	445,000
	Mowag Motorwagenfabrik AG	220,000
	Celtic Containers	178,000
	Hydro Products	310,000
	Industrial Engineering Designers	1,904,000
	Irish National Petroleum	1,345,000
	LJ. Warnants & Co. Limited	261,000
	Radamec Control Systems	307,000
	M. Schall & C0. KG	1,040,000
	J & S Franklin Limited	131,000
	Eurest	100,000
	Lumley & Son Limited	750,000
	Olhausnes	136,000
	Dairygold Food Products	105,000
	Sean Duffy	488,000
	Irish Procurement Services	254,000
	Dairygold Food Products	103,000
	MD OπConnor	101,000
	Irish Pride Bakery	155,000
	Goldenvale plc	107,000
	Decision Support Systems	114,000
	Dell Corporation	531,000
	Communication Services	787,000
	Chelton Defence Communications	932,000
	Ericssons Business Communications	168,000
	Chelton Defence Communications	153,000
	Nextiraone	418,000
	Air Partner PLC	284,000
	Air Partner PLC	260,000
	Air Partner PLC	106,000
	Irish Aviation Authority	342,000
	Pathix Inc.	215,000
	Canadian Aerospace Training	399,000
	Mc Alpine Helicopters Limited	271,000
	Canadian Aerospace Training	249,000

Year	Name of Company	Contract Value (rounded nearest €000)
		€
	International Turbine Services	241,000
	Atron Electronics Limited	117,000
	Airsys ATM	403,000
	Hunter Marine Limited	101,000
	CASA	110,000
	Turbomeca SCE Commercial	120,000
	Island Ferries Teo	111,000
	Dallas Airmotive Inc.	526,000
	Turbomeca SCE Commercial	119,000
	Atron Electronics Limited	185,000
	Jet Aviation	520,000
	Jet Aviation	146,000
	Turbomeca SCE Commercial	243,000
	Sabeo	364,000
	Vekkla Buildings AB	1,186,000
	Berna Biotech	108,000
	Le Bas International	118,000
	Le Bas International	242,000
	Atron Electronics Limited	118,000
	North Eastern Aviation Corporation	100,000
	Starair	392,000
	Deloitte & Touche	127,000
	Shorts	639,000
	Gathergrove Ltd, T/A John Ruth & Sons Ltd.	166,000
	J. & W. Leahy Bros.	708,000
	Gathergrove Ltd, T/A John Ruth & Sons Ltd.	716,000
	Croydon Ltd., T/A Ryan Windows,	153,000
	Michael Fitzgerald & Sons Ltd.	139,000
	Michael Fitzgerald & Sons Ltd.	347,000
	Michael A. Ladden Ltd.	422,000
	Stringer Building Services Ltd	224,000
	John F. Supple Ltd.	100,000
	P. Malone Electrical Ltd.	114,000
	James Duffy & Sons Ltd	150,000
	John A. Wood Ltd.	382,000
	Arkenvale T/A Place Construction Ltd.	503,000
	Corbett Building Contractors.	921,000
	E.S.B.	174,000
	Tom Cuffe & Sons Ltd.	108,000
	Gathergrove Ltd, T/A John Ruth & Sons Ltd.	166,000
	S.M. Morris Ltd.	140,000
	Gathergrove Ltd, T/A John Ruth & Sons Ltd.	185,000
	John Madden & Son Ltd	116,000
	C.L.G. Development Ltd	341,000
	Tarmak Ovearkil T/A Tarmak Co. Ltd.	158,000
	P. Byrne Roofing Ltd.	273,000
	Roseberry Developments	2,666,000
	Collen Construction Ltd.	6,674,000
	Manley Construction Ltd.	965,000
	Straffan Construction Ltd.	4,448,000
	Dunnes Building Services Ltd.	508,000

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Year	Name of Company	Contract Value (rounded nearest €000)
		€
	John A. Wood Ltd.	324,000
	Duggan Lynch Ltd.	4,629,000
	Straffan Construction Ltd	1,082,000
	Gerard Mc Grath & Co. Ltd	263,000
	Conclan Ltd T/A Clancy Construction Ltd.	197,000
	Tom Atkinson & Sons.	108,000
	Noel Deane Roofing & Cladding Ltd	117,000
	Trevor Cunningham & Son Ltd	110,000
	John Sisk & Son Ltd.	3,006,000
	Electrical Engineering Services Ltd.	116,000
	Kelly Contractors Ltd.	101,000
	Barbary Construction Ltd	277,000
	Mc Namee Construction Ltd.	193,000
2002	Motor Distributors Limited	264,000
	Nissan Ireland	1,910,000
	E. Fox Engineers Limited	169,000
	Westwood Trailers	114,000
	Henry Ford & Son Limited	905,000
	DAF Dist Irl Limited	291,000
	Dennison Trailers	110,000
	BOD Vehicle Support Services	1,617,000
	Renault Trucks Ireland Limited	537,000
	Patrek Cargotec Limited	167,000
	Priory Motorcycles Limited	194,000
	KC Commercials	402,000
	Motor Motorwagenfabrik AG	303,000
	Cross Refrigeration Limited	158,000
	Irish Shell Limited	695,000
	Middleton Marine Limited	117,000
	Texaco Ireland Limited	851,000
	Thales	243,000
	M. Schall & Co. KG	647,000
	Dantherm	272,000
	Eurest	100,000
	Goldenvale	108,000
	Lumley & Son Limited	807,000
	Irish Procurement Services	280,000
	Sean Duffy	294,000
	Olhausnes	182,000
	Crescent Communications	419,000
	Damovo	127,000
	Air Partner PLC	315,000
	Air Partner PLC	237,000
	Canadian Aerospace Training	399,000
	Turbomeca SCE Commercial	109,000
	Turbomeca SCE Commercial	179,000
	KC Commercials	120,000
	Dallas Airmotive Inc.	154,000
	Dallas Airmotive Inc	207,000

Year	Name of Company	Contract Value (rounded nearest €000)
		€
	National Birds of Prey	111,000
	KC Commercials	228,000
	Gulfstream Aerospace Corporation	316,000
	Canadian Aerospace Training	209,000
	CASA	125,000
	Hunter Marine Limited	101,000
	Aeromecanic	132,000
	CASA	385,000
	Atron Electronics Limited	100,000
	Island Ferries Teo	122,000
	CASA	140,000
	CASA	260,000
	Shearwater Training Limited	140,000
	Lablink Limited	156,000
	Arthur J. Gallagher	113,000
	Le Bas International	504,000
	CAE	2,030,000
	John F. Supple Ltd.	234,000
	O'Reilly Dunlavin Ltd.	319,000
	E.P.S. Pumping & Treatment Systems Ltd.	300,000
	Joseph Lane & Sons Ltd.	740,000
	Murnane & O'Shea Ltd.	548,000
	John F. Supple Ltd.	488,000
	Cumnor Construction Ltd.	323,000
	T. Murray & Son Ltd	118,000
	Pat Moore Builders Ltd.	630,000
	Duggan Lynch Ltd.	997,000
	Rilmount Developments Ltd.	202,000
	CF Quality Decorators Ltd.	105,000
	Noel Deane Roofing & Cladding Ltd.	106,000
	Keohane Builders Ltd.	154,000
	Regan Construction Ltd.	664,000
	Conclan Ltd T/A Clancy Construction Ltd.	663,000
	P.J. Walls Ltd.	947,000
	Fay Environmental Ltd	569,000
	C.L.G. Development Ltd.	207,000
	Edward Long & Co. Ltd.	260,000
	Conclan Ltd T/A Clancy Construction Ltd.	345,000
	P.J. Walls	9,039,000
	C.L.G. Development Ltd.	639,000
	John Madden & Son Ltd.	154,000
	Michael Hanrahan Construction Ltd	119,000
	Roadstone Ltd.	6,408,000
	NK Fencing Ltd.	166,000
	Whitewillow Developments Ltd	107,000
	Manley Construction Ltd	2,005,000
	Duggan Lynch Ltd.	1,049,000
	C.L.G. Developments Ltd	307,000
	P. Moran CCTV Ltd	124,000
	Patrick Byrne Roofing Ltd.	142,000
	Ward & Burke Construction Ltd	1,025,000

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Year	Name of Company	Contract Value (rounded nearest €000)
		€
	J.J. Rhatigan & Co. Ltd.	3,359,000
	Irish Fencing Ltd	141,000
	M.D.Y. Construction Ltd	1,925,000
	Rilmount Developments Ltd	176,000
	Noel Deane Roofing & Cladding Ltd	132,000
	Tom Cuffe & Sons Ltd	1,217,000
	Purcell Construction Ltd	1,988,000
	IPBM	106,000
2003	Ricardo Vehicle Engineering	2,246,000
	Ricardo Vehicle Engineering	309,000
	Michelin Tyre Co. Limited	148,000
	Nissan Ireland	3,601,000
	E Fox Engineers limited	212,000
	JL Fenton Limited	112,000
	Henry Ford & Son Limited	1,253,000
	Mowag Motorwagenfabrik AG	971,000
	JL Bradshaw & Company	149,000
	Penman Engineering Limited	2,330,000
	Ballinphellic Engineering Company Limited	104,000
	Cork Dockyard Limited	121,000
	Caley Ocean Systems	133,000
	Delta Power Services	131,000
	LJ Warnants & Company Limited	315,000
	Navcom Electronics Limited	111,000
	Sigma Wireless Communications	200,000
	Rola Trac Limited	385,000
	Rubb buildings	684,000
	Eurest	100,000
	Donegal Creameries Plc	130,000
	Pat the Baker	141,000
	Coll Ide Farm Limited	130,000
	Lumley & Son Limited	850,000
	Sean Duffy	196,000
	Kepak	106,000
	Irish Procurement Services	404,000
	Version 1 Software	223,000
	Air Partner PLC	194,000
	Air Partner PLC	132,000
	Air Partner PLC	178,000
	Patria Ostermans Aero AB	101,000
	Atron Electronics Limited	268,000
	Turbomeca SCE Commercial	104,000
	Mc Alpine Helicopters Limited	127,000
	Gulfstream Aerospace Corporation	555,000
	Peamount Hospital Farm	123,000
	Aeromecanic	310,000
	Volvo Aero Engine Services	377,000
	National Birds of Prey	111,000
	Astec Helicopter services	127,000

Year	Name of Company	Contract Value (rounded nearest €000)
		€
	CASA	163,000
	Dallas Airmotive (UK) Limited	215,000
	KC Commercials	345,000
	Turbomeca SCE Commercial	106,000
	NTL	141,000
	IPBM	152,000
	Bombardier Aerospace / Learjet Inc.	10,100,000
	KC Commercials Limited	759,000
	Pilatus Aircraft Limited	60,100,000
	EADS CASA	2,000,000
	Thales	204,000
	Tallis & Co.	315,000
	Mc Ginty & O'Shea.	272,000
	John Sisk & Sons Ltd	443,000
	Joseph Lane & Sons Ltd.	911,000
	Techcon International Ltd.	202,000
	Cumnor Construction Ltd.	680,000
	Foreman Construction Ltd.	144,000
	G.K.T. Construction Ltd.	350,000
	Mc Namee Construction Ltd.	236,000
	S.M. Morris Ltd.	128,000
	W. Malone & Sons (Electrical Contractors) Ltd.	722,000
	P.J. Duffy & Son Ltd.	145,000
	M.J. Lambe & Son Ltd.	438,000
	Clonmel Enterprises Ltd.	287,000
	Visco Ride	117,000
	Mc Namee Construction Ltd.	127,000
	Rohcon Construction Ltd	2,114,000
	John Sisk & Son Ltd.	2,576,000
	T. Murray & Son Ltd	1,241,000
	Roseberry Developments Ltd.	226,000
	J.F. Supple Ltd	1,536,000
2004	MME Engineering Limited	247,000
	Michelin Tyre Company Limited	255,000
	Nissan Ireland	410,000
	Henly Forklift Group	208,000
	Westward Scania Limited	4,189,000
	E Fox Engineers Limited	221,000
	JL Fenton Limited	127,000
	Henry Ford & Son Limited	828,000
	DAF Dist Irl Limited	324,000
	BOD Vehicle Support Services	116,000
	Mowag Motorwagenfabrik AG	530,000
	JL Bradshaw & Co	127,000
	Jungheinrich Lift Truck Limited	144,000
	Caley Ocean Systems	134,000
	Cork Dockyard Limited	100,000
	Delta Power Services	143,000
	Conocophilips	497,000
	Ultra Electronics Limited	223,000

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Year	Name of Company	Contract Value (rounded nearest €000)
		€
	Ballinphellic Engineering Limited	111,000
	Cork Dockyard Limited	219,000
	Conocophilips	965,000
	Conocophilips	781,000
	Man B & W Paxman Diesel Limited	127,000
	J&S Franklin Limited	111,000
	Eurest	100,000
	Irish Pride Bakery	114,000
	Goldenvale Plc	325,000
	Lumley & Son Limited	820,000
	Western Brand Group	432,000
	Allied Foods	148,000
	Sean Duffy	432,000
	Olhausnes	200,000
	Irish Procurement services	450,000
	Damovo	160,000
	Business & Scientific Service	201,000
	Air Partner Plc	126,000
	Air Partner Plc	171,000
	Air Partner Plc	171,000
	Air Partner Plc	108,000
	Air Partner Plc	171,000
	Air Partner Plc	171,000
	Mc Alpine Helicopters Limited	112,000
	Turbomeca SCE Commercial	207,000
	Honeywell Inc	117,000
	Atron Electronics Limited	219,000
	H & S Aviation	462,000
	Peamount Hospital Farm	120,000
	Northrop Grumman Elect Sys	262,000
	EADS CASA	121,000
	Northrop Grumman (Litton)	133,000
	Astec Helicopter Services	130,000
	Jet Aviation	231,000
	CASA	166,000
	EADS CASA	364,000
	Peamount Hospital Farm	120,000
	Sabeo Technologies Limited	796,000
	Entropy Limited	350,000
	Oracle EMEA	109,000
	Oracle EMEA	1,937,000
	Oracle EMEA	3,211,000
	Mark Sinnot	142,000
	Park Air Systems AS	933,000
	Guilford Construction Limited	225,000
	A. Cafferkey Developments Limited	217,000
	Arthur J. Gallagher	173,000
	Mach Aviation	222,000
	Cahalane Brothers Ltd.	440,000
	Dunnes Building Services Ltd.	270,000

Year	Name of Company	Contract Value (rounded nearest €000)
		€
	James Duffy & Sons Ltd	173,000
	Keohane Builders Ltd	377,000
	Keohane Builders Ltd	609,000
	Joseph Lane & Sons Ltd.	130,000
	Tom Cuffe & Sons Ltd.	165,000
	John Madden & Sons Ltd	164,000
	U.K Dredging Ltd.	213,000
	Gathergrove Ltd, T/A John Ruth & Sons Ltd	139,000
	S.M. Morris Ltd.	113,000
	Joseph Lane & Sons Ltd.	247,000
	Ward & Burke Construction Ltd,	320,000
	Roseberry Developments Ltd.	313,000
	Michael Hanrahan Construction Ltd.	303,000
	J.A. Cummins & Co. Ltd.	147,000
	J.P. Castle Building Construction Ltd	530,000
	Portable Kitchens Ireland Ltd.	163,000
	Eneclann Ltd.	546,000
	O'Reilly Dunlavin Ltd.	469,000
	Gerard Mc Grath & Co. Ltd	112,000
	Stringer Building Services Ltd.	109,000
	Caislean Homes T/A Kelly Contractors Ltd.	279,000
	Straffan Construction Ltd.	472,000
	A.D.T Fire & Security Ltd	135,000
	Murphy Bros. Builders Ltd.	102,000
	Anthony Duffy Building Contractors Ltd	213,000
	Custom Crew Construction Ltd	150,000
	Dunnes Building Services	1,750,000
	Fleeton Watson Ltd.	597,000
	Hally & Sons Ltd.	243,000
	M.D.Y. Construction Ltd	1,347,000
	Fintan Phelan Construction Ltd.	1,307,000
	Kylemore Construction Ltd	1,033,000
	Shine Construction Ltd	728,000
	Spraybake Ltd.	143,000
	Mulligan Fencing Ltd	119,000
	Thomas S. Joyce	2,124,000
	Tom Cuffe & Sons Ltd.	101,000
	Glenman Corporation Ltd	2,428,000
2005	Kelvin Hughes Limited	245,000
	Cork Dockyard Limited	168,000
	Navcom Electronics Limited	194,000
	Reamda Limited	142,000
	Man B & W Ruston Diesel Limited	114,000
	Texaco Ireland Limited	1, 262,000
	Bond Instrumentation & Process Control Limited	125,000
	J & S Franklin Limited	101,000
	Fra Angelico Limited	104,000
	Eurest	100,000
	BWG Foods Limited	650,000
	MD O'Connell	413,000

[Mr. O'Dea.]

Year	Name of Company	Contract Value (rounded nearest €000)
		€
	Allied Foods	168,000
	Sean Duffy	481,000
	Irish Procurement Services	450,000
	Crescent Communications	105,000
	Intergold	110,000
	Turbomeca SCE Commercial	182,000
	Honeywell Inc	107,000
	Mc Alpine Helicopters Limited	161,000
	Pilatus Aircraft Limited	120,000
	Hants & Sussex Limited	240,000
	Jet Aviation (UK) Limited	110,000
	H & S Aviation	592,000
	EADS CASA	389,000
	Angloco Limited	627,000
	Bird Control Ireland Limited	149,000
	Simulation Ters Limited	268,000
	nCipher Corporation Limited	289,000
	Entropy Limited	211,000
	Bell/ Agusta Aerospace Corporation	48,400,000
	Eurocopter	12,826,000
	Arthur J. Gallagher	225,000
	Air Partner Plc	103,000
	Air Partner Plc	111,000
	Air Partner Plc	110,000
	Air Partner Plc	103,000
	Air Partner Plc	111,000
	Air Partner Plc	174,000
	Air Partner Plc	174,000
	Air Partner Plc	109,000
	Air Partner Plc	110,000
	Michelin Tyres	144,000
	Nissan	1,819,000
	J.L. Fenton	122,000
	Henry Ford	499,000
	OKM Trailers	348,000
	Mowag Motorwagenfabrik AG	852,000
	Electro Maintenance Limited	154,000
	T. Murray & Son Ltd	576,000
	IEM Ltd.	154,000
	Irish Event Mobile Ltd.	154,000
	Mark Forkin Ltd	130,000
	Kylemore Construction Ltd	2,050,000
	Group 4 Securicor	146,000
	Duggan Lynch Ltd.	1,544,000
	Straffan Construction Ltd	826,000
	William F. Rowley Ltd.	1,546,000
	G.K.T. Construction Ltd.	1,048,000

Commencement Orders.1314. **Mr. Quinn** asked the Minister for

Defence if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Depart-

ment, or for the commencement of which his Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [24907/05]

Minister for Defence (Mr. O’Dea): The question does not arise, at present, in so far as my Department is concerned.

Defence Forces Investigations.

1315. **Mr. Quinn** asked the Minister for Defence the proportion of aircraft with a declared origin or destination of Andrews Air Force Base, Washington DC, which landed in the State during each of 2004 and 2005 to date and which were examined by the Defence Forces to ensure that they complied with their obligations on declaration of the persons and cargo being carried, especially in regard to the transportation of weapons, munitions and explosives, categorised by airport landed at in the State and by final destination of the aircraft; if the Defence Forces intends to make any such investigations during the remainder of 2005; if he intends to instruct the Defence Forces in any manner regarding this issue; and if he will make a statement on the matter. [24932/05]

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. For civil aircraft the responsibility lies with my colleague the Minister for Transport.

In the case of US military and/or chartered civilian aircraft transporting military cargo, the US Embassy submits applications to the Department of Foreign Affairs confirming that the aircraft seeking landing permission will comply with the relevant operative criteria. I understand from my colleague the Minister for Justice, Equality and Law Reform that the Garda Síochána is notified in advance of the arrival of all such landings, and

that, while such aircraft are not routinely inspected, the Garda Síochána conducts a full investigation in any case where a credible complaint of activity is made, to include where appropriate an inspection of the aircraft in question.

The Defence Forces have no role in examining or investigating foreign military aircraft permitted to land in the State and therefore it would be inappropriate to comment further on the matter.

Ministerial Travel.

1316. **Mr. Kehoe** asked the Minister for Defence the number of journeys that have been made by Government Ministers and Ministers of State in Air Corps aircraft in 2004 and 2005; the cost of each journey; and the number of aircraft and personnel that were diverted from other duties to transport these Ministers; and if he will make a statement on the matter. [24953/05]

Minister for Defence (Mr. O’Dea): The information requested with regard to journeys made by Ministers and Ministers of State in Air Corps aircraft in 2004 and 2005 has been forwarded to the Deputy.

The ministerial air transport service, provided by the Air Corps to facilitate members of the Government in fulfilling their official engagements at home and abroad, is primarily provided by the Gulfstream IV and Learjet 45 aircraft, which were specifically acquired for that purpose. From time to time additional Air Corps aircraft are used to as a back up when the MATS aircraft are unavailable for operational or technical reasons.

With regard to the cost of each trip, the total flying cost of the Gulfstream IV is calculated as €5,550 per hour, which includes fuel, handling, maintenance, depreciation and personnel costs. The total flying cost for the Beech Super King Air is calculated as €1,400 per hour. The manufacturer’s estimated direct hourly flying cost for the Learjet 45 is approximately €1,000 per hour — a more detailed costing is not yet available for this aircraft, which came into service in January 2004. The total flying cost of the CASA is calculated as €2,400 per hour, and the total flying cost for the Dauphin helicopter is €2,800 per hour.

[Mr. O'Dea.]

Gulfstream IV

Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
<i>2004</i>				
7-Jan-04	7-Jan-04	90	Baldonnel-Brussels- Baldonnel	Tánaiste
7-Jan-04	7-Jan-04	230	Baldonnel-Frankfurt- Baldonnel	Finance
9-Jan-04	9-Jan-04	240	Baldonnel-Dublin-Berlin-Manchester- Baldonnel	Taoiseach
13-Jan-04	14-Jan-04	230	Baldonnel-Dublin-Strasbourg-Luxembourg- Strasbourg-Dublin-Baldonnel	Taoiseach
14-Jan-04	17-Jan-04	700	Baldonnel-Tel Aviv-Cairo-Rotterdam- Baldonnel	Foreign Affairs
19-Jan-04	19-Jan-04	180	Baldonnel-Dublin-London-Dublin-Baldonnel	Taoiseach
20-Jan-04	20-Jan-04	90	Baldonnel-Brussels- Baldonnel	Tánaiste
21-Jan-04	22-Jan-04	340	Baldonnel-Brussels- Zurich-Brussels-Derry- Cork- Baldonnel	Transport/Tánaiste/Min.Agric.Min. Soc.Fam.Affairs. Bal-Brussels: Transport; Brussels-Zurich: Tánaiste. Brussels-Derry: Agriculture & DSFA. Derry- Cork: Agriculture, Transport. Cork-Bal: Transport
24-Jan-04	25-Jan-04	570	Baldonnel-Georgia- Brussels- Baldonnel	Foreign Affairs
26-Jan-04	26-Jan-04	270	Baldonnel- Dublin-Madrid-Dublin-Baldonnel	Taoiseach and officials
27-Jan-04	28-Jan-04	180	Baldonnel- Brussels-Baldonnel	Transport
28-Jan-04	30-Jan-04	185	Baldonnel-Paris-Baldonnel	Tánaiste
29-Jan-04	29-Jan-04	120	Baldonnel- Dublin- Northolt-Dublin - Baldonnel	Taoiseach
3-Feb-04	3-Feb-04	60	Baldonnel- Belfast-Baldonnel	Foreign Affairs
10-Feb-04	10-Feb-04	90	Brussels-Baldonnel	Finance
12-Feb-04	12-Feb-04	340	Baldonnel-Dublin-Rome-Dublin-Baldonnel	Taoiseach
14-Feb-04	19-Feb-04	1,365	Baldonnel- Dubai-New Delhi-Islamabad- Ankara-Baldonnel	Foreign Affairs
22-Feb-04	29-Feb-04	945	Baldonnel-NewYork-WhitePlains-Newyork- Boston-Baldonnel	Tánaiste
3-Mar-04	5-Mar-04	80	Baldonnel-Pristina-Thessalonika-Pristine-Rome- Skopje-Baldonnel	Defence
7-Mar-04	7-Mar-04	570	Baldonnel-Ankara-Baldonnel	Foreign Affairs
2-Mar-04	2-Mar-04	60	Baldonnel-Belfast-Baldonnel	Arts, Sports and Tourism/MOS Foreign Affairs
14-Mar-04	14-Mar-04	125	Baldonnel-Geneva-Baldonnel	Foreign Affairs
16-Mar-04	19-Mar-04	70	Baldonnel-Dublin-Washington-Ottawa-Dublin- Baldonnel	Taoiseach
22-Mar-04	22-Mar-04	60	Baldonnel-Dublin-Paris (Le Bourge)-Dublin- Baldonnel	Taoiseach
22-Mar-04	22-Mar-04	90	Baldonnel-Brussels-Baldonnel	Foreign Affairs
23-Mar-04	23-Mar-04	60	Baldonnel-Dublin-Belfast-Dublin-Baldonnel	Taoiseach
24-Mar-04	24-Mar-04	60	Baldonnel-Dublin-Madrid-Brussels-Dublin- Baldonnel	Taoiseach/Foreign Affairs
29-Mar-04	29-Mar-04	375	Baldonnel-Cairo-Baldonnel	Foreign Affairs
30-Mar-04	30-Mar-04	30	Baldonnel-Dublin-Strasbourg-Dublin	Taoiseach
31-Mar-04	31-Mar-04	135	Dublin-Prague-Baldonnel	Health
4-Apr-04	8-Apr-04	1,440	Baldonnel-Cairo-Asmara Ababa-Kigali- Bujumbura-Cairo-Baldonnel	Foreign Affairs
15-Apr-04	15-Apr-04	60	Baldonnel-Shannon-Baldonnel	Education
18-Apr-04	18-Apr-04	95	Baldonnel-Paris-Baldonnel	Environment
20-Apr-04	21-Apr-04	195	Baldonnel-Amsterdam-Northolt-Baldonnel	Tánaiste

Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
21-Apr-04	21-Apr-04	150	Baldonnel-Dublin-Prague-Baldonnel	Taoiseach
22-Apr-04	22-Apr-04	30	Baldonnel-Dublin-Kerry-Baldonnel	Taoiseach
23-Apr-04	25-Apr-04	435	Baldonnel-Pristina-Thessalonika-Pristina-Baldonnel	MOS Defence
25-Apr-04	28-Apr-04	305	Baldonnel-Luxembourg-Berlin-Baldonnel	Foreign Affairs
29-Apr-04	29-Apr-04	60	Baldonnel-Belfast-Baldonnel	Foreign Affairs
5-May-04	7-May-04	540	Baldonnel-Dublin-Stockholm-Helsinki-Tallin-Riga-Vilnius-Warsaw-Dublin-Baldonnel	Taoiseach
12-May-04	14-May-04	1,000	Bal-Dublin-Larnaca-Athens-Valetta-Rome-Lisbon-Madrid-Dublin-Bal	Taoiseach
16-May-04	16-May-04	90	Baldonnel-Brussels-Baldonnel	Defence/Finance/MOS Foreign Affairs
18-May-04	18-May-04	90	Baldonnel-Brussels-Baldonnel	MOS Dick Roche
17-May-04	17-May-04	180	Baldonnel-Brussels-Baldonnel	Tánaiste, Defence
19-May-04	19-May-04	75	Baldonnel-Brussels-Baldonnel	Tánaiste
19-May-04	21-May-04	755	Baldonnel-Vienna-Bratslava-Budapest-Prague-Ljubjana-Moscow-Dublin-Paris	Taoiseach
27-May-04	30-May-04	1,320	Baldonnel-Dublin-Dulles-Guadalajara-Dulles-Dublin-Baldonnel	Taoiseach
24-May-04	24-May-04	180	Baldonnel-Brussels-Baldonnel	Foreign Affairs/Communications, Marine & Natural Resources
1-Jun-04	1-Jun-04	90	Baldonnel-Luxembourg-Baldonnel	Finance
2-Jun-04	4-Jun-04	515	Baldonnel- Dublin-Paris-London-Rotterdam-Brussels-Luxembourg-Berlin-Copenhagen-Dublin-Baldonnel.	Taoiseach
8-Jun-04	11-Jun-04	1,030	Baldonnel-Dublin-Bangor-Savannah-Bangor-Dublin-Baldonnel	Taoiseach
13-Jun-04	15-Jun-04	200	Baldonnel-Luxembourg-Baldonnel	Foreign Affairs
17-Jun-04	19-Jun-04	180	Baldonnel-Dublin-Brussels-Dublin-Baldonnel	Taoiseach/Foreign Affairs
20-Jun-04	20-Jun-04	130	Baldonnel-Cork-Luxembourg-Baldonnel	Agriculture/Communications, Marine & Natural Resources
21-Jun-04	21-Jun-04	60	Baldonnel-Dublin-London (Heathrow) -	Taoiseach
21-Jun-04	21-Jun-04	100	Luxembourg-Baldonnel	Agriculture/ Communications, Marine & Natural Resources
22-Jun-04	22-Jun-04	180	Baldonnel-Brussels-Baldonnel	Finance
23-Jun-04	23-Jun-04	60	Baldonnel-Dublin-London(Heathrow)-Baldonnel	Taoiseach
24-Jun-04	24-Jun-04	260	Baldonnel-Oslo-Baldonnel	Education/Communications,Marine & Natural Resources
25-Jun-04	25-Jun-04	180	Baldonnel- Dublin- Northolt-Shannon - Baldonnel	Taoiseach/Foreign Affairs/Justice
26-Jun-04	26-Jun-04	45	Baldonnel-Shannon-Dublin-Baldonnel	Taoiseach/Foreign Affairs/Justice
28-Jun-04	29-Jun-04	525	Baldonnel-Dublin-Istanbul-Brussels-Dublin-Baldonnel	Taoiseach
1-Jul-04	3-Jul-04	180	Baldonnel-Maastricht-Baldonnel	Tánaiste
7-Jul-04	12-Jul-04	1,110	Baldonnel-Bangor (Maine)-Melbourne (Florida)-Jacksonville (Florida)-Bangor (Maine)-Baldonnel	Tánaiste
13-Jul-04	16-Jul-04	610	Baldonnel-Beirut-Larnaca-Baldonnel	Defence
20-Jul-04	21-Jul-04	570	Baldonnel-Naples-Strasbourg-Naples-Baldonnel	Taoiseach
26-Jul-04	26-Jul-04	180	Baldonnel-Brussels-Baldonnel	MOS Foreign AffairsTom Kitt
28-Jul-04	29-Jul-04	300	Baldonnel-Lisbon-Baldonnel	Finance
31-Jul-04	31-Jul-04	150	Baldonnel-Geneva-Cork-Baldonnel	Agriculture
9-Sep-04	9-Sep-04	60	Baldonnel-Belfast City-Baldonnel	Foreign Affairs

[Mr. O'Dea.]

Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
10-Sep-04	10-Sep-04	110	Baldonnell-Dublin-Teeside-Dublin-Baldonnell	Taoiseach
13-Sep-04	13-Sep-04	180	Baldonnell-Brussels-Baldonnell	Foreign Affairs/M.O.S Foreign Affairs
16-Sep-04	16-Sep-04	75	Baldonnell-Dublin-Manston-Baldonnell	Taoiseach
17-Sep-04	18-Sep-04	75	Baldonnell-Manston-Dublin-Baldonnell	Taoiseach/Foreign Affairs
19-Sep-04	25-Sep-04	610	Baldonnell-New York JFK-White Plains-New York L Guardia-Boston-Baldonnell	Foreign Affairs
6-Oct-04	15-Oct-04	1,970	Baldonnell-Dublin-Dubai-Hanoi-Ho Chi Minh-Kuala Lumpur-Singapore-Bahrain-Dublin-Baldonnell	Taoiseach
17-Oct-04	17-Oct-04	270	Baldonnell-Derry-Luxembourg-Paris-Baldonnell	Agriculture/Marine and Comm
28-Oct-04	28-Oct-04	340	Baldonnell-Dublin-Rome-Dublin-Baldonnell	An Taoiseach
2-Nov-04	2-Nov-04	180	Baldonnell-Brussels-Baldonnell	Foreign Affairs
4-Nov-04	4-Nov-04	180	Baldonnell-Dublin-Brussels-Dublin -Baldonnell	An Taoiseach/Foreign Affairs
9-Nov-04	9-Nov-04	180	Baldonnell-Brussels-Baldonnell	Enterprise, Trade & Employment
11-Nov-04	14-Nov-04	870	Baldonnell-New York (JFK)-NY (White Plains)-NY (La Guardia)-Baldonnell	Tánaiste
21-Nov-04	22-Nov-04	265	Baldonnell-Shannon-Brussels-Shannon-Baldonnell	Defence/ Foreign Affairs
19-Nov-04	19-Nov-04	60	Baldonnell-Northolt-Dublin-Baldonnell	An Taoiseach
23-Nov-04	23-Nov-04	90	Baldonnell-Dublin-Northolt-Baldonnell	An Taoiseach
24-Nov-04	24-Nov-04	120	Baldonnell-Northolt-Dublin-Baldonnell	An Taoiseach
26-Nov-04	26-Nov-04	90	Baldonnell-Dublin-Derry-Dublin-Baldonnell	An Taoiseach
29-Nov-04	29-Nov-04	180	Baldonnell-Hague-Baldonnell	Foreign Affairs
2-Dec-04	2-Dec-04	180	Baldonnell-Brussels-Baldonnell	Justice
6-Dec-04	7-Dec-04	180	Baldonnell-Brussels-Baldonnell	Finance
8-Dec-04	8-Dec-04	60	Baldonnell-Dublin-Belfast-Dublin-Baldonnell	An Taoiseach/Foreign Affairs
9-Dec-04	9-Dec-04	235	Baldonnell-Madrid-Derry-Baldonnell	Agriculture
11-Dec-04	11-Dec-04	120	Baldonnell-Northolt-Baldonnell	Arts Sports
13-Dec-04	13-Dec-04	180	Baldonnell-Dublin-Brussels-Baldonnell	Foreign Affairs
15-Dec-04	15-Dec-04	105	Baldonnell-Belfast-Northolt-Baldonnell	Foreign Affairs
16-Dec-04	17-Dec-04	220	Baldonnell-Dublin-Brussels-Dublin-Baldonnell	An Taoiseach/Foreign Affairs
20-Dec-04	20-Dec-04	220	Baldonnell-Derry-Brussels-Baldonnell	Agriculture
22-Dec-04	22-Dec-04	225	Baldonnell-Brussels-Derry-Baldonnell	MOS Communications, Marine & Natural Resources
2005				
8-Jan-05	13-Jan-05	1820	Baldonnell-Dubai-Phuket-Kuala Lumpur - Phuket-Medan-K.Lumpur-Medan -Banda - Aceh-Colombo-Bangalore -Colombo-Dubai-Rome-Baldonnell.	Foreign Affairs
16-Jan-05	16-Jan-05	55	Baldonnell-Dublin-Frankfurt-Baldonnell	An Taoiseach
17-Jan-05	18-Jan-05	180	Baldonnell-Brussels-Baldonnell	Finance
23-Jan-05	23-Jan-05	95	Baldonnell-Paris-Dublin-Cork-Baldonnell	An Taoiseach
24-Jan-05	24-Jan-05	370	Baldonnell-Stockholm-Helsinki	Foreign Affairs
28-Jan-05	28-Jan-05	60	Baldonnell-Dublin-Cork-Dublin-Baldonnell	An Taoiseach
31-Jan-05	31-Jan-05	180	Baldonnell-Brussels-Baldonnell	Foreign Affairs
1-Feb-05	1-Feb-05	120	Baldonnell-Dublin-Northolt-Dublin-Baldonnell	Taoiseach, Foreign Affairs, Justice
4-Feb-05	4-Feb-05	90	Baldonnell-Derry-Baldonnell	Foreign Affairs
11-Feb-05	12-Feb-05	470	Baldonnell-Dublin-Sofia-Warsaw-Dublin-Baldonnell	Taoiseach
16-Feb-05	17-Feb-05	180	Baldonnell-Brussels-Baldonnell	Finance
21-Feb-05	21-Feb-05	180	Baldonnell-Brussels-Baldonnell	Foreign Affairs

Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
22-Feb-05	22-Feb-05	180	Baldonnel-Dublin-Brussels-Dublin-Baldonnel	Taoiseach
24-Feb-05	24-Feb-05	90	Baldonnel -Belfast-Brussels-Dublin	Justice
25-Feb-05	25-Feb-05	60	Baldonnel-Dublin-Shannon-Dublin-Baldonnel	Taoiseach
1-Mar-05	2-Mar-05	60	Baldonnel-Cork-Baldonnel	Tánaiste
3-Mar-05	4-Mar-05	120	Baldonnel-Dublin-Northolt-Dublin-Baldonnel	Taoiseach
7-Mar-05	8-Mar-05	180	Baldonnel-Brussels-Baldonnel	Finance
9-Mar-05	10-Mar-05	270	Baldonnel-Madrid-Baldonnel	Social & Family Affairs
15-Mar-05	18-Mar-05	970	Baldonnel-Dublin-Syracuse-New Jersey (Teterboro)-Baltimore-Washington(Andrews Air Base)—Dublin-Baldonnel	Taoiseach
20-Mar-05	20-Mar-05	200	Baldonnel-Sarajevo-Baldonnel	Tánaiste
22-Mar-05	23-Mar-05	180	Baldonnel-Dublin-Brussels-Dublin-Baldonnel	Taoiseach
7-Apr-05	8-Apr-05	370	Baldonnel -Dublin -Rome -Dublin-Cork-Baldonnel	An Taoiseach, An Tánaiste, Enda Kenny
11-Apr-05	11-Apr-05	200	Baldonnel-Luxembourg-Baldonnel	Finance
16-Apr-05	16-Apr-05	90	Baldonnel-Cork-Kerry-Baldonnel	Education, Arts Sports & Tourism
16-Apr-05	16-Apr-05	30	Baldonnel-Kerry-Baldonnel	Arts, Sports & Tourism
17-Apr-05	18-Apr-05	230	Baldonnel-Cork-Luxembourg-Baldonnel	Enterprise, Trade & Employment
20-Apr-05	20-Apr-05	225	Baldonnel-Rome-Rimini-Baldonnel	Foreign Affairs
21-Apr-05	21-Apr-05	270	Baldonnel-Payerne-Zurich--Baldonnel	Foreign Affairs
25-Apr-05	25-Apr-05	200	Baldonnel-Luxembourg-Baldonnel	Foreign Affairs
28-Apr-05	28-Apr-05	270	Baldonnel-Dublin-Madrid-Dublin-Baldonnel	An Taoiseach
6-May-05	6-May-05	30	Baldonnel-Kerry-Baldonnel	An Tánaiste
8-May-05	9-May-05	510	Baldonnel-Dublin-Moscow-Dublin	An Taoiseach
9-May-05	9-May-05	30	Dublin-Cork-Baldonnel	An Tánaiste
10-May-05	10-May-05	180	Baldonnel-Brussels -Edinburgh- Baldonnel	MOS Enterprise Trade & Employment
11-May-05	11-May-05	270	Baldonnel-Madrid-Baldonnel	Foreign Affairs
12-May-05	12-May-05	180	Baldonnel-Brussels-Baldonnel	Finance
13-May-05	14-May-05	200	Baldonnel-Luxembourg-Baldonnel	Finance
16-May-05	16-May-05	125	Baldonnel-Geneva-Baldonnel	An Tánaiste
17-May-05	17-May-05	330	Baldonnel-Dublin-Warsaw-Dublin-Baldonnel	An Taoiseach
18-May-05	18-May-05	165	Baldonnel-Warsaw-Baldonnel	Foreign Affairs
19-May-05	22-May-05	745	Baldonnel-Amman (Jordan)-Baldonnel	Communication
22-May-05	23-May-05	210	Baldonnel-Shannon-Brussels-Baldonnel	Foreign Affairs/ Defence
24-May-05	25-May-05	260	Baldonnel-Sweden-Baldonnel	Foreign Affairs
25-May-05	27-May-05	240	Baldonnel-Zurich-Payerne-Baldonnel	An Tánaiste
30-May-05	1-Jun-05	635	Baldonnel-Shannon-Pristina-Thessalonika-Pristina-Sarejevo-Tuzla-Shannon -Baldonnel	Defence
2-Jun-05	2-Jun-05	320	Baldonnel-Dublin-Luxembourg-Berlin-Dublin-Baldonnel	An Taoiseach
6-Jun-05	6-Jun-05	100	Baldonnel-Luxembourg-Baldonnel	Finance
7-Jun-05	7-Jun-05	170	Baldonnel-Dublin-Wevelgem-Baldonnel	An Taoiseach
8-Jun-05	9-Jun-05	440	Baldonnel-Minsk-Budapest-Baldonnel	Foreign Affairs
8-Jun-05	8-Jun-05	60	Baldonnel-Dublin-Cork-Baldonnel	An Taoiseach/An Tánaiste
12-Jun-05	13-Jun-05	200	Baldonnel-Luxembourg-Baldonnel	Foreign Affairs
15-Jun-05	15-Jun-05	120	Baldonnel-Dublin-Northolt-Dublin-Baldonnel	An Taoiseach
16-Jun-05	17-Jun-05	180	Baldonnel-Dublin-Brussels-Dublin-Baldonnel	An Taoiseach
19-Jun-05	21-Jun-05	230	Baldonnel-Derry-Luxembourg-Baldonnel	Community, Rural & Gaeltacht Affairs, MOS Agriculture, MOS Marine
22-Jun-05	24-Jun-05	545	Baldonnel-Brussels-Keflavik-Oslo-Baldonnel	Foreign Affairs

[Mr. O'Dea.]

Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
27-Jun-05	27-Jun-05	120	Baldonnell-Dublin-Northolt-Dublin-Baldonnell	An Taoiseach
28-Jun-05	30-Jun-05	420	Baldonnell-St Petersburg-Baldonnell	Agriculture
3-Jul-05	6-Jul-05	575	Baldonnell-Moscow-Kiev-Baldonnell	Foreign Affairs
6-Jul-05	7-Jul-05	340	Baldonnell-Dublin-Rome-Dublin-Baldonnell	An Taoiseach
10-Jul-05	11-Jul-05	435	Baldonnell-Shannon-Sarajevo-Tuzla-Baldonnell	MOS Foreign Affairs
12-Jul-05	14-Jul-05	670	Baldonnell-Tel Aviv-Northolt-Baldonnell	Foreign Affairs
18-Jul-05	20-Jul-05	805	Baldonnell-Brussels-Athens-Ankara-Beirut-Larnaca-Baldonnell	Foreign Affairs
26-Jul-05	26-Jul-07	60	Baldonnell-Belfast City-Baldonnell	Justice

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Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
<i>2004</i>				
<i>January</i>				
19/01/2004	19/01/2004	90	Baldonnell- Brussels- Baldonnell	Finance
20/01/2004	20/01/2004	180	Baldonnell- Brussels- Baldonnell	Foreign Affairs
21/01/2004	23/01/2004	1,080	Baldonnell- Rabat-Dakar-Monrovia- Dakar- Rabat-Baldonnell	Defence
24/01/2004	24/01/2004	240	Baldonnell- Dublin-Zurich-Dublin- Baldonnell	Taoiseach
25/01/2004	25/01/2004	120	Baldonnell -Zurich-Baldonnell	Tánaiste
26/01/2004	26/01/2004	180	Baldonnell- Brussels- Baldonnell	Finance
28/01/2004	29/01/2004	200	Baldonnell-Brussels -Northolt-Baldonnell	Foreign Affairs
<i>February</i>				
2-Feb-04	2-Feb-04	180	Baldonnell-Brussels-Baldonnell	Tánaiste
6-Feb-04	6-Feb-04	60	Baldonnell-Dublin-Cork-Dublin-Baldonnell	Taoiseach
9-Feb-04	9-Feb-04	250	Baldonnell- Berlin- Baldonnell	Tánaiste
10-Feb-04	10-Feb-04	190	Baldonnell-Paris-Baldonnell	Transport
12-Feb-04	12-Feb-04	190	Baldonnell-Brussels-Cork-Baldonnell	Health
13-Feb-04	13-Feb-04	125	Baldonnell-Cork-Paris-Baldonnell	Agriculture
18-Feb-04	18-Feb-04	180	Baldonnell-Brussels-Baldonnell	Communications, Marine & Natural Resources
19-Feb-04	19-Feb-04	60	Baldonnell-Dublin-Derry-Baldonnell-Belfast-Dublin -Baldonnell	Taoiseach
20-Feb-04	20-Feb-04	260	Baldonnell-Berlin-Baldonnell	Transport
22-Feb-04	22-Feb-04	90	Baldonnell-Brussels-Baldonnell	Foreign Affairs
23-Feb-04	24-Feb-04	320	Baldonnell-Cork-Paris-Brussels-Belfast-Baldonnell	Agriculture/Foreign Affairs
25-Feb-04	25-Feb-04	260	Baldonnell-Budapest-Brussels-Baldonnell	DCMNR/ DCRG
26-Feb-04	26-Feb-04	170	Baldonnell-Budapest-Baldonnell	Communication, Marine & Natural Resources
<i>March</i>				
1-Mar-04	1-Mar-04	90	Baldonnell-Brussels-Baldonnell	Environment
2-Mar-04	2-Mar-04	320	Baldonnell-Cork-Brno(Czech Rep)-Baldonnell	Agriculture
2-Mar-04	3-Mar-04	150	Baldonnell-Vienna-Baldonnell	Transport
4-Mar-04	4-Mar-04	60	Baldonnell-Dublin-Derry-Dublin-Baldonnell	Taoiseach
8-Mar-04	9-Mar-04	90	Baldonnell-Brussels-Baldonnell	Finance
12-Mar-04	13-Mar-04	340	Baldonnell-Brussels-Madrid-Baldonnell	Agriculture
10-Mar-04	10-Mar-04	90	Baldonnell-Brussels-Baldonnell	Tánaiste

Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
14-Mar-04	14-Mar-04	60	Baldonnel-Dublin-Manchester-Dublin-Baldonnel	Taoiseach
16-Mar-04	17-Mar-04	180	Baldonnel-Brussels-Baldonnel	Transport
18-Mar-04	19-Mar-04	140	Baldonnel-Northolt-Brussels-Baldonnel	Justice
21-Mar-04	21-Mar-04	120	Baldonnel-Cork-Brussels-Baldonnel	Agriculture
22-Mar-04	22-Mar-04	210	Baldonnel-Brussels-Baldonnel	Finance
25-Mar-04	25-Mar-04	180	Baldonnel-Brussels-Baldonnel	Finance
29-Mar-04	31-Mar-04	920	Bal-Rome-ShamirSheik-Rome-Berlin-Bal	Foreign Affairs
<i>April</i>				
7-Apr-04	7-Apr-04	150	Baldonnel-Lisbon-Baldonnel	Transport
4-Apr-04	4-Apr-04	90	Baldonnel-Brussels-Baldonnel	Defence
2-Apr-04	3-Apr-04	190	Baldonnel-Prague-Cork-Baldonnel	Health
6-Apr-04	6-Apr-04	90	Baldonnel-Brussels-Baldonnel	Education /Defence
5-Apr-04	5-Apr-04	90	Baldonnel-Cork-Baldonnel	Justice
15-Apr-04	16-Apr-04	370	Baldonnel-Cork-Brussels-Cork-Baldonnel	Agriculture
18-Apr-04	19-Apr-04	120	Baldonnel-London Northolt-Baldonnel	Finance
13-Apr-04	13-Apr-04	30	Baldonnel-Farranfore-Baldonnel	Education
20-Apr-04	20-Apr-04	100	Baldonnel-Luxembourg-Baldonnel	Agriculture
21-Apr-04	21-Apr-04	120	Baldonnel-London Northolt-Baldonnel	Foreign Affairs
25-Apr-04	25-Apr-04	220	Baldonnel-Cork-Luxembourg-Brussels-Baldonnel	Agriculture
28-Apr-04	29-Apr-04	205	Baldonnel-Luxembourg-Baldonnel	Justice
29-Apr-04	29-Apr-04	90	Baldonnel-Cardiff-Baldonnel	Community, Rural & Gaeltacht Affairs
26-Apr-04	26-Apr-04	100	Baldonnel-Luxembourg-Baldonnel	MOS Foreign Affairs
<i>May</i>				
2-May-04	6-May-04	560	Baldonnel-Sofia-Mariehamn(Finland)-Baldonnel	Community, Rural & Gaeltacht Affairs
7-May-04	8-May-04	160	Baldonnel-Madrid-Baldonnel	Tánaiste
10-May-04	11-May-04	90	Baldonnel-Brussels-Baldonnel	Finance
14-May-04	17-May-04	790	Baldonnel-Rome-Amman-Rome-Baldonnel	Communications, Marine & Natural Resources
12-May-04	12-May-04	95	Baldonnel-Cork-Paris-Baldonnel	Health
13-May-04	13-May-04	340	Baldonnel-Rome-Baldonnel	MOS Defence Mary Hanafin
19-May-04	19-May-04	90	Baldonnel-Brussels-Baldonnel	Tánaiste
19-May-04	19-May-04	125	Baldonnel-Geneva-Baldonnel	Health
21-May-04	21-May-04	260	Baldonnel-Moscow-Dublin-Baldonnel	Taoiseach
22-May-04	22-May-04	190	Baldonnel-Paris-Tunis-Baldonnel	Foreign Affairs
23-May-04	23-May-04	220	Baldonnel-Cork-Brussels-Baldonnel	Agriculture
27-May-04	27-May-04	240	Baldonnel-Brussels-Kerry-Baldonnel	Arts Sports and Tourism/DCMNR
25-May-04	25-May-04	225	Baldonnel-Oslo(Norway)-Baldonnel	Health
25-May-04	26-May-04	290	Baldonnel-Ljubiana-Baldonnel	Transport
28-May-04	28-May-04	180	Baldonnel-Brussels-Baldonnel	Education
28-May-04	29-May-04	260	Baldonnel-Derry-Brussels-Derry-Baldonnel	Social, Family Affairs
<i>June</i>				
1-Jun-04	3-Jun-04	440	Baldonnel-Budapest-Paris-Brussels-Baldonnel	Tánaiste
5-Jun-04	5-Jun-04	390	Baldonnel-Cork-Bratislava-Cork-Baldonnel	Agriculture
7-Jun-04	8-Jun-04	100	Baldonnel-Luxembourg-Baldonnel	Justice
9-Jun-04	9-Jun-04	90	Baldonnel-Luxembourg-Baldonnel	Communications, Marine & Natural Resources
11-Jun-04	11-Jun-04	200	Baldonnel-Luxembourg-Baldonnel	Communications, Marine & Natural Resources

[Mr. O'Dea.]

Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
11-Jun-04	12-Jun-04	100	Baldonnell-Luxembourg-Baldonnell	Transport/Communications, Marine & Natural Resources
14-Jun-04	14-Jun-04	180	Baldonnell-Brussels-Baldonnell	Tánaiste
16-Jun-04	16-Apr-04	80	Baldonnell-Belfast-Baldonnell	Arts, Sport
21-Jun-04	22-Jun-04	565	Baldonnell-Algiers-Tindouf (Algeria)-Rabat(Morocco)- Baldonnell	MOS Foreign Affairs
23-Jun-04	25-Jun-04	350	Baldonnell-Budapest-Cork-Baldonnell	Health
27-Jun-04	28/06/04	190	Baldonnell-Luxembourg-Baldonnell	Environment
28-Jun-04	28-Jun-04	180	Baldonnell-Brussels-Baldonnell	Tánaiste
<i>July</i>				
1-Jul-04	1-Jul-04	170	Baldonnell-Amsterdam-Baldonnell	Communications, Marine & Natural Resources
4-Jul-04	5-Jul-04	180	Baldonnell-Brussels-Baldonnell	Finance
8-Jul-04	8-Jul-04	90	Baldonnell-Maastricht,Netherlans-Baldonnell	Social & Family Affairs
9-Jul-04	9-Jul-04	120	Baldonnell-Adberdeen-Baldonnell	Taoiseach
11-Jul-04	11-Jul-04	85	Baldonnell-Rotterdam-Baldonnell	Education
12-Jul-04	12-Jul-04	180	Baldonnell-Brussels-Baldonnell	Foreign Affairs/MOS Foreign Affairs
13-Jul-04	13-Jul-04	120	Baldonnell-Northolt-Baldonnell	Tánaiste
14-Jul-04	17-Jul-04	300	Baldonnell-Reykjavik-Baldonnell	Tánaiste
18-Jul-04	19-Jul-04	270	Baldonnell-Cork-Brussels-Baldonnell	Agriculture
26-Jul-04	27-Jul-04	60	Baldonnell-Cork-Baldonnell	Tánaiste
29-Jul-04	31-Jul-04	330	Baldonnell-Cork-Geneva-Baldonnell	Agriculture/MOSMichael Ahern
<i>August</i>				
10-Aug-04	11-Aug-04	310	Baldonnell-Malaga-Brussels-Malaga-Baldonnell	Finance
19-Aug-04	20-Aug-04	310	Baldonnell-Malaga-Brussels-Malaga-Baldonnell	Finance
27-Aug-04	28-Aug-04	330	Baldonnell-Cork-Munich-Cork-Baldonnell	Health
<i>September</i>				
1-Sep-04	1-Sep-04	60	Baldonnell-Belfast City-Baldonnell	Foreign Affairs
2-Sep-04	2-Sep-04	30	Baldonnell-Belfast City-Baldonnell	Foreign Affairs
3-Sep-04	4-Sep-04	260	Baldonnell-Belfast-Maastricht-Knock-Baldonnell	Foreign Affairs
6-Sep-04	6-Sep-04	60	Baldonnell-Dublin-Cork-Baldonnell	An Taoiseach
7-Sep-04	7-Sep-04	200	Baldonnell-Cork-Valkenburg-Baldonnell	Agriculture
9-Sep-04	11-Sep-04	180	Baldonnell-Valkenburg-Baldonnell	Finance
13-Sep-04	13-Sep-04	60	Baldonnell-Shannon-Baldonnell	Education
16-Sep-04	17-Sep-04	180	Baldonnell-Valkenburg-Baldonnell	Defence
16-Sep-04	16-Sep-04	150	Baldonnell-Manston-Baldonnell	Foreign Affairs
21-Sep-04	21-Sep-04	60	Baldonnell-Belfast City-Baldonnell	M.O.S. Foreign Affairs
23-Sep-04	23-Sep-04	125	Baldonnell-Belfast City-Prague-Baldonnell	M.O.S. Foreign Affairs
24-Sep-04	25-Sep-04	180	Baldonnell-Brussels-Baldonnell	Tánaiste
29-Sep-04	30-Sep-04	180	Baldonnell-Amsterdam-Baldonnell	Justice
<i>October</i>				
7-Oct-04	7-Oct-04	200	Baldonnell-Luxembourg-Baldonnell	MOS Transport
11-Oct-04	11-Oct-04	180	Baldonnell-Luxembourg-Baldonnell	Foreign Affairs
12-Oct-04	12-Oct-04	60	Baldonnell-Belfast City-Baldonnell	Foreign Affairs
13-Oct-04	14-Oct-04	200	Baldonnell-Luxembourg-Baldonnell	Environment
20-Oct-04	20-Oct-04	200	Baldonnell-Luxembourg-Baldonnell	Finance
25-Oct-04	25-Oct-04	200	Baldonnell-Luxembourg-Baldonnell	Justice
<i>November</i>				
8-Nov-04	8-Nov-04	160	Baldonnell-Rotterdam-Baldonnell	Social and Family
11-Nov-04	14-Nov-04	700	Baldonnell-Rome-Cairo-Rome-Baldonnell	Foreign Affairs

Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
15-Nov-04	16-Nov-04	180	Baldonnel-Brussels-Baldonnel	Finance
19-Nov-04	19-Nov-04	90	Baldonnel-Dublin-Guernsey-Northolt-Baldonnel	An Taoiseach
22-Nov-04	22-Nov-04	235	Baldonnel-Knock-Brussels-Baldonnel	Agriculture/ Community, Rural & Gaeltacht Affairs
24-Nov-04	26-Nov-04	210	Baldonnel-Brussels-Cork-Baldonnel	MOS Enterprise, Trade & Employment
28-Nov-04	29-Nov-04	180	Baldonnel-Brussels-Baldonnel	Communications, Marine & Natural Resources
30-Nov-04	30-Nov-04	180	Baldonnel-Brussels-Baldonnel	Enterprise, Trade & Employment
<i>December</i>				
1-Dec-04	3-Dec-04	170	Baldonnel-Amsterdam-Baldonnel	Arts, Sports & Tourism
4-Dec-04	5-Dec-04	740	Baldonnel-Rome-Tel Aviv-Rome-Cork-Baldonnel	MOS Enterprise , Trade & Employment
2005				
<i>January</i>				
7-Jan-05	7-Jan-05	180	Baldonnel-Brussels-Baldonnel	Foreign Affairs
23-Jan-05	25-Jan-05	220	Baldonnel-Derry-Brussels-Baldonnel	Agriculture
26-Jan-05	28-Jan-05	210	Baldonnel-Zurich-Cork-Baldonnel	Enterprise
<i>February</i>				
1-Feb-2005	2-Feb-05	270	Baldonnel-Prague-Baldonnel	Enterprise
2-Feb-2005	2-Feb-05	30	Baldonnel-Cork-Baldonnel	Arts, Sports & Tourism
3-Feb-2005	4-Feb-05	200	Baldonnel-Luxembourg-Baldonnel	MOS Justice
12-Feb-2005	12-Feb-05	60	Baldonnel-Derry-Baldonnel	MOS Defence
21-Feb-2005	21-Feb-05	60	Baldonnel-Dublin-Belfast-Baldonnel	Justice
22-Feb-2005	22-Feb-05	45	Baldonnel-Knock-Baldonnel	Arts Sports & Tourism
27-Feb-2005	28-Feb-05	180	Baldonnel-Brussels-Baldonnel	Agriculture
<i>March</i>				
6-Mar-2005	7-Mar-05	240	Baldonnel-Cork-Brussels-Cork-Baldonnel	MOS Enterprise
9-Mar-2005	10-Mar-05	180	Baldonnel-Brussels-Baldonnel	Environment, Heritage & Local Govt.
14-Mar-05	16-Mar-05	765	Baldonnel-Rome -Tel Aviv-Rome-Baldonnel	Communications, Marine & Natural Resources
14-Mar-05	14-Mar-05	230	Baldonnel-Derry-Brussels-Baldonnel	Agriculture
16-Mar-05	17-Mar-05	390	Baldonnel-Tallinn-Baldonnel	Social & Family Affairs
18-Mar-05	19-Mar-05	200	Baldonnel-Luxembourg-Baldonnel	Defence
30-Mar-05	31-Mar-05	180	Baldonnel-Paris-Baldonnel	Social & Family Affairs
<i>April</i>				
1-Apr-05	1-Apr-05	90	Baldonnel-Dublin-Kerry-Baldonnel	An Tánaiste
4-Apr-05	5-Apr-05	285	Baldonnel-Prague-Cork-Baldonnel	Enterprise, Trade & Employment
12-Apr-05	12-Apr-05	120	Baldonnel-Edinburgh-Baldonnel	MOS Communications, Marine & Natural Resources
14-Apr-05	14-Apr-05	180	Baldonnel-Brussels-Baldonnel	Foreign Affairs
15-Apr-05	16-Apr-05	200	Baldonnel-Luxembourg-Baldonnel	Foreign Affairs
18-Apr-05	18-Apr-05	60	Baldonnel-Belfast-Baldonnel	Justice
21-Apr-05	21-Apr-05	180	Baldonnel-Brussels-Baldonnel	Community,Rural & Gaeltacht Affairs
24-Apr-05	25-Apr-05	260	Baldonnel-Cork-Luxembourg-Cork-Baldonnel	MOS Enterprise Trade & Employment
25-Apr-05	26-Apr-05	230	Baldonnel-Derry-Luxembourg-Baldonnel	Agriculture
27-Apr-05	29-Apr-05	560	Baldonnel-Copenhagen-Rotterdam-Belgrade-Ljubljana-Vienna-Baldonnel	Foreign Affairs

[Mr. O'Dea.]

Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
<i>May</i>				
4-May-05	6-May-05	310	Baldonnel-Kracow-Baldonnel	Education
8-May-05	10-May-05	230	Baldonnel-Derry-Luxembourg-Baldonnel	Agriculture
13-May-05	13-May-05	30	Baldonnel-Derry-Baldonnel	An Tánaiste
15-May-05	16-May-05	380	Baldonnel-Kerry-Cannes-Malaga-Warsaw-Baldonnel	Foreign Affairs/Arts, Sport & Tourism
16-May-05	17-May-05	210	Baldonnel- Paris- Geneva- Baldonnel	Agriculture/An Tánaiste
18-May-05	19-May-05	210	Baldonnel-Bergin-Baldonnel	Education
22-May-05	22-May-05	90	Baldonnel-Brussels-Baldonnel	Foreign Affairs
23-May-05	25-May-05	255	Baldonnel-Moscow-Baldonnel	Transport
26-May-05	26-May-05	180	Baldonnel-Brussels-Baldonnel	Finance
27-May-05	27-May-05	200	Baldonnel-Luxembourg-Baldonnel	Foreign Affairs
29-May-05	29-May-05	220	Baldonnel-Derry-Brussels-Baldonnel	Agriculture
30-May-05	30-May-05	200	Baldonnel-Luxembourg-Baldonnel	Foreign Affairs
31-May-05	31-May-05	90	Baldonnel-Brussels-Baldonnel	Agriculture , Community Rural & Gaeltacht Affairs
1-Jun-05	1-Jun-05	100	Baldonnel-Luxembourg-Baldonnel	Enterprise, Trade & Employment/ Social & Family Affairs
2-Jun-05	2-Jun-05	200	Baldonnel-Luxembourg-Baldonnel	Justice/Social & Family Affairs
2-Jun-05	3-Jun-05	200	Baldonnel-Luxembourg-Baldonnel	An Tánaiste
6-Jun-05	6-Jun-06	130	Baldonnel-Cork-Luxembourg-Baldonnel	Enterprise, Trade & Employment
14-Jun-05	16-Jun-05	605	Baldonnel-Cork-Rome-Istanbul-Bucharest-Baldonnel	MOS Enterprise, Trade & Employment
9-Jun-05	9-Jun-05	145	Baldonnel-Gdansk-Baldonnel	MOS Communications, Marine & Natural Resources
23-Jun-05	23-Jun-05	60	Baldonnel-Dublin-Belfast-Dublin-Baldonnel	An Taoiseach
23-Jun-05	24-Jun-05	200	Baldonnel-Luxembourg-Baldonnel	Environment, Heritage & Local Government
27-Jun-05	27-Jun-05	195	Baldonnel-Luxembourg-Baldonnel	Transport
4-Jul-05	5-Jul-05	190	Baldonnel-Hague-Baldonnel	Social and Family Affairs
6-Jul-05	7-Jul-05	240	Baldonnel-Berlin-Baldonnel	Finance
5-Jul-05	5-Jul-05	60	Baldonnel-Dublin-Shannon-Dublin-Baldonnel	An Taoiseach
11-Jul-05	11-Jul-05	90	Baldonnel-Cork-Cardiff-Baldonnel	Enterprise, Trade & Employment
11-Jul-05	12-Jul-05	220	Baldonnel-Brussels-Cardiff-Baldonnel	Finance
13-Jul-05	13-Jul-05	180	Baldonnel-Brussels-Baldonnel	Justice
18-Jul-05	18-Jul-05	220	Baldonnel-Cork-Brussels-Baldonnel	Enterprise, Trade & Employment/ Agriculture
21-Jul-05	21-Jul-05	30	Baldonnel-Kerry-Baldonnel	Enterprise, Trade & Employment
28-Jul-05	28-Jul-05	335	Baldonnel-France La Rochelle-Baldonnel-France La Rochelle-Baldonnel	Foreign Affairs
3-Aug-05	4-Aug-05	955	Baldonnel-Istanbul-Riyadh-Istanbul-Baldonnel	Community Rural & Gaeltacht Affairs
30-Aug-05	30-Aug-05	110	Baldonnel-Northolt-Baldonnel	Arts, Sports and Tourism
31-Aug-05	31-Aug-05	120	Baldonnel-Northolt-Baldonnel	Foreign Affairs

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Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
<i>2004</i>				
<i>January</i>				
6-Jan-04	6-Jan-04	60	Baldonnal-Donegal- Baldonnal	M.O.S. Environment
12-Jan-04	12-Jan-04	90	Baldonnal-Waterford- Baldonnal	Tánaiste
21-Jan-04	22-Jan-04	325	Baldonnal-Brussels-Shannon-Baldonnal	Social & Family Affairs /MOS Enterprise, Trade & Employment
26-Jan-04	26-Jan-04	90	Baldonnal-Galway-Baldonnal	Tánaiste
<i>February</i>				
9-Feb-04	9-Feb-04	45	Baldonnal-Sligo-Baldonnal	Environment/Defence/DSFA
10-Feb-04	10-Feb-04	90	Baldonnal-Belfast-Baldonnal	Foreign Affairs
19-Feb-04	20-Feb-04	90	Baldonnal-Donegal-Baldonnal	Education
<i>March</i>				
3-Mar-04	3-Mar-04	300	Baldonnal-Brussels-Baldonnal	Social F.Affairs
4-Mar-04	4-Mar-04	30	Baldonnal-Galway-Baldonnal	MOS Frank Fahey
9-Mar-04	9-Mar-04	90	Baldonnal-Belfast-Baldonnal	Foreign Affairs
12-Mar-04	12-Mar-04	150	Baldonnal-Dublin-Galway-Dublin-Baldonnal	Taoiseach
<i>April</i>				
27-Apr-04	27-Apr-04	45	Baldonnal-Sligo-Baldonnal	Justice
29-Apr-04	29-Apr	90	Baldonnal-Cork-Baldonnal	Education
29-Apr-04	29-Apr-04	120	Bal-Dublin-Galway-Dublin- Baldonnal	Taoiseach
<i>May</i>				
4-May-04	4-May-04	90	Baldonnal-Belfast-Baldonnal	MOS Foreign Affairs
6-May-04	7-May-04	590	Baldonnal-Budapest-London(Stansted)-Sligo-Baldonnal	Social & Family
4-May-04	4-May-04	45	Baldonnal-Belfatn-Baldonnal	Arts, Sports & Tourism
5-May-04	5-May-04	90	Baldonnal-Derry-Baldonnal	MOS Environment
6-May-04	6-May-04	90	Baldonnal-Shannon-Baldonnal	Justice
13-May-04	13-May-04	105	Baldonnal-Galway-Baldonnal	Community, Rural & Gaeltacht Affairs/ Communications, Marine & Natural Resources
14-May-04	14-May-04	95	Baldonnal-Paris-Cork-Baldonnal	Health
12-May-04	12-May-04	165	Baldonnal-Strasbourg-Baldonnal	MOS Foreign Affairs Dick Roche
15-May-04	16-May-04	85	Baldonnal-Donegal-Waterford-Donegal - Baldonnal	MOS Pat the Cope
22-May-04	23-May-04	175	Baldonnal-Amsterdam-Brussels-Baldonnal	Communications, Marine & Natural Resources
24-May-04	24-May-04	45	Baldonnal-Galway-Baldonnal	Tánaiste
28-May-04	28-May-04	90	Baldonnal-Sligo-Baldonnal	Communications, Marine & Natural Resources
31-May-04	1-Jun-04	515	Baldonnal-Galway-Donegal(Carrickfinn)-Luxembourg-Baldonnal	Social & Family /MOS Entemp
<i>June</i>				
2-Jun-04	2-Jun-04	45	Baldonnal-Belfast-Baldonnal	M.O.S.Foreign Affairs
22-Jun-04	22-Jun-04	115	Baldonnal-Kerry-Belfast-Baldonnal	Arts, Sports & Tourism
25-Jun-04	26-Jun-04	90	Baldonnal-Shannon-Baldonnal	Tánaiste
30-Jun-04	30-Jun-04	90	Baldonnal-Sligo-Baldonnal	Communications , Marine & Natural Resources
<i>August</i>				
8-Jul-04	8-Jul-04	280	Baldonnal-Sligo-Carrickfinn-Baldonnal	MOS Environment

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Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
9-Jul-04	10-Jul-04	135	Baldonnel-Mastricht, Netherlands-Baldonnel	Social & Family Affairs/MOS Entemp
15-Jul-04	16-Jul-04	200	Baldonnel-Cardiff-Sligo-Baldonnel	Social & Family Affairs
<i>September</i>				
4-Sep-04	5-Sep-04	270	Baldonnel-Cork-Glasgow-Shannon-Baldonnel	Health
9-Sep-04	10-Sep-04	300	Baldonnel-Valkenburg-Cork-Baldonnel	Health
<i>October</i>				
1-Oct-04	1-Oct-04	45	Baldonnel-Dublin-Galway-Baldonnel	An Taoiseach
7-Oct-04	7-Oct-04	135	Baldonnel-Donegal-Shannon-Baldonnel	Defence
8-Oct-04	8-Oct-04	120	Baldonnel-Galway-Sligo-Baldonnel	An Tánaiste
<i>November</i>				
12-Nov-04	12-Nov-04	45	Baldonnel-Dublin-Shannon-Bal-Shannon-Galway-Dublin-Baldonnel	Taoiseach
13-Nov-04	13-Nov-04	250	Baldonnel-Kerry-Liverpool-Kerry-Baldonnel	Art's Sports&Tourism
19-Nov-04	19-Nov-04	165	Baldonnel-Guernsey-Baldonnel-Kerry-Baldonnel	Art's Sports&Tourism
26-Nov-04	26-Nov-04	120	Baldonnel-Kerry-Baldonnel-Kerry-Baldonnel	Social & Family
<i>December</i>				
2-Dec-04	2-Dec-04	60	Baldonnel-Derry-Baldonnel	Enterprise
2-Dec-04	2-Dec-04	150	Baldonnel-Derry-Cork-Baldonnel	Enterprise
6-Dec-04	6-Dec-04	170	Baldonnel-Knock-Shannon-Baldonnel	Arts, Sports & Tourism
15-Dec-04	15-Dec-04	90	Baldonnel-Cork-Baldonnel	Enterprise
19-Dec-04	20-Dec-04	300	Baldonnel-Brussels-Baldonnel	Environment
17-Dec-04	17-Dec-04	330	Baldonnel-Brussels-Cork-Brussels	Enterprise
<i>2005</i>				
<i>January</i>				
19-Jan-05	20-Jan-05	90	Baldonnel-Cork-Dublin-Baldonnel	An Tánaiste
21-Jan-05	21-Jan-05	80	Baldonnel-Waterford-Baldonnel	Transport
24-Jan-05	25-Jan-05	120	Baldonnel-Shannon-Galway-Baldonnel	An Tánaiste
<i>February</i>				
<i>March</i>				
29-Mar-05	30-Mar-05	120	Baldonnel-Galway- Cork -Baldonnel	Education
31-Mar-05	1-Apr-05	240	Baldonnel -Cork-Sligo-Cork-Baldonnel	Enterprise, Trade & Employment
<i>April</i>				
26-Apr-05	26-Apr-05	50	Baldonnel-Kerry-Baldonnel	Justice
26-Apr-05	26-Apr-05	110	Baldonnel-Kerry-Sligo-Baldonnel	Justice, Tánaiste
<i>May</i>				
6-May-05	6-May-05	120	Baldonnel-Donegal-Cork-Donegal-Baldonnel	M.O.S. Communications, Marine & Natural Resources
11-May-05	11-May-05	90	Baldonnel-Edinburgh-Baldonnel	MOS Enterprise Trade & Employment
13-May-05	13-May-05	60	Baldonnel-Knock-Galway-Waterford-Baldonnel	Transport
14-May-05	14-May-05	120	Baldonnel-Donegal-Waterford-Donegal-Baldonnel	M.O.S. Communications, Marine & Natural Resources
18-May-05	18-May-05	90	Baldonnel-Galway-Baldonnel	Finance
19-May-05	19-May-05	90	Baldonnel-Cork-Baldonnel	Enterprise, Trade & Employment
20-May-05	20-May-05	50	Baldonnel-Sligo-Dublin-Baldonnel	An Taoiseach
21-May-05	21-May-05	120	Baldonnel-Galway-Baldonnel	An Tánaiste
<i>June</i>				
2-Jun-05	2-Jun-05	90	Baldonnel-Luxembourg-Baldonnel	An Tánaiste

Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
3-Jun-05	3-Jun-05	120	Baldonnell-Donnegal-Waterford-Donnegal-Baldonnell	MOS Communications, Marine & Natural Resources
7-Jun-05	7-Jun-05	360	Baldonnell-Luxembourg-Baldonnell-Cork-Baldonnell	Finance/Enterprise
9-Jun-05	9-Jun-05	60	Baldonnell-Sligo-Baldonnell	An Tánaiste
14-Jun-05	14-Jun-05	60	Baldonnell-Derry-Baldonnell	Arts, Sports & Tourism
15-Jun-05	16-Jun-05	60	Baldonnell-Derry-Baldonnell	Arts, Sports & Tourism
16-Jun-05	16-Jun-05	145	Baldonnell-Dublin-Knock-Sligo-Cork-Baldonnell	An Tánaiste/Enterprise
21-Jun-05	21-Jun-05	45	Baldonnell-Belfast-Baldonnell	MOS Foreign Affairs
21-Jun-05	22-Jun-05	120	Baldonnell-Derry-Baldonnell	Communications, Marine & Natural Resources
22-Jun-05	22-Jun-05	45	Baldonnell-Cork-Baldonnell	Transport
24-Jun-05	24-Jun-05	120	Baldonnell-Dublin-Galway-Dublin-Baldonnell	An Taoiseach
<i>July</i>				
4-Jul-05	4-Jul-05	220	Baldonnell-Kerry-Belfast-Kerry-Baldonnell	Arts, Sports and Tourism

CASA

Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
<i>2004</i>			No CASA flights 2004	
<i>2005</i>				
<i>May</i>				
20-May-05	20-May-05	165	Baldonnell-Dublin-Isle of Man-Sligo-Baldonnell	An Taoiseach /Tánaiste
15-Jul-05	15-Jul-05		Baldonnell-Northolt-Baldonnell	Foreign Affairs

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Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
<i>2004</i>				
26-Jan-04	26-Jan-04	230	Baldonnell- Waterford -Carrick-on-Shannon-Baldonnell	Environment, Heritage & Local Government
25-Mar-04	25-Mar-04	175	Baldonnell-Sherkin -Cork-Baldonnell	Education
2-Apr-04	2-Apr-04	103	Baldonnell-Dublin-Waterford-Baldonnell	Taoiseach
14-Apr-04	14-Apr-04	150	Baldonnell-Farranfore-Galway-Baldonnell	Education
20-Apr-04	20-Apr-04	90	Baldonnell-Galway Inis Turk	Community, Rural & Gaeltacht Affairs
3-Jun-04	3-Jun-04	60	Phoenix Park-Ballina-Phoenix Park	Agriculture
18-Jun-04	18-Jun-04	95	Leopardstown Racecourse-Rosslare-Phoenix Park	An Tánaiste
22-Jun-04	22-Jun-04	90	Baldonnell-Clonmel-Baldonnell	An Tánaiste
21-Jun-04	21-Jun-04	165	Phoenix Park-Derry Airport-Phoenix Park	An Tánaiste
29-Jul-04	29-Jul-04	40	Phoenix Park- Glen of Imaal- Phoenix Park	Defence
15-Aug-04	15-Aug-04	95	Baldonnell-Conamara-Omagh-Baldonnell	Transport
<i>2005</i>				
18-Feb-05	18-Feb-05	85	Dublin-Nenagh-Dublin	Taoiseach
15-Apr-05	15-Apr-05	140	Baldonnell-Kerry-Phoenix Park	Tánaiste
22-Apr-05	22-Apr-05	95	Dublin -Druids Glen-Avondale House- Dublin	Taoiseach

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Date	Return	Ministerial Time on Board (minutes)	Route	Requesting Department
28-Apr-05	28-Apr-05	110	Phoenix Park-Templemore-Phoenix Park	Justice
21-Jun-05	21-Jun-05	95	Baldonnal-Ennis-Cliffs of Moher-Ballinrobe-Baldonnal	Arts, Sports & Tourism
24-Jun-05	24-Jun-05	40	Baldonnal-Waterford-Baldonnal	An Tánaiste
27-Jun-05	27-Jun-05	50	Baldonnal-Dublin-Druids Glen-Dublin-Baldonnal	An Taoiseach
21-Jul-05	21-Jul-05	195	Baldonnal-Donegal-Baldonnal	Communications, Marine & Natural Resources
4-Aug-05	4-Aug-05	215	Baldonnal-Nenagh-Baldonnal	Communications, Marine & Natural Resources

Defence Forces Property.

1317. **Mr. N. O'Keeffe** asked the Minister for Defence the position regarding the upgrading and refurbishment of a facility (details supplied) in County Cork; when funding will be made available. [24987/05]

Minister for Defence (Mr. O'Dea): There are no current plans for refurbishment of the RDF premises at Fair Street, Mallow, County Cork. The matter, however, is being kept under review.

Defence Forces Contracts.

1318. **Mr. Naughten** asked the Minister for Defence the discussions he has had with PDFORRA regarding the extension of a private's contract beyond 12 years; and if he will make a statement on the matter. [25138/05]

1319. **Mr. Naughten** asked the Minister for Defence his plans to extend the contract for a private in the Defence Forces beyond the current 12 years; and if he will make a statement on the matter. [25139/05]

Minister for Defence (Mr. O'Dea): I propose to take Questions Nos. 1318 and 1319 together.

The unsatisfactory age and fitness profile of the Permanent Defence Force was commented upon by the Gleeson commission in its report in 1990. The matter had also been of serious concern to the military authorities for a number of years. The age profile was also the subject of severe criticism by Price Waterhouse Consultants, who had been engaged by the efficiency audit group to conduct an in-depth study of the Defence Forces. One of the key areas identified for urgent action by the EAG was the development of a manpower policy with an emphasis on lowering the age profile of Permanent Defence Force personnel. The EAG's report was accepted by Government in 1995.

In an effort to alleviate the situation, the Government had already decided, in 1993, to

enlist personnel on a five year contract basis with a Reserve Force commitment of seven years. The recruitment of personnel on five year contracts was introduced following consultation with the Permanent Defence Force Other Ranks Representative Association (PDFORRA).

In 1997 agreement was reached with PDFORRA on a new manpower policy for the Defence Forces. This policy, applying to personnel enlisted after 1 January 1994, provided that service for private soldiers would initially be for five years with the option to be extended to a maximum of 12 years. Any extension was subject to the individual soldier meeting certain criteria to include standards of medical and physical fitness and conduct. Longer periods of service were envisaged for junior and senior non-commissioned officers. The new policy represented the possibility of a substantial extension for personnel who would otherwise have had to leave after five years service while continuing to address the issues of age profile and fitness levels in the Defence Forces.

PDFORRA has submitted a claim under the conciliation and arbitration scheme for a further review of the terms of service applying to personnel enlisting in the Permanent Defence Force after 1 January 1994. As discussions on issues raised under the conciliation and arbitration scheme are confidential to the parties concerned, it would not be appropriate for me to comment further at this time other than to emphasise that in dealing with this issue the manpower and operational needs of the Defence Forces must be the primary consideration.

Defence Forces Disciplinary Action.

1320. **Mr. Durkan** asked the Minister for Defence the reason pay has been terminated in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [25175/05]

Minister for Defence (Mr. O'Dea): The pay of the person in question has been withheld with

effect from 31 August 2005 following notification by the relevant military authorities that since 26 August 2005 his absence from his unit has been unauthorised. The military authorities advise that he is currently deemed to be absent without official leave. As the case in question is the subject of legal correspondence it would be inappropriate for me to comment on the matter other than to say that the individual in question should contact the relevant appropriate military authorities if he requires clarification about his status.

Hearing Impairment Claims.

1321. **Mr. Durkan** asked the Minister for Defence if a person (details supplied) in County Kildare qualifies under army deafness compensation; and if he will make a statement on the matter. [25176/05]

Minister for Defence (Mr. O’Dea): There is no record of the named person, at either of the addresses provided ever having initiated a hearing loss compensation claim against my Department through the courts, nor is there any trace of an application for a hearing loss disability pension from the Army Pensions Board. Army personnel records do not show the named person, at either of the addresses provided, as ever having been employed in the Defence Forces. If an Army personnel number of the person in question is made available then further enquiries can be made in the matter.

Defence Forces Property.

1322. **Mr. Morgan** asked the Minister for Defence if he will provide details of all land belonging to his Department in the Dún Laoghaire-Rathdown County Council area. [25300/05]

Minister for Defence (Mr. O’Dea): My department does not own any property in the Dún Laoghaire-Rathdown County Council area. Facilities at the Coast Guard station at Dún Laoghaire harbour are used by the Reserve Defence Force under a lease agreement with Dún Laoghaire Harbour Company.

Defence Forces Retirement.

1323. **Mr. Gregory** asked the Minister for Defence if, in view of recent developments in the case of a person (details supplied), there are any steps he might take to re-open the case or be allowed an appeal; and if he will make a statement on the matter. [25403/05]

Minister for Defence (Mr. O’Dea): The individual concerned was retired by the President on the advice of the Government with effect from a date in June 1969. The retirement was effected

pursuant to Section 47(2) of the Defence Act 1954 and Paragraph 18(1)(f) of Defence Force Regulations A.15, which provide that an officer may be retired “in the interests of the service”.

The individual initiated proceedings in the High Court in November 1998 on the circumstances of his retirement some 29 years earlier. The High Court found in favour of the State in June 1999 on grounds of inordinate delay in the bringing of the proceedings. The individual appealed the case to the Supreme Court in September 1999. The Supreme Court found similarly in favour of the State in January 2001. A decision to retire an officer in the interests of the service is only taken for the most compelling reasons. The Government advice to the President was on grounds of security. I am satisfied that the matter was handled in an entirely appropriate and proper manner in 1969 and that the decision taken then was taken only after very detailed and due consideration.

In early July 2002, arising from a newspaper feature article on the case published on 29 June 2002, the then Minister requested the Judge Advocate General to examine and to review the case with regard to the following terms of reference: “To enquire into the circumstances surrounding the retirement of (the individual referred to) by means of a complete review of all relevant documentation held by the Department of Defence and by the Defence Forces, and to have full access to any civil or military personnel for the purposes of their providing explanation in relation to any apparent gaps or ambiguities in the documentation and to report to the Minister with her conclusions and recommendations”.

These terms of reference were subsequently enlarged by the then Minister at the request of the Judge Advocate General to provide that the Judge Advocate General was to be entitled, within the Terms of Reference, and the manner of the Inquiry contemplated, to take such representation in writing from any party whom she considers to be appropriate. The Judge Advocate General, a civilian barrister, carried out a detailed examination and review of all the historical documentation relating to the decision to retire the individual concerned, by reference to the entirety of both the civil and military files in the matter. Her report was submitted to the then Minister in mid September, 2002.

In December 2002 the individual sought an Order of the High Court quashing this report by the Judge Advocate General. The High Court found in favour of the applicant for reasons enumerated in the text of the High Court judgement. The final order arising from the judgement is not yet available. It should be emphasised, however, that the recent High Court judgement in the matter of the report of the Judge Advocate General specifically and only related to the actual procedures utilised by the Judge Advocate

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General in the course of her review and examination of this matter in 2002. The substantive issue, namely the Government decision in 1969 to recommend the retirement of this individual from the Defence Forces by the President, remains entirely unaffected by the judgement of the High Court, a point specifically emphasised within the text of that recent judgement itself.

As regards the issue of release of documentation, the position is that all the military and civil documentation within the Defence Forces and the Department of Defence, relating to the Government decision in 1969 to recommend that the President should retire the individual concerned, has been released to the individual, in full in accordance with the recommendations of the report of the Judge Advocate General in that regard.

Road Network.

1324. **Mr. Connolly** asked the Minister for the Environment, Heritage and Local Government if funding will be provided in 2006 for a link road from the R182 Castleblayney-Keady road to the N2 national primary route to bypass the town of Castleblayney; and if he will make a statement on the matter. [24917/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The provision or improvement of non-national roads in County Monaghan is a matter for Monaghan County Council to be funded from its own resources supplemented by State grants. In August, 2005, local authorities were invited to submit proposals to my Department for inclusion in the 2006 EU co-financed specific improvement grants scheme. It is a matter for Monaghan County Council to decide if it wishes to include an application under that scheme for funding for the link road in question in 2006.

Decentralisation Programme.

1325. **Mr. Aylward** asked the Minister for the Environment, Heritage and Local Government if he will report on all aspects of the decentralisation programme to Kilkenny; the progress achieved to date; and if he will make a statement on the matter. [25371/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Department is co-operating with the Department of Finance, the decentralisation implementation group and the Office of Public Works in implementing the Government's decentralisation programme. A decentralisation implementation team has been established to oversee the arrangements for the

transfer of the Department's Dublin based staff to four locations in the south east.

An implementation plan, which sets out the broad issues to be addressed in implementing the decentralisation programme for this Department, has been submitted to the DIG. In accordance with the Government decision on the first phase of moves under the decentralisation programme, the transfer of my Department's headquarters to Wexford is included in the list of those organisations confirmed as early movers. A more updated decentralisation implementation plan, which sets out the issues to be addressed in the context of the move to Wexford, has been submitted to the decentralisation implementation group. My Department is in the process of drawing up a revised implementation plan dealing with issues arising around the moves to Kilkenny, New Ross and Waterford.

A total of 77 applications had been received at the Central Applications Facility priority cut off date on 7 September 2004 in respect of the 62 posts to be decentralised to Kilkenny. The indicative timescale provided for the completion of office accommodation in Kilkenny is the end of 2008 and the Office of Public Works is evaluating site options at present.

Local Authority Housing.

1326. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government if he has received from Dublin City Council, a proposal for the sale of local authority apartments to existing tenants; when the file was received; if he has studied the proposal; his views on whether the principal that local authority tenants in apartment complexes be allowed to purchase their homes using the method that applies to tenants of local authority houses; the time-table for accepting the proposal, with or without changes; and if he will make a statement on the matter. [26081/05]

1389. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government his views on Dublin City Council's proposed scheme for the sale of flats; and if he will make a statement on the matter. [25158/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 1326 and 1389 together.

Tenant purchase schemes have been an important feature of housing policy for many years and have made a significant contribution to improving the social mix within housing estates as well as meeting the aspirations of many tenants to own their own homes. The sale of local authority flats, however, raises difficult legal, contractual and management issues that need to be care-

fully considered before any final decision on the introduction of a new purchase scheme is made.

On 29 June 2005, Dublin City Council wrote to my Department setting out details of proposals to extend the tenant purchase scheme to the sale of flats. This followed draft proposals submitted in June 2004 to my Department, which were examined by a working group set up between the Department and local authorities. My Department is currently reviewing these proposals which are being considered in the context of the examination of the range of social housing policy issues raised by NESC in the report, *Housing in Ireland: Performance and Policy*.

Building Regulations.

1327. **Cecilia Keaveney** asked the Minister for the Environment, Heritage and Local Government if he has satisfied himself that heating and safety requirements are on a par with other EU countries; his views on whether over-regulation is affecting the competence of industry here, in particular the hospitality industry; and if he will make a statement on the matter. [24254/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The national building regulations govern construction standards for new buildings and for existing buildings which are materially altered, including hospitality premises. Part B of the regulations deals with fire safety and part J deals with heat producing appliances.

The regulations are reviewed periodically and take account of emerging harmonised European standards for construction materials, products and systems. The review process includes public consultation on draft building code amendments and all comments received are taken into account, in consultation with the broadly based Building Regulations Advisory Body.

My Department has no record of representations from the hospitality industry regarding the minimum standards prescribed by the building regulations.

Water Services.

1328. **Mr. McCormack** asked the Minister for the Environment, Heritage and Local Government the plans he has made or the arrangements he has entered into with local authorities which are introducing water metres for all non-domestic customers; the provisions which will be made to have voluntary secondary schools exempt from water charges; and if he will make a statement on the matter. [24255/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In accordance with the EU water framework directive, the

national water services pricing policy framework provides for the recovery by sanitary authorities of the cost of providing water services from the users of these services, with the exception of households using the services for domestic purposes. The policy framework requires full recovery of the cost of providing water services to the non-domestic sector by means of a meter based volumetric charge and the metering of this sector by December 2006. The framework does not provide for the exemption of any classes of non-domestic users from the charging policy.

Sanitary authorities are at an advanced stage in the planning and implementation of their metering programmes and have confirmed that the 2006 deadline will be met. My Department has not entered into any particular arrangements with sanitary authorities regarding metering apart from supporting a pilot metering demonstration project in Sligo and the provision of information and guidance.

Excavations Report.

1329. **Mr. Deenihan** asked the Minister for the Environment, Heritage and Local Government the expected publication date of the final report on Ardfert Cathedral excavations 1987-1992; and if he will make a statement on the matter. [24325/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): An illustrated summary of the Ardfert Cathedral project of interest to the general reader is planned for publication before the end of this year. The excavations at Ardfert Cathedral took place from 1989 to 1995; it is intended that the detailed excavation report incorporating the human remains analysis (over 2000 burials were discovered) will be ready for publication in late 2006.

Library Projects.

1330. **Mr. Deenihan** asked the Minister for the Environment, Heritage and Local Government if the National Library Council will give the go-ahead for a community library (details supplied) in County Kerry; and if he will make a statement on the matter. [24326/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Local authorities were asked to review their capital programmes for library development and to submit a prioritised list of proposals which they wished to have considered by my Department. In its most recent submission, Kerry County Council has listed seven projects for consideration, with a new branch library at Shanakill/Rathoonane, Tralee, as its third priority. The priority lists from local authorities are being considered in the light of

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available capital and other commitments and proposals on hand. I hope to be in a position to announce details of new library projects to be approved for funding shortly.

Environment, Heritage and Local Government the name of each company which secured a contract over €100,000 in value with his Department in each of the past five years. [24411/05]

Departmental Expenditure.

Minister for the Environment, Heritage and Local Government (Mr. Roche): The information requested is set out in the following tables.

1331. **Mr. Morgan** asked the Minister for the

Name of Company	Purpose of Contract	Year of Payment
TES Consulting Engineers	Development/Management of the National Litter Pollution Monitoring System 3 year Contract May 1999 extended to 31.12.2002	1999 to 2002
Computer Associates Plc	Consultancy re National vehicle and driver file	2000
Drury communications	Consultancy services: environment awareness campaign	2000
Ernst & Young	Assist with specification of requirements for new housing grants scheme	2000
Fitzpatrick Associates	Consultancy on National spatial strategy	2000
Goodbody Economic Consultants	Consultancy on National spatial strategy	2000
Irish International/OMD	Consultancy services: environment awareness campaign	2000
PA Consulting Group	Development of a model housing strategy	2000
Price Waterhouse Coopers	Consultancy services re: driving theory test	2000
WS Atkins Ireland Ltd	National Water Study	2000, 2002, 2003
Marine Institute	Preparation of Quality Status Report 2000 on Celtic Seas and of Environmental Assessment of Ireland's Marine and Coastal Areas	2000
Aluset Ltd.	Motor Tax Discs	2000-2004
Noonan Services	Cleaning Services	2000-2004
Wilkes Cerdac Ltd	Special Stationery	2000-2004
Brady Shipman Martin	NSS Research Brief-Irish Urban System and its Dynamics	2000-2001
Pitney Bowes Ireland Ltd	Supply of Mailing Equipment	2000, 2003, 2004

Table B: contracts awarded in 2001, or where payment was made in 2001.

Name of Company	Purpose of Contract	Year of Payment
DKM Economic Consultants	Compiling of Data for Review and Outlook of the Construction industry	Payments in 2001, 2002, 2003
DKM consultants	Study of house price statistics	2001
Drury communications	Communications consultancy in relation to the national spatial strategy	2001
Drury communications	Consultancy services: environment awareness campaign	2001
Farrell Grant Sparks Consulting	Strategic review of fire safety and fire services in Ireland	2001
Fitzpatrick Associates / Steer Davies Gleave	Audit of Rural Transport Services and establishment of needs / Report of the Interdepartmental Working Group on Rural Transport	2001
Irish International/OMD	Consultancy services: environment awareness campaign	2001
Irish International/OMD	Publicity Campaign for Draft Register of Electors — 2002/2003	2001
KT Cullen & Co Ltd	Cartographic/GIS services National spatial strategy	2001
Price Waterhouse Coopers	Consultancy: review of driver testing service	2001
Saville Holdsworth (Ireland) Ltd	Design & delivery of PMDS training	2001

Name of Company	Purpose of Contract	Year of Payment
KT Cullen & Co	Cartographic/GIS Services-National Spatial Strategy	2001
DMR	Housing Grants system Development	2001
Price Waterhouse Coopers	Penalty Points System	2001
Computer Associates	Ingres Software licence for National Vehicle and Driver File	2001-2004
Eircom	Datacomms infrastructure support	2001-2004
Fujitsu Services	Service Level Agreement Hardware support for motor tax offices	2001-2004

Table C: contracts awarded in 2002, or where payment was made in 2002.

Name of Company	Purpose of Contract	Year of Payment
Consortium led by EG Pettit	National Urban Waste Water Study	2002, 2003, 2004
Electoral Reform Society (UK)	Testing and validation of IES count rule software.	2002 -2004
Brindley advertising ltd.	Advertising campaign to publicise the supplementary register used for referendum on the protection of human life in pregnancy, general election 2002 and referendum on the treaty of nice	2002
Brindley advertising ltd.	Publicity campaign for draft register of electors — 2003/2004	2002
Carr Communications Ltd.	Publicity work on promotion of electronic voting including roadshow.	2002
Drury communications	Communications consultancy on the national spatial strategy	2002
Drury communications	Consultancy services: environment awareness campaign	2002
Irish international/OMD	Advertising campaign plastic bag levy	2002
Irish international/OMD	Anti-litter awareness advertisement	2002
Irish International/OMD	Consultancy services: environment awareness campaign	2002
KPMG	Implementation of a new Human Resources Management System (Peoplesoft) in the Department	2002
Mazars Consulting	Evaluation of the Needs and Resources Model	2002
National Economic Research Associates	Legal actions being taken by Ireland against the Sellafield MOX plant	2002
Radiation And Environmental	Legal actions being taken by Ireland against the Sellafield MOX plant	2002
Glencullen Vehicles	Vehicles for National Parks and Wildlife Service staff	2002
Toyota Ireland	Vehicles for National Parks and Wildlife Service staff	2002
J Harrison & Associates	Wexford Wildfowl Reserve Exhibition, Co Wexford	2002/2003
University College Cork	Research on Soak Systems at Clara Bog, Co Offaly	2002
Marine Institute	Marine SAC Sea-bed Surveys	2002
Saville Holdsworth (Ireland) Ltd	Design & delivery of PMDS training	2002
Connect Global Solutions	Computer System for PRTB	2002
Fujitsu Services	Management of I.T. technical support functions for the National Vehicle and Driver File (Managed Service).	2002-2004
Institute of Public Administration	Training for PRTB	2002 -2004

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Name of Company	Purpose of Contract	Year of Payment
Koerto Envelopes (Irl) Ltd.	Stationery	2002-2004
IBM Consultancy	Development of Motor Tax online system	2002-2004
Fujitsu Services	Hardware for Motor Tax online system	2002-2005
Oracle Emea Ltd	Licensing for Motor Tax online system	2002-2005
Lan communications	Supply of security hardware and monitoring services for online motor tax	2002-2005

Table D: contracts awarded in 2003, or where payment was made in 2003.

Name of Company	Purpose of Contract	Year of Payment
Deloitte & Touche	Consultancy re MIF system	2003 -2005
Oracle Emea Ltd	Consultancy re the implementation of the new financial management system under the management information framework (MIF)	2003-2005
DKM Economic Consultants	Economic Evaluation of Water Supply and Wastewater Treatment Projects	2003 & 2004
Nathean Technologies	Architectural assessment and source code review in relation to electronic voting.	2003 & 2004
TES Consulting Engineers	Development/Management of the National Litter Pollution Monitoring System 2 year Contract 2003 2004 extended to June 2005	2003 to 2005
EG Pettit & Co	Drinking Water National Monitoring Programme	2003, 2004,2005
RPS/MCOS Ltd	Pavement Condition Study of the Non-National Road Network and Review of Pavement Management Systems	2003, 2004,2005
Cawley Nea Ltd	Publicity Campaign for Draft Register of Electors — 2004/2005	2003
Economic & Social Research Institute	Irish National Survey of Housing Quality 2001 — 2002	2003
ICF Consulting/Byrne O'Cleirigh	Determining the Share of National Greenhouse Gas Emissions for Emissions Trading in Ireland	2003
KPMG Corporate Finance Limited / KPMG Business Development Services	Business development advice, including determination of a funding mechanism, in relation to the establishment of an approved body to operate a compliance scheme for the recovery of endoflife vehicles (elvs)	2003
McCann Erickson	Environmental awareness campaign race against waste	2003
Monica Leech Communications	Communications consultancy	2003 — 2005
Nera National Economic Research Associates Gordon Mac Kerron	Legal actions being taken by Ireland against the Sellafield MOX plant	2003
ABC Cleaning Services	Cleaning services for Muckcross House	2003
Michael Ladden	Remedial Works to Farm Buildings at Killarney National Park	2003/2004
Coillte Teoranta Landscaping Services	Walking Route Construction Project at Torc Mountain Killarney National Park, Co Kerry	2003/2004
Coffey Construction Ltd	Erosion works on Diamond Hill at Connemara National Park, Co Galway	2003, 2004, 2005
Botanical Environmental Consultants (BEC)	Survey of Native Woodlands of Ireland (Phase 1)	2003
Connect Global Solutions/System Dynamics	Provision of Registration & Case Tracking System (RACTS) for PRTB	2003-2004
LAN Communications	Management of Wide Area Network support.	2003, 2004
Mott McDonald Ltd. and E.G. Pettit and Co.	Drinking Water National Monitoring Programme	2003-2004
Archaeological Development Services Limited	Peatland Archaeological Survey 2003	2003

Table E: contracts awarded in 2004, or where payment was made in 2004.

Name of Company	Purpose of Contract	Year of Payment
Camp Dresser & McKee (Ireland) Ltd	Economic analysis of Water Use	2004, 2005
Lyle Bailie International	Environmental awareness campaign race against waste	2004
McConnells Advertising Service Ltd	Publicity Campaign for Draft Register of Electors — 2005/2006	2004
McConnells Advertising Service Ltd/Q4 Public Relations	Electronic Voting Awareness Campaign	2004
RPS-MCOS Limited	Draft National Strategy on Biodegradable Waste	2004
Bird Watch Ireland	Chough survey and habitat studies	2004
ABC Cleaning Services	Cleaning services for Muckcross House — placed 2003 for services in 2004	2004
J Harrison & Associates in association with Martello Media	Exhibition Glenveagh National Park, Co Donegal	2004
Gerard Murphy Forest Oaks Ltd	Rhododendron clearance, Killarney National Park, Co Kerry	2004
GB Ltd. Goggin & Buckley Structural Steel	Supply & erect structural steel at Organic Farm, Killarney National Park, Co Kerry	2004
Citroen Gallic Distributors	Vehicles for National Parks and Wildlife Service staff	2004
Nissan Ireland	Vehicles for National Parks and Wildlife Service staff	2004
Botanical Environmental Consultants (BEC)	Survey of Native Woodlands of Ireland (Phase 2)	2004
AIB Merchant Services	Online Motor Tax banking charges	2004
Eirtrade Services Ltd	Online Motor Tax Security support	2004
Kerna	NVDF Security support	2004
IBM	Various upgrades to NVDF system	2004
Archaeological Development Services Limited	Peatland Archaeological Survey 2004	2004
UCC	Archaeological Inventory of Co. Cork, Vol. 5	2004
UCC	Archaeological Inventory of Co. Kerry, Vol. 1	2004
DKM Economic Consultants	Review and Outlook of the Construction industry	2004

Table F: contracts awarded in 2005, or where payment was made in 2005.

Name of Company	Purpose of Contract	Year of Payment
ICF Consulting / Byrne Ó Cléirigh Consulting	Review & update of greenhouse gas emission projections in the Kyoto period 2008-2012	2005
ICF Consulting/Byrne O'Cléirigh	Determining the Share of National Greenhouse Gas Emissions for Emissions Trading in Ireland (2008-2012)	2005
Rits	To undertake a security and risk assessment on the electronic voting and counting system and to devise an end-to-end testing programme.	2005
TES Consulting Engineers	Development/Management of the National Litter Pollution Monitoring System 2 year Contract from July 2005 to 2007	2005-2007
Easy Clean Services	Cleaning services for Muckcross House	2005
J Harrison & Associates	Coole Park Interpretative Display, Co Galway	2005
Bird Watch Ireland	Corncrake conservation	2005
Sean Lacey Ltd Civil Engineers Contractors	Demolition and replacement of Existing Bridge at Coronation Plantation, Co Wicklow	2005
Denber Forestry Services Ltd.	Rhododendron clearance, Killarney National Park, Co Kerry	2005
Quercus (Queens University Belfast)	Survey of Hares in Ireland	2005

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Name of Company	Purpose of Contract	Year of Payment
UCC	Updating of the Register of National Monuments for Co. Kerry	2005
The Archaeology Company	A Spatial update of the Sites and Monuments Record data for Co. Cork	2005
Archaeological Development Services Limited	Peatland Archaeological Survey	2005

Local Authority Housing.

1332. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the percentage of GDP which is spent on housing policy. [24462/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Total Exchequer spending on housing programmes amounted to just over €1 billion or 0.7% of GDP in 2004. The Exchequer provision was increased to €1.3 billion in 2005, and when non-voted expenditure is taken into account the gross spending on housing programmes is expected to reach some €2 billion or 1.3% of GDP.

Other areas of public investment such as servicing of land, provision of roads and transport also support broader investment in housing. Details of both public capital investment and broader capital investment in housing are set out in the Annual Housing Statistics Bulletin 2004, copies of which are available in the Oireachtas Library and on the Department's website, www.environ.ie.

Water and Sewerage schemes.

1333. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government the plans his Department has in place to upgrade the sewerage scheme in Enniscrone, County Sligo; when this upgrade will be completed; and if he will make a statement on the matter. [24484/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Enniscrone sewerage scheme has been approved for funding in the Department of the Environment, Heritage and Local Government's water services investment programme 2004 to 2006 as a scheme to commence construction as soon as possible. Sligo County Council's tender documents for the scheme are under examination in the Department of the Environment, Heritage and Local Government and are being dealt with as quickly as possible.

1334. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government the position of the Broadford sewerage scheme;

when commencement date of the project is envisaged; and if he will make a statement on the matter. [24487/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Broadford sewerage scheme has been approved for funding in the Department of the Environment, Heritage and Local Government's water services investment programme 2004 to 2006 under the rural towns and villages initiative. The Department of the Environment, Heritage and Local Government is awaiting submission of Clare County Council's revised preliminary report for the scheme for approval.

1335. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government the position of the Feakle, Scariff and Quilty sewerage schemes; when commencement date of the projects is envisaged; and if he will make a statement on the matter. [24488/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Scariff, Feakle and Quilty, including Mullagh, sewerage scheme, which is being procured as a grouped project, is approved for construction in the Department of the Environment, Heritage and Local Government's water services investment programme 2004 to 2006. Clare County Council's contract documents, and updated water services pricing policy report and economic assessment of the scheme, are being examined in the Department of the Environment, Heritage and Local Government and are being dealt with as quickly as possible. A certificate of completion of planning is also awaited from the council.

Housing Aid for the Elderly.

1336. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government the amount of funding allocated to the HSE southern area for the housing aid for the elderly scheme for each of the past five years including 2005; the amount allocated to County Kerry for each of those years; and if he will make a statement on the matter. [24491/05]

Minister of State at the Department of the Environment, Heritage and Local Government

(Mr. N. Ahern): The allocation to the Health Service Executive southern area for housing aid for the elderly scheme for the last five years is set out in the following table.

Year	Allocation
	€
2005	2,200,000
2004	1,620,000
2003	1,055,000
2002	1,349,579
2001	1,269,738

It is a matter for the Health Service Executive southern area to apportion funding to each community care area.

Radon Gas.

1337. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government the steps which have been taken to alleviate extremely high levels of radon gas recorded by the RPII in respect of areas (details supplied) in County Kerry; if he will reinstate the grant available to householders to assist with the problem; and if he will make a statement on the matter. [24499/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Following the identification in July 2003 of a house in Castleisland with radon concentration levels of approximately 49,000 Bq/m³, the Radiological Protection Institute of Ireland undertook a survey of houses in the area. This involved the institute writing to 2,500 householders in and adjacent to the town of Castleisland advising them to have radon measurements carried out in their homes. By way of response to these letters, 418 householders requested radon measurements. Valid measurements, now available for 383 of these, indicate that 54 houses, 14.1%, exceeded the national reference level of 200 Bq/m³, including five houses, 1.3%, which had concentrations above 1,000 Bq/m³. The national reference level of 200 Bq/m³ is the level above which householders should consider radon remediation measures in respect of their dwellings. The highest concentration level found among the 383 houses was just over 6,100 Bq/m³, while the average concentration was just below 150 Bq/m³. Radon measurements were also completed in respect of 89 local authority homes in Castleisland, none of which was found to have radon concentrations in excess of the national reference level.

Over the years, the Government, through the Radiological Protection Institute of Ireland, has committed significant resources to assessing the extent of the radon problem and to highlighting public awareness of radon and the health risks associated with prolonged exposure to high radon concentrations. During the years 1992 to 1999,

the Radiological Protection Institute of Ireland carried out a national survey of radon in domestic dwellings. The purpose of the survey was to quantify comprehensively the scale of the radon problem in Irish dwellings and identify those parts of the country where high indoor radon levels are more likely to be found. The survey involved the measurement by the Radiological Protection Institute of Ireland of radon for a 12-month period in a random selection of homes in each 10 km x 10 km grid square throughout the country. Some 11,300 homes were surveyed. Based on the findings of the survey, the Radiological Protection Institute of Ireland estimates that there are approximately 91,000 houses nationwide, or about 9% of the national housing stock, with radon concentration level in excess of the national reference level. The survey also helped the Radiological Protection Institute of Ireland to identify high radon areas which are areas where it estimated 10% or more of houses in a 10km by 10km grid have radon concentration levels in excess of the national reference level.

Annascaul is in an area classified as a high radon area. The results of the Radiological Protection Institute of Ireland survey, as well as a comprehensive map showing high radon areas in Ireland, are available on the institute's website at www.rpii.ie.

In recent months, the Radiological Protection Institute of Ireland has undertaken several initiatives to further heighten public awareness of the radon issue in Ireland. The Radiological Protection Institute of Ireland has recently embarked on a series of nationwide public information seminars, targeted at selected high radon areas. These seminars have received widespread media coverage and have generated a large number of inquiries and requests for radon measurements from the public. There are proposals to visit Kerry in the near future as part of this initiative. The Radiological Protection Institute of Ireland will be also be hosting its fourth national forum on radon in Tralee on 14 November 2005.

Upgraded building regulations, introduced in June 1997, require all new houses commencing construction on or after 1 July 1998 to incorporate radon protection measures. In October 2004, the Department of the Environment, Heritage and Local Government published an updated edition of its technical guidance document C on Part C of the building regulations — Site Preparation and Resistance to Moisture, incorporating enhanced radon prevention measures for new buildings commencing construction on or after 1 April 2005. This new guidance document is aimed at ensuring that the 1997 radon protection measures are carried out more effectively. In February 2002, the Department of the Environment, Heritage and Local Government also published a booklet, Radon in Existing Buildings — Corrective Options, advising designers, builders and home owners on remediation options for

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reducing radon in existing houses to, or below, the national reference level of 200 Bq/m³.

Both the Department of the Environment, Heritage and Local Government and the Radiological Protection Institute of Ireland have consistently urged householders to measure their homes for radon levels, particularly those that live in a high radon area. Testing of domestic dwellings for radon is straightforward and inexpensive at approximately €40 per home.

With regard to the matter of a grant to assist householders to carry out radon remediation works on their homes, no such grant scheme was ever introduced. While the provision of Exchequer grant assistance for remediation works is not envisaged, efforts will continue at improving information to householders to enable and encourage them to address monitoring or remedial requirements effectively and economically.

Earlier this week the Radiological Protection Institute of Ireland and the National Cancer Registry of Ireland issued a joint statement confirming earlier health risk estimates of exposure to radon. The statement followed on from a review by both bodies of a recent Europe-wide survey of the health risks associated with radon. According to the joint statement, the results of the study, when applied to the Irish situation, would suggest that radon is responsible for 200 lung cancer deaths in Ireland every year and that the vast majority of these 200 deaths occur in smokers.

Housing Grants.

1338. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government the amount of funding allocated in 2005 from his Department to Kerry County Council for the disabled person's grant and essential repairs grant schemes; the way in which this level of funding compares with each of the past three years; and if he will make a statement on the matter. [24501/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Kerry County Council was notified of a combined capital allocation of €1.76 million for the payment of disabled person's and essential repairs grants for 2005. Allocations to Kerry County Council over the previous three years are contained in the following table.

Year	Allocation
	€
2004	1,760,000
2003	1,378,000
2002	1,300,000

The 2002 allocation represented a combined allocation in respect of house purchase and improvement loans and the disabled persons' and essential repairs grants schemes. To date, a combined allocation of €70 million has been notified to local authorities for the payment of disabled person's and essential repairs grants in 2005. It is a matter for the authorities to decide on the level of funding to be provided for the schemes in their areas from within the allocations notified to them.

1339. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government the number of persons for the first-time home buyer's grant who have not yet received payment; the numbers in this circumstance on a county basis; and if he will make a statement on the matter. [24502/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Additional information/ documentation has been requested and is still awaited by the Department of the Environment, Heritage and Local Government on applications for the first-time buyer's grant, as set out in the following table.

County	Total
Carlow	1
Cavan	7
Clare	7
Cork	88
Donegal	21
Dublin	98
Galway	37
Kerry	10
Kildare	37
Kilkenny	6
Laois	9
Leitrim	6
Limerick	12
Longford	1
Louth	11
Mayo	21
Meath	20
Monaghan	2
Offaly	14
Roscommon	12
Sligo	2
Tipperary	18
Waterford	15
Westmeath	20
Wexford	26
Wicklow	8
Total	509

Water and Sewerage Schemes.

1340. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government if he will provide a list of the water and sewerage schemes in County Kerry which are currently before his Department for funding or a decision on progress through the various stages of development; the stage of progress each of these water and sewerage schemes are at; and if he will provide an indicative timescale for the full completion of each of these projects. [24507/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Details of approved water services schemes in County Kerry are set out in the Department of the Environment, Heritage and Local Government's water services investment programme 2004 to 2006, which is available in the Oireachtas Library. The programme sets out a timetable under which funding is available from the Department of the Environment, Heritage and Local Government to facilitate the commencement of specific schemes during 2004 to 2006. Funding is also available to allow schemes included in the programme under the rural towns and villages and serviced land initiatives to proceed to construction once the contract procurement process has been completed. In addition, the programme identifies schemes that have been approved to advance through planning and to which construction start dates will be assigned in future phases of the programme. The most up-to-date information on progress with individual schemes may appropriately be sought from Kerry County Council.

EU Directives.

1341. **Mr. Hogan** asked the Minister for the Environment, Heritage and Local Government the reason customers are paying additional charges arising from the implementation of the EU directive on electrical goods despite the commitment that was given that no charge would pass to consumers in respect of this matter; and if he will make a statement on the matter. [24526/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The EU directive on waste electrical and electronic equipment required each member state to introduce regulations providing for a producer funded take-back scheme for consumers of end-of-life equipment from 13 August 2005. This directive covers a wide range of equipment from large business equipment, such as large refrigeration units, down to the smallest of consumer products such as pocket calculators and the like. Under the terms of the directive, the funding of such take-back schemes is a producer responsibility. The directive also requires the achievement by member states of specified targets for recovery,

reuse and recycling by producers of different classes of waste electrical and electronic equipment.

In general, prices generally are falling in the electrical and electronic sectors and this trend is expected to continue. Even in areas where there are price pressures, due to low margins and high recycling costs, particularly the white goods area, consumers are benefiting now under the waste electrical and electronic equipment directive by availing of free recycling services which did not exist before the 13 August. Visible environmental management costs are input costs and how these are dealt with in the pricing of products is part of the normal negotiations between producer and retailer. To put the overall impact of the waste electrical and electronic equipment directive in context, it is estimated that the total cost of recycling waste equipment under the new scheme is around €14 million in an industry of in excess of €1.4 billion annually. Having regard to this, the overall impact on the electric and electronic sector is likely to be negligible.

The Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 which fully transpose the waste electrical and electronic equipment directive in Ireland were introduced following two public consultations. The first of these followed publication of the waste electrical and electronic equipment taskforce report in April 2004, and the second followed publication of draft regulations in April 2005. The directive also requires member states to ensure for a transitional period of eight years, ten years for large household appliances, producers are allowed to show purchasers, at the time of sale of new products, the costs of collection, treatment and disposal of historic waste electrical and electronic equipment in an environmentally sound manner. A fundamental aim of the directive is to ensure the cost of recycling electronic and electrical equipment is built into the product price in the same way as the raw material costs of steel and plastic etc, manufacturing, distribution and sale. The transposition of the directive into Irish law was, therefore, subject to much discussion with producers, importers and retailers of electrical and electronic goods. While there were varying opinions on how the provisions for historic waste should operate, the majority view among the industry, for reasons of fuller transparency and greater accountability, favoured a system of visible environmental management costs in the manner now implemented. The design of the new system assures the public that the moneys collected for recycling are actually assigned for recycling activity and are not diverted elsewhere.

The transparency of environmental management costs provides consumers with maximum information, facilitates easier implementation of the scheme, ensures traceability and greater financial accountability, allows all companies, large

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and small, to know precisely the cost structures involved, and by informing the public in an open way, ensures that profiteering is prevented. This system of visible environmental management costs was supported by national regulations. Producers have to fund not only the recycling of waste electrical and electronic equipment arising from goods they place on the market since August 2005, but also the recycling of all waste electrical and electronic equipment arising from goods placed on the market prior to this. The problem of dealing with this historic waste is a real one and producers must fund the management of these earlier wastes on the basis of their current market share. This includes paying for all historic waste as it arises whether it is taken back by a retailer on a one-for-one basis or deposited at a local authority civic amenity site. It also includes paying for waste from producers who are no longer in the market.

The free recycling service, now being utilised by an increasing number of people, represents a considerable saving on waste disposal costs previously borne by consumers. Charges which previously applied at local authority recycling centres have not applied since 13 August. The system also brings considerable benefits to the environment by diverting this waste stream from Irish landfills, and ending the temptation to use unauthorised collectors of waste for old fridges, washing machines etc, a problem highlighted in the recent report of the Office of Environment Enforcement.

Visible environmental management costs are not imposed by or remitted to the Government. To describe environmental management costs as a tax, as has been done in some quarters, is wrong. Environmental management costs are, in fact, fixed by industry through the WEEE Register Society Limited, the industry-based national waste electrical and electronic equipment registration body, which has an independent committee of management. Visible environmental management costs fund the two collective compliance schemes operating in Ireland, WEEE Ireland and the European Recycling Platform, which have responsibility under the legislation for the environmentally sound management of all household waste electrical and electronic equipment taken back by retailers or deposited by members of the public at local authority civic amenity sites. WEEE Ireland and the European Recycling Platform are not-for-profit organisations. The visible environmental management costs are designed solely to cover the cost of recycling of waste electrical and electronic equipment and none of the revenue involved is handled by the Government. The WEEE Register Society Limited will monitor the implementation of the scheme and adjust the visible environmental management costs

periodically to ensure that the not-for-profit principle is observed.

There has been criticism in the House in the past over delays in transposing EU directives. We can take pride that Ireland was one of only a small number of member states which fully implemented this directive by the due date.

Social and Affordable Housing.

1342. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the number of social housing units that have been delivered under Part V in the Dún Laoghaire-Rathdown County Council area to date. [24546/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Available information to the end of June 2005 is published in the Department of the Environment, Heritage and Local Government's housing statistics bulletins, copies of which are available in the Oireachtas Library and is also available on the Department's website at www.environ.ie.

1343. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the number of affordable housing units that have been delivered under Part V in the Dún Laoghaire-Rathdown County Council area to date; and the average price which such units were sold for. [24547/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Information up to June quarter 2005 on Part V affordable housing completions is published in the Department of the Environment, Heritage and Local Government's housing statistics bulletins, copies of which are available in the Oireachtas Library. Data relevant to the question is also available on the Department's website at www.environ.ie. The information sought regarding the price of Part V units is not available in the Department of the Environment, Heritage and Local Government.

Zoned Land.

1344. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the amount of undeveloped land zoned for housing in the Dún Laoghaire Rathdown County Council area. [24548/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The Department of the Environment, Heritage and Local Government carries out a survey of the total amount of serviced land

zoned for residential purposes. This survey is valuable in assessing the overall stock of land at the same point each year, and the sufficiency of that stock to underpin required housing supply. Details on the amount of undeveloped land zoned for housing in the State and in each local authority is published annually and is available in the Department of the Environment, Heritage and Local Government's housing statistics bulletin, copies of which are available in the Oireachtas Library and also on the Department's website at www.environment.ie.

Recycling Policy.

1345. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government if he intends to encourage CIE to introduce paper and glass recycling on trains and in stations; and if he will make a statement on the matter. [24558/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Public bodies are encouraged on an ongoing basis to improve their recycling effort to help meet environmental objectives. The Department of the Environment, Heritage and Local Government's race against waste campaign aims to raise awareness of waste issues and change behaviour at home and at work to reduce the amount of waste being produced and increase recycling.

Under the campaign, an action at work programme was developed, in consultation with stakeholders including Bus Éireann and Iarnród Éireann, to provide advice to large organisations on how they can help staff and customers to reduce, reuse and recycle. An action at work pack was developed including material that set out specific actions that companies could take to improve recycling and help the environment. The programme also offers large organisations proactive support through a helpline and nationwide seminars, run by waste management specialists, and tailored to each organisation. Information on this initiative is also available on the Internet at www.raceagainstwaste.ie.

I wrote last February to a number of large organisations, public and private sector, enclosing a copy of the action at work pack in order to further promote participation in the race against waste by such organisations. Bus Éireann and Iarnród Éireann were among the organisations contacted in this way.

Local Authority Housing.

1346. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government if his Department is reviewing current arrangements regarding local authority tenancies; if the introduction of probationary tenancies will be

considered; and if he will make a statement on the matter. [24563/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The management and control of local authority dwellings is vested in and exercised by the housing authority concerned subject to compliance with regulations and statutory provisions. Regulations made in 1980 provide that the tenancy of every letting by a housing authority shall be a weekly tenancy. The Housing (Miscellaneous Provisions) Act 1992 requires that a notice to quit must not be less than four weeks. There are no proposals to amend these provisions.

EU Directives.

1347. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government, further to Question No. 874 of 14 June 2005, when he intends to submit the documentation to the EU; and if he will make a statement on the matter. [24582/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Ireland's national action programme under the nitrates directive, was formally submitted to the European Commission on 29 July 2005. A copy of the programme has been placed in the Oireachtas Library. Draft regulations are being finalised by the Department of the Environment, Heritage and Local Government, in consultation with the Department of Agriculture and Food, to give legal effect to the programme. The draft regulations will issue for public consultation in the near future with a view to their commencement on a phased basis from 1 January 2006.

Social and Affordable Housing.

1348. **Mr. Hogan** asked the Minister for the Environment, Heritage and Local Government when funding will be available for the construction of eight houses on behalf of an association (details supplied) in County Kilkenny at a site at Moonenroe, County Kilkenny; and if he will make a statement on the matter. [24609/05]

1354. **Mr. Aylward** asked the Minister for the Environment, Heritage and Local Government if funding for a project (details supplied) will be approved at the earliest possible date in view of the fact that planning permission expires in early 2006; and if he will make a statement on the matter. [24761/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 1348 and 1354 together.

[Mr. N. Ahern.]

The Department of the Environment, Heritage and Local Government recently approved the invitation of tenders for this project, which will be carried out under the capital funding schemes for voluntary and co-operative housing projects. Kilkenny County Council, which is responsible for the detailed administration of the scheme in their area, have been notified accordingly.

Water and Sewerage Schemes.

1349. **Mr. J. O’Keeffe** asked the Minister for the Environment, Heritage and Local Government if priority will be given and funding provided for a sewerage scheme at Drinagh in west Cork; and if he will give a full and up to date report on the project which has been ongoing for many years. [24634/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Drinagh sewerage scheme was 41 in the list of water and sewerage schemes for its western division submitted by Cork County Council in response to the Department of the Environment, Heritage and Local Government’s request to all local authorities in 2003 to undertake fresh assessments of the needs for capital works in their areas and to prioritise their proposals on the basis of the assessments. The assessments were taken into account in the framing of the water services investment programme 2004 to 2006 published in May 2004. Given the rating afforded to the scheme by the council, it was not possible to include it in the current programme.

1350. **Mr. Hayes** asked the Minister for the Environment, Heritage and Local Government the amount of water on a county basis which is lost through leaking local authority pipes. [24642/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): While local authorities are responsible for the operation and maintenance of public water supply systems, the Department of the Environment, Heritage and Local Government has undertaken a number of initiatives over the years to assist authorities to optimise the management, quality and efficiency of such systems. In 1996, following publication of the greater Dublin water supply strategic study, a new stream of capital funding was introduced to help reduce unaccounted for water levels in local authority distribution networks, to improve the quality of supply to consumers, to lower operating costs and to maximise the value of investment in capital works.

A series of pilot schemes to identify potential improvements, as well as some physical work on network rehabilitation, was undertaken as a first

measure. Project locations included Dublin, Cork, Galway, Waterford, Limerick, Athlone and Clonmel. All of these schemes have now been completed with the aid of capital funding of €63 million from the Department of the Environment, Heritage and Local Government. The results show that unaccounted for water rates have reduced considerably. For example, in Dublin they have fallen from 42.5% to 28.7%, in Donegal from 59% to 39%, in Meath from 47% to 34% and in Kilkenny from 45% to 29%.

The results of the Department of the Environment, Heritage and Local Government’s later national water study, which involved an audit of all public water supplies outside the greater Dublin area serving more than 5,000 consumers, were published in March 2000. The national water study examined 91 water supply schemes operated by some 38 local authorities and reported on all aspects of water supply including, availability of raw water, treatment capacity, water distribution systems and associated management issues. The study found, *inter alia*, that unaccounted for water levels varied significantly between regions but were generally in the range of between 40% to 50%. The study report is available in the Oireachtas Library.

The national water study, along with the earlier greater Dublin water supply strategic study, has provided a reliable basis for the evaluation of investment requirements in the water supply sector. In May 2003 the Department of the Environment, Heritage and Local Government allocated a further €276 million to local authorities to identify and substantially reduce unaccounted for water in public supply networks. The bulk of the allocation, €194 million, was provided for network rehabilitation or replacement works by authorities that had carried out water management system studies under the earlier pilot phase. The balance of €82 million will enable the remaining authorities to proceed with water management system studies as a necessary precursor to structural rehabilitation works. Details of allocations to individual authorities are set out in the Department of the Environment, Heritage and Local Government’s water services investment programme 2004 to 2006 which is also available in the Oireachtas Library.

1351. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government if Westmeath County Council have submitted plans on the provision of a sewerage treatment plant at Rathowen, County Westmeath; if these plans and reports have been sanctioned; the date of such sanction; the estimated cost of the scheme; if funds have been allocated and the likely commencement date. [24665/05]

1353. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government

when funding will be provided for the Rathowen sewerage scheme in County Westmeath; when this sewerage scheme will commence; and when a contractor will be appointed. [24743/05]

1397. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government when the Rathowen, County Westmeath, sewerage scheme will be completed; the estimated cost of these works; and the number of households which will be connected to the scheme. [25275/05]

1401. **Mr. Penrose** asked the Minister for the Environment, Heritage and Local Government when final approval and the appropriate financial allocation will be given to Westmeath County Council to proceed with the sewerage infrastructural scheme for the village of Rathowen, County Westmeath; and if he will make a statement on the matter. [25410/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1351, 1353, 1397 and 1401 together.

The Rathowen sewerage scheme, estimated to cost some €1.23 million, is included in the Department of the Environment, Heritage and Local Government's water services investment programme 2004 to 2006 as a scheme to complete planning. Westmeath County Council's preliminary report for the scheme is under examination in the Department of the Environment, Heritage and Local Government following recent receipt of the water services pricing policy report which identifies the proportion of the capital cost required to be funded by the non-domestic sector. Following approval of the preliminary report, the council will be in a position to prepare contract documents for the scheme. Detailed information relating to potential household connections to the scheme may appropriately be sought from Westmeath County Council.

Local Authority Funding.

1352. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government the annual limitations imposed by his Department on local authority estimates for each year over the years since the enactment of the Local Government (Financial Provisions) Act 1978. [24728/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Directions under section 10 of the Local Government (Financial Provisions) Act 1978 limiting permissible increases in rate poundages — rateable valuation multipliers — annual rates on valuation,

as the case may be, have been issued in the following table.

Financial Year	Limit Applied
	%
1980	10
1982	15
1999	5
2000	5
2001	9
2002	7.5

Question No. 1353 answered with Question No. 1351.

Question No. 1354 answered with Question No. 1348.

Housing Grants.

1355. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government when the present ceiling for the grant to accommodate a person with a disability was set; the increase in the value of this grant if it were to have maintained value in line with the index of building costs over the intervening period; his views on the need to update this grant in order that persons can carry out the necessary work. [24785/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): With effect from December 2001, the Department of the Environment, Heritage and Local Government recoups to local authorities two thirds of their expenditure on disabled persons grants to a maximum of €13,547 in each individual case. The local authority pays the remaining one third, thereby giving an effective maximum grant under the scheme of €20,320. The grant can cover up to 90% of the cost of the works to private houses and may cover the full cost of the works for local authority tenants. The house building cost index increased by 10.4% from December 2001 to August 2005. Applying this level of increase to the above the maximum effective grant would yield a figure of €22,433. However, depending on the works being carried out, in many cases the maximum grant may not be required to be paid. In 2004, some 5,222 disabled persons grants were paid at a cost of €45,814,000. The mean grant paid in 2004 was at a level of €8,773, significantly lower than the effective maximum grant of €20,320.

The disabled persons grant scheme is intended, like several other housing grant schemes operated by the Department of the Environment, Heritage and Local Government, to assist works which provide additional or adapted accommo-

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dition in private houses. However, 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. The disabled persons' grant scheme is important in assisting the provision of appropriate accommodation of disabled persons in the community. It is essential that the available funding be directed to those persons in greatest need of such assistance.

Litter Pollution.

1356. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government if there is a policy regarding persons responsible for litter on building sites (details supplied); and if he will make a statement on the matter. [24814/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Primary responsibility for developing and implementing responses to litter problems rests with local authorities. I am satisfied local authorities have adequate powers under the Litter Pollution Acts 1997 to 2003 to tackle the problem of litter on or originating from building sites. Under these Acts persons are forbidden from depositing litter in a public place or in any place visible from a public place. The owner or occupier of any lands also has a statutory duty to keep the lands litter free. Section 9 of the 1997 Act provides for the service of notices on owners — occupiers of any property to take action to remove litter or to take specific measures to prevent a recurrence of an ongoing problem.

Water and Sewerage Schemes.

1357. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he will approve the appointment of consultants to progress the work of the Glenflesk sewerage scheme in Glenflesk, County Kerry; if he will expedite this as a matter of urgency; and if he will make a statement on the matter. [24815/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Kerry villages sewerage scheme, which includes Glenflesk, is included in the Department of the Environment, Heritage and Local Government's water services investment programme 2004 to 2006 as a scheme to commence construction in 2006. Kerry County Council's revised brief for the appointment of consultants to prepare preliminary reports for the scheme was received in the Department of the Environment, Heritage and Local Government on 12 September. It is now

under examination and will be dealt with as quickly as possible.

1358. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he will approve the revised preliminary report — contract documents stage for the Kilcummin sewerage scheme, Kilcummin, County Kerry (details supplied); and if he will make a statement on the matter. [24816/05]

1393. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he will approve proceeding to contract documents stage for the Barraduff sewerage scheme, County Kerry; and if he will make a statement on the matter. [25167/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1358 and 1393 together.

Kilcummin and Barraduff are included in the Lough Leane catchment sewerage scheme which has been approved for construction in the Department of the Environment, Heritage and Local Government's water services investment programme 2004 to 2006. Revised preliminary reports submitted by Kerry County Council for the Kilcummin and Barraduff proposals are under examination in the Department of the Environment, Heritage and Local Government and are being dealt with as quickly as possible.

1359. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he will approve the appointment of consultants for the Kilgarvin sewerage scheme, Kilgarvin, County Kerry; and if he will make a statement on the matter. [24817/05]

1365. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he will approve proceeding to contract on foot of the preliminary report from Kerry County Council for a new wastewater treatment plant and extended sewer collection network for Firies, Killarney, County Kerry; and if he will make a statement on the matter. [24891/05]

1391. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he will approve proceeding to contract documents stage for Firies sewerage scheme, Killarney, County Kerry; and if he will make a statement on the matter. [25165/05]

1392. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he will approve proceeding to contract documents stage for the new sewerage

scheme for Milltown, County Kerry; and if he will make a statement on the matter. [25166/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1359, 1365, 1391 and 1392 together.

Funding for a preliminary assessment of phase 1 of Kerry County Council's proposals to refurbish a large number of village sewerage schemes has been approved in the Department of the Environment, Heritage and Local Government's water services investment programme 2004 to 2006. The refurbishment proposals are divided into three phases. Furies and Milltown are included in the first phase and Kilgarvan is part of a proposed third phase. Kerry County Council submitted a revised brief to the Department of the Environment, Heritage and Local Government last month for the appointment of consultants to undertake the phase 1 preliminary assessment. The council also submitted preliminary reports for the Furies and Milltown schemes that it has identified as the most pressing of the village upgrading proposals. The brief and preliminary reports are being examined in the Department of the Environment, Heritage and Local Government and are being dealt with as quickly as possible. Following completion of the preliminary assessment of the phase 1 proposals, consideration will be given to further phases being approved under the Department of the Environment, Heritage and Local Government's water services investment programme.

1360. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he will approve the appointment of consultants for the County Kerry wastewater and sludge project-advance study; and if he will make a statement on the matter. [24818/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Kerry sludge management scheme has been approved for funding of €4.5 million in the Department of the Environment, Heritage and Local Government's water services investment programme 2004 to 2006. Kerry County Council submitted a brief to the Department of the Environment, Heritage and Local Government in August for the appointment of consultants to identify the options for procuring sludge treatment facilities for the county's water services treatment plants. The brief is under examination in the Department of the Environment, Heritage and Local Government and is being dealt with as quickly as possible.

Register of Electors.

1361. **Mr. Aylward** asked the Minister for the

Environment, Heritage and Local Government the proposals which are with his Department to permit Irish citizens living abroad in the European Union to vote in any referenda on the proposed European constitution; and if he will make a statement on the matter. [24842/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The compilation of a register of electors is a matter for the appropriate registration authority in accordance with electoral law. To be able to vote at elections and referenda in this jurisdiction, a person's name must be entered in the register of electors for a constituency in the State in which the person ordinarily resides. Subject to this primary requirement, the person's citizenship then determines the polls at which he or she is entitled to vote. Irish citizens who are registered to vote may vote at all polls. British citizens may vote at Dáil, European and local elections. EU citizens, other than Irish and British citizens, may vote at European and local elections and non-EU citizens may vote at local elections only.

Postal voting is provided for certain categories of person as specified in electoral law. The Electoral Act 1992 provides for postal voting for members of the Garda, wholetime members of the Defence Forces, and Irish diplomats serving abroad and their spouses. Subsequent legislation enacted by the Oireachtas has extended postal voting to other categories, including electors living at home who are unable to vote because of a physical illness or disability — the Electoral (Amendment) Act 1996; electors whose occupation, service or employment makes it likely that they will be unable to vote in person at their local polling station on polling day — the Electoral Act 1997, full-time students registered at their home who are living elsewhere while attending an educational institution in the State — the Electoral Act 1997; and certain election staff employed at the poll outside the constituency where they reside — the Electoral (Amendment) Act 2001.

The question of voting rights for Irish citizens living abroad has been considered in detail on several occasions, most recently by the All-Party Oireachtas Committee on the Constitution in its examination of Parliament. The seventh progress report of the committee, published in March 2002, concluded that the right to vote in Dáil elections should remain confined to citizens ordinarily resident in the State and that the right to vote at referenda should not be granted to emigrants. While electoral law is subject to ongoing review and suggestions are made on specific issues from time to time, there are no proposals to alter the existing arrangements.

Fire Stations.

1362. **Mr. Rabbitte** asked the Minister for the

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Environment, Heritage and Local Government if his attention has been drawn to the serious concerns among persons in the Clara area of County Offaly regarding the decision to close the fire station in Clara; if, in view of the population of 4,000 in the area and the serious safety implications of leaving the people of the area without a fire station, the decision will be reviewed; and if he will make a statement on the matter. [24845/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am aware of local concerns regarding the proposed closure of Clara fire station and I have previously replied to correspondence on this matter.

Under section 10 of the Fire Services Act 1981, a fire authority, in this instance Offaly County Council, is required to make provision for the delivery of fire services in its functional area including establishing and maintaining a fire brigade, providing premises and making such other provision as it considers necessary or desirable. It is, therefore, primarily a matter for Offaly County Council to consider the fire fighting arrangements appropriate to enable it to meet its statutory responsibilities as set out in the Fire Services Act 1981.

House Prices.

1363. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the percentage increase in new house prices from June 1997 to date, both in Dublin and State-wide. [24883/05]

1364. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the percentage increase in second-hand house prices from June 1997 to date, both in Dublin and State-wide. [24884/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 1363 and 1364 together.

Details in relation to the percentage increase in both new and second-hand houses prices from June 1997 to date are set out in my Department's housing statistics bulletins, copies of which are available in the Oireachtas Library, and also on the Department's website at *www.environ.ie*.

Question No. 1365 answered with Question No. 1359.

Commencement Orders.

1366. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government if he will provide a list of the Acts or sections or other provisions of Acts coming wholly or partly under the auspices of his Department, or for the commencement of which his Department is wholly or partly responsible, which are not yet in force and which require the future making of a commencement order; if, in each case, it is intended to make such an order; if so, when; the reason for the failure to make such an order to date; and if he will make a statement on the matter. [24908/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The information requested is set out in the following table:

Provision not commenced	Expected commencement date	Reason commencement order not made to date
Air Pollution Act 1987: Section 9		This section provides for the repeal of certain Acts and regulations in whole or in part. While section 9 has been commenced in respect of some provisions, others are still extant and it is not appropriate to commence the remainder of this section as yet.
Air Pollution Act 1987: Section 25		The need for the Minister to commence this section has not arisen to date.
Electoral Act 1997: Section 78	Not possible to indicate at this stage	Section 78 not commenced pending further consideration of the issues involved.
Electoral Act 1997: Section 79	Not possible to indicate at this stage	Section 79 not commenced pending further consideration of the issues involved.
Electoral (Amendment) Act 2001: Section 17	Will not be commenced for reason indicated across	Amendment provided for in Section 17 is related to the return of deposits and is no longer necessary following the High Court decision in the Redmond case.
Electoral (Amendment) Act 2001: Section 22	December 2005	Section proposed to be commenced once the practical arrangements for including additional information on the polling information card are finalised.
Electoral (Amendment) Act 2001: Section 53	Will not be commenced for reason indicated across	Amendments have been made in sections 12 and 26(2) of the Local Government Act 2001.
Electoral (Amendment) Act 2001: Section 54(k)	Will not be commenced for reason indicated across	Not necessary following the abolition of the title of Alderman in the Local Government Act 2001.

Provision not commenced	Expected commencement date	Reason commencement order not made to date
Electoral (Amendment) Act 2004: Part 2 except Section 5(4); Sections 30, 32; Schedules 1-4.	Not possible to indicate at this stage	Under consideration in the context of ongoing work in relation to electronic voting and counting.
Environmental Protection Agency Act 1992: Sections 102 and 103	No plans to commence	These sections deal with assigning powers to EPA to make air and water quality management plans, and to set air and water quality standards. The need for EPA to use these powers has not arisen to date as such management plans are made by local authorities and relevant quality standards have been set using other legislative provisions.
Environmental Protection Agency Act 1992: Section 105	No plans to commence	This section provides for the holding of enquiries by EPA into incidents of environmental pollution. Since the Act was enacted, no incident has arisen which would warrant the type of inquiry envisaged. Incidents of environmental pollution can also be investigated by EPA under section 104, which has been amended.
Housing (Miscellaneous Provisions) Act, 2002: Sections 4 (part of), 11, Schedule 1 (part of)	Will not be commenced	Provisions related to the payment of the new house grant, which has since been abolished
Housing (Miscellaneous Provisions) Act, 2002: Sections 17(a), 17(b), 17(e), Schedule 2	Commencement will be considered when examinations referred to over have been completed. The section on direct lending to voluntary housing bodies could not be commenced until state aid clearance was received from the European Commission	Provisions allow for the Housing Finance Agency (HFA) to lend to local authorities for infrastructural purposes related to housing and to lend directly to voluntary housing bodies. HFA lending for infrastructural purposes is being examined by the Commission under the state aid notification process. Such clearance was given in June 2004 for direct lending to voluntary housing bodies. The HFA, the Department and the voluntary and co-operative housing sections are in discussions on appropriate procedures to govern lending.
Housing Act 1988: Section 8	Overtaken by subsequent Acts	Planning and Development Act 2000 requires local authorities to provide housing strategies which look at housing need in their particular area. In addition local authorities must prepare five year social and affordable action plans.
Housing Act 1966: Section 115	Commencement deferred for broader policy analysis. Overtaken to some degree by subsequent Acts in the Planning area.	Sections 147 and 148 of the Planning and Development Act 2000 contains sections relating to disclosure of interests by members
Licensing of Indoor Events Act, 2003: Parts 1 and 2	Late 2005/Early 2006	Consultation with other Departments and event industry representatives still ongoing on draft regulations being made to provide for the administration of the new licensing system.
Local Government Act 2001: Part 3, Section 22 Part 4, Section 23 Part 8 Part 11 Part 17 Schedule 11		These provisions relate to the establishment and functions of the Local Government Commission. The steps necessary to commence the provisions are being considered.
Local Government Act 2001: Part 18, excepting section 197 Part 19 Part 20 Part 22, Sections 223 & 230		These enabling provisions, almost all of which replace legislation currently in force, will be commenced in due course.
Local Government Water Pollution Act 1977: Section 25	Commencement is not envisaged	The section is regarded as too narrow to provide for the establishment of, say, river basin district authorities. Having regard to the very wide scope of the water framework directive (not merely "water quality") it would be necessary to provide for a more broad-based statute in the event that it is ever decided to establish some form of authorities to address water quality management on the basis of river basin districts.
Wildlife (Amendment) Act 2000: Regulation of Commercial Shoot Operators: Section 36	Before end of 2005	Consultation with all of the stakeholders on the regulations to be made under the section before making the commencement order

Genetically Modified Organisms.

1367. **Mr. Connolly** asked the Minister for the Environment, Heritage and Local Government if he has proposals to designate Ireland as a genetic

modification free zone; and if he will make a statement on the matter. [24918/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under EU legis-

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lation, it would not be permissible for EU member states to prohibit, restrict or impede the placing on the market of GMOs which have been authorised under relevant EU procedures. Given this framework, it would not be possible to make a designation as envisaged in the question.

Local Authority.

1368. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the number of social housing units in the State in June 2002; and the number of social housing units in the State at present. [24960/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The data on the number of local authority houses let are collated at the end of each calendar year, with most recent figures available in my Department's housing statistics bulletins, copies of which are available in the Oireachtas Library, and also on the Department's website at www.environment.ie.

On this basis, at end December 2001 there were 102,789 local authority houses let and a further 12,500 — estimated — in the voluntary and co-operative housing sector, giving a total social housing stock of some 115,000. By the end of 2004, the total housing stock had grown to an estimated 127,000 units. The level of this stock continues to rise in line with Government's increased investment in social housing measures.

State Property.

1369. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government if compilation of a national public property register to identify properties in State control, suitable for housing projects, has been completed. [24961/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The OPW has compiled an electronic database of property holdings based on information supplied by departments and agencies. Consistent with the commitment in the joint programme, the database has assisted in developing the affordable housing initiative, although further investigations were required to determine whether lands were suitable for housing.

The affordable housing initiative was agreed as part of the Sustaining Progress agreement. A key aspect of this initiative is the identification of surplus State land suitable for social and affordable housing projects. Sites released to date by local authorities and a range of other state agencies under the initiative provide for more than 70 individual projects throughout the country.

Together with affordable housing coming through so-called Part V arrangements, the sites identified so far have the potential to deliver more than 10,000 housing units, meeting the target proposed by the parties to the pay agreement.

Waste Management.

1370. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the extent by which the 2004 guidelines requiring waste collection permits contain a condition obliging the operator to conform with the producer pays principle. [24971/05]

1371. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that the requirement in circular WIR 05/04 that local authorities take the opportunity of the collection permit review to include conditions requiring collectors to have either a pay-by-weight or pay-by-volume system in place by 1 January 2005 has not been implemented in the Dublin area and that Dublin City Council has received legal advice to the effect that such a condition cannot be included in a waste disposal permit. [24972/05]

1372. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government if he will introduce the necessary legislative changes to ensure that each residential unit in managed residential developments is billed for the volume or weight of waste which the unit produces in order that residents are given the opportunity to control their own waste bills rather than allowing the current practice of a shared bin service which suits the waste collection operator. [24973/05]

1373. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government if he will amend the draft Waste Management (Collection Permit) Regulations 2005 to prevent waste collection permit holders from charging residential management companies for a shared weight bin rate. [24974/05]

1374. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact in spite of the requirement in section 21 of the Waste Management (Collection Permit) Regulations 2001 that all permits be reviewed once every two years. Since 2001 none of the permits in the Dublin area has been subject to such a review. 24975/05

1379. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government, further to Question No 516 of 26 April 2005 if he will introduce a simplified licensing system for the

movement of builders' rubble; and if he will make a statement on the matter. [25102/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1370, 1371, 1372, 1373, 1374 and 1379 together.

The primary purpose of the permitting system brought in under the Waste Management (Collection Permit) Regulations 2001 is to facilitate appropriate controls on commercial collection activities for the purposes of environmental protection and to facilitate the implementation of waste management plans and the achievement of the objectives of those plans. Implementation of the regulations is a matter for the local authorities concerned. The Environmental Protection Agency, through its Office of Environmental Enforcement, exercises a supervisory role in respect of the environmental protection activities of local authorities. The Waste Management (Collection Permit) Regulations and also the Waste Management (Permit) Regulations 1998 are under review. The purpose of the review is to provide local authorities with any additional statutory powers that are necessary to ensure that local waste collection and facility activities operate to a high environmental standard, in conformity with the polluter pays principle and, in regard to collection services, the principle of pay-by-use. It should be noted that pay-by-use charging systems have been widely implemented in the context of the existing regulatory provisions, including by Dublin City Council. The determination of the precise form of such charges remains a matter for individual local authorities, where they are service providers, or individual private operators.

As part of this review process, revised draft regulations have been prepared and are the subject of a public consultation. In finalising the new regulations, regard will be had to the submissions from stakeholders and also to the legal advice which Dublin City Council has received.

The draft revised waste permit regulations address a number of other issues, including the permitting of inert soil and construction type wastes which are being used for the purposes of land reclamation and other similar activities.

State Property.

1375. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government if he will make funding available for the much needed refurbishment of Rathfarnham Castle and its buildings. [24977/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I understand that the Office of Public Works is drawing up plans for the refurbishment of Rathfarnham

Castle. When these have been finalised and costed, consideration will be given to including the project in the built heritage capital programme.

Election Boundaries.

1376. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government if and when boundaries for local authority elections will be reviewed on foot of the recent changes to Dáil constituency boundaries; and if he will make a statement on the matter. [25011/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Unlike the situation regarding Dáil constituencies, there are no constitutional or statutory requirements in relation to the frequency of local electoral area reviews. The last review of local electoral areas was carried out in 1998. The June 2004 local elections took place on the basis of the existing local electoral areas and there are no proposals for examination of these areas.

The next census is due to take place in 2006, with the next local elections in 2009. Consideration can be given to reviewing the local electoral areas in the light of the census results when they become available and other relevant factors.

Local Authority Funding.

1377. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government if he will provide a substantial increase in the amount of funding available to Kerry County Council for the local improvement scheme in view of the long list of applicants; and if he will make a statement on the matter. [25034/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A total of €12.5 million was provided for the local improvements scheme, LIS, in 2005. Out of this total provision, a grant of €1,198,398 was allocated in June 2005 to Kerry County Council. All funds at my disposal for the LIS in 2005 have now been fully allocated. I will, however, take full account of the needs of all county councils, including Kerry County Council, when decisions regarding LIS grants for 2006 are being taken in the new year.

Waiver Schemes.

1378. **Mr. N. O'Keefe** asked the Minister for the Environment, Heritage and Local Government the exact type of waivers for persons dependent on social welfare payments that can be granted by local authorities for refuse collection

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charges where the pay by weight scheme exists. [25058/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The determination of waste management charges is a matter for the relevant local authority, where it acts as the service provider, or for individual private service operators where these provide the service. Since January 2005, local authority and private providers of waste collection services are expected to introduce charges on a pay-by-use basis. This is intended to promote more responsible behaviour on the part of individuals by rewarding those who minimise their waste and reuse-recycle. It is a matter for the local authority concerned to determine the nature and extent of any waiver scheme in respect of waste management charges.

Question No. 1379 answered with Question No. 1370.

Traveller Accommodation.

1380. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government the status of an application (details supplied) with his Department; and if he will make a statement on the matter. [25103/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): An application has been received in my Department from Roscommon County Council seeking funding for extensive conversion, extension and new works to the existing Traveller specific accommodation at Turpan Beg, Ballyforan, County Roscommon which was first occupied in 2000.

I understand that, following discussions with my Department, the council is re-examining the priority of this proposal *vis à vis* the remainder of its Traveller accommodation programme as well as certain cost elements of the project. The matter will be further considered in the Department on receipt of clarification on these issues from the council.

Water and Sewerage Schemes.

1381. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government the status of an application for funding submitted by Leitrim County Council for the development of the Rooskey sewerage scheme; and if he will make a statement on the matter. [25104/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Rooskey sewerage scheme is an element of the Leitrim

towns and villages sewerage scheme which is included in my Department's water services investment programme 2004 to 2006 as a scheme to commence construction this year at an estimated cost of €11.8 million. Leitrim County Council's tender documents for the scheme are under examination in my Department and are being dealt with as quickly as possible.

Vehicle Registration.

1382. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government, further to Question No. 1085 of 12 April 2005, when he intends to introduce the revised vehicle registration certificate; and if he will make a statement on the matter. [25105/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I expect that information relating to the year of manufacture of vehicles will be included in vehicle registration certificates from the end of November this year.

Architectural Heritage.

1383. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government if he will review the current funding for architectural protection grants; and if he will make a statement on the matter. [25106/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The scheme of architectural protection grants available to owners of protected structures is administered by local authorities and resourced by my Department. Funding for the scheme was increased from €3.9 million in 2004 to €6.85 million in 2005. This scheme is one of a number of supports for the built heritage. The conservation grants programme under the urban and village renewal scheme provides funding in 2005 of €1.033 million to support projects on buildings of architectural or heritage significance which are in the ownership of public bodies, civic trusts etc. and are open to the public.

In 2004, €735,000 was paid in thatching grants by my Department for 175 roofs, with 255 grants having been provisionally approved. It is estimated that in the region of 250 applications will be provisionally approved in 2005 with a provision of €700,000.

I am also in the process of establishing the Irish Heritage Trust which will acquire for public access major heritage properties on a case-by-case basis where the State does not wish to acquire them directly and where there is imminent risk to their heritage value through neglect or where an appropriate use cannot be brought forward through sale to a private sector investor. Funding will be provided from my Department's

Vote for the running of the trust and as contributions to the endowment funds established to conserve, maintain and present the properties. It will be for the Minister for Finance to give further consideration to the proposals for tax concessions in the Indecon report, Issue of Trust-type Organisations to Manage Heritage Properties, which is published on my Department's website www.environment.ie.

Tax relief is available under Section 482 of the Taxes Consolidation Act, 1997 for expenditure incurred on the repair, maintenance or restoration of an approved building or garden. Further protection is afforded through the ongoing maintenance of the State's own portfolio of historic properties. In addition, funding for architectural heritage protection is also provided directly by the Heritage Council and the council administers certain one-off grants directly on behalf of my Department. I am satisfied that, taken together these provisions afford considerable support for the safeguarding of our architectural heritage.

Water and Sewerage Schemes.

1384. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government if he will approve funding for a bundle of 16 sewerage schemes (details supplied) in County Roscommon; and if he will make a statement on the matter. [25107/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Roscommon towns and villages sewerage scheme is included in my Department's water services investment programme 2004 to 2006 as a scheme to commence construction next year at an estimated cost of €19.3 million. Roscommon County Council's design review report is being examined in my Department in conjunction with the water services pricing policy report received from the council last month and is being dealt with as quickly as possible.

Road Network.

1385. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government if he will meet with a delegation from Roscommon, Sligo and Mayo county councils regarding their proposals for the R294 which was submitted to his Department; if he will approve specific funding for the project; and if he will make a statement on the matter. [25108/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In March 2005, Sligo County Council submitted to my Department a copy of a report prepared jointly by Sligo, Mayo and Roscommon county councils regarding the condition of the R294 between Ballina and

Boyle. The report proposed a number of both short and long-term improvement works to the route. The councils were informed on 21 March that it would be open to the relevant county councils to include the short-term restoration improvement works in their restoration programmes for 2006 onwards. In addition, they were informed that it would also be open to the councils to prioritise appropriate works on this route for funding under the EU co-financed specific improvements grant scheme in 2006.

In June and August 2005 respectively, local authorities were invited to submit proposals to my Department for inclusion in the 2006-2008 restoration programme and the 2006 EU co-financed scheme. All proposals received from local authorities will be fully considered when road grants for 2006 are being determined early in the new year. In these circumstances I have no proposals to meet the above mentioned councils on this matter.

Water and Sewerage Schemes.

1386. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government if he will appoint consultants to revise the preliminary report submitted to his Department in 1999 on the development of a sewerage scheme for the village of Creggs, County Galway; and if he will make a statement on the matter. [25109/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Creggs sewerage scheme was fourth on the list of sewerage schemes submitted by Galway County Council in response to my Department's request to local authorities in 2003 to produce updated assessments of the needs for capital works in their areas and to prioritise their proposals on the basis of the assessments. The assessments were taken into account in the framing of the water services investment programme 2004 to 2006, published in May 2004. Given the level of competing demand for the available funding, it was not possible to include the scheme in the current programme.

1387. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government, further to Question No. 472 of 31 May 2005, the progress to date on the regional water schemes; and if he will make a statement on the matter. [25110/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Roscommon County Council has been asked to submit additional information required by my Department to facilitate a decision on the design review report, water services pricing policy report and implementation strategy for these water supply schemes which will serve Arigna, Boyle-Ardcarne

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and central and south Roscommon. The information will be examined as quickly as possible on receipt of the council's reply.

Natural Heritage Areas.

1388. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government when an appeal to a proposed natural heritage area and special protection area (details supplied) will be considered by his Department; and if he will make a statement on the matter. [25150/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I have accepted a recommendation from the nature conservation designations appeals advisory board to exclude the area under appeal from both the special protection area and the natural heritage area. Following digitising of the boundary revisions by my Department, the appellant was advised by letter dated 20 September 2005 of the successful outcome of the appeal, and was provided with maps showing the revised boundaries.

Question No. 1389 answered with Question No. 1326.

Aarhus Convention.

1390. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government the progress which has been made in implementing the Aarhus Convention; and if he will make a statement on the matter. [25164/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Ireland signed the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters on 25 June 1998. Progress towards ratification of the convention is closely aligned with work at EU level. To date, the European Union has adopted two directives as part of the ratification process for the convention. These deal with public access to environmental information, 2003/4/EC, and public participation in certain environmental decision-making procedures, 2003/35/EC. Ratification of the convention will take place after these directives have been transposed into Irish Law. Work is continuing in my Department with regard to the transposition of these two directives and will be completed as soon as possible.

Questions Nos. 1391 and 1392 answered with Question No. 1359.

Question No. 1393 answered with Question No. 1358.

Water Quality.

1394. **Mr. J. Higgins** asked the Minister for the Environment, Heritage and Local Government the steps he is taking to improve water quality in response to the findings of the three-year water quality in Ireland study published in June 2005 (details supplied). [25270/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Environmental Protection Agency's report on water quality in Ireland 2001 to 2003 stated that the overall condition of Irish waters remains satisfactory and compares favourably with the position in other European countries. The report indicates that there is a further decline in the extent of serious pollution in rivers, a decline in the level of bacteriological contamination of groundwater and that water quality is generally high in estuaries and coastal areas.

I welcome these positive findings of the report. Other findings of the report, however, are more mixed, such as the slight increase in the extent of river channel affected by pollution, the decrease in the number of bathing areas which comply with guideline values and the widespread intermittent contamination of groundwaters with faecal coliforms. The report also confirms that eutrophication is extensive in surface waters and emphasises the need for control of nutrient losses from all sources.

The achievement of good water status requires that all sources of pollution be addressed, whether arising in agriculture, urban wastewater, industry or other activities. A wide range of measures is being progressed for this purpose including a national nitrates action programme to protect waters against pollution from agriculture, the comprehensive strengthening of river basin management in the context of implementation of the water framework directive and under the water services investment programme, which incorporates the rural water programme, in relation to the treatment of wastewater discharges and the provisions of drinking water supplies.

Insofar as wastewater discharges are concerned, the EPA report points to the need for continued investment in the upgrading of our waste water treatment plants and makes reference to specific areas that merit ongoing attention such as nutrient removal from wastewater discharges and the need to address point source pollution from sewage treatment plants.

Some €1.7 billion was invested in new wastewater infrastructure under the national development plan in the four-year period up to the end of 2004. As a result, major strides have been made in meeting our targets under the EU urban wastewater treatment directive and in improving the quality of the receiving waters. Compliance

with the December 2005 deadline of the directive, which requires secondary treatment for discharges from agglomerations to a population equivalent of 2000 or more in the case of fresh or estuarial waters, stood at 25% at the start of 2000. That has now risen to some 90%. All remaining schemes needed to achieve full compliance with the directive are included in my Department's water services investment programme, a copy of which is available in the Oireachtas Library. My Department is examining the EPA report and is identifying any municipal wastewater discharges where investment in new or upgraded wastewater infrastructure is required that has not already been provided for in the current phase of the programme. The commitment in the programme for Government for secondary wastewater treatment facilities to be put in place for every location with a population of more than 1,000 is also being implemented. The increase in wastewater treatment capacity in the 2001 to 2004 period is equivalent to the needs of a population of some 2.9 million — seven times more than the increase achieved over the duration of the previous NDP from 1994 to 1999. The EPA water quality in Ireland report covers the period up to 2003 and does not take account of the many new wastewater treatment plants that have been commissioned in the meantime. In relation to pollution from agricultural sources, my Department is in the process of drawing up regulations to give effect to the national nitrates action programme submitted to the European Commission in July of this year. The draft regulations will be published shortly for public consultation. The regulations will provide for a range of measures to protect waters against pollution from agricultural sources and to strengthen the application of good agricultural practice. The regulations will, *inter alia*, provide for set periods when land application of fertilizers is prohibited, limits on the land application of fertilizers, livestock manure storage requirements and monitoring the effectiveness of measures.

The national nitrates action programme and the regulations will be a key component in Ireland's ongoing efforts to protect and enhance water quality. My colleague the Minister for Agriculture and Food has announced proposals for an enhanced scheme of grants under the farm waste management scheme to support investment in farm facilities for this purpose.

Water and Sewerage Schemes.

1395. **Mr. J. Higgins** asked the Minister for the Environment, Heritage and Local Government the steps he is taking to improve the quality of drinking water in Carraroe and Callaheighue, County Galway. [25271/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Costelloe regional water supply scheme, which will provide a new water supply source for these areas, and Carraroe Sewerage Scheme which protects the existing Carraroe water source are both approved for construction in my Department's water services investment programme for 2004 to 2006. I have approved Galway County Council's preliminary report for the first phase of the regional water supply scheme. I understand that the council has now commenced preparation of the environmental impact assessment for the scheme and is in the process of appointing consultants to prepare contract documents.

The Council's tender recommendations for the upgrading and rehabilitation of Carraroe's sewage collection network were received in my Department last month and are under examination. They are being dealt with as quickly as possible. Tender documents for the wastewater treatment, which is being grouped with a number of other schemes in the county for procurement purposes, are awaited by my Department from the council.

Planning Issues.

1396. **Mr. J. Higgins** asked the Minister for the Environment, Heritage and Local Government if persons wishing to extend their business premises through the erection of mezzanine floors in warehouses must go through the planning process and are liable to pay development levies or extra rates. [25272/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The question as to whether a particular development requires planning consent or not is primarily a matter for the planning authorities, or An Bord Pleanála on referral. They are empowered under section 5 of the Planning and Development Act 2000 to reach a determination as to whether a particular development falls to be considered as exempt. In making their determination, consideration would be given to section 4(1)(h) of the 2000 Act which provides that development consisting of the carrying out of internal works for improvement purposes and not affecting the external appearance of the structure, is exempted development.

Where planning permission is required, such permission would normally be subject to the payment of a development levy. Under Section 48 of the Act it is a matter for the relevant planning authority to determine the level of development contribution to be made. The levying and collection of rates are also matters for the relevant local authority. Local authorities are under a statutory obligation to levy rates on any property used for commercial purposes in accordance with the valuation lists prepared by the Commissioner of Val-

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uation under the Valuation Acts. The Valuation Acts are the responsibility of the Minister for Finance.

Question No. 1397 answered with Question No. 1351.

Water and Sewerage Schemes.

1398. **Mr. Cregan** asked the Minister for the Environment, Heritage and Local Government the progress which has been made with regard to the Kilmallock and Dromcollogher sewerage schemes in County Limerick; and if he will make a statement on the matter. [25373/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Kilmallock sewerage scheme is approved for construction in my Department's water services investment programme for 2004 to 2006. My Department approved Limerick County Council's brief for the appointment of consultants to prepare detailed design and contract documents for the scheme last July.

The Dromcollogher sewerage scheme, which is being procured in conjunction with a number of other schemes in the county, is included in the investment programme to advance through planning. I approved Limerick County Council's brief for the appointment of consultants to prepare a preliminary report for the scheme in June. Further advancement of both schemes is now a matter for the council.

1399. **Mr. Cregan** asked the Minister for the Environment, Heritage and Local Government the progress which has been made in relation to the Athea, Askeaton, Foynes and Shanagolden sewerage schemes, following on the meeting which took place between Limerick County Council and officials on 20 September 2005; and if he will make a statement on the matter. [25374/05]

1411. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government when a sewerage scheme will be upgraded in Glin, County Limerick. [25703/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1399 and 1411 together.

These schemes, which are being advanced as a grouped project, have been approved for construction in my Department's water services investment programme for 2004 to 2006. Further consideration will be given to Limerick County Council's fee proposals for the consultants selected to prepare the preliminary report on receipt

of the information requested from the council by my Department at the meeting referred to.

Local Authority Funding.

1400. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government the funding which has been announced in 2005 to enable local authorities provide community projects (details supplied). [25394/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In May 2005, I announced proposals for a pilot project for the provision of a number of skateboard facilities. My Department wrote to all city and county councils at that time enclosing details of the initiative, including the selection criteria, and invited councils to submit an application to participate in the pilot project. All applications received are currently being examined in my Department, with the assistance of the National Children's Office, and I intend to announce details of individual grants and the total funding being provided in the near future.

Question No. 1401 answered with Question No. 1351.

1402. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government the amount of money he has provided for LIS schemes in each county over each of the past five years; the length of waiting lists in each county; if any effort is being made to provide extra funds or rectify the imbalance in any way where counties have extremely long waiting lists; his views on whether these laneways provide vital links for so many in rural Ireland; and if he will make a statement on the matter. [25466/05]

1408. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government the amount he has provided for LIS schemes in each county over each of the past five years; the length of waiting lists in each county; if any effort is being made to provide extra funds to rectify the imbalance whereby certain counties have extremely long waiting lists; his views on whether these laneways provide vital links for so many in rural parts; and if he will make a statement on the matter. [25609/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 1402 and 1408 together.

The initial allocation to each county council under the local improvements scheme, or LIS, in each of the years 2001 to 2005 is set out in the following table. Information regarding waiting lists in individual counties is not available in my Department. Information on the operation of the

LIS in each county council area is sought from councils each year. This includes details of the number of applications on hands and the estimated cost of those applications at the end of each year. Table 2 sets out details of the number of applications on hand and the estimated cost of

those applications at the end of 2004. I am conscious of the importance of the LIS and will take account of the needs of all county councils when decisions regarding LIS grants for 2006 are being taken in the new year.

Table 1.

County Council:	2001 Allocation	2002 Allocation	2003 Allocation	2004 Allocation	2005 Allocation
	€	€	€	€	€
Carlow	118,374	142,189	142,189	156,081	156,081
Cavan	877,225	970,708	970,708	1,065,546	1,065,546
Clare	415,270	514,069	514,069	564,294	564,294
Cork	449,337	515,048	515,048	565,368	849,308
Donegal	1,711,338	1,566,005	1,566,005	1,719,004	1,719,004
Dun Laoghaire-Rathdown	—	—	—	—	—
Fingal	—	—	—	25,000	15,000
Galway	678,116	755,388	755,388	829,189	829,189
Kerry	971,433	1,091,735	1,091,735	1,198,398	1,198,398
Kildare	94,707	102,416	102,416	112,422	88,504
Kilkenny	122,149	132,092	132,092	144,997	192,608
Laois	151,738	174,303	174,303	191,332	275,335
Leitrim	655,926	714,987	714,987	784,841	784,841
Limerick	241,443	262,892	262,892	288,577	288,577
Longford	245,014	264,958	264,958	290,844	309,208
Louth	104,703	118,984	118,984	130,609	130,609
Mayo	1,211,771	1,310,409	1,310,409	1,438,736	1,438,736
Meath	50,790	271,023	63,098	69,263	69,263
Monaghan	520,579	583,052	583,052	640,016	640,016
North Tipperary	155,039	174,922	174,922	192,012	192,012
Offaly	113,014	125,621	125,621	137,894	137,894
Roscommon	213,998	231,417	231,417	254,026	254,026
Sligo	407,074	440,210	440,210	483,219	483,219
South Dublin	—	—	—	—	—
South Tipperary	92,561	103,995	103,995	114,155	114,155
Waterford	130,591	150,668	150,668	165,388	165,388
Westmeath	100,293	112,835	112,835	123,859	123,859
Wexford	196,478	214,642	214,642	235,613	235,613
Wicklow	128,943	163,357	163,357	179,317	179,317
Total	10,157,904	11,207,925	11,000,000	12,100,000	12,500,000

Table 2.

County Council	No. of Applications on Hands at the end of 2004	Estimated Cost of Applications on Hands at the end of 2004
		€
Carlow	30	565,133
Cavan	236	4,956,000
Clare	148	3,800,000
Cork	235	9,240,000
Donegal	793	13,963,533
Fingal	1	15,000
Galway	177	4,012,500

County Council	No. of Applications on Hands at the end of 2004	Estimated Cost of Applications on Hands at the end of 2004
		€
Kerry	374	10,445,438
Kildare	4	88,504
Kilkenny	82	2,095,278
Laois	102	2,995,747
Leitrim	216	6,400,000
Limerick	125	2,951,203
Longford	135	3,364,000
Louth	25	490,000
Mayo	1,033	9,800,000
Meath	18	328,873
Monaghan	290	5,803,594
North Tipperary	95	1,000,000
Offaly	57	1,056,722
Roscommon	102	1,444,736
Sligo	77	1,334,548
South Tipperary	39	804,500
Waterford	38	757,089
Westmeath	30	482,549
Wexford	63	1,808,756
Wicklow	25	1,066,743
Total	4,550	91,070,446

Genetically Modified Organisms.

1403. **Mr. Ferris** asked the Minister for the Environment, Heritage and Local Government the grounds on which the decision was made to abstain on votes taken at the European Commission on 31 August 2005 regarding the licensing of genetically modified oilseed rape seed for use as animal feed. [25471/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I assume that the parliamentary question refers to the decision of the European Commission on 31 August 2005 to authorise genetically modified oilseed rape GT73. Member states discharged their involvement in this matter at the Environment Council of 20 December 2004 where there was, under the qualified majority voting procedures, insufficient agreement to either accept or reject the proposal. Ireland was among a number of member states who abstained on the proposal in December 2004. 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 Oireachtas Joint Committee on the Environment and Local Government; and the

outcome of the earlier discussion of, and vote on, the product at the regulatory committee for the purposes of directive 2001/18/EC.

Fire Stations.

1404. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government when construction will begin on the new fire station in Tallow, County Waterford. [25525/05]

1405. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government when construction will begin on the new fire station in Kilmacthomas, County Waterford. [25526/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keeffe): I propose to take Questions Nos. 1404 and 1405 together.

New fire stations at Tallow and Kilmacthomas were included by Waterford County Council on its prioritised list of projects in the context of a review of fire station proposals under the fire services capital programme. A formal proposal for the new station at Tallow has been submitted to my Department and it will be considered for advancement under future programmes having regard to the council's priorities and competing national demands for capital investment in fire services. No formal plans for a new station at Kilmacthomas have been submitted to date Having

regard to the overall availability of resources under the programme it was not possible to approve additional fire station projects in Waterford in the 2005 programme. However, my Department has provided €2.3 million to Waterford County Council for fire services investments since 1997, including funding for a new fire station under way at Ardmore.

Environmental Policy.

1406. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government the reason the stricter energy standards for houses were delayed between 1998 and 2003; if the result is that up to 250,000 houses were built which are 35% less energy efficient than they might be; and if he will make a statement on the matter. [25527/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Thermal performance and insulation standards for new dwellings under Part L of the building regulations have been progressively increased since their introduction in 1992 and are due for further upward adjustment by 2008.

The national climate change strategy, or NCCS, proposed that Part L standards be significantly increased in two phases, in mid-2002 and 2005. The NCCS stated that the planned increases were contingent on the outcome of an independent study, commissioned by the Building Regulations Advisory Body, BRAB, on the impact of the proposed further increase in thermal performance standards on, *inter alia*, building systems. The relevant report by the Energy Research Group UCD concluded that the most commonly used house-building systems could all be insulated to comply with the proposed Part L regime, subject to minor adjustments in the proposed standards.

Consequently, it was decided to bring forward the planned second phase, 2005, amendment of the Part L regulations and to implement the planned increases in thermal performance standards in a single step. Following a public consultation process, amending Part L regulations were made in 2002 for new dwellings commencing on or after 1 January 2003. The greatly enhanced Part L standards will reduce energy required for domestic space heating by an estimated 23% to 33%, depending on the type and size of dwelling.

Litter Pollution.

1407. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government if he will allocate additional resources and funding as a matter of urgency to deal with the unacceptable level of farm plastics that has been left on Clare farms over recent years due to the

unsatisfactory farm collection system; and if he will make a statement on the matter. [25600/05]

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 Irish farm film producers group, or IFFPG, is the sole approved body in Ireland for the purposes of implementing a compliance scheme for the recovery of farm plastics waste.

Under the IFFPG scheme, producers apply a levy on the sale of farm plastics that 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 it is a matter for the company, under the terms of this producer responsibility initiative and in accordance with the polluter pays principal, to set a rate of levy which will cover its operational costs.

The scheme has operated successfully to date. It is estimated that around 8,500 tonnes, circa 55%, of farm plastics placed on the market in 2004 were collected for recycling. An estimated 55,000 farmers availed of the collection service in 2004. Responsibility for the collection and recovery of farm plastics rests with the compliance scheme. My Department will continue to monitor the scheme on an ongoing basis and specific issues raised in relation to the operation of the scheme, including any difficulties with regard to the collection of waste farm plastic, will be brought to the attention of IFFPG with a view to making any necessary improvements to the scheme.

Question No. 1408 answered with Question No. 1402.

Home Ownership.

1409. **Mr. Ferris** asked the Minister for the Environment, Heritage and Local Government the number of persons who are owners of second homes in the Dublin City Council area. [25624/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department does not have a detailed breakdown of housing stock by type of purchaser or by category of dwelling status. Information collected as part of the census of population does provide some analysis on vacant dwellings. However, as there may be other

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reasons why a dwelling is vacant, such as households' absence on the night of the census or that rented dwellings are between lettings, it is not possible to discern which properties are owned as second homes.

Special Areas of Conservation.

1410. **Mr. Timmins** asked the Minister for the Environment, Heritage and Local Government, further to Question No. 329 of 15 June 2005, the adjustment which was made to the boundary of the special area of conservation; if he will report on the scientific evidence which was supplied in support of this; the reason the request was made (details supplied); and if he will make a statement on the matter. [25702/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The boundaries of this candidate special area of conservation were re-examined by my Department, for two reasons. The first reason was a revised national approach to the designation of marginal areas along rivers, introduced in August 2004, following an agreement with the farm organisations under Sustaining Progress. A nationwide survey to revise SAC boundaries along rivers was undertaken. The relevant section of the agreement reached with the farm organisations under Sustaining Progress reads as follows. The Department will implement a revised approach to designation of marginal areas along rivers. The revised SAC will include bank-side only to 2.5 meters from the river bank. If embankments or other features are present which will curtail direct runoff, the margin can be further reduced accordingly. Where special features are present, for example, associated wildlife habitat or floodplain, they will continue to be included.

The second reason was an objection lodged by ecological consultants in November 2004, on behalf of a landowner, in relation to the location referred to in the question. The objection was considered by my Department following standard procedures. It was assessed by staff of the national parks and wildlife service of my Department, who visited the site. They found that one relatively small field in the area under appeal did not form part of the floodplain of the Carrigower River, as it is raised above the river by a number of metres and held no habitat of interest. It was concluded that this specific piece of land did not meet the scientific criteria for inclusion in the SAC in the first instance. This gave rise to a minor boundary adjustment, excluding less than one acre from the SAC.

In contrast, the low-lying fields beside the river which were also under appeal are being retained in the SAC as my Department's staff were satisfied that they form part of the floodplain of the

Carrigower River. This means that an area about 100 metres wide is retained within the SAC here, rather than the 2.5 metre wide strip that would be justified if there was no floodplain here. The specific decisions on this appeal conform with the revised national approach to designation of marginal areas along rivers.

Question No. 1411 answered with Question No. 1399.

Environmental Policy.

1412. **Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if he will consider issuing guidelines to the ESB networks to avoid placing pylons next to houses or schools and regarding the preference of laying cables underground rather than overground to protect the environment and the country's panorama. [25761/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Planning permission is required for the construction by any electricity operator of overhead transmission or distribution lines for conducting electricity at a voltage higher than 20kV. Issues such as impact on surrounding development or on the landscape would be considered when applications for permission for such lines are made.

The laying underground of such lines or the connection of any premises to the network is exempted development. As a matter of course, most new residential or industrial developments are now connected through underground ducts. In addition, under the urban and village renewal measure of the regional operational programmes 2000 to 2006, my Department provides funding to city and county councils towards the cost of undergrounding existing overhead cables in urban and village areas as part of streetscape enhancement works. It is not proposed to issue specific guidelines on this matter.

Water and Sewerage Schemes.

1413. **Mr. Penrose** asked the Minister for the Environment, Heritage and Local Government the position in relation to an application for funding for the provision of a sewerage scheme in Rochfortbridge, County Westmeath; if approval will be forthcoming for the installation of this important facility in this area; and if he will make a statement on the matter. [25772/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Rochfortbridge sewerage scheme has been approved for funding in my Department's water services investment programme for 2004 to 2006 under the serviced land initiative, at an estimated cost

of €4.28 million. Westmeath County Council's original contract documents for the scheme were approved by my Department in June 2004. Revisions to the contract documents submitted by the council in July 2005 have since also been approved by the Department. It is now a matter for the council to progress the scheme to tender stage.

1414. **Mr. Penrose** asked the Minister for the Environment, Heritage and Local Government the position in relation to the application for funding for the provision of a sewerage scheme at Milltownpass, County Westmeath; when this important project is likely to go ahead; and if he will make a statement on the matter. [25773/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Milltownpass sewerage scheme has been approved for funding in my Department's water services investment programme for 2004 to 2006 under the rural towns and villages initiative at an estimated cost of €4.28 million. My Department approved Westmeath County Council's proposal to appoint a client's representative to prepare contract documents for the scheme in June 2005. The contract documents will be submitted to my Department by the council for approval in due course. In the meantime, the council's water services pricing policy report, which was received in July 2005 and will determine the proportion of the capital cost of the scheme to be funded by the non-domestic sector, is under examination in the Department and is being dealt with as quickly as possible.

Natural Heritage Areas.

1415. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government when a person (details supplied) will receive payment for turbary rights sale of bog and for raised bog in a natural heritage area; and if he will make a statement on the matter. [25804/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department provides compensation, by way of purchase at standard rates, for persons who are owners of land or turbary rights in bogs that have been proposed for designation as special areas of conservation or natural heritage areas, and where it is necessary for conservation reasons to phase out cutting of turf for domestic purposes. The scheme is applicable primarily to any person who wishes to sell freehold, fee simple or turbary rights over designated raised bog, which is mainly in the midlands.

The Department will consider the purchase of designated blanket bog, which is in mountain areas and in western counties, at the rate of

€1,000 per acre or part thereof, only in exceptional circumstances where it is found necessary to restrict cutting of turf. The persons referred to in the question own bog within the Carrane Hill Bog NHA No. 2415, which is classified as blanket bog, and applied to my Department for compensation. Following full consideration of their application, my Department does not intend to purchase bog or turbary rights in this area of blanket bog.

Civic Amenity Sites.

1416. **Mr. G. Murphy** asked the Minister for the Environment, Heritage and Local Government when funding will be made available for a civic amenity site in Newmarket, County Cork. [25845/05]

1417. **Mr. G. Murphy** asked the Minister for the Environment, Heritage and Local Government when funding will be made available for a civic amenity site in Kanturk, County Cork. [25846/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keeffe): I propose to take Questions Nos. 1416 and 1417 together.

The siting of civic amenity sites is a matter for each local authority. I have currently no proposals from Cork County Council for funding of civic amenity sites in Newmarket and Kanturk, Co. Cork.

1418. **Mr. G. Murphy** asked the Minister for the Environment, Heritage and Local Government if a person who applied for local improvement schemes and whose application was accepted before the change of regulations by his Department will be allowed to proceed with the application; and if he will make the new regulations retrospective. [25847/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Section 81 of the Local Government Act 2001 provides the statutory basis for the local improvements scheme, or LIS, and my Department's local improvements scheme memorandum, which issued in February 2002, sets out the current terms and conditions for the payment of LIS grants. Under the scheme, grants are provided to county councils for the construction and improvement of non-public roads which provide access to parcels of land of which at least two are owned or occupied by different persons engaged in separate agricultural activities, or provide access for harvesting purposes for two or more persons, or which will in the opinion of the county council be used by the public.

[Mr. Roche.]

The administration of the scheme is a matter for the relevant county council. Each county council has responsibility for decisions regarding eligibility and subsequent selection and prioritisation of schemes, subject to the terms of the Department's memorandum and circulars. There is no proposal to amend the terms and conditions of the scheme.

Local Authority Housing.

1419. **Mr. G. Murphy** asked the Minister for the Environment, Heritage and Local Government when final approval will be issued for a housing scheme (details supplied) in County Cork. [25848/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Certain clarifications regarding the design and cost of the project submitted under the capital loan and subsidy scheme were sought from Cork County Council, who are responsible for the detailed administration of the scheme in their area. The documentation requested has been received and the application is being considered. The council will be advised of the outcome as soon as possible.

1420. **Mr. G. Murphy** asked the Minister for the Environment, Heritage and Local Government when approval will be issued for a housing scheme (details supplied) in County Cork. [25849/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The administration of the scheme for assisting voluntary housing projects, and the certification that particular projects comply with the scheme's terms, are the responsibility of the local authority, in this case Cork County Council. It is understood that the council is, at present, considering aspects relating to eligibility of this particular project for assistance under the scheme, and formal application for funding of the project has not yet been received in my Department from the council.

Local Authority Grants.

1421. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if, in view of the €18 million unspent on the disabled persons grant scheme nationally in 2004, he has put in place a monitoring system throughout the local authorities which will enable him to reallocate funds from authorities which will not use up their allocation in 2005 to authorities which have already spent their budgets; and if he will make a statement on the matter. [25896/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):

The capital provision for the payment of disabled persons and essential repairs grants in 2005 is €70 million. Local authorities were notified on 7 June last of their combined capital allocations for these schemes and were requested to notify the Department if it became evident that the allocation notified was likely to be inadequate or surplus to requirements. My Department wrote to local authorities in August stressing the need to ensure that, in the light of the high level of demand for these grants, the available allocation is expended in full. Authorities were again requested to examine the levels of payments and approvals on both schemes at the end of August with a view to establishing the adequacy or otherwise of their 2005 allocations.

Where the local authority is of the view that the allocation notified to them is likely to either be inadequate or surplus to their requirement, they were requested to so advise my Department without delay to facilitate reallocation to those authorities seeking increased allocations. My Department is examining the responses to this request and will continue to monitor expenditure patterns for the schemes over the remainder of the year with the aim of ensuring the maximum utilisation of available resources for the schemes.

1422. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government the number of local authorities in the State which have in place means-testing for the disabled persons grant scheme. [25906/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):

The administration of the disabled persons grant scheme is delegated to local authorities within the framework laid down in statutory regulations. As far as is practicable, this is designed to give an appropriate degree of flexibility at local level. The majority of local authorities have reviewed their schemes over recent years in order to streamline their operation and have introduced a variety of mechanisms to ensure that the available resources are targeted to those in most need, including medical prioritisation, means testing or cost control. My Department does not have detailed information on the number of local authorities which currently have means-testing in place. The issue of means testing is being considered within the overall context of the review by my Department of the operation of the disabled persons grant scheme.

State Property.

1423. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government the amount spent to date on the restoration of

Castletown House, County Kildare; the details of the phases of work carried out to date; the remaining phases to be carried out; and the cost of same. [25907/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Prior to 2000 and the commencement of the current national development plan three phases of works were carried out at Castletown as follows: restoration of the fabric of the main block and the replacement of the entire roof, including the rebuilding of the chimney and parapet, completed in 1995; mechanical, electrical, fire prevention and security works including certain structural repairs, completed in 1998; structural works, site services and finishes in key areas completed prior to the reopening of the house in 1999.

The total expenditure for these three phases was €6.825 million. The following works were carried out from 2000 to date: repairs and re-roofing of the colonnades, re-laying of the steps at the entrance and works to the walls and steps at the rear and repairs to the ha-ha fences; re-roofing of the West Wing; The cost of these works totalled €3.21million. Total expenditure on this project to date is therefore €10.035m.

Plans are in hand for improved perimeter security, estimated at a cost of €570,000; and structural strengthening of the main staircase and landing, estimated at a cost of €570,000. It is proposed to commence both of these elements before the end of the year. The above figures do not include works to the farmyard buildings, which amounts to approximately €20,000 to date, and other minor works.

Local Government.

1424. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he will issue regulations under the Local Government Act 2001 to allow by order the establishment of new town councils in 2005. [25918/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Part 17 of the Local Government Act 2001 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. Under the relevant provisions of the Act, a proposal to establish a town council is a matter for the local community in the first instance. Thereafter a decision on such a proposal is a reserved function of the relevant county council, following a public consultation process.

Following these local steps, the proposal must then be submitted to the local government commission for preparation of a report and recommendations to the Minister. I am considering the

steps necessary to commence the relevant provisions of the 2001 Act, including in relation to the establishment of the Local Government Commission, and will continue to pursue consultations with local government interests in this regard.

Community Warden Service.

1425. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he will continue the pilot community warden service in Naas, Co. Kildare in 2006. [25922/05]

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 an independent review and evaluation of the pilot service in 2004, I decided to continue the pilots for one more year. The question of the continuation or extension of the scheme will be definitively addressed following further examination of relevant staffing and other issues.

Local Authority Staff.

1426. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the procedures to be followed in regard to qualification for a career break of up to four years for local authority officials together with the appeals protocol to be followed; and if he will make a statement on the matter. [26014/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A career break consists of special leave without pay for a period of not less than one year and not more than five years. It is open to an employee who has satisfactorily completed a probationary period to apply for a career break for most purposes including further education, domestic responsibilities, starting a business or a stay abroad. Under the scheme, a career break may not, however, be allowed for the purpose of taking up alternative employment within the State.

The operation of the career break scheme in local government is subject to the operating requirements of local authorities not being adversely affected or undue additional expenditure being incurred. Decisions on the granting or refusal of a career break are entirely a matter for the relevant county or city manager.

Regional Road Network.

1427. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the current position in relation to road and bridge

[Mr. Durkan.]

re-alignment at Bond Bridge, Maynooth, County Kildare; when the project is likely to start; and if he will make a statement on the matter.

[26015/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The improvement and realignment of non-national roads and bridges in County Kildare is a matter for Kildare

County Council to be funded from its own resources supplemented by State grants. To date, Kildare County Council has not sought grant aid from my Department for funding for Bond Bridge. In August 2005, local authorities were invited to submit proposals to my Department for inclusion in the 2006 EU co-financed specific improvement grants scheme. It is a matter for Kildare County Council to decide if it wishes to include an application under that scheme for funding for Bond Bridge in 2006.