



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 25 October 2005.

Ceisteanna—Questions	
Taoiseach	605
Minister for the Environment, Heritage and Local Government	
Priority Questions	630
Other Questions	646
Adjournment Debate Matters	655
Visit of Australian Delegation	655
Leaders' Questions	656
Requests to move Adjournment of Dáil under Standing Order 31	664
Order of Business	665
Ministerial Rota for Parliamentary Questions: Motion	672
Statement of Expenditure for Houses of the Oireachtas: Motion	672
Referral of Social Welfare Consolidation Bill 2005 to Standing Joint Committee on Consolidation Bills:	
Motion	673
Lisbon National Reform Programme: Statements	673
Personal Explanation by Member	687
Lisbon National Reform Programme: Statements (<i>resumed</i>)	688
Private Members' Business	
Health Services: Motion	715
Adjournment Debate	
Hospital Services	744
Sugar Industry	747
Third Level Education	750
Water and Sewerage Schemes	753
Questions: Written Answers	757

DÁIL ÉIREANN

*Dé Máirt, 25 Deireadh Fómhair 2005.
Tuesday, 25 October 2005.*

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

*Paidir.
Prayer.*

Ceisteanna — Questions.

Strategic Management Initiative.

1. **Mr. Kenny** asked the Taoiseach the progress made to date by the quality customer service working group within his Department established under the Strategic Management Initiative; and if he will make a statement on the matter. [24234/05]

2. **Mr. Sargent** asked the Taoiseach the progress of his Department's quality customer service working group under the strategic management initiative; and if he will make a statement on the matter. [30207/05]

The Taoiseach: I propose to take Questions Nos. 1 and 2 together.

The quality customer service working group was established in 1999 to oversee the development of the quality customer service initiative. This initiative has been, and remains, an important and proactive element of the modernisation programme for the Civil Service. The working group, which reports to the implementation group of secretaries-general, is currently chaired by Mr. Frank Daly, Chairman of the Revenue Commissioners, and includes representatives from Departments and offices, Civil Service unions, business, consumer and equality interests.

The working group performs an important role in developing policies to ensure improvements in the level of service that the public receives from the Civil Service. It has overseen a significant amount of progress since 1999, through its own work programme and through its sub-groups and networks.

Central to this work has been the creation of customer service action plans and the recent pub-

lication of customer charters, which set out the levels of service that customers can expect. Customer charters have now been produced in all Departments and offices, and an external assessment of this process will take place in 2006. Departments and offices are also required to evaluate and report on progress made on their customer charters in their annual reports.

There are a number of other groups involved in the quality customer service area. The quality customer service officers' network is central to delivering service improvements in Departments and offices. The network meets regularly and acts as a communications vehicle for all Departments and offices to promote quality service and to exchange information on best practice and initiatives. There are also a number of other sub-groups which address specific issues as required.

It should be acknowledged that improvements in the level of customer service ultimately depend on the commitment of management and staff at the level of each Department and office. I have no doubt that this is the case and all the progress to date supports this view.

The quality customer service working group, and its sub-groups and networks, have helped to deliver significant improvements in recent years and will ensure further improvements in the future.

Mr. Kenny: I detect the Taoiseach has a slight cold after his exertions in Killarney.

The Taoiseach: I had it even before I got there.

Mr. Kenny: Westerly weather. The strategic management initiative deals with the modernisation of the Civil Service and that obviously affects all Departments and offices. I understand that a number of specific aims included customer support, computer-based service delivery and expenditure management. Surveys were carried out in 1997 and 2002. Has any survey been carried out since then?

In respect of the Taoiseach's Department, now that benchmarking has been paid and following the strategic management initiative, will the Taoiseach outline one or two specific areas where he sees a distinct improvement in customer service? The Civil Service inherently wants to provide the very best level of service to the public. Does the Taoiseach detect specific improvements in terms of the service given to customers from within his Department?

The Taoiseach: As Deputy Kenny said, two reports were undertaken, the last one in 2002. The next one is due before the end of this year. The Department has already tendered for a company to undertake the report. The aim is to target

[The Taoiseach.]

the questionnaire at those who use the Department, both individuals and outside agencies. The findings of the previous report regarding services were subsequently implemented.

A range of improvements have taken place in my Department. The two greatest areas of change relate to progress in human resources development and the adoption of a financial management system. Prior to this, the Department did not have a human resources plan. This was agreed with staff through the benchmarking process. The financial management system is a very detailed one. Effectively, it is a cost centre base of where money goes, including expenses, phone calls and every level of detail. Equally, arrangements on working hours, breaks, lunchtime, starting earlier and working later in Departments which require this have been worked out effectively. The main section of my Department now works from 8 a.m. to 10 p.m., which means a service is provided throughout the day.

During the EU Presidency, the staff effectively operated on a seven-day week basis. They got overtime allowances. This is not usual practice but it was essential during the EU Presidency because of other offices which operated in different time zones. The kind of flexibilities that would have been difficult in the past are now possible, certainly in my Department.

Mr. Kenny: I thank the Taoiseach for that reply. It is not that I want to know every detail but on the issue of financial management, is it in respect of current or past spending? In the case of the e-Cabinet initiative, which was implemented in the Taoiseach's Department, is there any analysis of expenditure before it happens, or any analysis that might be consequential on a project being undertaken? Does the financial management section of the Department consider the projected cost and monitor the roll-out of projects such that it can avoid the circumstances that obtained in many Departments, as have been highlighted recently?

The Taoiseach: On the e-Cabinet project, there was an initial budget of €5 million, which was an estimate based on the otherwork done in the Department. Obviously, it included the consultancy work on the design and framework of the project, which was required to set it up. The project is being rolled out and the early elements of the plan, which amount to a quite significant number, have been completed. There are more to complete and the budget of €5 has not yet been spent. I believe the next significant element will be rolled out in January. Thereafter, further developments of the system, which are envisaged

and which will be very useful, will have to be costed before they are commenced.

The financial management personnel set out a detailed plan at the start and received a quote regarding what they would be likely to spend. I believe this was €5.1 million or €5.2 million and that spending to date is just short of €4 million. The next phase of the work will bring spending close to the estimate, and if they proceed to other phases, these will have to be costed.

In most of the areas, and certainly in respect of the human resources developments and the financial services, cost outlays were estimated. They come in spot-on, but I cannot say if this is true in every case as it depends on the amount of development work involved. They are not hugely costly in my case. The relevant officials made an assessment and tried to engage in an ongoing analysis to ensure they were spending within their limit.

The new financial management system in the Department is very detailed and has the benefit of being able to provide very detailed accounts on a monthly basis, not just to the accounting officers but also to the section in the Department. The matter is very detailed and, to be frank, I do not get involved in it much, but it does produce the relevant detail for the individuals concerned. It makes their job more meaningful because they see exactly the costs being incurred in the Department.

Mr. Sargent: Bearing in mind that we are just dealing with the Taoiseach's Department, can I confirm from him that the aim of the strategic management initiative, which affects all Departments and offices, is to make improvements in customer support, computer-based service delivery and expenditure management? If that is the case, how can he reply to the question on progress without referring either to the use of consultants or decentralisation? Does he not agree that these are a fundamental part of the outcome of the initiative? In that context, given that the Taoiseach has stated Departments should not be using so many consultants, is it part of the strategic management initiative that there will be a review of the number of consultants and the cases in which they are used? The Department of the Taoiseach contracted outside expertise 60 times since 2000 alone, which amounts to one contract per month. Will this practice change?

The evaluation of the strategic management initiative carried out by PA Consulting Group cost €21,000 more than the estimate of €471,036. Can the Taoiseach explain why this was the case? Was there no fixed price? Has any mechanism been put in place to avoid overcharging such that the Department of the Taoiseach can give an

example to other Departments that have been scandalous in this regard?

This practice is demoralising the Civil Service. How many of the Taoiseach's officials are applying for decentralisation? This is another——

An Ceann Comhairle: That does not arise under this question.

Mr. Sargent: I am sorry to disagree but the strategic management initiative is about the modernisation of the Civil Service. The Government is known for its use of consultants with a view to bringing about decentralisation. Is the progress of the initiatives in question being followed?

The Taoiseach: I will answer a question later about the number and grades of officials involved in decentralisation.

Decentralisation will not create difficulties for customer service standards. Various working groups have considered how to deal with this issue and have done some excellent work on it. There is plenty of experience to work with because decentralisation has been a successful practice in the Civil Service for 15 years and the groups are used to dealing with the process. They are considering how it will operate in the future when other Departments move, which I am confident will happen equally successfully.

I answered a parliamentary question last week on the number of contracts in my Department and if the Deputy wishes to put down a particular question I will give him the full details. Most of the contracts have come either from social partnership or the information society group. There will be no change in that. The Department does not have, and would never employ, the expertise to undertake reports and surveys on Sustaining Progress or any other programme. Such surveys will always come from outside the Department. We do not have specialists in those areas and would not have enough work to employ them full-time so I would not recommend taking them on.

The Deputy can see from the list that most of the contracts in my Department came in on, or in many cases under, budget.

Mr. Sargent: What about PA Consulting Group? What is the reason for that?

The Taoiseach: If the Deputy puts down a detailed question I will give a detailed reply. I do not have the information here.

Mr. Rabbitte: Did the Taoiseach have incremental reform such as this in mind when he headlined his intention to reform the public service at his party's Ard-Fheis in Killarney?

When I asked him last week if he agreed with the views of his Secretary General he said he did not think they were feasible. He then listed the practical obstacles to the kind of reform proposals the Secretary General advocated in Kenmare. Does the Taoiseach have any major proposals in this area or had he this kind of reform in mind?

An Ceann Comhairle: These questions refer specifically to the Taoiseach's Department.

The Taoiseach: Significant progress has been achieved. I was outlining some of the many other areas in which there is work to do. We are getting into the next round of benchmarking and, as I have stated inside and outside the House, there has been a demand that the next round should be transparent and we should endeavour to achieve further reforms in the public service through that process.

All Departments, including mine, are examining the areas where reform of the public service will be beneficial. In the last round this was verified independently but when we go into a new benchmarking round it is only right that we should seek reforms and efficiencies on behalf of the public that work differently and more efficiently and extend the service. These are the types of reforms being worked out across Departments so that we can get value for money. The Minister for Finance has outlined his programme in this area in some detail. These are the issues with which we want to engage, and will do, in the benchmarking process which is about to start.

Mr. Rabbitte: I did not hear any tangible proposal in that response. Is it the Taoiseach's intention that another round of benchmarking goes ahead irrespective of whether there is a new social contract?

The Taoiseach: I hope the present difficulties regarding the social contract can be resolved. I understand the Irish Congress of Trade Unions at its meeting today is seeking clarification following the letter I gave to its representatives after the meeting last Thursday night. I am open to engagement on that issue. Clearly I cannot resolve the issues prior to negotiations but will attempt to do so following the clarification.

Even if there were no social contract, the State would have to engage with its own staff, the public service, and either way the benchmarking round would have to be dealt with. That would be an obligation for the State.

Mr. Rabbitte: Does the Taoiseach agree he has not addressed the main issue at the heart of the possibly temporary collapse——

An Ceann Comhairle: We are moving well away from Questions Nos. 1 and 2.

Mr. Rabbitte: Everybody finds this matter very interesting. If we carry on talking about the strategic management issue and so on, all our guests will leave. This is a fascinating topic.

An Ceann Comhairle: Unfortunately the Chair is constrained by the Standing Orders. Questions Nos. 1 and 2 are very specific. Deputy Rabbitte has already been allowed two supplementaries. This matter can be raised in another manner.

Mr. Rabbitte: I accept that. I wanted to ascertain if the Taoiseach accepts that displacement is the real issue which has created the problem regarding the social partnership talks getting under way again.

An Ceann Comhairle: I suggest the Deputy raises the matter in another way because in fairness to the House, if the issue is to be debated in a meaningful way, it should get some time, which we cannot give it in dealing with these two questions.

Mr. Rabbitte: I accept the Ceann Comhairle's ruling, as I always do.

Caoimhghín Ó Caoláin: Will the Taoiseach advise us on the make-up of the quality customer service working group, the numbers of people serving, whether the group has consumer representation and the group's gender balance?

The Taoiseach: The group includes representatives of Departments and offices, Civil Service trade unions, other social partners and customer organisations, the Consumers Association of Ireland, the Small Firms Association, the National Disability Authority, the Disability Federation, the IPA, the Equality Authority, the consultative committee on racism and inter-culturalism, the Northern Ireland Civil Service and others.

The main group meets twice annually or more often if necessary. The sub-groups meet on a regular basis. Some of those dealing with specific issues meet very regularly. Much of the work involving the more specific issues goes through the officers' network group, which also has a high-level working group. This group reports mainly to the committee of Secretaries General. Mr. Frank Daly, Chairman of the Revenue Commissioners, is the current chairman of that committee though the position rotates.

Currently, the quality customer service group is conducting meetings which consider customer

and consumer issues. They take the latter fully into account.

Caoimhghín Ó Caoláin: What of the gender balance?

The Taoiseach: I do not know, but there are many Department officials there, men and women.

Appointments to State Boards.

3. **Mr. Kenny** asked the Taoiseach the appointments made by him since June 2002 to State boards or other agencies under his aegis; and if he will make a statement on the matter. [24237/05]

4. **Mr. Sargent** asked the Taoiseach the appointments which he has made to State boards or other agencies since January 2005; and if he will make a statement on the matter. [25192/05]

5. **Mr. Rabbitte** asked the Taoiseach the appointments made by him since 2002 to boards or agencies operating under the auspices of his Department; and if he will make a statement on the matter. [26559/05]

6. **Caoimhghín Ó Caoláin** asked the Taoiseach the appointments to State boards and other agencies made by him since June 2002; and if he will make a statement on the matter. [27683/05]

The Taoiseach: I propose to take Questions Nos. 3 to 6, inclusive, together.

The information sought by the Deputy concerning the names of the persons appointed by me since June 2002 to State boards and agencies under my Department's aegis, namely the National Statistics Board, the Law Reform Commission, the National Centre for Partnership and Performance, the National Economic and Social Council and the National Economic and Social Forum, is set out in a schedule which I am circulating with the Official Report for the information of the House.

Additional information not given on the floor of the House.

Boards and Agencies under the aegis of the Department of the Taoiseach

1 The National Statistics Board

2 The Law Reform Commission

3 The National Centre for Partnership and Performance, NCPP

4 The National Economic and Social Council, NESC

5 The National Economic and Social Forum, NESF

State Board/Agency	Position Held	Name	Organisation	Date of Appointment
<i>National Statistics Board</i>		Mr. Frank Cunneen	Health and Safety Authority	February 2004
		Mr. Ciarán Dolan	ICMSA	February 2004
		Ms Paula Carey	ICTU	February 2004
		Ms Marian Harkin	Teacher	August 2001
		Ms Mary Doyle	Department of the Taoiseach	February 2004
		Professor Brendan Walsh	University College Dublin	February 2004
		Dr. Pat O'Hara	Western Development Commission	February 2004
		Mr. Derek Moran	Department of Finance	July 2003 February 2004
<i>Law Reform Commission</i>	Commissioner (Full-time)	Patricia T. Rickard-Clarke,	Solicitor	Reappointed 30 September 2004
	Commissioner (Part-time)	Professor Finbar McAuley, BCL, LLB, MPhil, LLD,	Jean Monnet Professor of European Criminal Justice, UCD	reappointed 1 September 2004
	President	Mrs. Justice Catherine McGuinness	Judge of the Supreme Court	22 February 2005 replaced Hon. Mr. Justice Declan Budd
		Marian Shanley	Solicitor	re-appointed 12 November 2004
<i>National Economic and Social Council</i>	Chairperson	Dermot McCarthy	Secretary General Department of the Taoiseach	September 2003
	Deputy Chairperson	Mary Doyle	Assistant Secretary Department of the Taoiseach	September 2003
	Trade Union Pillar Nominees	Dave Begg	General Secretary, ICTU	September 2003
		Peter McLoone	General Secretary, IMPACT	September 2003
		Manus O'Riordan	SIPTU	September 2003
		Joan Carmichael	ICTU	September 2003
		Jack O'Connor	SIPTU	September 2003
		Sally Ann Kinahan	ICTU	January 2004 (replaced Joan Carmichael)
	Business and Employer or Organisation Pillar Nominees	Brian Geoghegan	IBEC	September 2003
		John Dunne	CCI	September 2003
		Liam Kelleher	CIF	September 2003
		Brendan Butler	IBEC	September 2003
		Aileen O'Donoghue	IBEC	September 2003
	Agricultural and Farming Organisation Pillar Nominees	Seamus O'Donoghue	Irish Co-operative Organisation Society	September 2003
		Ciarán Dolan	ICMSA	September 2003
		Michael Berkery	General Secretary, IFA	September 2003
		Con Lucey	Chief Economist, IFA	September 2003
		Damian McDonald	Macra na Feirme	September 2003

[The Taoiseach.]

State Board/Agency	Position Held	Name	Organisation	Date of Appointment
	Community and Voluntary Pillar Nominees	Fr. Seán Healy	CORI	September 2003
		Dónal Geoghegan	National Youth Council	September 2003
		Deirdre Garvey	The Wheel	September 2003
		John Mark McCafferty	Saint Vincent de Paul	September 2003
		John Dolan	Disability Federation of Ireland	September 2003
	Government Department Nominees	Tom Considine	Secretary General Dept of Finance	September 2003
		Seán Gorman	Secretary General Dept of Enterprise, Trade and Employment	Replaced Paul Haran
		John Hynes	Secretary General, Dept of Social and Family Affairs	September 2003
		Brendan Tuohy	Secretary General, Dept of Communications, Marine & Natural Resources	September 2003
		Niall Callan	Department Environment, Heritage & Local Government	September 2003
	Independent Nominees	John Fitzgerald	ESRI	September 2003
		Colin Hunt	Goodbody Stockbrokers	September 2003
		Brigid Laffan	UCD	September 2003
		Eithne McLaughlin	Queens University	September 2003
		Peter Bacon	Economic Consultant	September 2003
		Dr. Seán Barrett	Economic Consultant	January 2005 replaced Colin Hunt

There have been no new Government nominees to the council of the National Centre for Partnership and Performance since its establishment. However, the nominees of the bodies represented

on the council have changed as a result of individual retirements and internal organisational change within IBEC, the CIF and ICTU.

State Board/Agency	Position Held	Name	Organisation	Date of Appointment
<i>National Centre for Partnership and Performance</i>	Executive Chairperson	Vacant		
		Mr. John Walsh, Asst. Secretary	Dept/Enterprise, Trade & Employment	June 2002 replaced Maurice Cashell
	Employers	Mr. Morgan Nolan	Industrial Relations Executive, CIF	January 2004 replaced Terry McEvoy
		Mr. Fergus Whelan	Industrial Officer, ICTU	October 2003 replaced Mr. Tom Wall
	Trade Unions	Mr. Des Geraghty	Member of Executive Council, ICTU	September 2004 replaced Mr John Tierney, MSF
		Ms Angela Kirk	IMPACT	September 2004 replaced Ms Marie Levis

State Board/Agency	Position Held	Name	Organisation	Date of Appointment
<i>National Economic & Social Forum Full Membership 2004</i>	Independent Chairperson	Maureen Gaffney		January/February 2004
	Deputy Chairperson	Mary Doyle	Asst. Sec., Dept. of the Taoiseach	January/February 2004
	Independent Appointments	Dr. Mary P. Corcoran	Senior Lecturer, NUI, Maynooth	January/February 2004
		Cáit Keane	South Dublin County Council	January/February 2004
		Dr. Colm Harmon	Director, Institute for the Study of Social Change, UCD	January/February 2004
		Mr. Brian Nolan	Research Professor, ESRI	January/February 2004
		Mr. Paul Tansey	Economist	January/February 2004
	Strand (i) Oireachtas	Michael Woods	Fianna Fáil TD	January/February 2004
		John Curran	Fianna Fáil TD	January/February 2004
		Senator Mary O'Rourke	Fianna Fáil	January/February 2004
		Senator Paschal Mooney	Fianna Fáil	Jan/Feb 2004
		Senator Brendan Daly	Fianna Fáil	January/February 2004
		Senator Geraldine Feeney	Fianna Fáil	January/February 2004
		Pat Carey	Fianna Fáil TD	January/February 2004
		Senator Paul Coghlan	Fine Gael	Jan/Feb 2004
		Damien English	Fine Gael TD	January/February 2004
		Paul Kehoe	Fine Gael TD	January/February 2004
		Joan Burton	Labour TD	January/February 2004
		Willie Penrose	Labour TD	January/February 2004
		Senator Kate Walsh	Progressive Democrats	January/February 2004
		Senator Feargal Quinn	Independents	January/February 2004
		Jerry Cowley TD	Technical Group	January/February 2004
	Strand (ii) Employer/Trade Unions			
	Employer/Business Organisations	Jackie Harrison	IBEC	January/February 2004
		Heidi Loughheed	IBEC	January/February 2004
		Patricia Callan	Small Firms Association	January/February 2004
		Kevin Gilna	Construction Industry Federation	January/February 2004
		Carmel Mulroy	Chambers of Commerce/Tourist Industry/Exporters Association	January/February 2004
		Maria Cronin	IBEC	October/November 2004 replaced Jackie Harrison
		Seán Murphy	Chamber of Commerce	replaced Carmel Mulroy

[The Taoiseach.]

State Board/Agency	Position Held	Name	Organisation	Date of Appointment
	Trade Unions	Éamon Devoy	Technical Engineering & Electrical Union	January/February 2004
		Blair Horan	Civil & Public Service Union	January/February 2004
		Jerry Shanahan	AMICUS	January/February 2004
		Manus O'Riordan	SIPTU	January/February 2004
		Paula Carey	ICTU	January/February 2004
	Agricultural/Farming Organisations	Mary McGreal	Irish Farmers Association	January/February 2004
		Michael Doody	Irish Creamery Milk Suppliers Association	January/February 2004
		Mary Johnson	Irish Co-Operative Organisation Society	January/February 2004
		Carmel Brennan	Macra na Feirme	January/February 2004
		Anne Murray	Irish Country Women's Association	January/February 2004
	Strand (iii) Community & Voluntary Sector Women's Organisations	Frances Byrne	National Women's Council of Ireland	January/February 2004
		Joanna McMini	National Women's Council of Ireland	January/February 2004
		Orla O'Connor	Frances Byrne	replaced Frances Byrne
	Unemployed	June Tinsley	INOUE	January/February 2004
		Patricia Short	ICTU Centres for the Unemployed	January/February 2004
	Disadvantaged	Sr. Brigid Reynolds	CORI	January/February 2004
		John-Mark McCafferty	Society of Saint Vincent de Paul	January/February 2004
		Sharon Keane	Anti-Poverty Networks	January/February 2004
		Audrey Deane	Society of St. Vincent de Paul	November 2004 replaced John-Mark McCafferty
	Youth/Children	Malcolm Byrne	NYCI	January/February 2004
		Raymond Dooley	Children's Rights Alliance	January/February 2004
		Marie Claire McAleer	NYCI	replaced Malcolm Byrne
		Jillian Van Turnhout	Children's Rights Alliance	replaced Raymond Dooley
	Older People	Robin Webster	National Council for Aging and Older People/Senior Citizen's Parliament/Age Action	January/February 2004
	Others	Seán Gallagher	The Carers Association	January/February 2004
		Séamus Boland	Irish Rural Link	January/February 2004
		Fergus O'Ferrall	The Wheel	January/February 2004
		Frank Goodwin	Carers Association	Replaced Sean Gallagher

State Board/Agency	Position Held	Name	Organisation	Date of Appointment
	Strand (iv) Central Government, Local Government and Independents			
	Central Government	Tom Considine	Secretary General, Dept. Finance	January/February 2004
		Paul Haran	Secretary General, Dept. Enterprise, Trade & Employment	January/February 2004
		John Hynes	Secretary General, Dept. Social & Family Affairs	January/February 2004
		Gerry Kearney	Secretary General, Dept. Community, Rural & Gaeltacht Affairs	January/February 2004
		Niall Callan	Secretary General, Dept. Environment, Heritage & Local Government	January/February 2004
	Local Government	Councillor John Egan	General Council of County Councils	January/February 2004
		Councillor Patsy Treanor	General Council of County Councils	January/February 2004
		Councillor Constance Hanniffy	General Council of County Councils	January/February 2004
		Councillor Patricia McCarthy	Association of Municipal Authorities	January/February 2004
		Donal O'Donoghue	County and City Managers Association	January/February 2004
		Councillor Ger Barron	General Council of County Councils	November 2004 replaced Cllr. John Egan
		Councillor Jack Crowe	General Council of County Councils	November 2004 replaced Patsy Treanor
		John Tierney	County & City Managers Association	November 2004 replaced Donal O'Donoghue
	Independents	Dr. Colm Harmon	Institute for the Study of Social Change, UCD	January/February 2004
		Dr. Mary P. Corcoran	Department of Sociology	January/February 2004
		Dr. Brian Nolan	ESRI	January/February 2004
		Paul Tansey	Tansey, Webster, Stewart & Company Ltd.	January/February 2004
		Cáit Keane	South Dublin County Council	January/February 2004

Mr. Kenny: I look forward to seeing the report. The Taoiseach and his Government are not the only ones who have been guilty of this. There has been a tradition during the interregnum between elections being called and held of making appointments to State boards. The previous Minister for Finance made 57 appointments to four State bodies the day before he moved to his new position. I acknowledge that, if an analysis was made, all Governments have probably taken similar actions. I do not know if the Ceann Comhairle did the same when he was about to leave his position as Minister. I say this in case he is about to jump in to stop me.

An Ceann Comhairle: The Ceann Comhairle cannot be drawn into any debates in the House.

Mr. Roche: Deputy Kenny's predecessor certainly believed in that.

Mr. Kenny: He probably followed general regulations. Will the Taoiseach agree that, irrespective of when the next election is called or caused and the Ministers concerned, there will be no appointments made to State boards during that period?

Mr. Rabbitte: We will never get them to agree to that.

Mr. Kenny: The former Minister for Equality and Law Reform and Labour Deputy, Mr. Mervyn Taylor, laid down a Cabinet agreement for 40% representation of women on State boards. That probably applies to the Taoiseach's Department. Does such a case remain Government policy? Will the Taoiseach encourage his Ministers to follow through on that?

Finally, will he confirm that a person who had to resign from a State board as a result of surrounding publicity — I refer to the Northern Bank and Mr. Flynn — is still in receipt of payments for work done for a State agency, the HSE?

An Ceann Comhairle: That does not arise, it is outside these questions.

Mr. Durkan: It does.

An Ceann Comhairle: It is a different question. The question refers specifically to appointments made by the Taoiseach since January 2005.

Mr. Kenny: The Taoiseach might want to confirm that the appointment had been made.

An Ceann Comhairle: On such questions, many of my predecessors ruled that when a reply is to be printed in the Official Report and not given orally, Members should await the reply rather than pursue the matter by supplementary questions.

Mr. Kenny: We are people of little patience, as the Ceann Comhairle knows.

An Ceann Comhairle: It does not make sense that supplementary questions be asked when the reply to the main question is not known.

Mr. Durkan: The Ceann Comhairle can set a precedent.

An Ceann Comhairle: My predecessors have strictly enforced that ruling as far back as the 1920s.

Mr. Kenny: I am sure that when the Ceann Comhairle sat on this side of the House, he was aggressive in asking questions.

The Taoiseach: In fairness to Deputy Kenny, my reply will not help him on his last question. The person concerned is engaged in one area as far as I know. I am not sure if he is in receipt of payment but I presume he is. However, he is off all the boards with which my Department is involved or that are connected with social partnership.

On Deputy Kenny's first question, I readily admit that we do not serve ourselves well in this

House. It might sound efficient or smart but is not a bright idea. The last time, I managed to curtail it reasonably well but, because the Government was returning, it may not have made as much difference. I do not think that just packing these things up on the way out —

Mr. Rabbitte: The polls were good then. It is different now.

Mr. Kenny: They were being carefully tracked.

Mr. Stagg: They were doing even better with the Minister, Deputy McDowell, was going up the ladder.

The Taoiseach: Deputy Rabbitte knows how they go up and down. On State boards, the answer is "yes". In all the names that come before Government, we endeavour to ensure we keep to the percentage. It is not always maintained by Departments and certainly not by the organisations that have nominating rights to boards. It is an ongoing difficulty which does not only concern social partners but many organisations which insist on sending male nominees. That is something of which they are always guilty, but we continue to try deal with that.

Mr. Sargent: Has the Taoiseach had time to reflect on his appointments to the National Consumer Agency? The Consumers' Association of Ireland has worked on behalf of consumers for many years. I ask the Taoiseach whether the appointment of Ms Celia Larkin is to be taken into account—

An Ceann Comhairle: The Chair has ruled on the matter of supplementaries. Furthermore, these questions refer specifically to the Taoiseach's Department but the National Consumer Agency is the responsibility of the Minister for Enterprise, Trade and Employment.

Mr. Sargent: There is an element of collective responsibility involved here on which the Taoiseach might want to comment.

An Ceann Comhairle: The Chair has ruled on the matter.

Mr. Sargent: I appreciate the Chair is being strict in its adherence to—

An Ceann Comhairle: The Chair is being fair in implementing the Standing Order that applies.

Mr. Sargent: In fairness to the Consumers' Association of Ireland the Chair might allow a little latitude.

An Ceann Comhairle: If the Deputy has a question for the appropriate Minister, I suggest he submits one to that Minister.

Mr. Sargent: I will pass on the message.

Mr. Rabbitte: Does the Taoiseach agree that it would be a useful innovation to respond on the hoof to Deputy Kenny's suggestion that there would not be any appointments made in the interregnum in future?

The Taoiseach: Does the Deputy mean forever more?

Mr. Rabbitte: Yes, forever more.

The Taoiseach: I will think about that. I do not believe the House — and I have sat on this side and on the opposite side——

Mr. Roche: On this side more often.

The Taoiseach: I have been on the opposite side for many periods.

Mr. Rabbitte: It will not be long now.

The Taoiseach: I do not believe the House serves itself well by making appointments in the interregnum. I have argued that point on the opposite side of the House and in Government, but I have not always won the argument. The situation following an election is different. I will not go into the argument. I could argue that Members on both sides have done this. I am not sure if I am guilty of having done it, but it is not good for the House. Having spent a considerable amount of my working life here, I have a great respect for the House. It is not a good practice.

Mr. F. McGrath: Except on Thursdays.

The Taoiseach: I might have some influence if it arises again. I would not like to start a practice, as has happened on many occasions in the past, only for it to be ignored by others on taking office. I always make a virtue of initiating such practices and then others turn around and do the complete opposite and one is left looking silly. Unless there was real agreement on this proposal, I would not be interested in it.

Mr. Rabbitte: If an honourable agreement was entered into, the Taoiseach could rely on us that it would be adhered to. Is the Taoiseach saying he cannot control, for example, what the Minister, Deputy Roche — to whom I refer simply because he is sitting beside the Taoiseach — might do, in that, if the Minister wants to rush off and make a number of appointments, the Taoiseach can only caution or advise him? Surely, the Taoiseach

could set down policy on this matter for his Government and it would be seen as one very small but welcome step for politics.

The Taoiseach: If it ever arises, I might show a good example.

Mr. Durkan: That sounds as if it might not arise.

A Deputy: It probably will not.

Mr. Rabbitte: It is difficult to get a commitment from the Taoiseach on this. He has told us he generally agrees this is not good for politics and public life.

The Taoiseach: I do not believe we did it on the last occasion. I probably have the best record on this.

Mr. Rabbitte: The Taoiseach may have. I am not making any insinuations about his record.

Mr. Kenny: The Taoiseach should take a chance on this.

Mr. Rabbitte: I am merely trying to clarify that there would be that type of bipartisan approach that appointments made in this fashion during the interregnum diminish politics and that there ought to be an agreement and understanding that it would not be done. I ask the Taoiseach, as the man in charge at the moment, whether he agrees.

The Taoiseach: I answered Deputy Kenny's earlier question on this. There may be cases where it is essential that this is done, but generally filling all appointments in the interregnum — Deputy Kenny was honourable in admitting it has happened on all sides of the House — is not good practice. It does not look good to the members of the public. Anything that affects the House negatively in terms of how it is viewed by members of the public is bad for politics. On that basis I agree with the proposal but there would need to be an understanding on it. We are not too bad at understanding such practices. There should not be a practice of simply making appointments to fill boards in the event of a change of Government. Certainly if this arises with me, I will try to do the honourable thing.

Caoimhghín Ó Caoláin: I hope the Taoiseach will try hard.

Mr. Kenny: When?

The Taoiseach: In the dim distant future.

Mr. Kenny: Prepositions are very important.

Caoimhghín Ó Caoláin: Will the Taoiseach acknowledge the desirability of State boards having a truly national and all-Ireland outlook and approach to their work? For example, in regard to future vacancies on the National Economic and Social Forum would he look to appointments north of the Border in a raft of areas, including local government, trade unions, community and voluntary and business and farmer representation? It would be appropriate to have representatives from all over the island of Ireland. Will the Taoiseach consider that issue in regard to casual vacancies that may arise and also in regard to the five Government appointees on the next round? Will he consider looking at the appointments in the context of an all-Ireland approach? If he does not have the answer to my last point perhaps he will come back to me on it. Is legislation required to address the representation on the NESF or any of the other bodies described as national and being State appointed?

The Taoiseach: For once I can agree with Deputy Ó Caoláin. On the last occasion I appointed a Government nominee from Northern Ireland to the board of NESF, Eithne McLaughlin, from Queens University. I am open to making similar appointments to other boards where there are suitable candidates. There is a benefit in having an all Ireland representation, in regard to the implementation bodies and other bodies. If there are suitable candidates in Northern Ireland, and there are many, who would bring expertise to bear, we will appoint them. In areas such as health we have worked in co-operation with people in Northern Ireland in radiological work to treat cancers. This has worked very well. We have been working closely with people in Northern Ireland. There is an all-island basis with regard to many of these issues and I am in favour of working together to address common problems.

Caoimhghín Ó Caoláin: The Taoiseach has acknowledged the importance of this and has indicated one appointment. Will he enhance that approach by ensuring greater representation in the future?

The Taoiseach: On that board there are only five members, one of whom is from Northern Ireland. Where there is expertise and where good people from Northern Ireland are prepared to serve on a board, I have no difficulty with that. It is an area I will look at as vacancies arise.

Code of Conduct.

7. **Mr. Kenny** asked the Taoiseach if he has plans to amend the code of conduct for office holders; and if he will make a statement on the matter. [24239/05]

8. **Mr. Sargent** asked the Taoiseach if he will amend the code of conduct for office holders; and if he will make a statement on the matter. [28641/05]

The Taoiseach: I propose to take Questions Nos. 7 and 8 together.

The code of conduct for office holders as drawn up by the Government following extensive consultations with the Standards in Public Office Commission has applied since 3 July 2003. I have no plans to amend it.

Mr. Kenny: What is the Taoiseach's view of Ministers or Ministers of State endorsing particular brands of commercial products? The Minister of State at the Department of Finance, Deputy Parlon, endorsed a brand of animal feed in the *Irish Farmers Journal* during the summer. Is that recognised as being within the code of conduct? I understand he supported calf nuts. He appeared with a bag of this material. Is it acceptable that a Minister of State at the Department of Finance——

Mr. B. Smith: It depends on the quality.

Mr. Kenny: Perhaps it should have been the Minister of State at the Department of Agriculture and Food, Deputy Brendan Smith. Is it acceptable to the Taoiseach that they should engage in that type of activity? Is that allowed under this Administration's code of conduct?

Mr. Durkan: It is a kind of part-time code.

The Taoiseach: As the Deputy knows it would be difficult to police. If one were caught holding anything in one's hand one could be accused of promoting the brand. Somebody doing an opening could be asked to be photographed with something. I do not believe it is outside the code of conduct unless a Minister or Minister of State is seen to be pressing or lobbying for consumer ends.

Mr. Durkan: We are talking about guilt by association.

The Taoiseach: To be photographed at some stand or exhibition would be an impossible issue to hold against a Minister.

Mr. Sargent: The Taoiseach said that if a Minister were found to be doing something for any commercial reason, even if it was on behalf of a friend and not himself, it would not be acceptable. Given that the Taoiseach has stated he has no plans to amend the code of conduct, is it necessary to clarify the situation, if a Minister or a Minister of State feels it is not a problem to endorse a product? Is the Taoiseach aware that

the British Committee on Standards in Public Life established a similar code of conduct, the Seven Principles of Public Life? The first principle entitled "Selflessness" states:

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Does the Taoiseach therefore need to clarify the code of conduct more specifically to cover such an eventuality? Given that the commission can make a finding but cannot impose a sanction, what sanction would he envisage for a Minister or Minister of State found to be——

An Ceann Comhairle: That does not arise out of these questions. As the Deputy has pointed out it is a matter for the Standards in Public Office Commission.

Mr. Sargent: I mention this for illustrative purposes. It is important to be able to avoid a problem in the future based on our experience to date.

Mr. Durkan: It would be a matter for the commission in respect of ordinary Members of the Oireachtas.

The Taoiseach: The code is set down. I have no plans to amend the code as it is only two years in operation. If the Standards in Public Office Commission were to make any points about amendments, obviously in due course we would need to look at that. It is a short period. I am not aware of the issue Deputies Kenny and Sargent have raised. It would be quite hard to police a situation where a Minister or a Minister of State is opening an event, or is at an exhibition or a conference. If a Minister or a Minister of State were photographed moving through and the photograph were used I do not believe he or she could be blamed for that. If a Minister made a statement on a matter it might be different. It would be quite difficult to write a code for that.

Mr. Sargent: The Taoiseach is not going to pursue the matter. They have a free rein.

Mr. Durkan: In the scenario outlined by the Taoiseach——

An Ceann Comhairle: Does the Deputy have a question?

Mr. Durkan: ——I find it hard to understand how there would not be a conflict of interest. If the Minister for Education and Science became involved in advertising a product in the education arena, the Minister for Communications, Marine and Natural Resources became involved in advertising telephones or the Minister for Agriculture

and Food became involved in advertising dairy nuts I cannot see how there could not be a conflict of interest.

An Ceann Comhairle: That concludes Taoiseach's Questions.

Mr. Durkan: What is the Taoiseach's opinion on the matter?

The Taoiseach: A few weeks ago I attended the opening of the new \$150 million Guinness expansion. If I am photographed with a pint of Guinness, which I do not drink, is that promoting Guinness?

Mr. Durkan: I am talking about ongoing promotion.

The Taoiseach: I accept the point about ongoing promotion.

Priority Questions.

Waste Management.

93. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government if he has met electrical and electronic producers and retailers with a view to discussing the implementation of an extra charge on electrical and electronic products that consumers are paying since the implementation of the WEEE Directive; and if he will make a statement on the matter. [30675/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Implementation of the EU Directive on Waste Electrical and Electronic Equipment has required close co-operation between all stakeholders including producers, retailers and both central and local government. The process began with the establishment of a task force representative of all relevant sectors, including producers and retailers, in February 2003 to draw up proposals for implementing the directive. Following the publication of the task force report in 2004, an extensive public consultation process took place.

While the scheme is producer-funded, the directive allows producers to show the cost of recovering and recycling historic waste which was put on the market before 13 August 2005. These costs are referred to as environmental management costs, EMCs, and were the subject of detailed discussions between the representatives of producers and retailers, which my Department helped to facilitate. I also met both groups separately before finalising the regulations. The majority view among the industry and the inde-

[Mr. Roche.]

pendent retail sector, for reasons of fuller transparency and greater accountability, favoured a system of visible EMCs in the manner which has been provided for under the regulations.

The advantages of visible EMCs include the provision of maximum transparency, maximum information for consumers and the facilitation of easier implementation of the scheme. Visible EMCs also ensure traceability and greater financial accountability, allow all companies, large and small, to know precisely the cost of the structures involved, and by informing the public in an open way, ensure that profiteering is prevented.

The EMCs are validated by an independent body, the WEEE Register Society Limited, which has an independent committee of management. EMCs are used to fund the operations of the two recycling schemes set up by the industry which are required to operate on a not-for-profit basis and will be subject to periodic review.

EMCs are not imposed by or remitted to the Government. The EMC can only be used to pay for the collection, treatment and recycling of electrical waste. The design of the new system assures the public that any moneys collected by producers for recycling are assigned for recycling activity and are not diverted elsewhere. It also ensures traceability and financial accountability and, by informing the public in an open way, ensures that profiteering is prevented.

Now that the system has been in operation for two months, I have again met the representatives of producers and retailers, as well as the WEEE Register Society and discussed a number of areas in which it could be improved. While the WEEE Register Society will carry out a comprehensive review of all EMC levels after six months to ensure that they are not any higher than is necessary to fund the scheme, it has agreed to my request that it look immediately at the levels which apply to low cost goods. I expect more realistic levels for these goods will be set by the end of this month.

I have also discussed with all parties the need for greater consistency and simplicity in the way in which the EMCs are set out in media advertisements and shelf displays. A consensus is emerging on this issue which I hope shortly to see adopted as best practice by the industry. My Department is drawing up a guidance note to assist this process.

These are the real benefits of this new system for consumers and the environment. Householders can now have their old appliances disposed of safely, responsibly and free of charge. Waste collected under the scheme will be recycled. It cannot go to landfill. Unregulated collection of electrical and electronic waste which contributed to the wanton dumping of old washing machines, fridges and cookers and other unsightly and dangerous waste in fields and back

roads, which in turn despoiled our natural environment, will be resolved by the cradle to the grave recycling system which has now been put in place.

The gain to the environment will be very significant. We should also take pride in the fact that Ireland is one of only a small number of EU member states to have implemented the directive fully by the due date.

A final point may be of help to Deputy O'Dowd. I have met the WEEE Register Society Limited again recently to discuss the scheme and will continue to do so. There are a number of small issues with it that will require continual consultation.

Mr. O'Dowd: The most important issue is what the Minister said when the scheme was launched. At the time that the measures were announced, he rejected suggestions that the costs of recycling would lead to increased prices for consumers. The reality is that the producers in the electrical and electronic equipment industry have a turnover of approximately €1.6 billion nationally and the Minister has let them off the hook. The only person who pays for the implementation of this EU directive is the consumer. The Minister has failed miserably in his job. I do not have a difficulty with the directive itself but fully support it. However, the Minister has let the consumer down and has let the producer off——

An Ceann Comhairle: The Deputy should confine himself to questions.

Mr. O'Dowd: My question is why the Minister did not insist that the producers of the equipment would absorb this cost. He said that there would be no increase in price for the consumer. That is the nub of the issue.

Mr. Roche: I suggest that Deputy O'Dowd pay attention to the advertisements which are carried daily in newspapers——

Mr. O'Dowd: I pay attention to the statements from the Minister. It is his statements that I am talking about.

Mr. Roche: Those advertisements show that in the electrical and electronic goods——

Mr. O'Dowd: The Minister is waffling now.

Mr. Roche: In the electrical and electronic goods area there has been a significant decrease in costs and that continues to be the case.

Mr. O'Dowd: The Minister is still waffling.

Mr. Roche: I am not waffling. If one takes an advertisement——

Mr. McCormack: The Minister is talking rubbish.

Mr. O'Dowd: The Minister is not answering the question.

An Ceann Comhairle: Allow the Minister to answer. I want an orderly Question Time.

Mr. O'Dowd: So do I, but I also want answers.

An Ceann Comhairle: Deputy O'Dowd can ask the questions and it is up the Minister to answer the questions.

Mr. O'Dowd: Or not to answer, as he chooses.

An Ceann Comhairle: The Minister is entitled to the same courtesy Deputy O'Dowd received on submitting his question.

Mr. McCormack: The Minister is simply talking rubbish.

Mr. Roche: The scheme which has been introduced and is now in operation is a remarkable success. It is extraordinary that the Deputy should make the allegation he made. All he need do is take any advertisement that has appeared in the last seven days and compare it with the prices for electrical and electronic goods six or seven months ago. What I have said consistently is that this is an area where prices are decreasing dramatically.

One of the issues with which we had to deal when we were setting the system up was whether we would make the EMCs visible. We chose to make them visible for the reasons that I have already outlined. I have had ongoing consultations with the groups regarding some confusion that has arisen from differing wording in advertisements. This has contributed to some misunderstandings about the scheme.

Very few people would think that an EMC of €20 to get rid of a washing machine is a heavy cost to carry. As a result of EMCs, people can get rid of old washing machines, historic waste, fridges, cookers and so on for free and without handing them over to some Jack-the-lad to dispose of them in the mountains. It is a good, robust scheme and is operating well. There has been some fair criticism of the EMCs on small items. I have met again with the WEEE register. Even though the register does not have to examine the cost for six months, I suggested there should be a dramatic reduction in fees for small items, particularly coming up to the Christmas period, because of the sheer volumes involved. The EMCs are there to deal with the cost of thousands and thousands of tonnes of electronic waste. It will also set up a fund to allow for two "not-for-profit" schemes. It is a good and robust

scheme which is now being considered by other member states in the European Union.

Mr. O'Dowd: Why did the Minister let the producers off paying anything towards this charge? The Minister said there would be no increase in costs to consumers. Given that the Minister is receiving money in VAT from the charges, will he instruct local authorities to designate a special day or period for collection of all electrical and electronic waste throughout the country so that the public can once and for all clear all the waste in their attics? Will the Minister abolish completely the charge of €1, €1.50, €2 or €3 for small items in order to bring greater credibility to what is happening?

Mr. Roche: There is an error in the directive in that it does not make any rule for the size of the item. I suggested to the WEEE register that it is difficult to explain, particularly when people are buying small electronic goods, why the cost should be €2, for example, for a small item. The industry explained to me that the cost of dismantling a small item can be as great as the cost of dismantling a big item. I take the Deputy's point and I suggested to the WEEE register that this issue should be examined. The cost on a fluorescent tube is just 50 cent but it is much more difficult to get rid of than some smaller items.

The Deputy asked if there should be a national collection day. This is a good idea and I will look at how to transmit it to local authorities. The tonnage coming through the scheme is amazing. We saw it last week in the Deputy's constituency where a group of entrepreneurs have come together and for the first time there is a fully integrated recycling system for cathode ray tubes which were previously going into landfill. The environmental benefits are tremendous. Seven people are working on the scheme which we did not think of a month or two months ago.

94. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government if he will reform the current waste collection system following the conclusions of the Competition Authority that it is not working well for consumers nationally; if so, when he intends to reform the system; if such a reform will include a national waiver scheme; the steps he intends to take to increase competition within the market; and if he will make a statement on the matter. [30546/05]

Mr. Roche: The Competition Authority did not note any significant variations in the amounts charged by private waste collectors throughout the country. However, it suggested that a competitive tendering process might offer better options to consumers by increasing competition in the market. I have already indicated that I am

[Mr. Roche.]

giving consideration to how the waste market might best be regulated in the future. I will have regard to the views of the authority in that context.

As I said on previous occasions, waste collection is the most quintessential of all local services, it has never been a matter in which central Government intervened. Consequently, the Minister for the Environment, Heritage and Local Government has at no time exercised a function in determining waste management charges or any associated waiver arrangements.

Local authorities are empowered under the Waste Management Acts to set a charge for the waste collection services they provide. Where local authorities directly collect, the determination of charges is a matter for the council but, where it is not collected by local authorities, the service providers determine charges. All service providers were asked to move to a "use-based" charging system from January 2005. This is in line with the polluter pays principle and encourages consumers to better control the amount of their charges by availing of increased numbers of recycling facilities.

Likewise, the determination of any waiver scheme is a matter for the local authority concerned where it is the service provider. Traditionally, local authorities who provided a collection service operated such a scheme. Waiver schemes do not generally operate where services are provided by private collectors. However, where there are private collections, a small number of local authorities have put additional arrangements in place to assist low income families or people living on fixed incomes, for example, by providing subsidised collection bags, or in the case of Limerick city, tendering for a service for low income households.

In considering how the waste market is best regulated, I am giving thought to the extent to which any regulatory regime should have a role in regard to charges. I have said previously in this House that there should be a regulator in the industry. I hope to present my proposals by the end of the year or early in the New Year. I note that the Competition Authority is not as enamoured as I am with the idea of a regulator.

Mr. Gilmore: Does the Minister agree with the assessment of the Competition Authority that the system of waste collection is not working well for consumers? I would like to know more about his plans for regulating the waste collection service and if he will provide for its regulation. Will this be done by way of legislation and, if so, when will it be introduced in the House?

In regard to the recommendation of the Competition Authority that there should be competitive tendering for waste collection services, how does he envisage it will operate, given that the

companies operating waste collection services have in the main consolidated into one or two? In reality, there does not appear to be a great deal of potential for competition in many parts of the country.

Finally, I would be interested to hear his views on the fact that there is no role for the Minister for the Environment, Heritage and Local Government in the waste collection service or the regime of charges. Does it follow that the Minister intends to repeal the regulations and guidelines issued by his predecessor to local authorities on the way in which they should charge and, second, does he intend to repeal the provisions of the Protection of the Environment Act, which sets down in law the way in which charging for waste should be arrived at?

Mr. Roche: The Deputy is correct that the Competition Authority recommended that the Department consider reforming the waste collection system as it appeared the current market was not working well for consumers. It also promotes a move towards competitive tendering in this market as preferable to the appointment of a regulator. I do not agree with that view for the reasons put forward by the Deputy, namely, that there is a propensity to consolidate in this industry. It is one of the reasons I find the idea of a regulator more appropriate than competitive tendering. Competitive tendering would have fundamental difficulties, not least the difficulty to which the Deputy referred, and because there are a number of operators in the market and it is very difficult to become involved because of capital and other costs. However, I am examining the report of the Competition Authority and I will take it on board when constructing the proposals for a regulator.

The exact form of the regulator is still at the drafting stage. I will try to bring it forward as quickly as possible but I am seeking the best model. I agree with the general view expressed on several occasions, not by the authority, but by others, including Members of this House, that we may have an abundance of regulators and we probably do not need any more. Whether it would be appropriate to give this to an existing regulator is something I will examine.

I do not intend to repeal environmental legislation. The point I was making was a statement of fact. Since the 1890s, no Minister for the Environment has taken it upon himself or herself to run the bin collection service or a related service anywhere in the country. It is the most quintessential of local services. If one believes in subsidiarity, one will believe that local authorities should have the right to make decisions to stay or go out of schemes.

Mr. Gilmore: If the Minister believes in subsidiarity, he will repeal the provisions of the Protec-

tion of the Environment Act which allow him to dictate the way charges are to be made.

Under the polluter pays principle, is it permitted to charge for recycling services? Is a service provider allowed to charge for the collection of the green bin with which most householders are familiar?

Mr. Roche: I am not sure what is the Deputy's last point. The issue of whether charges should be imposed for certain recycling collections arose recently. As a general principle, one would try to avoid that in so far as one possibly could.

Mr. Gilmore: What is Government policy on it?

Mr. Roche: I recall the Deputy suggesting on 13 or 14 August that the WEEE directive should be scrapped. Government policy has been——

Mr. Gilmore: I said the Minister should scrap his regulations, which is different.

Mr. Roche: That is not what the Deputy said. He stated the Minister should go back to square one and redraft the entire directive, which is not possible.

Mr. Gilmore: I said the Minister should redraft his regulations. I know the Minister cannot redraft the directive.

Mr. Roche: That is not what the Deputy said at the time. Thankfully, Deputy O'Dowd took a much more progressive view than Deputy Gilmore and he was more supportive.

Mr. Gilmore: I am glad the Minister is so busy that he is parsing every word I utter and looking for bargains for washing machines in the advertisement columns of the newspapers.

Mr. Roche: As a result of the change we made, charges imposed by recycling centres are——

Mr. Gilmore: What is Government policy on green bins?

Mr. Roche: Government policy is to encourage people to recycle and to discourage anything that would prohibit——

Mr. Gilmore: Should charges be imposed for the use of green bins? Deputy Roche is the Minister responsible.

Mr. O'Dowd: The Minister is a bad salesman.

Mr. Roche: If the Deputy wants to ask a more detailed question, I suggests that he do so.

Mr. Gilmore: Should there be charges for green bins?

Social and Affordable Housing.

95. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the number on social housing waiting lists: if he has set a timeframe for the elimination of social housing waiting lists; and if he will implement the proposals in the NESC report on housing for an increase of 73,000 units of permanent social housing units in net terms between 2005 and 2012. [30566/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The most recent three yearly assessment of need for social housing was carried out by local authorities in March 2005. Returns were received in my Department over the summer and the overall date is being finalised and will be published very shortly.

The Government has made substantial progress addressing the concerns raised in the NESC report, with increased housing output levels and record investment in social and affordable housing measures. New measures have been announced to accelerate the delivery of affordable housing and to maximise the availability of land for social and affordable housing programmes. The Government indicated at that stage that the more medium-term issues highlighted by NESC, particularly in the social and affordable housing area, would be addressed later in the year.

The NESC report advocated a significant increase in the social housing stock and, by way of illustration, argued for a social housing stock of up to 200,000 units by 2012. NESC acknowledged, however, that the appropriateness of the overall scale of ambition and the urgency of actions would be clearer after the completion of the 2005 assessment of housing need. The Government's consideration of this matter will, therefore, be informed by the outcome of the statutory housing needs assessment, which is being finalised, and the work of the housing forum, which is reviewing the effectiveness of the existing social and affordable housing schemes in the context of the Sustaining Progress agreement. I anticipate the announcement of a new statement of housing policy at the end of this year.

I am confident we have put in place a number of new arrangements to facilitate the delivery of strong programmes of social and affordable housing. In consultation with my Department, local authorities have developed five-year action plans for their social and affordable housing programmes covering the period to 2008. The preparation of these plans has improved the identification of priority needs and will help to ensure a

[Mr. N. Ahern.]

more coherent and co-ordinated response across all housing services. They also provided an overview of delivery by a range of providers, including local authorities, voluntary and co-operative housing bodies and the private sector, through Part V and public private partnership arrangements.

Additional information not given on the floor of the House.

It is important also to maintain a focus on delivery. We have been expanding on the level of social and affordable housing output in recent years, and local authorities have been ambitious in terms of the level of output planned in the housing actions plans to 2008. A total of €2 billion is being made available for housing programmes in 2005 to further increase the output of social and affordable housing. It is anticipated the needs of in excess of 13,000 households will be met through various social and affordable housing measures in 2005.

Mr. Morgan: My question has three strands — the number of people on social housing waiting lists, the timeframe for the elimination of such lists and if the Government will accept the implementation of the NESC proposal. The Minister of State said it will be later in the year before we know how many people are on the waiting lists and he is not in a position to provide that information.

I refer to a timeframe for the elimination of housing waiting lists. For example, the Government set a target for the elimination of hospital waiting lists. It is crazy and it is all over the place but, at least, the Government demonstrated awareness of the crisis by setting a target. Is such a target in place in the Minister of State's Department to eliminate social housing waiting lists?

The NESC proposal relates to the provision of 73,000 social housing units by 2012. Does the Minister of State accept it? He should give a "yes" or "no" answer. He has given a blurb about a statement on social housing being provided at the end of the year, despite the Government parties being in power for eight and a half years.

Does the Minister of State accept the NESC proposal? When will he set a target for the elimination of housing waiting lists?

Mr. N. Ahern: The last assessment of need calculated 48,000 families were on waiting lists, although 30% comprised single people and another 30% comprised one adult and one child. A housing policy is always in place and it is not a case of waiting eight years to publish a housing policy. We are updating and reviewing the housing policy in response to the NESC report and that work is ongoing in the Department.

Mr. Morgan: The Minister of State said he was not in a position yet to say whether he accepts the NESC proposal.

Mr. N. Ahern: The NESC report is a valuable document and it makes a useful contribution.

Mr. Gilmore: Has the Minister of State read it?

Mr. Morgan: I asked about the proposal.

Mr. N. Ahern: The NESC report will not be the Bible of all time because account must be taken of what is happening on an ongoing basis. We have ploughed significant resources into social housing. The amount allocated to the social housing programme this year is up €110 million on last year. Our response is to generate a greater output through increased investment so that the number of people on waiting lists is reduced.

Mr. Morgan: The Minister of State alluded to the extra €110 million allocated to the rent supplement scheme this year. Does he accept, however, that 40% of those in the private rented sector are in receipt of rent supplement, which equates to 57,714 people? They are on social housing waiting lists but the Minister of State has not set targets to eliminate the lists of 48,000 families. Under the NESC proposal, 73,000 units will be built by 2012. Does the Minister of State accept it?

Mr. N. Ahern: I did not refer to rent supplement. I stated investment in local authority housing this year increased by €110 million.

Mr. Morgan: My point stands in relation to the 40% of people in the private rented sector who are in receipt of rent supplement.

Mr. N. Ahern: That is correct. Approximately 60,000 people are in receipt of rent supplement.

Mr. Morgan: Does the Minister of State have a target to deal with that major crisis?

Mr. N. Ahern: No. Under the rental accommodation scheme, a programme will be rolled out over four years whereby people in receipt of rent supplement for more than 18 months will become the responsibility of local authorities.

Mr. Gilmore: They will be subsidised tenants.

Mr. Morgan: The Minister of State is just moving deckchairs. That scheme does not deal with the problem.

Mr. N. Ahern: It does. People will be provided with homes, which is what they want. People in receipt of rent supplement felt they were only on short-term leases. I refer to the PRTB legislation and the rental accommodation scheme, under

which people become the responsibility of the local authority if they have been in receipt of rent supplement for more than 18 months.

Mr. Morgan: However, we must wait until the end of the year for a statement from the Government before we know what is its policy, eight and a half years later.

Mr. N. Ahern: The scheme will give those on waiting lists security of tenure and permanent homes. That is what people want.

Mr. O'Dowd: They will not be given homes.

96. **Mr. McCormack** asked the Minister for the Environment, Heritage and Local Government the progress to date of the provision of social housing envisaged under Part V of Planning and Development Act 2000; and if he will make a statement on the matter. [30676/05]

Mr. N. Ahern: Up to the end of June 2005, a total of 1,294 housing units had been acquired under Part V arrangements, comprising 485 social and 809 affordable units. In addition, the Department estimates 736 social and 1,477 affordable units are under construction. The social units are being provided to both local authorities and voluntary housing bodies for letting to households on the waiting lists. The Part V provisions are fully operational in all local authorities and I am satisfied they are contributing significantly to the provision of social and affordable housing. The manner in which local authorities avail of Part V arrangements for social and affordable housing is a matter to be determined by individual local authorities based on the need identified in their housing strategies. Local authorities may specify different percentages of social and affordable houses, subject to Part V requirements, in their housing strategies. It is not intended that Part V be the only mechanism for the provision of social and affordable housing. The local authority housing construction programme and the voluntary and co-operative construction programmes continue to be the major contributors to the national social rented housing stock.

Taking account of new local authority housing, vacancies arising in existing houses and output under other social and affordable housing measures, I anticipate that the needs of approximately 13,000 households will be met in 2005. Detailed information on an individual local authority basis of all housing outputs for 2003 and 2004 and for the first six months of 2005 is available in my Department's quarterly and annual housing statistics bulletins, copies of which are available in the Oireachtas Library. I can send the Deputy a copy if he wishes.

Mr. McCormack: Does the Minister of State acknowledge the Department's record on this issue is appalling? While the private sector has

responded to demands with record house completions, the number of house completions for which the Minister of State is responsible remains inadequate. What happened to housing needs assessment? Is the Minister of State satisfied developers are circumventing the Part V regulations where there is a shortage of social and affordable housing? Is the obligation of the provision of social and affordable housing under Part V of the Planning and Development Act 2000 not applicable where the development takes place in towns or villages for which the local authority has not yet produced a development plan?

Mr. N. Ahern: The output arising from Part V is growing and, with the level of housing produced and 2,200 houses under construction, the dividend from Part V will be significant. If construction commences on a new estate there may be no provision under Part V as planning permission was granted before the law took effect. The dividend from Part V is slow. I reported on housing needs assessment in the last question and the outcome will be announced next month.

The dividend from Part V can be provided on-site or off-site. It can be provided in the form of land, sites, partially built houses or cash. All these methods are subject to agreement between the developer and the local authority. The Deputy may be referring to one case in his county. The preference is for social and affordable housing to be built on site but there may be cases where that is not possible. The local authority may come to an agreement with the developer but alternative sites must be in the functional area of the local authority. One could not allow the construction of social and affordable housing 30 miles away from the development in the city.

Any offer from a developer must be approved by a local authority. Some developers have made cash payments, totalling approximately €17 million. This sum is ring-fenced and is used in the provision of social and affordable housing.

Mr. McCormack: The Minister has identified an interesting point. I am aware that the social and affordable housing must be provided within the same local authority but in County Galway that may be 50, 60 or 70 miles from the source. The development may take place near the city and the social and affordable housing could be transferred to Clifden or Glenamaddy. That is ridiculous. What is the logic behind such land swapping?

Does the Minister accept the 2002 amendment to the Planning and Development Act allowed developers to transfer land away from valuable sites, such as those near Galway city or any city? If the local authority agrees, a developer may transfer his obligation under Part V from Galway city to Glenamaddy, Spiddal, Clifden or Ballyconneely. This renders the scheme ridiculous as it draws people away from the centre of population and their work places and results in roads being

[Mr. McCormack.]

clogged as people come to the city to shop or work. The obligations under Part V are being met in this way.

I wish to draw the attention of the Minister of State to a case that occurred in my constituency. A person purchased a house under the social and affordable housing programme, financed by a local authority loan. If that person wants to change the mortgage a clawback payment of the full price of the house must be paid to the local authority. A person in my constituency purchased such a house for €150,000. Over two years, he has repaid €10,000 but he was quoted €220,000 to redeem the mortgage from the local authority. How can the Minister of State stand over this anomaly? Will he take steps to correct it?

Mr. Gilmore: It is a rip-off, Minister.

Mr. Roche: I wonder who controls the council.

Mr. N. Ahern: Most people agreed that flexibility was necessary to allow social and affordable housing to be provided off-site on occasions. The last change in the law allowed that option. It is not the developer who calls the shots.

Mr. McCormack: It is an arrangement between the developer and the local authority.

Mr. N. Ahern: I am aware of the case to which the Deputy refers. It would not be appropriate for a developer to construct social and affordable houses in an area where there was not a need.

Mr. McCormack: Houses are needed everywhere.

Mr. N. Ahern: The local authority has its housing strategy and outlines what is needed and where it is needed. It would not be satisfactory to provide social and affordable housing in areas not envisaged in the strategy.

Mr. McCormack: Why was this changed in 2002? What was the arrangement with the builders? The Government caved in.

Mr. N. Ahern: Flexibility was necessary. I understand the case to which the Deputy is referring.

Mr. McCormack: I am not referring to a particular case, I am referring to the principle.

Mr. N. Ahern: The principle is sensible but it would not be appropriate to locate houses 50 miles from the main development.

Mr. McCormack: That is happening.

Mr. N. Ahern: Regarding the other issue raised, until last year all social and affordable

housing was financed by the State system. Two financial institutions, Bank of Ireland and EBS, now allow loans for affordable housing on new houses only. We are discussing this and seeking their agreement for re-financing. To date the institutions have not agreed, so the only way of redeeming the mortgage is the manner described by the Deputy. When the banks and financial institutions agree to re-financing the case the Deputy raised should not occur.

Mr. McCormack: Will they give their agreement?

Mr. N. Ahern: They are very slow in doing so.

Housing Management Companies.

97. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the role which management companies should play in maintaining housing estates with specific reference to sewers, water mains, public lighting, roads and footpaths; and if he will make a statement on the matter. [30549/05]

Mr. Roche: Management companies operate at present for the majority of apartment developments, for certain other higher density developments, particularly those with a mix of designs, but very rarely for a very small number of standard housing developments. Generally speaking, the role of management companies is to maintain the common property, including buildings, sewers, water pipes, public lighting, roads and footpaths in such estates.

Once housing developments are taken in charge, it is the local authority's responsibility to maintain public infrastructure such as roads, footpaths, sewers, water mains and public lighting. The existence of a management company should not override the legal obligation on developers to complete estates, and, where required by the planning permission, to maintain estates until they are taken in charge. Local authorities are obliged under section 180 of the Planning and Development Act 2000 to begin the procedures to take in charge the public services of housing estates once these are completed to a satisfactory standard, where they are requested to do so by the developer or a majority of the residents of the housing development. This legal obligation is unaffected by the existence or otherwise of a management company. In individual instances, of course, house owners may prefer that the responsibility for all services in their estate remains vested in the management company, which they control.

Section 34 of the Planning and Development Act 2000 introduced a number of provisions designed to ensure all housing estates were finished as soon as possible, maintained to a satisfactory standard for the benefit of the people living in them and taken in charge by local authorities.

The section enables planning authorities to require adequate security to be provided by developers and to require estates to be finished within a reasonably short period. In addition, section 34 recognised the common practice of establishing management companies, control of which is transferred to the owners of the housing units, to maintain or manage residential developments.

Additional information not given on the floor of the House.

Along with the requirement on local authorities to take estates in charge under section 180 of the Act, these provisions should ensure that the historical problem of people living in unfinished or poorly managed housing estates for years will not occur in future.

These new provisions of planning legislation are framework ones and individual planning authorities must make their own judgment, based on local circumstances and policies, about how and to what extent to use them in particular cases. These provisions should not be used, however, to transfer responsibility for public infrastructure in housing estates to the residents. I am confident good solutions can be developed in this way and that these solutions should be most appropriately addressed at local authority level.

Ms C. Murphy: The Minister was just getting to the most interesting part of his reply but I imagine it was contained in the reply to the Adjournment Debate matter I raised several weeks ago. I have been surprised by the apparent lack of knowledge in the Department of the Environment, Heritage and Local Government about what is happening on the ground. Many local authorities now have a standard clause that requires mandatory membership of a management company, not just in a mixed or apartment only development but in traditional housing estates. In fact, it is registered in the Land Registry Office against the folio of the particular house. Will the Minister indicate whether that practice has any legal authority? In the absence of such legal authority, will he instruct the local authorities to cease this practice because it is giving people who have paid non-refundable deposits no choice but to sign up? I understand tens of thousands of people are affected by this practice. The Dublin local authorities and those on the fringes of Dublin are engaging in it also. There can be a gap of years between the time all the houses are completed and the estate is taken in charge. My understanding of the Planning and Development Act 2000 is that the seven years only kicks in five years after the planning permission has run out. That means people could pay up to €1,000 a year for 12 years, which is a sizeable amount and the equivalent of another month's mortgage in a year. A local authority

could not prosecute a parking offence through the court unless it had the legal authority to do so, whether by way of a by-law or the road traffic laws. In the same way, local authorities are acting outside the law in this respect and the Minister must address that problem.

Mr. Roche: I fully appreciate the Deputy's concerns about this matter and would share her concerns if the arrangements provided in the Act were being misinterpreted, misapplied or applied in a way that would provide an onerous responsibility on home owners. The provisions in the planning legislation are framework ones and individual planning authorities must make their own judgment based on local circumstances and policies about how or to what extent they implement them in a particular case. These provisions should not be used, however, to transfer responsibility for public infrastructure in housing estates to residents and cause the type of difficulties the Deputy has in mind.

I am familiar with the case Deputy Murphy mentioned, which arises from Kildare County Council's policy on management companies. I asked my Department to contact the council and inquire about the position. The council assures me that it does not attach planning conditions relating to management companies to conventional housing schemes, that is, those with primarily private gardens and so forth, and that it attaches conditions to apartment developments.

The problem the Deputy has touched on is evolving. I would discourage the placing of onerous responsibilities on home owners by local authorities. That is not the intention of that section of the Act. The intention is to protect home owners and to expedite the process of taking estates in charge. It is not meant as a means for local authorities to side-step their responsibilities or try to pass them on to residents.

Ms C. Murphy: The documentation I passed on to the Minister of State related to a house only development and a mixed development, not apartments. That is evidence of what is happening.

Other Questions.

Avian Influenza.

98. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government the role his Department's wildlife section will play in the battle against avian influenza; and if he will make a statement on the matter.
[30429/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keeffe): My Department is participating in the development of Ireland's precautionary response to the risk of avian 'flu. Against the background that migratory birds may transmit the disease between countries and regions, the National Parks and Wildlife Service is assisting and providing advice on wildlife-related issues to the Department of Agriculture and Food.

The current focus of attention is on water birds such as ducks, geese and waders. My Department's input includes information on the migratory routes, location and abundance of birds that migrate to or transit through Ireland and assisting in obtaining samples from wild water birds as part of the ongoing screening process. Field staff of my Department throughout the country will also maintain surveillance for any unusual instances of sickness or deaths in wild bird populations.

My Department is considering possible additional measures should the virus reach western Europe, including limiting or stopping the hunting, capture and transport of wild birds and the closure of nature and wildfowl reserves and national parks to the public. The time and scale of any such actions will depend on ongoing assessment of the level of risk to be addressed.

Mr. O'Dowd: I thank the Minister for his reply. This is an important issue facing the entire country. I welcome the intention of the Minister but what timetable does he envisage? We need more than consideration of these issues. We need a decision from the Minister to proceed with the steps he outlined and if it means banning hunting and closing national parks, so be it. It is essential that we act. The reality is that it is unlikely we will keep avian influenza out of this country; it is already in the United Kingdom. I ask the Minister to consider increasing the level of urgency about the approach to be taken. While I welcome everything the Minister said, perhaps he could pay even more attention to what is happening in other European countries, although I understand many of the birds coming to us from the east travel west across the country. This is a very important issue.

Mr. B. O'Keeffe: We are very concerned and are on alert in regard to these matters. By way of background information, it appears the parrot that died in quarantine in the UK had tested negative for avian influenza. That was before the shipment from Surinam. It is important to note that the parrot was quarantined in shared air space with birds from Taiwan, some of which have since died. There is no evidence, therefore, of avian influenza being prevalent in the UK at present.

Mr. Timmins: I thank the Minister for his reply. The Minister said consideration had been given to banning wild fowling, but on what grounds would the Minister impose such a ban? When we were dealing with the outbreak of foot and mouth disease, almost everything was closed down but it appears we are adopting a blasé approach to this potential difficulty. When will the Minister introduce a ban on wild fowling?

Mr. B. O'Keeffe: We have quarantine laws in place here. The European Union operates as an individual unit. A meeting of EU Ministers was held today on this issue and a decision may be taken today, which will be taken unanimously by that unit. That decision is imminent. As far as we are concerned, we are on red alert regarding these matters and will take all the necessary precautions across departmental boundaries.

Mr. Gilmore: I understand no case of avian influenza has been detected yet here. Will the Minister of State indicate if there have been any cases suspected by his Department or staff that have been sent for testing as a result?

Mr. B. O'Keeffe: I confirm that no cases have been detected.

Mr. Gilmore: Have there been no suspicions?

Mr. B. O'Keeffe: There were some suspicions but from all the tests that have been carried out there is no evidence of the existence of avian influenza in Ireland.

Mr. Gilmore: How many tests were carried out?

Mr. B. O'Keeffe: I do not have that information with me but I can relay it to the Deputy.

Mr. Cuffe: In terms of the importation of wild or exotic birds, what practical controls can the Minister of State's Department put in place, what testing can be carried out and what staffing exists to supervise the importation of such birds?

Mr. B. O'Keeffe: In my earlier reply, I outlined the fact that various units of the organisation have been carrying out tests here and have also been monitoring exactly what is happening elsewhere internationally.

4 o'clock They have acted in unison in negotiations with their European counterparts who are meeting today to decide what further measures may have to be taken regarding the importation of birds, including the possibility of a ban. That decision is likely to emanate from the meeting this afternoon, on foot of which we will continue to monitor the situation. To date, our

monitoring indicates clearly that avian flu does not exist here.

There were some reports in Ireland but in all those cases no evidence has emerged. For instance, over the past ten days, six mute swans and cygnets were found dead in Kilcoole.

Mr. Gilmore: Kilcoole. Does the Minister, Deputy Roche, know about this?

Mr. B. O'Keeffe: Three foxes were also found dead in that location. A post mortem examination and virus isolation test are being carried out by the Department on a cygnet carcass. Nothing positive has been found and a final result of those tests will not be known for approximately ten days.

Mr. Stanton: The Minister of State referred to quarantine facilities but where are the imported birds currently being held in quarantine? How many birds are we talking about and for how long will they be in quarantine? Are they being kept separate from birds from other parts of the world where there may be no risk?

Mr. O'Dowd: Does the Minister of State require extra resources to continue increased monitoring and, if so, have those been made available to him?

Mr. B. O'Keeffe: I am quite happy with the current level of monitoring available. The tabulated information the Deputy requires is not to hand, but I will ensure it is made available to him.

Social and Affordable Housing.

99. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government if he will make provision for more social housing units instead of affordable housing units in compliance with Part V of the Planning and Development Act 2000; and if he will make a statement on the matter. [30359/05]

Mr. N. Ahern: Part V of the Planning and Development Acts 2000 to 2004 requires all local authorities to draw up a housing strategy to provide for the existing and future housing needs of their areas. A key element in the preparation of the strategy is the carrying out of an assessment of overall housing needs. This is based on a number of factors, including the current and future demand for housing generally, the existing and likely future needs of persons requiring social housing, affordable housing and the existing and likely future demand for private rented housing. The Acts also require planning authorities, in developing their housing strategies, to ensure that policies and objectives are in place which will

counteract undue social segregation in housing developments.

Up to 20% of all land zoned for residential development may be reserved to meet the identified needs for social and affordable housing. Local authorities may specify different percentages for different catchment areas subject to the percentage limit specified in the housing strategy.

The type of housing to be provided by developers under Part V agreements is a matter for local authorities to determine based on the housing needs identified in their housing strategies. In considering whether to utilise one of the options to secure a Part V agreement, authorities must consider, *inter alia*, whether such an agreement will contribute effectively and efficiently to the achievement of the objectives of its housing strategy. My Department's preference, which has been communicated to authorities, is for the provision of housing units under Part V.

As indicated in my earlier reply to Question No. 96, output under Part V is not intended as the sole mechanism for the provision of social housing units. The local authority direct build programme, together with the voluntary and co-operative programme, continue to be the major contributors to social housing output. In accessing housing units through Part V, local authorities must take account of the full range of delivery mechanisms available.

I am confident that a well prepared housing strategy will properly identify the levels of need in each housing category. Accordingly, it would be inappropriate for me to make provisions that favour one category of house occupier over another. That is best left to the local authorities.

Mr. Stanton: Is the Minister of State satisfied that the correct balance is being achieved between social and affordable housing, as his own figures indicate that social housing output is half that of affordable housing? Under what guidelines from his Department are local authorities working? Is the Minister of State about to produce new social housing guidelines? Is there any truth in statements to the effect that the national development plan's social housing guidelines have been abandoned by the Government? Will the Minister of State throw some light on that matter? What is the Government's policy on sheltered housing for elderly people and those with disabilities? Will the Minister of State provide the House with some statistics on the provision of sheltered housing?

Mr. N. Ahern: On the balance between social and affordable housing, the figures I provided earlier indicate that there are twice as many affordable units being built under Part V as there are social units. As I said, however, that is a matter for the housing strategy of individual local authorities. When I was a member of a local auth-

[Mr. N. Ahern.]

ority, I recall major debates about whether the ratio should be 10:10 or 7.5:12.5, but that is a matter to be dealt with locally. Some local authorities may feel there is a greater need for affordable housing and that they can still provide social housing under the local authority programme. What Part V is delivering is becoming significant, but the local authority building programme is still the larger one.

Local authorities provide some sheltered housing for the elderly and those with disabilities. In the voluntary sector, local housing associations provide much of the housing for disability groups. Their output is about 1,600 per year. Approximately ten years ago, the figure was 500 or 600 per year. The voluntary housing sector is made up of local housing associations providing ten or 20 units along with the newer, larger voluntary bodies. Their output has increased greatly. Local authorities provide accommodation for senior citizens as well, but accommodation which is linked with a local Health Service Executive area for the provision of health care is best dealt with by voluntary bodies.

Mr. Gilmore: Earlier today, the Minister of State released figures for house completions for the first nine months of 2005. I welcome this good news which brings to approximately 300,000 the number of houses that have been constructed since 2001 when Part V of the Planning and Development Act came into operation. Allowing for the fact that Part V would not apply to half that total of 300,000 houses, 20% of 150,000 should amount to 30,000. In an earlier response to Deputy McCormack, the Minister of State admitted that only 1,294 social and affordable houses have been produced under the Part V provisions. Will the Minister of State explain how it is that while 30,000 units should have come through under Part V over the past five years, only 4% of that amount has materialised?

Mr. N. Ahern: I am sure I have answered that question for the Deputy on a number of occasions.

Mr. Gilmore: I have asked the Minister of State the question on a number of occasions, but I am still trying to figure out where the other 28,000 units are.

Mr. F. McGrath: The Minister of State has not answered the question. He should do so.

Mr. N. Ahern: I will try again.

Mr. Gilmore: Are they in the builders' back pockets?

Mr. N. Ahern: As I said, construction is still continuing based on many pre-Part V planning permissions, while other such developments could start today or tomorrow even though the permission was received five years ago. As such, Part V would not apply.

Mr. Gilmore: Of the total of 300,000 units, only 1,294 social and affordable houses have been produced.

Mr. N. Ahern: The Deputy knows, as I do, that whether one is building an estate or a house extension, one can start the work anytime up to five years after obtaining planning permission.

Mr. McCormack: One must have it substantially finished in that time.

Mr. Gilmore: They are so anxious to get on sites these days that they are tripping over each other with JCBs.

Mr. N. Ahern: Some of the large estates have ten-year planning permissions, which means that they will still be building them, yet we will not be getting a Part V dividend from them during that period. That is the reason. Nobody escapes. All new planning permission is subject to Part V. As mentioned earlier, in some cases developers agree with local authorities to give cash but that only happens in a minority of cases. To date, €17 million has been given, which has been ploughed back into the provision of social housing. The figures are finally coming right because——

Mr. Gilmore: More than 300,000 houses have been built and only 1,200 are for people who cannot afford them.

Mr. N. Ahern: Am I not getting through to the Deputy?

Mr. Gilmore: Those are the Minister of State's figures.

An Leas-Cheann Comhairle: Order, please.

Mr. N. Ahern: I know the figures.

Mr. Gilmore: Out of 300,000 houses built in the country only 1,200 are for the poor people who cannot afford to buy them.

An Leas-Cheann Comhairle: Order, please. I call Deputy McCormack for another supplementary question.

Mr. N. Ahern: Under Part V, yes, but as I stated——

Mr. B. O’Keeffe: Deputy Gilmore is not good at figures. There would not be much social housing in Dún Laoghaire.

Mr. Gilmore: The figures are all there.

Mr. N. Ahern: I have explained the situation. From now on, Part V applies to all planning permission passing through the system on zoned land. Many houses have been built, far more than Deputy Gilmore adverted to. It does not apply to small developments of under five houses. It does not apply to one-off housing. It applies to zoned land.

Mr. Gilmore: I allowed 50% for that, which was generous.

An Leas-Cheann Comhairle: Order, please. We must allow the Minister of State to reply.

Mr. N. Ahern: Deputy Gilmore may have to allow a greater figure than that. It will be far better in future because all the old stockpiled planning permissions are dying away.

Mr. McCormack: Is the Minister of State aware that some developers are avoiding their responsibility to provide houses under Part V because of its interpretation by some local authorities? In cases where no development plan has been adopted for a town or village, local authorities have interpreted it to mean that a builder does not need to comply. Whether it is by a material contravention or by getting planning permission builders can avoid their responsibility to provide social or affordable housing. Is that a fact, or is the Minister of State aware that some local authorities are interpreting the Act in that manner? That is part of the reason for the discrepancy in the number of social and affordable houses being built. A totally inadequate number of social and affordable houses are coming on-stream.

Mr. N. Ahern: It is the law of the land and there is no scope for interpretation. If Deputy McCormack is aware of any case where this provision has been misinterpreted he should please let us know. Part V applies to zoned land. If an estate of ten or 20 houses is being built in a village, it may well be that the land is not zoned.

Mr. McCormack: How do they get permission?

Mr. N. Ahern: They get planning permission.

Mr. McCormack: There you are.

Mr. N. Ahern: It may not be zoned development land.

Mr. F. McGrath: That is an opt-out clause.

Mr. N. Ahern: Land around cities was always zoned. If Deputy McCormack is aware of any case where a peculiar interpretation has been put on it he should please give me the details and I will check it out. Part V applies to all zoned residential land. There is no doubt about that.

Mr. McCormack: I will see the Minister of State in the tent in Galway and explain it to him then.

Mr. Morgan: Does the Minister of State accept that builders can get out of their obligations to provide social housing under Part V? Land and money are not effective in this regard, as evidenced by the extremely low number of houses coming through. Does he accept that builders have been allowed to get off the hook since the introduction of the Planning and Development (Amendment) Act 2002, and that it simply is not working? Part V is kaput. It has been gutted and banjaxed since the Government brought about these changes.

Mr. N. Ahern: No.

Mr. Stanton: Is the Department about to produce new social housing guidelines, and if so when? Why is it taking so long for the figures on the waiting lists for social housing to be produced? We were told the study was finished last March. Are they counting them up with pencils and rubbers?

Mr. Durkan: They are.

Mr. Stanton: When will the figures be produced and can we please have them soon?

Mr. McCormack: Shortly.

Mr. N. Ahern: I expected to announce the results of the needs assessment in September.

Mr. McCormack: Next September?

Mr. N. Ahern: Now it looks like it will be November because some of the information coming from local authorities has had to be sent back to be checked and rechecked.

Mr. Roche: Since the local authorities were taken over by the colleagues of the Opposition.

Mr. B. O’Keeffe: The Deputies should talk to their colleagues in the councils.

An Leas-Cheann Comhairle: Order, please.

Mr. N. Ahern: I say to Deputy Morgan that nobody is getting out of obligations. When we brought in the change to the law we gave flexi-

[Mr. N. Ahern.]

bility because there was no point in having social units on Aylesbury Road selling at €1.2 million. That is why we brought in the flexibility.

Mr. McCormack: Now we know.

Mr. N. Ahern: It is about giving numbers quickly and in the right place. I will speak privately to Deputy Stanton about the guidelines. I am not sure what he is getting at.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters.

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Sexton — the matter of 16 students whose points were revised upwards yet failed to achieve places in medicine; (2) Deputy Cowley — to ask the Minister the reason the Health and Safety Authority is not investigating the circumstances of a fatal accident in Murri-vaugh, Mulranny, County Mayo; (3) Deputy Costello — that the Minister ensure that the 237 recipients of local authority subsidised heating and the fuel allowance do not suffer this winter from withdrawal of the fuel allowance; (4) Deputy Pat Breen — the reason an impact study is not being carried out on the effect of an open skies aviation policy on Shannon Airport; (5) Deputy Crawford — the need for the Minister to allow Cavan No. 1 national school recruit a third teacher as a matter of urgency; (6) Deputy Sherlock — the need for the Minister to ensure the retention of what is left of the sugar industry; (7) Deputy Morgan — the necessity for the Minister to intervene to prevent the HSE downgrading services at Louth County Hospital in Dundalk; (8) Deputy Catherine Murphy — the need for a multidisciplinary service for children with autism spectrum disorders at second level to follow on from its primary level counterpart; (9) Deputy Neville — Shanagolden sewerage scheme, Shanagolden, County Limerick.

The matters raised by Deputies Morgan, Sherlock, Sexton and Neville have been selected for discussion.

Visit of Australian Delegation.

An Ceann Comhairle: Before proceeding with business, I wish on my own behalf and on behalf of the Members of Dáil Éireann to offer a céad míle fáilte, a most sincere welcome, to our parliamentary colleagues from the Parliament of Australia who are here with us in the Distinguished Visitors Gallery. They are led by Senator Alan Ferguson, Chairman of the Joint

Standing Committee on Foreign Affairs, Defence and Trade. I hope they will find their visit enjoyable and successful and that it will be to our mutual benefit.

Leaders' Questions.

Mr. Kenny: In welcoming the Australian delegation, I hope they get a flavour of the mood of the country about the second international rules test on Friday. We are under some pressure.

A number of issues could be raised here today but I have been handed the Ferns report in the past 30 minutes. It deals with sexual abuse in the Ferns diocese. This is an horrific account of appalling abuse, systemic negligence and specific failures by State agencies. The clock can never be turned back for those victims, nor can we do very much about the feelings of those who have had to live with this appalling situation for many years. However, I hope the process gone through in the publication of this report and the consequences that can be enacted will in some small way possibly offer comfort if not closure on this sad saga.

It is clear from the report that the church authorities in the diocese and elsewhere have very serious questions to answer about the persistent abuse and the church has very serious lessons to learn from what happened in Ferns to ensure that children are never put at risk in future. The State and its agencies also have responsibilities for the protection of children and young people. At times, the report criticises the response and the efficiency of the response from State authorities.

Without having had the opportunity to read the report in detail, can the Taoiseach give the House an indication of the recommendations that have been made about State agencies and Departments in the Ferns report, what discussions the Government has had about it this morning and what plans he has to implement these recommendations as a matter of urgency? I understand that many of the instances of abuse investigated in the Ferns report are relatively recent. This report covers the period from the 1960s until 2002, long after the first State guidelines were introduced in the mid-1980s. The systemic failure that allowed this abuse to continue for so long and with such devastating effect on children and their families exists to this day. It is essential that we, as legislators, react with speed and vigour to the revelations of the report. I therefore ask the Taoiseach to indicate to the House the legislative measures that will be introduced in this area and to state when this will be done. He can take it that this side of the House will facilitate the Government in every way concerning legislation of such type and consequence.

The Taoiseach: Like Deputy Kenny, I have not read all 280 pages of the report. The Government discussed it for the first time this morning and at

some length. The Ferns inquiry was set up some years ago to investigate the handling of the allegations of abuse. The report is a catalogue of serial abuse and gross dereliction of duties in the diocese of Ferns. It is shocking to everybody's sense of how our children should be protected. The protection of children is the issue in question. Our thoughts go out to the victims and their families. The report outlines the full horror of their situation. While understanding the nature and effects of the child abuse perpetrated over 40 years — the report covers the period 1960 to 2002 — it catalogues the continuing failure to respond adequately to child abuse in Ferns until recent years. It is obviously shocking that the abuse was perpetrated for decades. The report will be published shortly by the Minister of State at the Department of Health and Children, Deputy Brian Lenihan, who will make a lengthy statement at that stage.

There are many recommendations in the report, with which the Government agrees in principle. Obviously, it must now proceed with the implementation phase. I acknowledge what Deputy Kenny has said in this regard. Legislative actions are required and we will bring forward legislation on these issues. We will examine the detail of all the recommendations so we can move as speedily as possible towards their implementation.

The Attorney General has had a copy of the report for the past few days and has been examining it. He gave his report thereon to the Cabinet this morning. The Minister of State, Deputy Brian Lenihan, will outline our actions. Obviously we will write to the church authorities regarding these matters and other issues we were considering in the context of earlier discussions we have had. We will act on all these matters very speedily.

Mr. Kenny: I am sure the detail in the report is absolutely scandalous and brings shame on a civilised society. I repeat that it is very necessary that this legislative body enact swiftly measures to ensure the future safety of young boys and girls and children in general.

We have heard promises for quite a long time about legislation to establish a register of persons considered unsafe to work with children. Deputy Enright introduced a Private Members' Bill on this matter last year. We have not had any response from the Government in terms of its producing its own legislation. We also await changes to the Protections for Persons Reporting Child Abuse Act 1998 and the Sex Offenders Act 2001 which were recommended by a cross-departmental body in 2004. Every Member of the House, from every party and none, will understand the importance of introducing these changes swiftly and effectively.

The Ferns report is truly a shocking wake-up call to the church and State in that so much more needs to be done in the interest of protecting young people. Whatever assistance the Government needs in terms of time or effort to deal with the necessary legislative changes, it will certainly receive it from this side of the House. Given that people have had to live for so long under the appalling circumstances that have obtained, we as a legislative body should at least unite in effect and efficiency in dealing with the legislative consequences. There is no time for more promises. A timescale should be set and this legislative body should be allowed implement the necessary changes in the interests of the children of the future.

The Taoiseach: The House knows we have passed the Protections for Persons Reporting Child Abuse Act, the Sex Offenders Act, the Child Trafficking and Pornography Act, the Children Act and the Protection of Children (Hague Convention) Act and established the Garda central vetting unit. However, we must also recognise other areas in which progress has been made. The gardaí in the diocese of Ferns have rightly prosecuted child abusers from 1990 onwards, as the report makes clear. Their omissions in the past have been corrected. Mr. Justice Murphy also emphasised the independence and integrity of the Garda over this 15-year period. The former South Eastern Health Board showed a willingness and determination to investigate and expose child sexual abuse.

Mr. Justice Murphy considered the response unit put in place in the Ferns diocese by Bishop Walsh to be adequate and reasonable. It is clear that Bishop Walsh's responsible invitation to frame work guidelines, adopted by the bishops in 1996, emerged as the only positive aspect of this sorry story.

There are recommendations on which we must act. It is obviously important that we learn from past mistakes, including those of the church, to ensure the abuses that occurred never occur again. Citizens, especially parents, will rightly expect that the 1996 guidelines will continue to be implemented, not only in the diocese of Ferns but also in every other diocese. The Government will write to the church authorities to ask whether this is being done. People will also expect the recommendations of the Ferns report to be implemented. Some of the recommendations require legislation while others do not. We agree with them in principle and will immediately proceed with their implementation. Their consideration will obviously take some time given that most of us only read them this morning. They are set down by Mr. Justice Murphy and we have an obligation to act on them.

Mr. Rabbitte: The first thing the House should do is record its appreciation to Mr. Justice Murphy and his colleagues on what appears to be an insightful and coherent report on a terrible chapter in our history, and record its appreciation of the immensely courageous work of people such as Colm O'Gorman and his colleagues in One in Four who lobbied for this inquiry and did so much work to assist it.

Most people will be shocked that the institutional church was used as a cover for child abusers and shocked by the facility with which it ignored the professional advice made available. This House should hang its head in shame because we turned a blind eye to this appalling period in our history. When the Taoiseach says our task now is to ensure the abuse does not happen again, one must ask how we can be sure it is not happening now given the stark picture that is revealed of the shortcomings in our child protection system.

Does the Taoiseach agree it is important that the recommendations of Mr. Justice Murphy be implemented as speedily as possible and that the shortcomings in our child protection system be addressed? Does he agree that there should be public joint hearings on the report, its implications and recommendations involving the Select Committee on Health and Children and the Select Committee on Education and Science and that they should be held as soon as possible?

Does the Taoiseach agree that the campaign by One in Four for the creation of an offence called "reckless endangerment", to be applied where it is known that people in authority who interface with children are a threat to those children, ought to be committed to by Government? It ought to be created because the Criminal Law Act 1997 abolished all distinctions between felony and misdemeanour crimes and the offence of misprision of felony, concealing a crime — as is the case here — no longer exists.

In November 2002 the Minister for Justice, Equality and Law Reform gave a commitment to my colleague, Deputy Costello, that he was finalising proposals to put to Government for a similar inquiry in the Dublin diocese. Where stands that inquiry now?

The Taoiseach: One recommendation is that the Oireachtas should consider creating a new criminal offence covering the failure to protect children from injury or sexual abuse. That recommendation must be accepted first. The Minister for Justice, Equality and Law Reform gave commitments on behalf of the Government regarding the Dublin diocese which still stand.

In response to the Deputy's first question, I cannot say that none of these activities is happening anywhere in Ireland today. For that reason I mentioned in reply to Deputy Kenny that we would write to the church authorities not

only about the implementation of these recommendations but to ensure that their own guidelines are effectively implemented. The guidelines have been implemented in recent years in Ferns, as per this report, particularly as a result of the work of Bishop Eamonn Walsh.

I am mindful also that the report states that clerical abuse of our children probably accounts for 3% of the total abuse. I cannot say that these horrendous crimes against our children are not happening in all sorts of circumstances, whether clerical, as in this case, or in the 97% of other cases. We should be alert to that today too.

The important issue for us is that we commissioned this detailed and frightening examination which uncovers issues that will shock most, if not all, of the people and we must deal with it. We will do so on the basis of the recommendations made by the good work of Mr. Justice Murphy and highlighted by many others. I do not have time to detail the recommendations but the Government will release them soon and get on with implementing them as quickly as possible.

Mr. Rabbitte: I agree with the Taoiseach's remarks about Bishop Walsh, who seems to have transformed the climate in Ferns. Would the Taoiseach confer the authority of his office on a committee of the House, comprising the Oireachtas Joint Committees on Health and Children and Education and Science, to hold the joint hearings to which I referred on this report?

The Taoiseach says that the commitments given on the diocese of Dublin "still stand" but these date back to 2002. Some of the allegations in the Dublin diocese are, if possible, more horrific and ghoulish than the allegations made in Ferns and it is important that the Minister establish an inquiry into them without delay.

Is the Taoiseach satisfied that the attitude of the Department of Education and Science, the former health boards and the Garda Síochána, bodies to which significant blame attaches, has changed? He referred to what has happened since 1990 but before then it appears many gardaí would not even investigate this area. It seems that churchmen at the most senior level were made aware of the problem. For example, the dean whose complaint about the President of Maynooth College was passed on to the college's 17 trustees — the bishops — was despatched to a rural parish in Armagh.

This is an appalling period in our history and it is important that the Taoiseach and the Government are seen to respond to it with the rigour the people expect and the situation requires.

The Taoiseach: Legislation was passed recently to allow for examination of the Dublin cases. We awaited this report as a template. Now that we have received it we can deal with that issue and ask the church authorities in every diocese to

implement the 1996 standards and these recommendations.

The Deputy may not agree when he reads the full report — I have not read it all — but I do not think there are damning indictments of the former South Eastern Health Board, the Garda Síochána or the school authorities. Certain instances are highlighted, particularly that in many cases they did not have the necessary statutory powers to deal with these matters.

Mr. Rabbitte: If we look at Monageer, for example, it was a horror.

The Taoiseach: I accept that in regard to the Monageer case. I am not arguing about that point, wherever there are deficiencies we must deal with them. The priority is to ensure that the standards established almost a decade ago are being implemented. That was not the case, the guidelines of 1996 were not fully implemented. We need to clarify the position and ensure people will co-operate with these standards from now on.

Deputy Rabbitte is right to say that in times past there was an almost total reluctance to deal with these issues. These cases date back to 1962 in one diocese. The inquiry identified 100 allegations of child sexual abuse against 21 priests in that period. By any criteria there is no doubt that is a high number of cases in one area. We must recognise, however, that we are in a different era. These cases did not surface until the late 1980s or the 1990s. We must be mindful of the situation in society generally, not just in the context of this report.

Today's priority is for the Government to deal with this report, publish it, accept the recommendations in principle and get on with their detailed examination. Many are not too difficult to move on, others require legislation and we will deal with that. The question of examinations and prosecutions also arises in this report and that will be a matter for the Attorney General to consider.

I have no difficulty with Deputy Rabbitte's suggestion that a committee of the House be formed of two committees to consider the report. This might be done in conjunction with the Minister of State at the Department of Health and Children, Deputy Brian Lenihan.

Mr. J. Higgins: Does the Taoiseach endorse the overweening arrogance of the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, who last week insulted, bullied and threatened 8,000 postal workers because they dared to exercise a democratic right to vote for industrial action over a pay dispute? Does he endorse that Minister's threat to privatise the postal service because post office workers demand the single figure wage increases which the partnership policy of the Taoiseach's Government awarded all workers three years ago under

Sustaining Progress and which has not been paid? Scandalously, An Post pensioners have equally been denied these increases to try to blackmail their working colleagues. Does the Taoiseach think the Minister for Communications, Marine and Natural Resources has any moral authority in attacking workers to whom the State owes substantial amounts of money when his most recent big idea has left the taxpayer with about €52 million worth of obsolete chunks of scrap metal languishing in air-conditioned warehouses at a further cost of €1 million to the taxpayer? If I recall correctly, these machines were supposed to be used for voting.

This is the same Minister who never lost an opportunity to vilify another cohort of workers, namely teachers, when he was in a dispute with them. What next? Will he threaten to replace the postal workers with semi-bonded labour and the abuse of migrant workers such as is the case at Irish Ferries, if they do not toe his line?

Is this what partnership has come to mean for Government? Is it any wonder SIPTU members are refusing to go into talks for a new agreement when there is blatant renegeing on the last agreement, which still has not been honoured?

Mr. F. McGrath: Hear, hear.

Mr. J. Higgins: There has been routine replacement of unionised jobs and rates of pay by semi-slave labour. Will the Taoiseach instruct An Post to pay its workers and pensioners what they are due and to separate this payment from other negotiations on the postal services? Will the Taoiseach introduce legislation to outlaw the replacement of established jobs with semi-bonded labour, and the grotesque exploitation of migrant workers that this means?

The Taoiseach: The Minister has spent much time in recent months and throughout the year working with management and trade unions at An Post. Late last week he had a detailed, protracted meeting with the unions in order to help, and he has made a huge commitment to bringing both sides together so An Post can resolve its difficulties and make its modernisation plans work effectively. In that way it can continue to service its customers, both business and personal. An Post knows it must change. Deputy Higgins has outlined some of the issues creating difficulty.

The blueprint for the settlement of this dispute is the Labour Court recommendation. I stand over such recommendations as I have always done in this House. To the best of my knowledge, management has accepted the recommendation and I hope the unions will accept it too. We can then deal with the other issues which are equally important for staff and management at An Post, and avoid strike action. Nobody will win if such

[The Taoiseach.]

action occurs but An Post will lose further business.

Mr. J. Higgins: My Independent colleagues in this House tell me that up and down the country, An Post provides a vital social service. However, the Government refuses to subvent or finance it. For the past three years the Government has financed it by shortchanging postal workers and more scandalously, pensioners of An Post, a very vulnerable group. The Government has then used as whipping-boys the postal workers themselves.

As the Taoiseach should know, the Labour Court recommendation was not binding because An Post insisted on that. When the union then exercised its right not to accept the recommendation, a process of vilification began. I query what justice the postal workers can hope for from the Labour Court since a few months ago, that court told Irish Ferries to go ahead with its outsourcing of labour and its bonded worker employment.

How can the Taoiseach justify pensioners in An Post being denied their increases? Will he instruct the Minister for Communications, Marine and Natural Resources to value the crucial role performed in our society by thousands of workers such as those at An Post, rather than insult them? They drag themselves from their beds on cold wintry mornings many hours before most people arise. What does the Taoiseach think of the unease in the trade union movement generally because the Government has reneged on and broken the agreement the Taoiseach solemnly made with the unions three years ago?

The Taoiseach: That is not the issue currently causing difficulty in the trade union movement. The Deputy is ill-informed.

Mr. J. Higgins: What is the issue?

The Taoiseach: There are issues in An Post creating difficulties for quite a considerable time. They have been examined at great length by the Minister, the Labour Court conciliation service, the Irish Congress of Trade Unions and affiliate unions in order to advance matters. The Minister spent a long time last week addressing these issues. The Labour Court is involved in addressing the issues and though it has already made a recommendation, the Minister continues to engage with the leaders of the Communications Workers Union to solve the issue. That is the best way of resolving the matter. I urge all sides to assist in that. Nobody wants to see An Post further damaged, or an unhappy situation for management or workers. The best way to resolve the issues is collectively, so An Post can move on and implement its programme for change, generate new business and deal with its outstanding

issues. This is best done in a calm environment, using the conciliation services of the State.

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.

Mr. Crowe: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of urgent public and national concern, namely, to allow the Minister for Communications, Marine and Natural Resources to report to the House on delays that are occurring with post due to staff shortages which are a result of management's refusal to recruit additional staff until they have forced the unions to agree to no contract and productivity stipulations; to ask if he is aware that no new staff have been recruited since 2003, during which time 600 people have left, and that this has resulted in situations such as mail being moved from Clondalkin to Portlaoise and back to Dublin again due to staff shortages, with resulting delays of days in delivery; and for him to report on what measures he has taken to avert the impending industrial action to which the above has contributed.

Mr. Ferris: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the withdrawal of the angiography service at Kerry General Hospital and the urgent need for a full-time cardiologist to be appointed there.

Mr. Morgan: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of urgent public concern, namely the need to ensure that certain newspapers cannot publish fiction presented as fact simply to earn more money for their fat cat owners, as witnessed on Sunday last; also the introduction of sanctions to ensure that Tony O'Reilly or any newspaper cannot gain financially from such actions.

Mr. Broughan: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the serious difficulties at An Post in view of the imminent strike action by postal workers, the deteriorating postal service, especially the plummeting rate of next day deliveries and the effects of full postal deregulation on An Post as recently outlined by the Minister for Communications, Marine and Natural Resources; and the need for the Government to intervene.

Mr. Durkan: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the worsening

labour relations situation in An Post with the resultant risk of industrial action; and the immediate need for the Minister to intervene with a view to resolution.

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

Order of Business.

The Taoiseach: It is proposed to take No. 9, motion re ministerial rota for Parliamentary Questions; No. 10, motion re statement of expenditure for Houses of the Oireachtas; No. 11, motion re referral of Social Welfare Consolidation Bill 2005 to Standing Joint Committee on Consolidation Bills; No. 15, statements on the Lisbon National Reform Programme; and No. 16, Employment Permits Bill 2005 — Second Stage (resumed).

It is proposed, notwithstanding anything in Standing Orders, that the Dáil should sit later than 8.30 p.m. tonight and business shall be interrupted on the adjournment of Private Members' business, which shall be No. 44, motion re delivery of health services and taken for 90 minutes at 7 p.m. or the conclusion of No. 15, whichever is the later. Nos. 9, 10 and 11 shall be decided without debate and the proceedings of No. 15 shall, if not previously concluded, be brought to conclusion after two hours and 20 minutes and the following arrangement shall apply: the statements of a Minister or Minister of State and of the main spokespersons for the Progressive Democrats Party, 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; the statement of each other Member, who shall be called upon in the following sequence, shall not exceed ten minutes — Government, Fine Gael, Government, Labour, Government, Technical Group; Members may share time; and the Minister or Minister of State shall be called upon to make a statement of reply which shall not exceed five minutes.

An Ceann Comhairle: There are three proposals to put to the House. Is the proposal for the late sitting and the taking of Private Members' business agreed? Agreed. Is the proposal for dealing with Nos. 9 to 11, inclusive, agreed?

Mr. Boyle: We protest at three motions of differing natures being put forward together by the Government. I also want to express our concern on No. 11, which will allow the Minister for Social and Family Affairs to appoint three additional people to the committee. I appreciate he is restricted to three positions but of those nominations, recognition is given to only two Opposition spokespersons on social and family affairs.

While the consolidation Bill will not be able to effect many changes in terms of amendments, I do not believe it a good practice for this House.

Caoimhghín Ó Caoláin: With regard to No. 10, proceeding with this matter in the absence of a proper debate denies the Dáil the opportunity to review the progress thus far of the Houses of the Oireachtas Commission. It is a matter which merits address in this House because there are significant and important matters that cannot be dealt with at Whips' meetings but need to be addressed here. Of a number of items which I could cite, I note only one, which is that the Houses of the Oireachtas Commission has no direct representation from any of the component parts of the Technical Group as represented in this Chamber. That is a glaring omission and one that merits address and redress quickly. Therefore, we should accommodate a debate on this proposition and, if that is not what the Taoiseach intends to do, will he will accommodate such an opportunity during Government time before the end of this term?

The Taoiseach: Debate on the Book of Estimates will take place later next month and the points could be made then because the Houses of the Oireachtas Commission will be included in that.

Mr. Boyle: Is the Taoiseach willing to respond on the consolidation Bill?

An Ceann Comhairle: Deputy, I am putting a question.

Question "That the proposal for dealing with Nos. 9 to 11, inclusive, be agreed to" put and declared carried.

An Ceann Comhairle: Is the proposal for dealing with No. 15 agreed? Agreed.

Mr. Kenny: Most people's sense of dignity was offended last weekend by the headlines carried without foundation in many newspapers on the circumstances in which a former Member of this House, Mr. Liam Lawlor, died tragically. The defamation Bill is listed for publication in early 2006. Is it intended that this date will stand or are we on line for the publication of the Bill, which will deal with standards and the consequences of the reports from the Law Reform Commission, the Commission on the Newspaper Industry and the legal advisory group on defamation and when are we likely to see the Minister's proposals for a press council in that regard?

In each of the past two years, the Minister for Justice, Equality and Law Reform promised legislation to deal with certain circumstances surrounding Halloween festivities. Nobody wants to

[Mr. Kenny.]

put a damper on fun but there are circumstances where people are trapped in their houses and where illegal fireworks cause serious injury to children and young people. What is the status of the legislation we were promised?

In view of the Government's decision to appoint a mediator for the Corrib Shell gas dispute, when is that likely to happen?

In recent weeks, questions put to the Tánaiste and Minister for Health and Children are referred to the Health Service Executive and the stock answer is that all these matters are now the responsibility of the HSE. Yesterday, Government Members made a spate of announcements on allocations of funding for——

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

Mr. Kenny: ——clinics and hospitals all over the country. If the HSE is entirely independent, how do we have a situation whereby Government Deputies and Senators——

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

Mr. Kenny: It does arise.

An Ceann Comhairle: It does not arise at this stage.

Mr. Kenny: Either the HSE is independent or it is not. Every local radio station — good for them — can announce little grants in which they had no function whatsoever, if that is a matter for the HSE. Is it independent?

Mr. Durkan: Who makes policies?

An Ceann Comhairle: Deputy Kenny may raise it during leaders' questions.

The Taoiseach: The heads of the defamation Bill were cleared by the Government during the summer and it is hoped to have it completed by Christmas and before the House in the next session. The press council proposals are within that legislation.

On the HSE issue, questions that were previously referred to the health boards are now referred to the HSE. Policies are dealt with by the Department but day-to-day issues are dealt with by the HSE.

Mr. Neville: That is not right. We asked questions in terms of national policies.

An Ceann Comhairle: The Taoiseach, please.

The Taoiseach: As of now, fireworks are illegal and there is no legislation to deal with——

Mr. Gormley: Go down to Grafton Street.

The Taoiseach: People have to try their best in these situations and, in particular when adults become involved, to organise and control fireworks.

Mr. Stagg: The Government was supposed to put an end to it.

Mr. Bruton: What was the point of promised legislation from the Minister for Justice, Equality and Law Reform?

The Taoiseach: There are no proposals for legislation.

Mr. Gormley: It is all spin.

An Ceann Comhairle: We are over the time allocated for the Order of Business.

The Taoiseach: I will discuss the Corrib gas issue with the Minister for Communications, Marine and Natural Resources.

Mr. Rabbitte: On the matter of the refurbishment of the defamation law, do I take from what the Taoiseach has said that the Government has decided the press council will be statutory?

The Taoiseach: Yes.

Mr. Sargent: Following a discussion I had with a widow whose husband died suddenly and equally in terms of the Lawlor family, I wish to ask a question on the coroners Bill. It seems it will be February before somebody can get a report.

An Ceann Comhairle: We cannot debate that. We are running short on time.

Mr. Sargent: The coroners Bill is a major concern to people who have suddenly lost relatives and loved ones——

An Ceann Comhairle: The House will have to sit late tonight if we go over time now.

Mr. Sargent: ——in that they will not get the report for months.

On the Forestry (Amendment) Bill, we are cutting down the trees around Thornton Hall after paying €30 million for a farm.

An Ceann Comhairle: The Deputy cannot debate the content of the legislation.

Mr. Sargent: The forestry (amendment) Bill was promised in 2003, 2004 and 2005. There is

now no date. Can we get an answer as to when it will be published?

The Taoiseach: Next year.

Mr. Sargent: To which next year is the Taoiseach referring? Can we get a clear answer on that?

The Taoiseach: In 2006.

Mr. Sargent: I asked about two Bills and am seeking clear answers in respect of both of them.

An Ceann Comhairle: The Deputy should allow the Taoiseach to answer instead of putting questions to him.

The Taoiseach: The coroners Bill is due to be ready in early 2006. I do not have a date as to when the forestry (amendment) Bill will be ready.

Ms O. Mitchell: Last June air navigation legislation was rushed through this House. It gave €9 billion worth of insurance cover on behalf of the State in respect of liabilities arising from dirty bomb attacks in Irish airports and airlines. The legislation was not debated at the time because of its alleged urgency, because we were told that it was required by European law and that there would be a reciprocal arrangement with other European countries.

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

Ms O. Mitchell: I have. I now discover that the Dáil was misled and no European country has given reciprocal cover. Is that legislation being repealed perhaps under the heading of the Air Navigation (Eurocontrol) Bill, which is due to be taken next week?

An Ceann Comhairle: Is the legislation promised?

The Taoiseach: Which legislation?

Ms O. Mitchell: Is the air navigation legislation being repealed? It was introduced under false pretences.

The Taoiseach: The Air Navigation (Eurocontrol) Bill was published on 1 July last and it was ordered for Second Stage on 27 October, which is Thursday.

Ms Shortall: The recent high number of tragic deaths on our roads are unfortunately part of an upward trend in serious road accidents and underline the need for political attention to be paid to road safety. The Minister promised the

establishment of a road safety authority but there is no such legislation on the list. Will the Taoiseach clarify how he proposes to legislate for this? It has been suggested that it would be provided for as an amendment to the Driver Testing and Standards Authority Bill, which is different legislation dealing with a different authority. There is some confusion about this matter. We have already dealt with Second Stage——

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

Ms Shortall: Will the Taoiseach to clarify exactly how he proposes to legislate for the promised road safety authority? Will it have anything to do with the Driver Testing and Standards Authority Bill?

The Taoiseach: As I understand it, the Bill being prepared is the roads (miscellaneous provisions) Bill, which is to amend the legislation relating to the National Roads Authority and traffic. The heads of that Bill are expected to be ready prior to Christmas. Two Road Traffic Acts have been enacted and both have been amended. Some amendments are being made to the Driver Testing and Standards Authority Bill, but I am not certain what they involve. The Bill covering the issues raised by the Deputy is the roads (miscellaneous provisions) Bill.

Ms Shortall: That legislation is not on the list. The Minister responsible seems to have something to say to the Taoiseach on this.

The Taoiseach: The Minister confirms that I was right in what I said. He is looking at amendments to the Driver Testing and Standards Authority Bill but he has not brought those forward.

Ms Shortall: Looking at amendments is not adequate.

An Ceann Comhairle: I ask the Deputy to resume her seat.

Ms Shortall: I am referring to a completely different authority. Surely a road safety authority——

An Ceann Comhairle: I ask the Deputy to resume her seat. If she does not do so, she will have to leave the House.

Mr. Stagg: The Ceann Comhairle is short-tempered today.

An Ceann Comhairle: The House is aware we have agreed to sit late tonight and it is unnecessary to continue with matters that are not appropriate to the Order of Business.

Mr. Stagg: This matter is appropriate to the Order of Business.

An Ceann Comhairle: It is not appropriate that Deputy Shortall intervened a second time.

Mr. Stagg: It was appropriate. The Ceann Comhairle should not be so contrary.

An Ceann Comhairle: I ask Deputy Stagg to sit quietly, if that is possible. The Chair is conscious that the staff of this House expect to be out of the House on Tuesday at 9.10 p.m.

A Deputy: What harm about that? That is not late. We all work late.

An Ceann Comhairle: If Members continue to raise issues on the Order of Business that should not be raised on it or discuss the content of legislation, it is unfair to staff to take up the time of the House doing that.

Mr. Stagg: The Ceann Comhairle should move on to the next business and stop wasting the time of the House.

An Ceann Comhairle: I will call Deputies Perry, Quinn and Ó Caoláin and then move on to the next business.

Mr. Perry: I wish to raise the matter of illegal fishing at Killybegs in terms of the Sea Fisheries and Maritime Jurisdiction Bill. A Garda inquiry into such activity has been ongoing for 12 months and we still await a report on that. When will it be published? The inquiry is having a major impact on the Killybegs fishery, in which major State investment has been made.

The Taoiseach: The Garda inquiry in Killybegs is ongoing.

Caoimhghín Ó Caoláin: The Minister for Justice, Equality and Law Reform promised legislation to address aspects of the media in the recent past. The Taoiseach answered earlier in regard to the defamation Bill, No. 30 on the list of promised legislation, but my understanding is that perhaps the Minister was speaking about further legislation in this area. I would like clarification if what the Minister was referring to in the recent past and again this morning is further legislation apart from the defamation Bill and whether that will address what has already been rightly referred to as the outrageous and deeply wounding coverage of the tragic death of the former Deputy Liam Lawlor. Will it also address dangers in regard to a free press, given the enormous control swayed by a small number of media moguls?

An Ceann Comhairle: That matter does not arise now. I call the Taoiseach to answer the Deputy's first question on promised legislation.

Caoimhghín Ó Caoláin: I have a further question. People were promised repayment of wrongly levied nursing home charges. When will the eagerly awaited health (nursing homes) (amendment) Bill be introduced?

The Taoiseach: The defamation Bill will include provision for a press council. The second Bill the Deputy raised will brought to Cabinet before Christmas and money will be provided in the Estimates for 2006 to pay the money owed.

Mr. Quinn: Will the Taoiseach indicate if the Cabinet dealt with the building control Bill yesterday?

The Taoiseach: No, not yet, but I reminded the Departments that the Deputy is constantly asking about it and that I am constantly telling him it is almost ready.

Ministerial Rota for Parliamentary Questions: Motion.

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

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

Minister for Education and Science

Minister for Finance

Minister for Foreign Affairs

Minister for Agriculture and Food

whereupon the sequence established by the resolution of 6 June 2002 shall continue with questions to the Minister for Communications, Marine and Natural Resources.

Question put and agreed to.

Statement of Expenditure for Houses of the Oireachtas: Motion.

Minister for Education and Science (Ms Hanafin): I move:

That Dáil Éireann take note of the Statement of Estimates of moneys required in respect of ongoing expenditure for the period beginning 1 January 2006 and ending on 31 December 2006 prepared and published by the Houses of the Oireachtas Commission in

accordance with section 13 of the Houses of the Oireachtas Commission Act 2003, which was laid before both Houses of the Oireachtas on 20 October 2005.

Question put and agreed to.

Referral of Social Welfare Consolidation Bill 2005 to Standing Joint Committee on Consolidation Bills: Motion.

Minister for Social and Family Affairs (Mr. Brennan): I move:

That, notwithstanding anything in Standing Orders—

(a) the Social Welfare Consolidation Bill 2005 be referred to the Standing Joint Committee on Consolidation Bills;

(b) the first meeting of the committee to consider the Bill be held on Wednesday, 26 October 2005; and

(c) in the case of the Social Welfare Consolidation Bill 2005—

(i) in accordance with Standing Order 142(3), the following Members be appointed to the Standing Joint Committee on Consolidation Bills for the purpose of considering the aforementioned Bill:

Deputies Charlie O'Connor, Willie Penrose and David Stanton; and

(ii) it shall be an instruction to the committee that it has power to group sections together for the purposes of debate and to dispose of more than one section (and any amendments thereto) by one question, which shall be put from the Chair.

Question put and agreed to.

Lisbon National Reform Programme: Statements.

Ms O'Donnell: As the Minister of State, Deputy Treacy, is not in the House I will commence the debate, as scheduled, with the agreement of the House.

I welcome the publication of this report. It is a draft document entitled Integrated Guidelines for Growth and Jobs — the Lisbon Agenda. Its focus quite properly is on sustaining Ireland's strong economic growth and employment performance, an issue which cannot and will not be taken for granted by my party or our partners in Government. The presentation of this report to the House affords us an opportunity to reflect on the status of our economy, how we got to where we are now and how we will navigate the best way forward.

The figures included in this document are a compelling audit of the true extent of our economic and employment progress over the past decade. The figures are compelling by any measure. The unemployment rate in 1994 was 14.7% and in 2004 it was 4.4%, which is as good as full employment. The employment rate in 1994 was 52.2% and in 2004 it was 66.7%. I could continue in that context but it is all set out in the report. Rather than resting on our laurels, the question on which we need to focus is how we can preserve the gains we have made in our economy and throughout our society. The single biggest achievement in politics, perhaps accompanied by the peace process and the success in sustaining a political settlement, as it affects real lives is the 10% plus reduction in our unemployment rate during the past ten years which is down from almost 15% to 4.4%. Those who would make light of such an achievement are in denial of the reality behind the figures. This country has been turned around. It has moved from mass outward emigration to net inward migration and the despair and misery that meant for our people for many decades. On every front there have been improvements in the quality of life. We have increased employment, increased incomes, higher living standards and lower levels of poverty. That is also the reality behind the figures in the report. The report is about building on those gains and strengths. In Ireland we have to look at how we and Europe can respond to developments in the United States, the Far East, China and India. The world will not wait for us. It will continue to develop and we must look to our own response. Ireland is a small and open economy and the key to sustaining economic growth is to remain flexible. Ireland's flexibility will be based on fostering enterprise, risk taking and innovation.

Another key instrument for sustaining our position economically in the world will be maintaining the tax system that creates the environment for enterprise, competition, efficiency and growth, a credo close to the heart of the Progressive Democrats. In Government between 1989 and 1992 and again since 1997, we have worked hard to establish that system of taxation. Despite claims to the contrary, not only do we have a taxation regime that supports the flexibility we need as an economy, but one that benefits lower wage workers over higher income earners. Deputies opposite may disagree with this proposition. The report reads: "Ireland today has the most generous tax and welfare system for single income families on the average industrial wage in the world". The income tax strategy we put in place aims at maintaining full employment and strengthening the competitive position of the Irish economy through keeping taxes on labour low. It is a policy that also includes a particular focus on the low paid and on the elderly.

[Ms O'Donnell.]

The taxation system we espouse benefits all in society. By reforming the tax code we have restored a position not seen since the Ireland of the 1960s, where high earners, not those on modest or lower incomes, pay the vast bulk of tax. The top 25% of income earners pay 80% of all income tax raised by the State. We want to do more. The true value of this national reform programme is its questioning of how we can maintain our economic success. We must work harder to foster enterprise and efficiency and boost spending on research and development.

In 2003, the Tánaiste established the enterprise strategy group to prepare a report that would serve as a blueprint for an enterprise strategy for growth and employment in Ireland. Its work is an important part of the national reform programme report. The group found that while Ireland's economy remains strong, action is needed to ensure potential threats do not adversely affect performance. It set out medium term enterprise opportunities for the economy. To sustain our position, Ireland requires quick and appropriate policy responses to the needs of business, to help them build competitiveness and better manage the rapid changes taking place in world trade and investment regimes. That is our focus.

The report makes clear the demands on Europe in terms of our productivity. We must pursue productivity gains. Although EU productivity levels were growing faster than those in the US for five decades, since 1996 the EU has lagged behind the US each year. Labour productivity in the US is growing twice as fast as in Europe and as a result our relative levels of wealth have also started to fall.

Ireland's role in pursuing productivity gains for the wider EU will be to tackle inefficiencies in our sheltered private sector and in the public sector. While the export-orientated private sector has propelled the growth outlined in the report, the sheltered private sector and the public sector can hold us back. Whether it is the professions, law, medicine, the health service, airport terminals, bus markets, electricity and gas, we must pursue efficiency by competition and/or appropriate regulatory change. The Progressive Democrats have been unrelenting in their pursuit of that agenda for almost 20 years, an agenda that is shown to be an imperative by this report.

Competition and reform can be messy and unpopular at times but this cannot be an excuse for freezing inefficient practices in certain sectors. We must be radical and determined in pursuing productivity gains for our economy and the Lisbon objectives. Our labour market has changed utterly in the past 20 years posing fresh challenges for us as policy makers and for employers. Two central elements in this regard are migrant workers and child care. In recent weeks the business in the House ranged from the

Employment Permits Bill and other legislation dealing with the changing environment of the workforce.

Latest estimates indicate that in the year to April 2005 Ireland had net migration of more than 53,000 compared with 31,000 in 2004. In the past year alone 50,000 females entered the workforce. These two issues, female participation and inward migration, raise particular challenges for the wider society, not to mention sustaining growth.

In regard to child care, we need sensible measures to increase the supply of places for children and thus reduce costs. I am happy the Minister for Justice, Equality and Law Reform, Deputy McDowell, has significantly increased investment in child care services in recent years under the equal opportunities child care programme. Total expenditure will amount to just under €500 million for the period 2000-06 in the form of capital, staffing and quality improvement grants. Under the programme, 26,000 new child care places were in place at the end of June 2005. Programme commitments already in place should lead to the creation of a further 13,000 places.

We need to continue to develop programmes such as the equal opportunities child care programme, beef up their budgets and create more places. The programme should be nuanced to take account of different types of communities, established communities versus newer settlements in the growing commuter belt where support systems are weak. We all accept we have to help ease the increasing burden of child care costs on young families. Initiatives, however, must be sensible and thought through. Contrary to recent policy announcements from the Labour Party for example, this is not about lashing money at the issue, it is about increasing funds in a targeted way to help those bearing the greatest burden. It is about increasing supply and reducing costs. The Progressive Democrats want to see diversity in the child care sector. One size does not fit all families. Parents should have choices in this most important aspect of their lives and child care provision should reflect that choice, not be some form of homogenous State controlled monolith.

In regard to the second major development in our labour market, migrant workers, we must ensure our policies are the right ones. I spoke in this House two weeks ago on legislation to codify the existing administrative work permit arrangements. We should and will provide new and increased protections for migrant workers, who are so important for our economy, and will provide for the introduction of a green card system which would comprehend long-term or permanent residency. In my contribution I stated a modern, progressive migration system is well overdue in Ireland and must be separate in process and policy from asylum.

Ireland's changing demographics pose challenges in housing, education and health. Right across all Departments, wise people should be planning for the best outcomes in terms of integration of all the new people coming to live among us. These new members of our society must be treated fairly and the Employment Permits Bill and the related elements in the NRP report demonstrate comprehensively that although we have been playing catch-up in the area of inward migration, our policies are now beginning to take shape. However, they need constant tweaking and a constant sympathetic response to the changing needs of the newcomers to our society.

The national reform programme report is a result of commitments given by Governments at the European Council meeting in March. EU leaders agreed to refocus the Lisbon strategy on jobs and growth and prepare a programme report. This is a welcome reminder that national Governments still have a massively important role when it comes to macro and micro-economic policy and employment policy. Some parties would have us believe that Ireland has ceded its control over these matters at European level and that we are powerless in these matters. Others claim the advances we have made would have happened anyway.

The national reform programme process and report demonstrate, beyond question, the central role national Governments and their policies play in promoting and sustaining domestic and European economic development. We have not ceded all control and these matters are not settled by diktat from Brussels or anywhere else.

The policies of the two parties in Government are critical to the extent of economic development and progress and, as a result, to living standards and poverty. If the parties opposite had been in Government in recent years, there is absolutely no doubt that taxes and unemployment would be higher. Thankfully for Ireland, this was not the case. The Progressive Democrats, in conjunction with our partners in Government, have ensured that we had the right policies for Ireland. We sought a mandate for them and got it. These are policies to foster enterprise and initiative, to drive competition and efficiency, and to provide the most generous tax and welfare system for single income families in the world. As this Lisbon NRP report demonstrates, it is in Ireland's national interest, and Europe's, that the economic strategy espoused by the Government remains at the centre of our policy-making.

Minister of State at the Department of Foreign Affairs (Mr. Treacy): Is cúis áthais dom an deis seo a bheith agam labhairt i nDáil Éireann faoi chlár athchóirithe na hEorpa chun slí eacnamaíoch na hEorpa a fheabhsú faoi Chlár Lisbon. I am pleased to have the opportunity this evening

to speak about Ireland's national reform programme under the relaunched Lisbon agenda.

In 2000, the then 15 member states set the ambitious objective of making the European Union by 2010 "the most dynamic and competitive knowledge-based economy in the world, with more and better jobs and greater social inclusion". This goal was to be achieved by an extensive reform programme, including the establishment of an effective internal market, boosting research and development, and improving education.

While much of the work involved in implementing the Lisbon agenda appears complex, it is really about people's lives. It is about the bread and butter issues which are important for every citizen and every community, both here in Ireland and right across the EU. They are bringing about tangible benefits in the daily lives of our citizens — supporting workers in their employment, assisting the business community in managing the transition to a knowledge-based economy, protecting our environment and promoting greater social cohesion. This is certainly a challenging agenda. It is unique in that, while it sets common goals and targets across member states, they can only be achieved by acting in partnership. European institutions, national governments and all stakeholders must therefore work together, towards the common goals.

Under the Irish Presidency of the EU in 2004, a mid-term review of progress across the EU was initiated. This found that the overall results were disappointing. The outcome of the mid-term review acknowledged the scale of the challenge facing Europe, in particular the widening growth gap with other major world economies. Failure to address this gap would see Europe experience further economic decline with inevitable pressure on its social and environmental policies.

In this context, the European Council earlier this year agreed that the Lisbon agenda would be relaunched as a partnership for growth and employment. It would focus particularly on two urgent priorities, growth and jobs. The overall process would be simplified and streamlined. Each member state would produce a three-year national reform programme setting out its national priorities and commitments to improve economic growth and create further employment. For its part, the European Commission would focus on measures to be taken at EU level to reinforce the programmes being undertaken by member states.

While the European Council agreed to focus on two urgent priorities of growth and employment, it also endorsed action in two complementary areas — promoting social cohesion and sustainable development. In terms of social cohesion, the Commission's communication on the social agenda addresses vital issues of tackling poverty and disadvantage. This social agenda will

[Mr. Treacy.]

help achieve the Lisbon objectives of full employment and social cohesion. Likewise, the new focus on growth and employment expressly acknowledges the overarching role of sustainable development. The declaration on guiding principles for sustainable development, which was adopted in June last, is a basis for achieving sustainable growth.

The member states and the Commission agreed on an integrated set of 24 broad guidelines to be considered during the preparation of the various national reform programmes. These guidelines, covering macro-economic policy, micro-economic policy and employment policy, replace the broad economic policy and employment guidelines which were previously reported on in two separate processes.

Ireland is fortunate in that, owing to the broad range of policies being pursued in recent years, we are performing well according to many of the key economic indicators. Over the past ten years, GNP has increased at an annual average rate of 6.3%, and is forecast to continue to grow at close to 5% over the term of the national reform programme. Expressed *per capita*, our GNP has almost trebled since 1994. Government debt is down from close to 90% of GDP in 1994 to less than 30% in 2004. Unemployment has fallen from 14.7% in 1994 to 4.4% last year. The employment rate rose from 52.2% to 66.7% over the same period. Overall, we are making solid progress towards the Lisbon goals and starting from a relatively strong base with our new three-year reform programme.

Many factors have contributed to this strong performance. The programme for Government, agreed in 2002, provided the framework for action across the entire policy spectrum and is entirely consistent with the Lisbon agenda. Two of the central pillars of the programme for Government are sustaining economic growth and maintaining full employment in the economy. To achieve this, the Government committed in its programme to maintain the public finances in a healthy condition and to keep down personal and business taxes in order to strengthen and maintain the competitive position of the Irish economy. Within these constraints, the Government reaffirmed its determination to concentrate the available resources on improving the quality of public services and delivering further real improvements to pensioners and people on low incomes.

Underpinning these aims, we have a strong track record under our social partnership model of forging consensus with and among the social partners on the right measures to take. Over the past 18 years social partnership has provided us with a much needed framework to take corrective measures to address the problems of the mid-1980s and, since then, to build up and improve

overall economic and social progress. Bringing together the various key sectors — employers and trade unions, the farming sector and the community and voluntary organisations — to work in partnership with Government has served this country well. It has helped to create the necessary conditions and consensus to give rise to growth, jobs and better social provision instead of rising taxation and spiralling debt. It has contributed to providing stability and certainty over a multi-annual timeframe and has unquestionably yielded significant benefits in terms of industrial peace. Not surprisingly, successive Governments have reaffirmed the centrality of social partnership to economic and social development.

In the broader context, it is clear that the Lisbon Agenda is consistent with our own national goals and priorities. It is hardly surprising, therefore, that when the member states committed last year under Ireland's successful EU Presidency to create national reform programmes to engage more closely with the social partners, it was decided that our existing social partnership model would serve as Ireland's reform programme.

The current partnership agreement, Sustaining Progress, runs to the end of 2005 and nobody underestimates the challenge of securing a new agreement. However, drawing on the experience of the past, we know we stand a better chance of tackling problems by working together. In some respects it might suit us better if the national reform programme did not have to be prepared for another few months. That said, we will certainly update our Lisbon programme in the light of the outcome of future engagement with the social partners.

This Government is acutely aware of the need to maintain competitiveness and improve productivity, despite our recent impressive performance. No matter how successful we have been in recent years, we cannot simply rest on our laurels. It is fitting, therefore, that the national reform programme gives us an opportunity to put together, in an integrated way, the policies and initiatives that are being implemented to ensure continued success.

I will outline the content of the programme in the areas of macroeconomics, microeconomics and employment guidelines and in line with the priorities which we have set. The range of structural reforms envisaged under the Lisbon reform programme must take place in a stable macroeconomic environment with a particular commitment to sustainable public finances. As I have already outlined, our public finances remain in a good position. Nonetheless, we must remain alert to the risks to our economy, particularly the high level of oil prices. Our levels of competitiveness must be closely monitored and, in particular, the ongoing reliance on the construction sector for our current level of output. We must

be sensitive to the potential impact of an eventual reduction in construction output levels.

It is vital that Europe becomes more competitive, in its actions as well as its words. We must accept that the global picture is important given that the EU now competes directly with other regions of the world for mobile investment in knowledge and research. Europe, therefore, must remain an attractive location for future global investment.

Improving our competitiveness within the domestic economy and internationally is critical to Ireland's continuing success. By 2004, Irish income *per capita* had overtaken the EU 15 average, driven largely by increases in employment. In future, further improvements in living standards will depend less on increasing employment and more on increasing productivity. Ireland's economic development strategy is now aimed at developing a more dynamic, enterprising and innovation-based economy. Our competitiveness will be enhanced over the period of this programme by the creation of an environment where enterprise can flourish and consumers are protected.

Research and development is an area which can have a major impact but is one where we are still under-performing relative to international benchmarks. Consequently, continuing to increase research and development investment, capacity and output is a particular priority under this programme. Ireland's gross expenditure on research and development is approximately two thirds of the EU average, at 1.62% of gross national product for 2005. However, that is not to say that we have been ignoring research and development up to now. Government investment in research and development increased fivefold, from €500 million between 1994 and 1999, to €2.5 billion under the National Development Plan 2000-2006. A number of key steps have been taken to build further on this positive start. Earlier this year, the Government adopted a new national action plan for research and development and an interdepartmental committee is finalising a proposed implementation strategy.

Strong foreign investment, exports and domestic demand have led to sustained reductions in unemployment over the past decade. We must place a greater emphasis on productivity by encouraging greater levels of innovation and entrepreneurship across the enterprise sector. A range of key initiatives is under way to drive this development, drawing on the work of expert bodies such as the enterprise strategy group and the small business forum.

Ireland's level of public investment, at close to 5% of GNP, is among the highest in the EU and is approximately twice the Union average. Public investment under our national development plan is targeted at addressing the infrastructural deficit to improve the potential growth of the economy

in the longer term. The Government is now in the process of setting out a new blueprint for investment for the seven-year period after the expiry of the current plan. The new national development plan will focus on priorities for investment in public economic and social infrastructure in areas such as transport, environmental services, housing, education, health, child care and research and development. In particular, we will continue to build on the major investment that has been made in our transport infrastructure through the ten-year capital envelope for transport.

We must ensue that where it is necessary to regulate, we do so in the best way and with proper consultation. The 2004 White Paper, *Regulating Better*, sets out the Government's approach to better regulation. Guidelines on consultation for public sector bodies were published in June of this year. The Government has established a group on better regulation to oversee the implementation of the commitments and action plan arising from the White Paper. In addition, the Government has introduced a policy of systematic regulatory impact analysis across all Departments and offices. In the business sector, a new business regulation forum has been set up to report to the Minister for Enterprise, Trade and Employment on burdens imposed on business by outdated, inefficient or disproportionate regulation and to advise on business regulatory issues.

Ireland's strategic approach to social inclusion is set out in the Government's national anti-poverty strategy and the national action plan against poverty and social exclusion 2002 to 2005. Increasing access to employment has been a key part of Ireland's strategy to combat social exclusion and significant reductions in unemployment have contributed greatly to rising living standards. We must continue to facilitate participation in employment as a major strategy for tackling poverty and social exclusion.

Under the national reform programme, we will work to encourage the sustainable use of resources and strengthen the synergies between environmental protection and growth. Ireland is already well on track to meet the target under the EU renewable electricity directive for 13.2% of electricity to be generated from renewable sources. In addition, the decoupling of energy and emissions growth from economic growth began in 2002, with economic growth at 3.7% in 2003 and energy consumption remaining flat at 0.2%.

Ireland has continued to achieve high levels of employment. Employment growth continued in the second quarter of 2005, with the number of jobs up by 93,000. This represents the largest annual rise in employment since 2000, with the number of persons in employment now at 1.929 million. The long-term unemployment rate remains extremely low, both by historical and

[Mr. Treacy.]

international standards, at 1.4% or, in figures, 27,600.

Under the national reform programme, we will ensure that labour market policy contributes to making the economy more knowledge-based and innovation driven. A wide range of initiatives are in operation, designed to prevent and counteract long-term unemployment. FÁS assists those who are longer than six months on the live register to gain employment, training or to enter active labour market programmes. Other initiatives are ongoing and are aimed at expanding the workforce and include lone parents and redundant workers. An independent review of the prevention and activation process is under way as well as an expenditure review of State supports for the long-term unemployed.

In addition to these measures, we are committed to increasing investment in human capital through better education, skills and lifelong learning. Our national education policy aims to ensure that all young people leave the education system with a high quality education and with qualifications. A total of 85.3% of those aged between 20 and 24 have completed upper secondary education and a majority of these go on to third level education.

To reach those at a disadvantage in society, the Department of Education and Science published a five-year action plan for educational inclusion, *Delivering Equality of Opportunity in Schools*, in May 2005. This plan will be implemented on a phased basis and will tackle literacy and numeracy as well as attendance issues, progression, retention and attainment. Early school leaving policies have been shown to have a positive impact, with a rate of only 12.9% early school leavers in 2004. This is clear progress towards the EU average rate of 10%.

Higher education in this country has seen major expansion over the last two decades in terms of numbers and investment. This is reflected in an increased participation rate for school leavers of 55% in 2003 compared to 20% in 1980. A particular challenge is to upgrade the competencies and qualifications of the workforce, particularly those with low skill levels and in low level occupations. This challenge will be addressed through a range of initiatives, including implementation of the national framework for the development of lifelong learning, continued priorities in the implementation of this framework, including addressing skills needs and widening access to lifelong learning, tackling disadvantage and addressing access barriers.

Increased labour supply will be met from the underlying population increase, increased participation by the unemployed, access for those outside of the labour force and migration. On the latter point of migration, we are experiencing a significant influx of workers from the new EU

member states. The net inward migration figure for Ireland in the year to April 2005 was 53,400 people, of which over one third were nationals of the ten new member states. Legislation is being introduced by the Minister for Enterprise, Trade and Employment to codify work permit arrangements, improve protections for migrant workers and allow for a new green card system.

Overall, therefore, I am satisfied that Ireland is unquestionably playing its part in helping the European Union as a whole to realise the goals of the Lisbon Agenda. It is appropriate that the re-launched agenda places greater emphasis on member states, pursuing policies that are appropriate to national priorities and circumstances. That said, we must all work together to bring our Lisbon goals back into sight. Member states cannot just look over their shoulders at each other, but must look outwards. Globalisation is a fact of life and we must deal with it. The threat to Ireland, and Europe, is increasingly global, whether from the Americas, India, China or from other new tiger economies. Standing still is not an option, regardless of how well or badly we are doing.

The Government, as this new national reform programme demonstrates, is fully committed to working in partnership with other member states and the EU Commission, to ensure Europe's economic and social future, in the challenging and exciting years ahead.

Mr. Neville: I welcome the opportunity to speak on the Lisbon national reform programme for Ireland. At the spring European Council meeting last March, EU Heads of Government agreed to refocus the Lisbon strategy on jobs and growth. A central part of the new approach to achieving the Lisbon goals is the preparation of a national reform programme by each member state.

The reality today for the Irish economy is that, having emerged from the Celtic tiger period, the economy has lost cost-competitiveness. The infrastructure, both physical and information technology-related, is clearly inadequate for a modern, developed economy. The whole globalisation process is breathing down our necks as never before. Ireland has gone from fourth in 2000 to 30th in the World Economic Forum global competitiveness report, due mainly to the Government's failure to control prices. The National Competitiveness Council said Irish prices increased 22% more than those in other EU countries in 1999-2003. Economic consultants, *Compecon*, state that the lack of competition in the banking sector is costing small businesses €500 million per annum. The National Competitiveness Council said in its 2004 annual report that the need to recover cost-competitiveness was crucial to the country's medium-term economic future.

Clearly, the challenge facing the economy in the medium term includes this loss of competitiveness, suffered over the past five years, increased competition from China, India and the EU accession states on both product markets and mobile investments, exchange rate uncertainty due to our unique dependence on the level of sterling and the dollar and the pressures on margins and growth potential in the indigenous components of the economy. These challenges are immense. How we cope with them will determine the country's ability to achieve the economic potential GDP growth rates of 5%. To achieve such growth rates, maintain high levels of employment and continue to generate wealth and prosperity, policy must ensure that Ireland remains a significant recipient of the FDI clause and that a sustainable indigenous economy is fostered alongside the multinational economy. For the indigenous components of the economy, particularly those of the SME sector, the problem is that while they are good at what they do, they lack the skills and resources to find new markets and innovate products. This is the only way they will be able to grow in an environment where their margins are typically under pressure from rising input costs and limited pricing policies. Hence, the emphasis on the marketing capability is to be welcomed, even though one might dread a country where marketing types gain even more influence.

This is where thinking big really comes into its own. Rather than seeing the State as some big player that should try desperately to get out of the way, we should look at the State as a facilitator of business, a tool at the disposal of Irish entrepreneurs and risk-takers. Thinking big means addressing the situation where only 4% of the State's funding for research and development is allocated to the food industry, yet more than 50% of our exports are food and drink. A plus for this State always was its expertise and development of the food industry, its image abroad and the marketing carried out over the years by brands such as Kerrygold, Bord Baine and Bord Bia. Marvellous work was done in this area, but the failure to invest in research and development, and the consequential failure of higher value products, is a lost opportunity. As someone who worked in the food industry for 23 years, and who was keenly aware of the opportunities in product development, the bulk sale of much of our food products on the export market rather than developing new added-value products is an incalculable loss to the country. I was involved in taking these opportunities. However, there appears to be a rolling back to commodity-type exporting of the food business. Just 4% of State funding for research and development is one of the consequences of this because private industry has a specific role to play in this area. I question whether some of the bigger players in

the food industry are taking the easy buck and exporting in bulk rather investing in added-value products which could be sold on the shelves of international food markets.

Thinking big means actively assisting Irish businesses in getting into new markets. The Taoiseach's recent trade mission to China was a breath of fresh air. Something should be done to continue with this in the future. I have no hesitation in saying so, because it was a progressive approach in examining new markets in the Far East. This is the type of investment in which we should be involved.

The recent review of the Lisbon strategy progress, which culminated in the Kok report, was timely. There has been growing concern at the slow rate of progress in moving towards the Lisbon targets. For example, a Centre for European Reform report published in March 2004 concluded that four years into the Lisbon reform agenda, it had become clear the EU stood little chance of achieving its overall goals and went on to warn that rather than catching the US, the EU economy was slipping further behind on indicators such as GDP per head.

The IMD World Competitiveness Yearbook 2005 highlights that Ireland has fallen from seventh in 2001 to 12th this year. Ireland was ranked 54th for Internet costs, 53rd for mobile telephone costs and 52nd for cost of living. That exposes a serious competitiveness problem in the economy, which, if not addressed, will result in a downturn in the number of opportunities for everybody. It must be ensured our competitiveness is restored.

Ireland came 14th out of 15 countries in a broadband survey by the European Competitive Telecommunications Association. Ireland has only 63,610 broadband telephone lines, while Denmark, a smaller state, has 839,170 lines. If Ireland is to remain competitive, keep its markets open and ensure communications are at the forefront of technology, broadband must be available throughout the State. A programme should be introduced to ensure broadband is available at a cost that permits business to compete with our European partners and third countries. It is a disgrace that Ireland should finish second last in a survey of 15 countries.

Broadband is not available in the town where my office is based and its roll-out in County Limerick only began recently. My area is no different from many other rural and semi-rural areas. Broadband is vital to communications systems so that businesses can access markets and keep in touch with customers. The frustration experienced by business people is often expressed to public representatives and we are usually asked what can be done about it. The Government should accelerate its broadband programme and increase incentives to ensure it is expanded in line with its competitors. It should look to Denmark as an example of how to do so.

[Mr. Neville.]

However, if broadband availability does not increase, our competitiveness will slip resulting in a loss of jobs, growth and wealth.

The EPP document, Growth, Prosperity and Jobs in Europe, adopted on 4 March, highlights a number of broad challenges facing EU member states, including the ageing of European societies, unemployment and the need to create a more family friendly environment. However, the document also clearly warns that reform is necessary to ensure the Lisbon strategy is progressed and that Europe will only be fit for the future through bold reforms.

Ireland must recognise the importance of higher education and training. Our recent successes have in no small part been driven by a skilled and educated workforce. I have witnessed the effect of the University of Limerick in creating opportunities not only for people in the mid-west but throughout the State through the ICT programmes it has provided. The university is an example of how education creates the higher value skills and dynamic Ireland must have to maintain its competitiveness. Other member states and third countries will undercut Ireland in sectors where lesser skills are required and it must be ensured everybody has an opportunity to access education in Ireland so that positions created in the future can be filled.

However, our school completion rate at 82% is of considerable concern as it is not improving. In addition, the recent OECD report on higher education policy in Ireland indicated research and development spending and support lags behind international norms, which must be of concern for future economic development. The EPP document stressed the need to improve education and training along with the priority given to research and development.

Deputy McManus referred to our tax regime, which has improved competitiveness. The Government continues to favour a low tax regime to ensure Ireland is competitive because we are losing jobs to low wage economies. When Deputy Bruton was Minister for Enterprise and Employment, 1,000 jobs were created every week.

Debate adjourned.

Personal Explanation by Member.

Mr. Quinn: As I indicated earlier to the Ceann Comhairle, in response to a request by the Committee on Procedure and Privileges, I wish to have the record of 17 June 2005 corrected when, in the course of an exchange on the Morris tribunal, I used a word that was inappropriate for use in this House.

Lisbon National Reform Programme: Statements (Resumed).

Mr. Quinn: I commend the Government and the Minister of State for debating this document. It would be useful for us to reflect on how we got here and why we are examining this document at this time.

The first European-wide attempt to integrate, modernise and create the Single Market goes back to the 1980s. The Commission, under the Presidency of Jacques Delors, and a commissioner, Lord Caulfield, identified approximately 315 legislative instruments that needed to be implemented under the new system of qualified majority voting, provided for under the Single European Act, to create the foundation of the Single Market. It was driven by the Commission and it had a clear focus. Somebody was in charge and the Commission was ultimately responsible for its delivery thought the institutions of the EU, which was successful.

In marked contrast, the Lisbon process, which started life in 2000 during the Portuguese Presidency, relies on governments to drive the process, not the Commission. Within this lies our problem. No one is in charge of driving the Lisbon Agenda. In the scoresheet produced by Alistair Murray of the Centre for European Reform, he gave the overall process a rating of C plus. Ireland and Sweden were among the noted heroes, with Italy a noted villain. In three categories, Ireland and other member states were deemed to be of villain status, displaying poor performance, namely in the areas of modernising social protection, climate change and the natural environment. In one area, the business start-up environment, we were considered one of the winners, a position we shared with Slovenia.

In the refocus of the Lisbon Agenda in March 2005, there was a necessary but reluctant focus on the poor performing economic indicators in most of the member states. This did not take place in all member states and Ireland is not the only one performing poorly. This focus is understandable in the effort to get our growth rate to the required 3%. There is a danger that our success in the private sector, for which the Government does not have responsibility, will allow a degree of complacency to waft over to the public sector, for which the Government has unique responsibility. I detect this tendency running through the tone of the Minister of State's speech. In his contribution, my colleague in the Green Party will refer to the danger of ignoring the environmental and sustainable development dimensions of the original Lisbon Agenda. This will have real costs for the economy of this country, not to mention the environment, the landscape and the health of our people. I refer to specific fines for non-com-

6 o'clock

pliance with Kyoto emissions standards. Other speakers will address this.

The focus on the agenda raises certain questions. Though this document includes the kitchen sink, what remains in the garage and the contents of the shed, it is most welcome. Who is in charge of implementing this programme? An indication is given on page six that the Department of the Taoiseach is responsible for co-ordinating this. The Department of the Taoiseach is also responsible for the co-ordination of the national development plan yet when I ask which civil servant is in charge of the team and driving the national development plan on a daily basis, I am told someone is doing it in addition to other duties. These aspirations, no more than the original Lisbon Agenda, cannot be taken seriously unless a senior civil servant has the criteria of the Lisbon Agenda and the Irish scoreboard as his or her sole focus. I invite the Minister of State to list how many people are doing the job in his response. How many people are helping him or her? What is the reporting relationship to the various line Departments? Two Departments are mentioned, the Department of Enterprise, Trade and Employment as the lead macro-economic Department, and the Department of the Taoiseach.

Today, the ICTU decided to postpone participation in social partnership. A key element of the Lisbon Agenda is on hold and may remain on hold for some time. We have slipped behind the Lisbon Agenda because, unlike the Cockfield and Delors experience, no one is driving it. This is at the heart of a contradiction in some parties in the House. Some of these wish increased national participation and sovereignty and less participation in Europe. At the same time they bemoan the fact we are not achieving the targets set in the Lisbon Agenda. We must find a democratically acceptable mechanism that recognises the responsibility of national governments to deliver and puts in place a system of constant peer reviewing of achievement at the level of national government and the Commission. The Minister of State can address these questions in his response.

I refer to the role of the European Union in this area. When these reform programmes are reviewed, the Commission should grant daily responsibility to someone for chart marking progress on all 25 member states. It is ridiculous to rely on an independent research unit based in the United Kingdom. This should be at the centre of our aims at national and European level. Unless someone drives this project in a coherent and consistent manner this document will remain aspirational.

The focus is primarily on economics and the focus on employment growth is very strong. It is anticipated our labour market needs will be met by natural population growth and immigration, if necessary. It ignores the fact that we still have

long-term unemployment and that some available jobs could be done by some of the 27,000 unemployed people. There is no indication of outreach to these people other than contact by FÁS if they are out of a job for more than six months. There is no indication of how they might be returned to the system. We ignore at our peril an economic system that can attract outsiders of whatever nationality or colour into our labour market, bypassing those who cannot participate in the labour market, perhaps through no fault of their own. People live in communities, not markets, and the marketplace is part of that community.

Denmark and the Netherlands are of similar size and population to Ireland and we ignore at our peril the social disintegration occurring in parts of their societies and the turmoil generated. These countries pursued the same shortsighted policies we are facing. They would advise us to examine what they did with guest workers rather than new citizens, with additional workers rather than contributors to society. Their employment focus was on performance in the workplace rather than family integration into the community and how the children settled in schools. If the children do not settle in school and do not learn the English to a degree of proficiency that enables them to qualify through the educational system they will not be able to participate in the Irish labour market when they come of age.

Denmark has had a similar experience. It had a generous social welfare system, to which everyone contributed, and low unemployment as we have. The unemployment protection system was a safety net, not a bed on which to lie. The children of foreign workers who failed to learn Danish and participate in the education system could comfortably lie on such a social protection system. This was their entitlement as residents and, in some cases, citizens. This created great social tensions in the country. If lessons can be learned from the two referenda on the European constitution, for which the Minister of State has considerable responsibility, social dissatisfaction was identified by internal commentators as one of the factors that led to the defeat in two countries. This was partly due to the failure to integrate immigrants into the society rather than the workforce. It is a lesson we ignore at our peril.

Many Irish people would love to work but they are forced to remain at home to mind children. This is not voluntarily chosen.

Dr. John FitzGerald of the ESRI has said the problem of child care provision in Ireland under its current format will get worse rather than better in the immediate short term of the next five to ten years, and I will explain the reason for that. According to the research done by the ESRI, invariably people who mind children in an informal economy are women without leaving certificate qualifications. They are older or under-educated women who help their sister, aunt or

[Mr. Quinn.]

whoever with child care. That cohort is declining in demographic terms as we speak and more women, as is evident from the statistics in the document produced, are entering the workforce at a child-bearing age. There will be a greater demand, therefore, from people within the paid workforce for child care and a drop in supply of those who would be available in whatever formal contractual arrangement that might arise to provide that child care. Those are the facts, unlike the fact Deputy O'Donnell attempted to put on the record making a prediction about something she had not even read.

We have identified, in our child care document published last week, the necessity to give parents choice. Unlike the Progressive Democrats, we say that a child care system must have at its centre the well-being of the child. We should enable parents to become parents. They should not be the servants of the marketplace but contributors to it. Those of us who have the privilege of being parents, and it is a privilege, must be able to use that time in as productive and careful a way as possible but this Government, with all the riches it has had over the past eight years, has blown it. The idea of giving somebody a grant to convert their garage into a play centre because it is in the private sector and there are no ongoing costs is short-term and failed policy because when that person decides they want to hang up their boots, the facility which we, the taxpayers, helped to create goes with them. Child care places should be centred on the primary school campus. There should be only one trip to school in the morning, with the pre-school provision and possibly space for the child care provision as well. All of that will cost a great deal of money and it will probably take about five years to implement. We should be honest with ourselves and the electorate in terms of what the roll-out is likely to be but if we do not do it, we will mislead them.

I want to highlight the complacency in this area, which is understandable given the spectacular figures for which some Members in this House can claim credit. In his contribution the Minister of State referred to the fact that 85% of the people in the 20 to 24 age group achieved upper secondary school level qualification and a majority of them achieved third level qualification also. Does the Minister or any of his colleagues in Government know what happened to the 15% who did not get past junior certificate level? Do we know where they are, what their prospects for getting a decent job are or if they can be contacted to invite them back into the work system so they can be educated? Until we can answer for 100% of children going through the system, we are not up to the task of what Lisbon is holding out for us. I will conclude with one final thought. The reality is that this Government and society has a greater and more accurate

up to date record of the health of our beef and dairy herds than we have of our citizens.

Mr. F. McGrath: I want to share time with Deputies Sargent and Ó Caoláin.

An Leas-Cheann Comhairle: Agreed.

Mr. F. McGrath: I welcome the opportunity to participate in this important debate on the Lisbon national reform programme. Before I go into the details of this issue, I want to set down two markers regarding the Lisbon proposals. We are all wasting our time if we fail to tackle, first, the issue of low pay and, second, social and political disadvantage. These must be the two core issues in any programme dealing with radical change in Irish society and in other countries. Integrated guidelines for growth and jobs must look after the weaker sections of society and narrow the gap between rich and poor.

Poverty and low pay should not be a reality in a country like ours, which has the lowest unemployment level in the European Union, the second lowest national debt and the highest investment on infrastructure. Despite these positive aspects in our economy, it is a scandal there are people on trolleys in our accident and emergency departments, children cannot get speech or occupational therapy services and young couples cannot buy a house of their own. We must address those fundamental issues but the large political parties in power for the past ten years have failed miserably to do so. Successive Governments have failed also to address the needs of our people. I challenge the Government on this issue. Our people are crying out for reforms and more effective use of the resources and wealth we have created in this society.

In parts of the northside of Dublin, for example, there are estates where 52% of children under the age of four are not prepared or ready for primary school. The day they start school, the odds are stacked against them and hence the urgent need for quality pre-school and child care services. That is referred to on page 39, section 463 of the report. I welcome the Minister to the House but we need action on those issues.

There is also an urgent need for investment. I recommend that children from disadvantaged backgrounds be prioritised in the roll-out of any new child care initiatives. There is a need for additional funding for community early years services catering for disadvantaged communities to adequately cover both pay and non-pay costs. This requires either a unified funding scheme under one Department or an integrated scheme set up between a number of Departments but with a single unified application and appraisal system. A distinct stream of funding should be developed for the development and provision of

all the school services, to include pay and costs. These are important issues in this debate.

In dealing with our priorities, I accept we must maintain a stable macro-economic environment, sustainable public finances and moderate inflation levels. I also accept we must remain alert to external risk factors, such as oil prices and exchange rate developments. We must also monitor the high dependency on construction sector activity which can provide a sharp shock to the system. We must also promote, protect and enhance competitiveness. I stress, however, we do not need a right wing economic agenda.

We also need to encourage greater innovation and entrepreneurship across the enterprise sector and continue to roll out reform. Above all, however, we must support social inclusion and sustainable developments. These are important factors and issues in this debate. We must also continue to achieve higher levels of employment, improved quality and productivity of work and social cohesion, which are important issues. We must focus on education and training, including lifelong learning to develop a high-skilled, innovative and adaptable workforce for the knowledge economy. We must also ensure an adequate labour supply to meet the economy's needs. I emphasise that we are talking about a society and not just an economy. These are the central issues of any strong economy and they are very important.

It is important also that when discussing the development of the country, particularly in regard to the EU, we must accept the reality that developing the peace process on the island of Ireland is an important strategy in terms of both the political implications but also the social and economic development of the island. I welcome the opportunity to participate in this debate but I urge the Ministers involved to target the resources to the most needy in our society.

Mr. Sargent: In Lisbon five years ago, the Taoiseach and the other EU leaders pledged to make the EU the most competitive and dynamic knowledge driven economy in the world by 2010. They also pledged, by 2010, to make "a decisive impact on the eradication of poverty" in the EU. Midway in this project the EU, and certainly the Irish Government, has proven to be far off the mark. Despite the EU's wealth, 68 million people are living in poverty in the European Union. Despite Government claims that all is well and that we are the second richest state in the EU, Ireland has the worst rate of relative poverty in the EU 25. Some 250,000 children in Ireland are living in poverty, the highest rate in the EU 15. The gap between rich and poor in this so-called prosperous land of ours has widened since 2000, not narrowed. In the competitiveness rankings, we are no better. The neo-liberal economic policies advocated by the EU and enshrined in the

failed EU constitution, favouring liberalisation, deregulation and privatisation, may be the policy path the PD-Fianna Fáil Government wishes to follow, but we should examine how these policies have attacked social cohesion. They have failed to achieve the Government's narrow-minded goal of raising Ireland in the competitiveness rankings. Ireland's international trade competitiveness has deteriorated since 2000.

The Government has an odd approach to countering this problem. When it is pointed out that Ireland has, once again, one of the lowest standings in the EU in infrastructure and social supports, the Government's argument is that our competitiveness would be harmed if such supports were given. A similar argument is made concerning environmental protection. When more stringent environmental measures are required for industry, the Government drags its feet in the name of competitiveness.

Last year, the enterprise strategy group told the Government that high environmental standards were a "competitive advantage", as well as being a "key factor in enhancing quality of life". Yet, we continue to be pulled into the dock by the EU for our failure to implement EU directives. While no pun is intended, I read in the newspapers that the EU has issued another warning over the failure to control pollution by ships. Five years ago the Government promised that legislation would be on the Statute Book to prevent such pollution, but no action has been taken.

Mr. Cowen: Has there been any maritime pollution since then?

Mr. Sargent: Yes.

Mr. Cowen: Was there?

Mr. Sargent: The Minister should not waste my time. I can give him chapter and verse about it afterwards.

Mr. Cowen: Process, not substance.

Mr. Sargent: The Government's failure to invest in social infrastructure must be challenged, not just on the basis of morality but also on the basis of logic. We should look at the example of Finland which has the most competitive economy in the world. I do not need to remind the Minister that the Greens have been elected and re-elected to government there. Finland also has one of the highest levels of social infrastructure. It has proven that it can support its workers and care for its poor, as well as providing decent health care and education to its citizens without jeopardising its economic health.

Ireland has one of the lowest rates of spending on social protection in the EU 15. It has also been shown that our pensions and social transfers have

[Mr. Sargent.]

little impact on reducing our at-risk-of-poverty rate. There is a vital need for rethinking in this Government in order to understand that we can be both competitive and caring. We can be innovative in industry and business, together with being innovative in our social supports and infrastructure.

The Green Party has long advocated and promoted the concept of the Irish economy thriving on high-tech, new industries, particularly in areas such as renewable energy. However, the Government has back-pedalled from the renewable sector and the departure of companies such as Airtricity bears testimony to that. This is in line with the Government's low standing in innovation and technology indicators where we languish when it comes to investment in research and development. In this area, we are light-years behind countries like Finland and Sweden.

Ireland is not alone in the EU in failing in the area of research and development. A recent study showed that a key goal of the Lisbon Agenda, to devote 3% of GDP to R&D by 2010, is seriously under challenge in that European companies have not raised their R&D spending in the past few years. Meanwhile, US and Asian companies have made major increases in such spending.

The Green Party notes that the Lisbon goals at mid-term are not receiving a good report card. The Government should stop shying away from embracing such models as those presented by the Scandinavian countries, particularly the Finns, who have shown up the myths driving the mean-minded Fianna Fáil-PD approach to social supports. The Scandinavians have also shown up the Government's paucity of imagination. The Government refuses to embrace environmental sensor innovation. A government can be green, competitive and caring, as has been proven elsewhere. Mark my words, unless economic activity starts to reflect the real costs of goods and services — for example, the embodied energy, resulting pollution and greenhouse gas emissions — the Government is creating a distorted economy that is out of sync with the earth's ecosystem. It is an economy that is destroying its natural support systems and job opportunities for many of its citizens in the future. The transition to an eco-economy is already under way in countries such as Denmark where there is a 50% wind energy target. Kyoto is no more than a promotion for the revolution which is underway in other countries. Those who anticipate and plan for the emerging eco-economy will be the winners. Those who cling to the past, like the Fianna Fáil-PD Government, will become a part of it.

Mr. F. McGrath: The Minister is not in Kerry now.

Mr. Cowen: We are not in Tuam anymore, unfortunately.

Caoimhghín Ó Caoláin: It is fitting that we are debating the Lisbon programme the day after the Irish Congress of Trade Unions has decided to recommend that its constituent unions do not enter negotiations on a new social partnership agreement. This follows the recent decision by the SIPTU conference and a clear upswell of dissatisfaction among union members over the shortcomings of the current deal.

This is relevant to the Lisbon programme because we are witnessing in this State, under the guise of social partnership, the implementation of the very policies that are central to the Lisbon strategy. The key phrase in all of this is competitiveness, a word that can, all too sadly, mean various things. In recent months, however, Irish workers have been left in no doubt what it means for them. Put in its starkest terms, competitiveness means more companies like Gama Construction and Irish Ferries. There are many more like them. Only in the past week I have been advised that a County Cavan employer is replacing local workers with non-nationals. The reason for this is the race to the bottom in which union organisation is destroyed and wages regress to the minimum. Sometimes, as we have seen too often, not even that paltry minimum is being paid by unscrupulous employers.

While Lisbon is dressed up in fancy phrases about business-friendly environments, fully-open internal markets, social inclusion and inclusive labour markets, the bottom line is to improve profitability by reducing labour costs. We are witnessing the creation in this State of large areas of economic activity in which employers are paying people low wages, often in conditions of employment that would not be tolerated by trade unions. Indeed, in areas such as catering and bar work, trade union organisation has been reduced to a minimum, if not eliminated entirely.

One of the main reasons that this holding down of wages is possible is that Irish employers now have access to tens of thousands of non-national workers, mainly from the new EU accession countries of central and eastern Europe, who are paid minimum rates of pay. As we have seen in some publicised instances — no doubt there are many instances which have gone unnoticed — such people are paid even less than the statutory minimum.

Placed against a reluctance — to put it mildly — by member states to ensure the social inclusiveness aspects of Lisbon are implemented, the strategy amounts to little more than facilitating employers in driving down wage rates and undermining workers' organisations. Non-national workers are seen as mobile and dispensable factors of production who are assumed to be content to put up with wages, work conditions,

accommodation and general social protections that are unacceptable to existing work forces.

The motivation clearly is not to bring non-national workers up to levels which are admittedly higher in this State than in the EU accession countries, but to bring Irish workers down to a lower level. That is the fear and the perception based on experience. I have just instanced a number of high profile examples. I am aware of similar cases in my constituency and elsewhere where unionised workers are setting their faces against any new social partnership deal that does not take those factors into consideration and which fails to incorporate measures that will guard against the type of abuses seen in Gama Construction, Irish Ferries and elsewhere.

The philosophy behind Lisbon is being used as an excuse to undermine hard-won working conditions and social protections of which we should all be proud. Sinn Féin believes in a Europe in which there is labour mobility, but a Europe in which all EU citizens are brought up to the highest possible standards, rather than one in which the interests of mobile capital are paramount. As currently framed, that is what the Lisbon strategy will mean. We oppose any moves towards privatisation, lower corporation taxes and lower wages in this State. We are certainly not going to lend our support to any strategy that will impose that drift over the entire EU and make it even more difficult for radical and progressive parties and Governments to follow a different course. In conjunction with the Nice treaty and the proposed new constitution, the Lisbon strategy represents another attempt to curtail national sovereignty in the interests of capital.

Minister for Finance (Mr. Cowen): The Lisbon Agenda, which was agreed at the Lisbon European Council in 2000, aspired to make the European economy the most dynamic and competitive knowledge-based economy in the world by 2010. The recent mid-term review of the strategy concluded that performance in regard to the Lisbon objectives had been disappointing and that an important aspect had been poor implementation of economic and structural reforms by member states. The implementation of reforms has not been fast enough and has not been comprehensive, particularly in the larger member states.

The Lisbon review concluded that a strong focus on growth and employment is necessary to preserve and enhance living standards and to contribute to sustainable development and social cohesion. The revamped Lisbon strategy attempts to improve implementation by increasing national ownership of the reform process, better focusing the strategy and improving its governance.

Caoimhghín Ó Caoláin: I do not wish to interrupt the Minister but is the text of his contribution available?

Mr. Cowen: Did Deputy Ó Caoláin make copies of his speech available while he was reading it?

Caoimhghín Ó Caoláin: I will happily give it to the Minister.

Mr. Cowen: I am happy to give a copy to Deputy Ó Caoláin when it is available.

Caoimhghín Ó Caoláin: I understood it was the practice——

Mr. Cowen: Deputy Ó Caoláin has the same obligation to me as I have to him.

Caoimhghín Ó Caoláin: I was not conscious of that but——

Mr. Cowen: Deputy Ó Caoláin is, actually.

Caoimhghín Ó Caoláin: ——if that is the case, the practice here would have been——

Mr. Cowen: The Deputy is, actually.

Caoimhghín Ó Caoláin: The practice here has been that when a Minister makes a substantive statement——

Mr. Cowen: If the Deputy listens to what I have to say in the way I listened to him, I will provide it for him.

Caoimhghín Ó Caoláin: There is no problem. I do not know why the Minister always adopts an argumentative position when I was only asking for a copy of his speech.

Mr. Cowen: Why does Deputy Ó Caoláin adopt an argumentative position?

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

Caoimhghín Ó Caoláin: Settle down, it will be all right Brian.

Mr. Cowen: I am fine. It is Deputy Ó Caoláin who is always argumentative.

Caoimhghín Ó Caoláin: The Minister should mind his blood pressure.

An Leas-Cheann Comhairle: Order, please.

Mr. Cowen: There is no problem with my blood pressure.

Caoimhghín Ó Caoláin: I wait for the Minister's civil response.

Mr. Cowen: I will arrange to have a copy of the script made available to Deputy Ó Caoláin, although he did not provide a copy of his speech for me. I do not see what is the big deal. I have something to say and I would like to say it. I am here 21 years.

Caoimhghín Ó Caoláin: It shows.

Mr. Cowen: It does show. I listened in silence to Deputy Ó Caoláin and I do not understand why I cannot be listened to with the same level of respect. I just do not understand it.

Caoimhghín Ó Caoláin: I will not respond any more. It is pointless.

Mr. Cowen: Thank you.

On foot of the review, the European Council agreed that in consultation with national parliaments and social partners, member states would prepare national reform programmes which would set out measures which are being taken or proposed in support of the priority objectives of jobs and growth. In particular, national programmes would address the need for increased investment in research and development in education, promote enterprise and innovation by reducing regulatory burdens, eliminating barriers to market entry and improving access to capital markets. It was agreed the national programmes would be geared to the needs of member states, allowing for the diversity of situations and policy priorities at national level. This would allow member states to take greater ownership of the process and secure increased support for government initiatives.

Ireland's national reform programme is in line with the Government's overall economic and social policies as set out in An Agreed Programme for Government and incorporated in the current social partnership agreement, Sustaining Progress. The programme also reflects the underlying premise of the Lisbon strategy, that progress on economic and structural reforms and the maintenance of sound public finances are interdependent. This has consistently been our approach also. The President of the European Central Bank, Jean-Claude Trichet, recently cited Ireland as a "magnificent performer" in regard to structural reform in the EU and eurozone economies. This is a significant endorsement of the Government's economic and budgetary policies from the President of the ECB.

The Government is committed to sustaining economic growth and maintaining full employment in the Irish economy in tandem with progressing necessary economic and structural reforms. The national reform programme reiterates the Government's commitment to the Stability and Growth Pact as the overall framework for budgetary policy. Ireland has consistently

adhered to the close-to-balance requirements of the pact through prudent budgetary planning.

The programme responds to the Commission's integrated guidelines for growth and jobs. It brings together a broad range of policies and initiatives, the implementation of which aims to sustain Ireland's strong economic growth and employment performance, as its overall contribution to the relaunched Lisbon Agenda over the period to 2008. It sets out the strong position of the Irish economy and illustrates the existing broad alignment of budgetary and economic policies with the Lisbon objectives. The healthy condition of the public finances underpins projected GDP growth of the order of 5% over the programme period to 2008. Public expenditure should not exceed the sustainable growth in resources in the future. This will facilitate the maintenance of a low burden of taxation, protect competitiveness and maximise economic potential.

Income tax policy has been aimed at maintaining full employment and strengthening and maintaining the competitive position of the Irish economy through reducing the tax burden on labour. The standard and top rates of tax have been reduced by 6% each since 1997. The reductions in the rates of tax have been accompanied by major reform of the income tax code, the move to a fairer system of tax credits, an increase in the value of the credits and a widening of the standard rate band. Taken together, these developments have reduced average tax rates and have helped to remove more of the lower paid from the tax net and to reduce the tax burden on those on average pay.

OECD data show that Ireland has one of the lowest tax wedges of the 30 member OECD countries. This provides strong incentives both for employers to hire more workers and for people to join the workforce and is reflected in the strong employment performance of the economy in recent years. There are now more than 2 million people in the workforce, which is an increase of over 400,000 jobs since 1997.

Public capital investment will continue to be a key priority for public expenditure in the medium term. The five-year rolling multi-annual capital envelopes for public investment introduced in 2004 contain a commitment to maintain public investment at or close to 5% of GNP or around twice the EU average to further reduce Ireland's infrastructural deficit. A new national development plan for the period 2007-13 will set out a new strategy for economic and social public capital and human capital investment, including research and development, when the current plan expires at the end of 2006.

A key concern in the Commission's guidelines is the safeguarding of the economic sustainability of the public finances in view of the projected costs of aging populations. Member states and the EU institutions have been taking steps to respond

to the aging challenge. At national level, important reforms of pension systems and of early retirement arrangements have been launched in several member states. At EU level, macroeconomic policies offer a path towards stability and sound public finances which should put member states in a better position to meet future spending increases. Ireland is in a relatively favourable position with regard to meeting the economic and budgetary challenges of an aging population. Our ratio of general Government debt at the end of 2005 is forecast to be just over 29% and is expected to remain below 30% in the medium term, among the lowest in the euro area.

The importance of sustainability has become ingrained in Ireland's policy making process. A wide range of policy initiatives have been implemented in this regard in recent years. These include timely anticipation of the costs of aging by the setting aside of 1% of GNP each year for the national pensions reserve fund with the aim of pre-funding in part the future budgetary cost of social welfare and public service pensions. The fund's value at the end of June 2005 was about 10% of GNP.

The programme also describes reform in the area of public service pension provision, the national pensions review, tax incentives for private pension provision and issues related to the financing of long-term care. It notes the Government's concern to ensure the adequacy of the old age pension rates as evidenced by increases since 1997 of over 80% in a period during which prices increased by 31% and industrial earnings by 51%. The Government is committed to increasing State social welfare pensions to €200 by 2007.

Our economic fundamentals remain strong. Ireland continues to enjoy low unemployment, high rates of job creation, rising incomes, budgetary stability, low inflation and buoyant economic growth. After increasing by 4.5% in 2004, GDP growth is projected to accelerate to 5.1% this year with domestic demand the main engine of growth. Higher oil prices are a risk, both for the international economy generally and for Ireland. Our best response to them is to maintain our competitiveness. That means we must keep our price and wage inflation in line with our international peers. Developments regarding competitiveness remain a cause for concern. Over the past number of years our competitive position has worsened due to increasing domestic costs and to the appreciation of the euro exchange rate. Regaining competitiveness is a key challenge for the Irish economy, particularly with the recent enlargement of the European Union and the emergence of other world economies.

The Government is committed to improving competitiveness and to enhancing the conditions for economic growth through further structural

reform of product, capital and labour markets. As indicated in the programme, the overall strategy is focused on maintaining budgetary stability and competitiveness. In parallel, we will continue to address certain areas where significant improvement is still required, such as the acknowledged infrastructure deficit and the need for significant expansion of research and development capacity and investment. This overall strategy will also be shaped by other key policies, such as ensuring a sustainable environment and the pursuit of continued improvement in key areas of social inclusion.

The pursuit of competitiveness is not an end in itself. Our approach also emphasises the reciprocal relationship between competitiveness and social inclusion, whereby competitiveness helps to generate the resources to enhance social inclusion while increased social inclusion enhances competitiveness.

Globalisation is a major issue for Europe. Driven by lower communication costs, reduced barriers to trade and the emergence of China and India, this process is likely to intensify further. This will create many benefits for the European Union. However, it will also entail significant challenges and therefore the European Union must improve the flexibility of its markets and enhance the incentives for enterprise and innovation if it is to respond to globalisation and achieve its objectives regarding jobs and growth.

Europe can no longer afford to wait because what is different five years on is the added sense of urgency. On the policy responses for the European economy, ensuring macro-economic stability is a key requirement in reducing uncertainty and providing the basis for future prosperity. This includes putting public finances on a more stable, sustainable footing to meet the long-term demographic challenges facing our economies. I stress the need to press on with structural reforms needed to boost EU competitiveness. This is particularly important in the context of both volatile oil prices and exchange rate developments.

The national reform programme reiterates the Government's commitment to maintaining a strong performance on economic growth and full employment in the Irish economy as the basis of continued prosperity and enhanced living standards.

Mr. Nolan: I welcome the opportunity to speak on this motion. At the spring European Council, held in March, the European Heads of Government agreed to refocus the Lisbon strategy on jobs and growth. Given Ireland's record regarding job creation and growth levels over the past ten years, there was not much need to point the finger at it in terms of bringing forward a reform programme therefor.

A central part of the new approach in achieving the Lisbon goals is the preparation of a national

[Mr. Nolan.]

reform package by each member state. Although a deadline was set for the preparation and submission of these programmes — they were to be returned by 15 October — many member states, including Ireland, notified the Commission that they would not present theirs until 28 October. The preparation of Ireland's national reform programme has been co-ordinated by the Department of the Taoiseach with the help and input of other major Departments. I am pleased to note the social partners have all been consulted on the text of the report.

The revamp of the Lisbon strategy was considered necessary for a number of reasons, as outlined by the Minister for Finance. Insufficient progress has been made in reaching the Lisbon objectives. Although EU productivity levels were growing faster than those in the United States for five decades, they have been lagging behind since 1996 and are now far inferior. Labour productivity in the United States is now growing twice as quickly as it is in Europe and consequently the relative levels of wealth have also started to slip.

I suppose the European Union is in competition with the United States and we have been slipping further behind in the past few years. Europe is not investing enough in a number of areas, particularly in research and development. The United States spent approximately €100 billion more than the European Union on research and development last year. This will have to be addressed. In the United States, 32% of the population has a university or third level degree whereas the corresponding figure in the European Union stands at only 19%. The percentage receiving third level education in Ireland is increasing significantly. However, given the Union has extended to include 25 countries, the average percentage will slip even further in comparison to the figure that obtains in the United States. These trends, if not addressed, will drag down the potential growth rate in the European Union to a figure slightly over 1%, which is one third of the Lisbon objective of 3%.

The recent report by the Central Bank, while not glowing in its outlook, is not negative. It states Irish growth for this year is projected to be 4.5%, which is well ahead of that of our European partners. However, given that our economy is so small compared to that of the European Union as a whole, a growth rate of 4.5% would be diluted significantly when compared to those of some of our EU partners.

The Central Bank has also highlighted weak export performance over recent months. Increased dependence on the construction industry has also been highlighted. In talking about the Lisbon Agenda, one must be mindful that the construction industry has been the driver of economic growth and increased employment in

Ireland in recent years. This is outlined in the report.

The external environment looks reasonably positive, if somewhat uncertain. The significant increases in oil prices have certainly caused some wobbles in the international economy. The recent bad weather, which has hit the United States in particular, has also caused some problems but, all in all, the world's economy seems to be performing reasonably well. The picture seems to be less favourable in Europe. We have been told the UK economy is slowing down and that growth remains modest in some of the other European areas. These areas and the United Kingdom are significant trading partners for Ireland and therefore they will have an impact on its economy.

Ireland's national reform programme has been set out by the Government. The Government and the Taoiseach's office have outlined the need to secure economic stability, promote the effective and efficient allocation of resources and contribute to a dynamic and well-functioning monetary union. Also highlighted are the requirements to extend the Internal Market, ensure open and competitive markets and create a more attractive business environment. Improvements have taken place in respect of the latter requirement over the past five years, partly due to our low tax regime. I encourage this low tax regime and hope the Government will retain it in the upcoming budget.

We have become very cost-competitive, which has attracted much inward investment. The environment still remains attractive to foreign companies. While labour costs have increased somewhat and certain companies that have invested in Ireland in the past 15 years are relocating abroad, we still have almost full employment, for which the Government must take credit.

The Government has also recommended the promotion of a more entrepreneurial culture and a supportive environment for SMEs. We have a thriving SME group. The work of county enterprise boards in encouraging young entrepreneurs is welcome. Their establishment ten or 15 years ago, and the investment and support they receive from the Department of Enterprise, Trade and Employment are positive developments. Long may they continue.

We have fallen behind in research and development and must increase and improve our investment in this area. This is true in general of the European Union. The Minister and Government must focus on contributing to strengthening our industrial base which has weakened in recent years.

The integrated guidelines proposed by the Department include implementing policies aimed at achieving full employment and improving quality and productivity at work. Our productivity, which industrialists study when looking for scope

to set up an overseas base, lags behind that of the United States.

We also need to improve the matching of labour market needs to expand and improve investment in human capital. While that has improved recently we need significantly more. We must also adapt educational and training systems in response to new competence requirements.

The work of third level institutions in these areas is welcome. Many institutes of technology, in particular, are adapting their courses to suit the needs of industry through increased contact with industry and commerce. For far too long the system whereby the Department of Education and Science set down the courses and syllabi for the institutes was too rigid. Only in the past five or six years have we begun to tailor courses to suit the needs of industry which has improved job creation, particularly in rural areas. It has also improved the potential for graduates to find jobs locally.

I welcome this debate and commend the Government's guidelines.

Mr. McGuinness: Prior to being elected to this House I was involved in business. At that time the economy was neither as advanced nor as developed as it is today. Then, businesses were put to the pin of their collar to repay bank loans at rates rising occasionally to 20%. Since being elected I have seen major improvements in the economy, due in no small way to the successive Ministers for Finance since 1997 who provided for the micromanagement of the economy and ensured the environment was right to develop business and jobs. As a result of that significant growth many people are returning to work here instead of young people, educated to the highest level here, being forced to leave.

The Lisbon Agenda and this debate are timely and significant. While Ireland leads other economies and exemplifies best practice in defining and developing an economy and ensuring all boats rise with the tide of development, it can in turn set the pace of change in the Lisbon Agenda.

Our national reform programme, due to be completed by 28 October, should highlight several issues. The businesses that increase jobs and provide the services required by an expanding economy are essential to social partnership. There is a lesson for us in this. For example, it is extremely difficult to get delivery of a connection for a new business or an electricity pole outside one's premises. The private sector must begin to deliver services as quickly as the economy requires.

The same applies to telecommunications and information and communication technologies. That sector drives almost every other aspect of job creation and change in education, yet prob-

lems such as unbundling of the local loop and the availability of broadband remain. Despite the sums invested by the Government in this area there is a significant deficit in the availability of broadband throughout rural Ireland, whether through fibre-optic cable or wireless. In some cases that service is unobtainable for business purposes as well as domestic use. That is not good enough for our leading economy in the context of the Lisbon Agenda and best practice for many types of jobs and educational courses. The private sector urgently needs to develop ways to deliver its services to the economy more efficiently than it does.

In the United States, Professor Nicholas Negroponte made a significant difference to the changes effected by then President Clinton in the ICT area, even if it was only to set the pace or the trend. We can do much in this area because we are a leading exporter of software. Many innovative people here are anxious to develop ICT.

Private industry and Government need to co-operate on developments in science and technology. We must consider our educational structures to ensure they devote significant attention to science and technology and develop research and development as much as possible.

We must also examine how the concepts within the social economy are set out and managed. Trinity College devises programmes which are used by those involved in social economy programmes, community projects and homework clubs. We do not pay enough attention to ensuring that young people in marginalised areas, such as we have in all our constituencies, are enabled to complete second level education and have the opportunity of going on to third level.

In the context of this report and what is being said with regard to the Lisbon Agenda, reference is made to the fact that there are many more third level graduates elsewhere and that education to third level should be made available in Ireland on a much wider scale. NUI Maynooth offers courses which are available in Kilkenny from the lecture centres in Maynooth. Outreach courses are available through St. Kieran's College in my constituency of Carlow-Kilkenny. However, every report I have seen, whether from a chamber of commerce or those interested in education, highlights the fact that there is no significant presence of third level colleges in the regions.

To correct that, Waterford Institute of Technology, for example, should be classified as a university. We have seen efforts made by the institutes of technology in Carlow and Waterford to have outreach centres in their nearest urban centres. In the south-east region the chamber of commerce continues to point to a third level education deficit. I would like to see that rectified as part of the micromanagement of the regions and their economic needs. It is no longer all about

[Mr. McGuinness.]

urban centres. If communication technology tells us anything, it is that even in the remotest parts of any country or society, the types of courses now available from universities through technology should be made available to ensure that everyone has the opportunity to avail of economic benefits, to get their education, to improve their skills and to move on. How the EU develops the third level education area needs to be dealt with in the context of Europe's attitude to its member states.

Third level education in the south-east region is essential in the context of the businesses which already exist there. We must consider how IDA Ireland looks at job creation and technology. We have moved significantly away from manufacturing. Most constituencies have had the experience of a manufacturing company siting itself elsewhere because of low costs. We need to replace those jobs with jobs which are higher up the food chain, so to speak, in the context of income. IDA Ireland should change its policy with regard to the sites it owns and ensure there is a wider remit in terms of how it attracts businesses. We now see financial services established throughout the regions, and they need to be supported.

I acknowledge the efforts being made by the Department of Enterprise, Trade and Employment through the fund now available for companies to improve staff skills and ensure that the programme of ongoing education and training is available.

Ms C. Murphy: I wish to share time with Deputy Boyle. I want to concentrate on the element of the document referring to fostering family-friendly workplaces. This focuses on women returning to the workforce, which they are doing in ever increasing numbers. Clearly, people power put this issue much higher on the agenda when it was raised last March in the by-election campaigns of Meath and Kildare North. I hope we will see a response to that in the budget, because such a response is urgently needed.

Another issue does not seem to attract the same level of attention. People, mostly women, who take perhaps two or three years out from work when their children are young face a major disadvantage on their return to work. It is almost as if they are required to start at the bottom of the ladder in that very little note is taken of the experience they had prior to taking time out to care for their children. Some consideration needs to be given to incentivising the return to work, particularly where people have not been documented as long-term unemployed, as many of these individuals have not been. I regularly hear that they are seen as some sort of economic entity which has disadvantaged itself because the people involved have stepped out of the workforce. They should be viewed as having added benefit because at the times of most pressure in their

lives they took time out to care for their children when they were very young.

A section of the document speaks of an infrastructural capacity and planning policy overcome through an effective NDP that sharply diminishes the infrastructure deficits which add to economic and social costs. That was in regard to transport, and the word "sharply" struck me because I have seen nothing sharply done in the area of public transport over the past ten years. It is an issue with which we must get to grips. For example, the AA has estimated that congestion costs in Dublin alone were in the region of €600 million last year. The AA might have quite a lot in common with our Green Party colleagues on that point.

I was one of a number of people who campaigned to have the Maynooth train line service doubled. That line goes through a catchment area of 250,000 people. It is not insignificant and was funded when the proposed third Luas line fell off the tracks, so to speak. So successful is the Maynooth train line that we are now talking of getting the train personnel from Tokyo, wearing their white gloves, to squeeze people onto the train because it is so packed.

We must get to grips with this issue if we are not to ask people to spend many hours in their cars, which is clearly unsustainable for the future.

Mr. Boyle: I wish to share time with Deputy Ó Snodaigh. The Lisbon Agenda, as first articulated at the original Lisbon summit, consisted of just two pillars, a knowledge-based economy and the need for social inclusion. The third pillar, added as an afterthought, possibly after the end of the Portuguese EU presidency, was that of sustainable development. When we discuss that issue, it is usually thought of and talked of as an afterthought, but as far as the Green Party is concerned, the development of any society or economy which is not carried out in a sustainable manner is not worth considering.

The problem with the Lisbon Agenda is that it is predicated on a number of economic indicators which are themselves flawed. We know that the simplistic economic indicators of gross domestic product and gross national product can be made to rise under quite artificial circumstances. For instance, the number of road deaths is a contributing factor towards the growth of GDP in any economy and society. One of the real failures of the Lisbon Agenda has been its inability to come up with proper indicators as to how a society within the context of the European Union can be measured in terms of health, wealth and well-being. At the time of this mid-term review, it would be better for our Government, rather than engaging in self-congratulations, to engage in a real debate with its European Union partners to introduce these better types of measurements so that we can measure how well we are doing as a

nation and how well the European Union is doing with its own goals.

The Lisbon Agenda puts forward a set of goals to be achieved by 2010. Unfortunately, in any EU-wide context, and even in an Irish context, many of these goals will not and cannot be reached, most importantly the need to increase research and development as a percentage of GDP. It is hoped to reach 3% at the European level by 2010. Currently, the Irish proportion, at 1.65%, is just over half that.

If in the next five years we reach the required level, that would put the types of increases some have us have been discussing with regard to overseas development aid into context. Overseas development aid is to increase from 0.4% to 0.7%, a target which the Government says will be reached by 2012. That is only 0.3% of GDP, yet to achieve the necessary increases in research and development, we will have to increase our current investment by approximately 1.5% of GDP. That is a huge sum and one which I do not think this Government is prepared to bridge.

The unfortunate reality is that most of the research and development conducted in this country is carried out by companies which came here through foreign direct investment and not enough is being done by indigenous Irish companies. Unless we get the balance right, I fear that when 2010 comes, our real contribution to the Lisbon Agenda will be negligible.

Aengus Ó Snodaigh: Cuirim fáilte roimh an deis labhairt in ainneoin cé chomh gairid is atá an t-am agam sa díospóireacht seo ar chlár leasú náisiúnta Lisbon. Chuala an Teach cheana ó mo chomhghleacaí, an Teachta Caoimhghín Ó Caoláin, a léirigh na torthaí diúltacha atá ann maidir le ceart agus le cosaint oibrithe de thairbhe an chláir seo, agus tá gnáth meon an Rialtais i leith tromlach ceisteanna soiléir sa chlár seo: go bhfuil brostú i gceist ar aon chostas ina dhiaidh competitiveness. Díreoidh mé isteach ar conas atá an clár seo ceangailte le hathrach don dul chun cinn ag leibhéal an Aontais Eorpaigh i leith chláir Lisbon.

The Lisbon strategy has been used to provide political justification for many anti-social measures across Europe, such as the privatisation of public services and utilities, cutbacks in unemployment and other social welfare provisions, punitive measures against social welfare recipients, the harassment of thousands into low paid and unsuitable work, pressure to reduce salaries and the weakening of regulations on business and industry on the grounds that they are anti-competitive.

With promises of partnership and lip service to social inclusion, many European trade unions and NGOs in the social field were brought on board the Lisbon strategy. However, with the re-launched agenda or new start for the Lisbon

strategy in February, the mask has slipped. The pretence of a social dimension to the original Lisbon strategy was jettisoned and the entire focus of the new start, as reflected in the Government's Lisbon Agenda national reform programme is on growth and jobs. Environmental, employment and social legislation under the reformed Lisbon strategy is to be assessed to ensure it does not decrease the competitiveness of business and industry. Progress in Europe will be benchmarked against the US and emerging economies in Asia rather than against the achievement of greater equality and work life balance for all.

From the beginning, the Lisbon strategy has been fundamentally flawed and has had the effect of leading to greater inequality and job insecurity across Europe. Today in the European Parliament, the Commissioner for Internal Markets and Services, Mr. McCreevy, effectively promoted social dumping and confirmed that the EU will oversee the undermining of social protections and workers' rights. It is no surprise that the national reform programme proposed by the Government is a carbon copy of its European equivalent.

Mr. Carey: It appears that, while nuances on this issue differ, most speakers share a broad consensus. We are bedevilled in terms of the Lisbon process because we unfortunately discuss only the mantra that Europe will become the most knowledge based and competitive economy in the world by 2010. That has not and will not be achieved.

The Barcelona process also has laudable objectives but the Lisbon process was cherry picked by, as Deputy Ó Snodaigh noted, those who look for the complete liberalisation of the social model we painstakingly built and who race to the bottom with regard to social protection. The Lisbon Agenda includes much more, if people take the trouble to read it. It is unfortunate that directives such as the services directive arose from the agenda but other aspects have not received attention.

The Minister of State, Mr. Treacy, and other speakers outlined a comprehensive list of measures which, if we have the courage to implement them, will result in a more competitive and inclusive society. We could develop a system closer to the Scandinavian than the Mediterranean model that some would like us to have.

The European Union today is a model of political and economic co-operation unprecedented in world history. It is four times the size of its original membership, has competence in a broad range of domestic and international policies and clearly has not been a static institution. While it may be easy make use of 20-20 vision in hindsight, if we had the courage to allow the ten new accession countries to bed in and create a new dynamic in the enlarged Europe, I suspect we

[Mr. Carey.]

would now have a more balanced model of social and economic development than the one we are in danger of having.

European leaders faced a changing reality in March 2000, which came about from increasing economic competition from the US and Asia in tandem with an aging and declining European population. It was in this new reality that the European Council in Lisbon set out a ten-year strategy to make Europe the most competitive and dynamic knowledge based economy in the world, capable of sustainable economic growth with higher employment, better jobs and greater social cohesion by 2010. Despite the fact that the target date has slipped, the objectives remain laudable and should be realisable.

It is clear the Lisbon Agenda has begun to bring about tangible benefits in our daily lives. The strategy has strengthened the EU's economy and is driving job creation alongside social and environmental policies that ensure sustainable development and social inclusion. However, today's reality is that if we are to meet our goals in 2010, which I do not think is achievable, more needs to be done now. The challenge is to see further policy implementation and increased energy in delivering the policies that will increase competition and job creation in a more sustainable way. Risks exist in rushing headlong into the issue of increased employment, such as the issues which arose from the Irish Ferries debates. We do not need to put this on our agenda because we have a model which demonstrates we can have increased employment and better jobs without joining the race to the bottom.

The programme is significant and its thrust reflects the commitments already outlined in the programme for Government and agreed to under the social partnership agreement. Earlier today, Deputies Naughten, Upton, Mulcahy and I discussed with a group of Welsh students how Wales might achieve the success they perceive in Ireland. We noted the influence that our social partnership model had in terms of delivering substantial progress and developing our economy since the 1980s. That influence should not be forgotten. We correctly place a high value on social partnership and the idea that we can only revitalise our economies and increase employment if we involve all of the stakeholders, including Government, Oireachtas, social partners and civil society. The Government and social partners recognise that international competitiveness is a necessity for income increases and social protection. They have worked together to promote complementary strategies for change, which in turn are reflected in clear national policies and objectives. This programme is no different. On a day when the Irish Congress of Trade Unions paused to reflect on whether it would enter into the new round of talks about the next round of social partnership

agreements, it is wise that it and others would consider the balance of advantage that has been achieved for this society by the social partnership model. There are ways it can be tweaked. Not two programmes for social partnership have been identical. There have been add-ons and refinements, all of which have greatly benefited Ireland and its people. Notwithstanding the unrest in An Post, the danger liberalisation and globalisation present to such entities and the issues around Irish Ferries, which are a cause for concern to those who work in those enterprises, the balance of advantage lies in our continuing with that social model.

I welcome that the programme aims to encourage greater innovation and entrepreneurship across the enterprise sector. I heard Deputy McGuinness refer to that sector. I welcome initiatives promoted by the universities, the institutes of technology and organisations such as FÁS. I also refer to initiatives such as the academy for entrepreneurship in Citywest Business Campus launched by the Taoiseach yesterday, which will be linked with Dublin City University, based in my constituency, which has a record for innovation and promoting entrepreneurship. Such initiatives need to be replicated across the island if we are to have sustainable development.

Social inclusion is an important area to consider. The Government must work harder and invest more in early childhood education and in child care provision. I do not say that because I want every person who can to go out to work but rather because I want a better and more cohesive society. I want more investment in education to ensure there are fewer early school leavers.

It is great to note that the level of participation in third level education has increased in my constituency from 14% to 27%, although Deputy McManus will probably point out to me that I objected to the abolition of third level fees at the time. While I did and still have reservations about that as a policy measure, I am prepared to admit that I am not always right. More investment in education, more diversity in education provision and encouraging people to participate in adult and continuing education sector is the way we will achieve a balance under the Lisbon agenda reform process.

Minister of State at the Department of Foreign Affairs (Mr. Treacy): I sincerely thank my colleagues for their contributions to this debate. While we may not see eye to eye on everything, I believe there is broad consensus among us on the overall goals of the Lisbon agenda and on the particular priorities for Ireland.

We are at an interesting time on the European journey. On the one hand, the results of the referendum in France and the Netherlands on the European constitution are evidence of the need to

make Europe more meaningful to the man and woman on the street. At the same time the member states must work together to address globalisation. Failure to do so risks holding back or undermining economic and social progress in Europe.

I would like to respond to some of the issues raised by various speakers. Deputy Neville spoke about his experience in the food industry and about product development. The firm programme operated by the Department of Agriculture and Food has led to the development of third level centres of excellence in food research, the delivery of a highly qualified cadre of post-graduate and doctoral researchers and innovative research outputs with food safety and commercial outcomes. The model of competitive international co-operation, where excellence and collaboration are required to secure funding, the independent evaluation process and restriction of grant aid to high quality projects has yielded first class research and increased capacity and capability in food research at third level.

Deputy Neville also referred to broadband delivery. The Government has assumed a leading role in driving broadband delivery and has devised a programme of phased, targeted investment. It has put in place several initiatives to assist the private sector to address the existing gaps in communications infrastructure and services in urban and rural areas throughout Ireland. The Government is doing its part and telecoms providers need to do their part.

In response to Deputy Quinn's point, I agree that we must do more on research and development. The reform programme includes a detailed annex specifying a range of acts and initiatives to improve our research and development performance. This annex runs to some eight pages. The measures outlined will be further added to when the Government adopts an implementation plan on research and development which is currently being finalised.

Deputy Quinn asked a key question about who is in charge. The Department of the Taoiseach, through an excellent staff, is co-ordinating the national reform programme in line with the new approach of a single integrated document and drawing up the overall agenda but the bulk of the specific issues to be tackled fall under the remit of the Ministers for Finance and Enterprise, Trade and Employment. Many other Departments and agencies are responsible for specific elements and initiatives. It is critical that all those involved, including the relevant Ministers, understand the importance of the Lisbon goals and our national priorities. The Taoiseach has asked me, as the Minister of State with responsibility for European affairs, to lead to the overall co-ordination, which I am pleased and honoured to do. The European Commission has a task force based in the secretariat general and it is drawn from

several services, all reporting directly to President Barroso.

In response to Deputy Finian McGrath's point on international comparisons of Ireland's expenditure on social protection, in recent newspaper reports comparisons are based on a percentage of GDP, but this does not allow accurate comparisons to be made with other EU member states because GDP is much higher than GNP in Ireland due to our open economy and higher number of multinational companies.

The relaunched Lisbon agenda strikes a good balance between mapping out the overall goals and, at the same time, letting each member state decide on the policies and measures appropriate for its own particular circumstances. That is welcome, provided that each member state selects and implements policies which foster and underpin economic growth, create more jobs and, ultimately, contribute to a richer quality of life for all of the citizens of Europe.

This last point is important. The emphasis on jobs and growth is not, by any means, to the exclusion of sustainable development or social inclusion. These are two critical elements of overall policy not only at EU level but at national level. While they are specific programmes and fora in their own right, they also form an important backdrop to policy setting for both jobs and growth.

I would like to reiterate some of the key priorities Ireland will pursue over the next few years under the new Lisbon programme. We will continue to manage the public finances prudently and pay close attention to competitiveness generally across our economy. We will strive to provide an environment where enterprise can flourish and consumers are protected, building further on our recent progress in research and development, particularly by adopting and implementing a new strategy to underpin the Government's research and development action plan. We will work hard to support enterprises to become more innovative and knowledge-based. We will put in place a new national development plan for the period from 2007 to 2013 and will shortly announce details of a new ten year plan for transport to be implemented across the country. We will press ahead with our ambitious but necessary regulatory reform programme. We will encourage the sustainable use of resources and strengthen the synergies between environmental protection and growth. We will continue to provide a range of measures to support people seeking to enter the labour market and those already in it who wish to improve their skill levels while ensuring that labour market policy contributes to making our economy more knowledge-based and innovation-driven. We will codify work permit arrangements, improve protections for migrant workers and allow for a new green card system to contribute to overall labour supply in Ireland. We will con-

[Mr. Treacy.]

tinue with our programme of specific measures to combat long-term unemployment.

Mr. Rabbitte: The Deputy will need a break after all that, as it is a very heavy schedule.

Mr. Treacy: I am delighted to see Deputy Rabbitte.

Mr. Rabbitte: That is a very heavy schedule.

Mr. Treacy: He could not be here at a more appropriate time. We will continue to invest in our education system, promote greater participation at all levels and implement the national framework for the development of lifelong learning. We will implement a national reform programme over the next three years——

Mr. Penrose: The Minister of State's time is exhausted.

Mr. Treacy: ——that builds on our strengths, improves on any remaining shortcomings——

Dr. Twomey: And everybody will live happy ever after.

Mr. Treacy: ——and keeps Ireland at the forefront of building a competitive Europe with strong economic growth and employment for all in Ireland and elsewhere in Europe.

Dr. Twomey: That is Utopia.

Private Members' Business.

Health Services: Motion.

Ms McManus: I move:

That Dáil Éireann:

- notes that over a year has passed since the Tánaiste became Minister for Health and Children and that since her appointment the problems in the health service, in particular for emergency patients, has actually deteriorated;
- records with regret the unnecessary death of Mr. Pat Joe Walsh at Monaghan General Hospital;
- deplores the abject failure of the Tánaiste and Minister for Health and Children to ensure delivery of her ten point plan to resolve the accident and emergency crisis;
- recalls that the Tánaiste and Minister for Health and Children said on 25

January 2005 that the accident and emergency crisis was a litmus test for her and for the Government;

- expresses its concern at the continuing serious overcrowding in accident and emergency units, which reached unprecedented levels during the summer months and notes that according to the Irish Nurses Organisation (INO) as recently as 11 October there were more than 300 patients on trolleys;
- recognises that, despite the Tánaiste and Minister for Health and Children's promise that there would be significant improvement by this autumn, 378 patients in the main Dublin hospitals are still inappropriately occupying acute beds and waiting times for accident and emergency patients have increased; and
- acknowledges the deep public anger at the massive waste by this Government in the health service amounting to hundreds of millions of euro on botched projects like PPARs and FISP;

calls on the Taoiseach and the Tánaiste and Minister for Health and Children to:

- accept political responsibility for the delivery of health services;
- deliver on their promises in regard to the accident and emergency crisis;
- open immediately all outstanding hospital wards and facilities;
- develop as an urgent priority, community nursing units to relieve pressure on the acute hospital sector;
- re-balance the incentive system that is creating a dearth of GPs in areas of disadvantage and adding pressure to accident and emergency departments;
- ensure supports are put in at community level so that patients can be cared for in, or close to, their homes; and
- tackle the worrying rise in MRSA infections effectively.

I propose this motion on behalf of the Labour Party. It is a record of the failure of the Minister for Health and Children who has been in office for over a year. It is also a template for action which the Government should adopt but which it will, as so often before, choose to ignore. The Tánaiste's appointment as Minister for Health and Children was warmly welcomed. She was seen as a straight talker, one who would get the job done after the lamentable record of her predecessor whose main achievement was to com-

mission 143 reports and working groups. When action was needed the previous Minister, Deputy Martin, gave us promises. Later we learned he did not even meet the basic duty of a Minister which is to keep himself or herself informed and to read a brief. His failure cost the taxpayer millions of euro and yet with the support of the Taoiseach and the Tánaiste he has successfully evaded any responsibility for that debacle. A year on the public is coming to understand that far from making the position better the Minister for Health and Children, Deputy Harney, has presided over a deterioration in the health service. Her promises have acquired the same hollow ring as those of the previous Minister, Deputy Martin.

It is worth reminding ourselves that the Minister, Deputy Harney, said at the beginning of the year:

People will judge our health services by accident and emergency services. The Government will also judge our health reform programme by whether it makes measurable improvements in patients' health care experience, including their experience of accident and emergency services. I have stated that long waiting times at accident and emergency departments are not acceptable to me or the Government.

These were brave words but they have turned out to be absolutely worthless. Despite the promises by the Minister, Deputy Harney, the accident and emergency crisis has got worse. We know from figures released by the Health Service Executive that the average number of people waiting for admission to the Mater Hospital in Dublin for more than six hours has risen by an extraordinary 70% between September 2004 and June 2005. The long waiting times in accident and emergency units have, in reality, got significantly worse since the Minister, Deputy Harney, took over.

The waiting times are longer and the number of people waiting is greater. On 18 November 2004 on the day when the Minister, Deputy Harney, announced her ten point plan to address the crisis in accident and emergency units there were 163 patients waiting in trolleys in accident and emergency units. Almost a year later, on 11 October 2005, the numbers reached a staggering 321. The CEOs of the main Dublin teaching hospitals recently described the position in their accident and emergency departments as chaotic. Dr. Aidan Gleeson, accident and emergency consultant at Beaumont hospital, has said that having 40 patients on trolleys is not unusual and that the position is worse now than last year.

Last year the Minister, Deputy Harney, said she expected real and measurable improvements to take place in the coming months in the delivery of accident and emergency services. The months have come and gone and the only change in accident and emergency services is a worsening of a

situation that was already almost unbearable for too many patients.

In the case of one emergency patient his wait ended horrifically. At Monaghan General Hospital while staff looked on helplessly, Mr. Pat Joe Walsh bled to death because our health service was unable to provide him with the straightforward emergency surgery that he needed. People are deeply shocked by what has happened to this man. One letter printed in the *Irish Independent* encapsulates the feelings of revulsion and dismay that his death has engendered in all of us. It reads:

What use is all our money, all our technology, all our positive economic and government spending statistics and this nebulous and indefinable 'feel-good factor' when Patrick Walsh, may the Lord be good to him, is now nearly a week dead from a thoroughly preventable and treatable problem?

What good is it that a family has lost a loved brother, uncle and friend and these people can get no answer to this needless death, no explanation as to what went wrong, no explanation as to why our health care system in the North East failed so spectacularly, and for them so tragically? . . .

Why do the Walsh family, the people of Monaghan, and indeed the taxpayers and citizens of Ireland see only blank faces when they ask the pertinent questions as to the overall political thrust driving the management of the health system in this country?

Why do they hear only hollow expressions of sympathy . . . and calls for the issue not to become a political football? Surely the governance, performance, financing and management of one of our biggest areas of public spending — health — is a very political matter that deserves vigorous and probing debate.

In response to this tragedy the Taoiseach said in the House, "It is sad when anyone dies but it is wrong to intervene politically." In reply to Deputy Connolly's questions, the Tánaiste reverted to her timeworn and threadbare defence that it was a matter for the Health Service Executive.

Such abdication of responsibility is the hallmark of a degenerate Government that has only one goal and that is to cling to power at any cost. Health care, as the letter writer has said, is an intensely political issue and the needs of the health service demand good political leadership. Instead we have a Taoiseach who does not have the vaguest understanding of those needs and a Tánaiste who is now setting about to use the health service as a testing ground for her ideological views. Her solution is to hand over large chunks of the health service to the private sector for-profit companies who cannot believe their luck at the money to be made at the taxpayers' expense.

[Ms McManus.]

When she took office the Minister for Health and Children set the measure by which she would be judged. She said, "Accident and emergency services is a litmus test for me, for the Government and for the people of our country". Those were her words, not mine. She invited us to judge her by accident and emergency services so she cannot complain now when the public judge that she has failed abysmally. Her ten point plan promised minor injury units, chest pain clinics, respiratory clinics, acute medical units and direct access for general practitioners to diagnostic services, none of which has materialised. By this September three of the Dublin hospitals worst hit by overcrowding at accident and emergency units were still waiting for the go-ahead for these new units, nine months after their announcement. In another example, general practitioners are waiting seven months to have a mammography and ultrasounds done at Sligo General Hospital. A consultant radiologist at the hospital expressed herself as embarrassed about the situation. In marked contrast the Minister for Health and Children appears incapable of being embarrassed by anything that fails, and so spectacularly fails, within her remit.

Foolishly, the Minister rammed through the start-up date of 1 January 2005 for the establishment of the Health Service Executive. Her lack of preparation for change has led to an unholy mess of administration across the country which was epitomised by one assistant chief executive officer who complained wistfully that since this change of regime he has had six different job titles. As serious and more corrosive to good government is the fact the Minister, Deputy Harney, has stripped out every bit of accountability from the health service. With the demise of the health boards there is no local accountability or public scrutiny. Answers to parliamentary questions are delayed and go unrecorded. Such a climate is bad not just for democracy but for a health service struggling to meet the challenges set it.

This incoherence within health care management extends to the top of the new structures. The Minister and the Department of Health and Children were to be responsible for policy while the CEO and the Health Service Executive were to be responsible for management only. Yet following the revelations of gross wastage of public money in failed computer systems the Minister, Deputy Harney, has announced her intention to be involved in micro-management to the point where she will approve every outside consultant contract, while the CEO of the Health Service Executive, Professor Drumm, is regularly making major policy announcements which often run directly counter to Government policy. The Minister, Deputy Harney, promised her accident and

emergency plan would deliver significant results this autumn.

Professor Drumm has said it will take at least two years to resolve the crisis. Government policy is to provide 3,000 new acute hospital beds. Professor Drumm is on record as opposing this. The Government imposed an embargo on recruitment while Professor Drumm has rubbished the embargo. The Minister announced her plan to hand over 1,000 acute beds to the private sector and Professor Drumm cast doubt on its real cost. Despite all the Government's claims to the contrary the number of acute hospital beds per head of population, far from increasing during the lifetime of the Government, has decreased over the past five years.

The Tánaiste and Minister for Health and Children promised to move hundreds of patients to rehabilitation beds to free up beds for patients stuck on trolleys in accident and emergency departments. Despite millions being spent and repeated claims by the Tánaiste of action, the results are disappointing. Most information about the health service reaching us is coming from Martin Wall and other journalists and not from the Tánaiste or the HSE. According to a leaked memo, in the Dublin area alone 378 patients still inappropriately occupy acute hospital beds. That figure more than any other is an indictment of the failure of the Tánaiste's plan to release beds where they are most needed. This comes from a report from the National Hospitals Office which claims a 22% reduction in the number of people on trolleys between April and September. However, these are meaningless statistics because a reduction always takes place during the summer months.

Some facilities that have been built are still idle because the Government could not find the money to staff and equip them. A figure of €4 million worth of facilities has been cited in the media as still unused. The public wonder why the Government could not find money to open these facilities and then discover that hundreds of millions of euro have been flushed away in a series of failed computer projects. The most grotesque example of delays in delivery of facilities is the extension to Longford-Westmeath General Hospital which includes an operating theatre, general medical ward, rehabilitation unit, child and adolescent psychiatric unit, OT department, education facilities, general surgical wards and an acute psychiatric unit. For more than eight years this facility has been left on hold and the health service in this instance alone is losing 100 new beds. Even within the existing system questions have been raised about the availability of beds. Consistently the Irish Nurses Organisation which represents nurses working at the coalface of the acute services has demanded the opening of up to 480 beds that they maintain remain closed within the system.

It is worth underlining the allocation of €70 million to the Tánaiste's failed ten-point plan. This is only a fraction of the money lost in the PPARS and FISP scandal. I am still receiving calls from people working within the health service itemising other abandoned computer systems. One was attempted in the HIV/AIDS treatment area and was abandoned because it was inoperable. Apparently it only cost approximately €4 million, which the Government seems to regard as acceptable.

On Sunday night the Taoiseach was interviewed on RTE's "Week in Politics" programme and spoke about the PPARS fiasco. He said, "In most Departments, officials were trying to improve the service. Okay, maybe there should have been a check every year, but nobody went out to waste money." The Taoiseach did not tell the true story. A formal body was established, the health service performance verification group, which commissioned progress reports from CEOs of 20 health agencies. These were essentially applications for pay rises under the benchmarking scheme. The CEOs of eight of the nine agencies where PPARS was deployed highlighted the system as a driver of value for money and a justification for pay increases. These reports were verified by the PVG and the increases were paid. Not only were systems in place, presumably designed carefully to verify value for money, they also became part of the problem rather than part of the solution. This is the system, PPARS, which has been abandoned by the HSE as a gross waste of public money.

In the same interview the Taoiseach explained his perspective on his Government's record in the following way:

We've put so much resources into health, so much staff into health, so much capital into health and we still seemingly don't get to where we get now.

It is unlikely that members of the public disturbed by what is happening to their elderly, vulnerable, sick relatives in overcrowded accident and emergency departments will find solace in any opinion expressed by the Taoiseach on the issue of health care. His comments show how out of touch the Government is and how it is floundering rather than tackling the serious problems that face us as we enter the winter period which is a time of pressure on our emergency services. It is important that we do not allow such flimflam to detract from the task that a new Government will face. Political leadership can alter the most intractable difficulties. We know that from our recent experience as a society.

When any Government is focussed for example, as Governments have been, on resolving the deeply challenging conflict in Northern Ireland we have seen the strength and power of good political leadership. If the same effort, intel-

ligence, resources and determination that have gone into providing a democratic resolution to a terrible conflict could be diverted now into tackling the deep-seated, endemic problems in our health service we would have the world-class health service that we can well afford. Instead the Taoiseach offers us gobbledegook and the Tánaiste hides behind the Health Service Executive.

The CEOs in the main Dublin teaching hospitals have presented a carefully prepared document for the Tánaiste and Minister for Health and Children in the last few weeks. In it they state:

At the present time we estimate there are in excess of 250 patients who will not be facilitated within the current arrangements being promoted [in the ten point plan]. It is clear to us that if these beds were created as a once-off initiative the beds in the acute hospitals could be used to create medical assessment units.

This clearly shows the plan set out by the Tánaiste is flawed and it shows her and her predecessor's lack of forward planning in not providing the community nursing units that are so desperately needed. Since 2001, according to the CEOs, fewer than 1,000 beds have been created in the system. The effect of this limited bed capacity is compounded by two significant factors, namely an increased level and intensity of activity and the requirements of elderly patients admitted to acute hospitals. The assessment by these experts underlines the case made by Professor Drumm for the need to resource community-based beds and primary care services, an argument the Labour Party has made on many occasions. Two principles need to apply in the health service, namely, an integrated service to give equality of access and a major shift out of the acute hospital sector and into primary care. Regrettably so far the Government has failed to act on either count.

The Government is good at producing strategies. However, even its own primary care strategy has withered on the vine. It has been starved of funding and the Tánaiste is advising GPs to go to the private sector to seek funding. She wants to see general practice privatised in a new form in a way that I believe will lead to dominance by companies which are driving an agenda to increase the use of pharmaceuticals and medication, which while relatively low is highly lucrative. If we go down that road we will be in great difficulty in a part of the health service, general practice, which works. It will not work unless something is done to address the growing shortage of general practitioners. General practitioners as a group are aging. In many cases they are not being replaced and even where they are being replaced they are generally replaced by young women who will not work the extensive hours that is the norm for GPs and

[Ms McManus.]

family doctors. The Tánaiste knows this. She has been told many times that we must make a start on this and should have long before now. This should have been dealt with in the medical schools in this academic year. More than half our medical undergraduates are non-EU citizens who are accepted here because they bring money with them which provides funding for the medical schools. If we do not train our own doctors, we will not have the necessary network and supply of GPs. It takes ten years to grow a family doctor, so to speak. The Tánaiste has said that something will happen in this regard, hopefully in the Estimates or the budget, but she has not been specific.

We should remind the Tánaiste, who seems to suffer from amnesia, that when it comes to issues and decisions made by the Cabinet while she has been Tánaiste and making decisions about the health service, she carries the collective responsibility.

The previous Government, comprised of the same parties, made a total mess of the over 70s medical card scheme. It introduced a form of inequity into the GMS system that never before existed. It created two systems of awards and incentives for family doctors. If a family doctor looks after a wealthy patient aged over 70, a retired judge, a businessman or newspaper magnate, for example, he or she is paid four times more than the standard medical card payment for caring for that person. If the doctor cares for an average worker who has qualified for a medical card, he or she gets one quarter of the over 70s payment. What is happening as a result? The obvious is happening. Doctors are no different from anybody else and operate on the basis of incentives. There is now a dearth of doctors in areas of disadvantage in cities and rural areas.

A Government that is seriously committed to increased access at primary level and to reducing the flow of patients into accident and emergency departments would have introduced incentives to rebalance the system. Such incentives would ensure that GPs were attracted into poorer areas and areas of disadvantage and would set up there to provide services at primary level. That is not happening. The wealthier and older urban areas are attracting the GPs while those areas of our cities that have large populations who need health care, where often there is a concentration of socioeconomic groups who have particularly acute health needs, are the areas having most difficulties. It is these disadvantaged people who largely end up in accident and emergency departments, putting pressure on the system even though they would prefer to be cared for in their communities.

The north side of Dublin is the most extreme example of this problem. There have been long-standing problems there with pressure on hospitals such as the Mater and Beaumont, a

shortage of GPs, and difficulties with out-of-hours services which still have not been addressed. Despite the fact that this was part of the ten-point plan, we have still not seen any action..

Another of the Tánaiste's grand plans that has foundered is the Clean Hands campaign designed to combat the spread of MRSA in hospitals. Recently released figures show that in 2002 there were 445 cases of MRSA, in 2003 the figure rose to 480, in 2004 it increased to 550 cases and for the first six months of this year, the number of cases is 314. This steep curve upwards looks set to continue.

Of greatest concern is the fact the Tánaiste doesn't even know how many people have died of MRSA. She admitted this in the House last week when asked how many people had died from this condition. It is an infectious condition that is prevalent not just in hospitals but also in nursing homes and the wider community and the Tánaiste does not know how many people have died as a result of contracting MRSA. What we do know is that five babies in the National Maternity Hospital have been infected with MRSA. Dr. Susan Knowles, consultant microbiologist in Holles Street Hospital has stated:

It is a major problem that we have a total lack of isolation facilities in the neo-natal intensive care ward. There is just one room in the unit. The cots are too close together and like many hospitals, we fall behind the isolation guidelines of the new MRSA guidelines in how far apart to space the cots.

Elderly patients suffer on chairs and trolleys in the corridors of accident and emergency departments. Small babies are at risk from preventable infections picked up hospitals that are supposed to provide the best possible chance of a healthy start in life. We should not and will not blame those who work to provide health services in such difficult and stressful conditions. However, we in the Labour Party challenge those in Government who have been in power for so long and who bear responsibility for this crisis, no matter how much they try to wash their hands and deflect responsibility for it elsewhere.

Mr. Sherlock: I am pleased to see the Minister of State, Deputy Seán Power, present but I am very surprised that the Tánaiste and Minister for Health and Children, Deputy Harney, is not present to listen to this debate. I am disappointed that no representatives of the Health Service Executive are listening to this debate.

Owing to the shortage of beds in general community hospitals, elderly people who need full time care and attention must accept beds in private nursing homes. Elderly people are compelled to accept this situation without reference to means. I am aware of a health service liaison officer in a hospital who directs people to private

nursing homes without making any provision for the full payment of the charges that are due.

In the health service area of Cork and Kerry, 489 elderly people await enhanced subventions. Think of their plight; they know neither they nor their families cannot afford to pay the nursing home fees. While elderly people in community hospitals benefit from the new method of assessment, those in private nursing homes and who have the same means are asked to pay more than €600 per week. Think of that situation under the Health Service Executive which we were told would end all of the problems in the system. There is no reference to the problems of the elderly in society.

In one case, the daughter of a person in a private nursing home was advised that her father would be discharged at the end of the month because of arrears in the payment of charges. This happened in the Cork-Kerry Health Service Executive area. Imagine the plight of this woman who cannot afford to pay for her father who is being discharged because he has not received the enhanced subvention promised to him on admission to the private nursing home. There are private nursing homes in almost every parish but no extra beds in community hospitals. People are forced to accept beds in private facilities, but these are not being paid for by the State. An ombudsman said that if elderly people are entitled to medical care in a hospital, they are entitled to free medical care. It is on record that elderly people are entitled to long-stay care, which is not happening. I feel aggrieved about it under a Government that is telling everyone how great it is, which is not the case.

Ms Lynch: The comprehensive Labour Party motion deals with the record of the current Minister over the past 12 months. The amendment to

the motion tabled by the Government is a direct contradiction of everything the motion proposes.

That contradiction is about deluding itself because no member of the public believes we have a first world health service. No one believes it because anyone who has had contact with the health service knows that it falls down in every aspect.

No one in Ireland is unaware that the previous Minister for Health and Children, Deputy Martin, came from Cork. Therefore, it would appear, as usually happens in a Fianna Fáil Government, that Ministers look after their own constituencies. However, that was not the case with the bold Micheál. Micheál did not look after anyone's constituency. He did not look after his own, Cork North-Central, Dublin Central, Dublin South-Central, Donegal, Monaghan and so on. As a result, a new accident and emergency department was built as a skin on the original Cork University Hospital. This meant the acci-

dent and emergency department, which was used up to recently, was now in pitch darkness because all the windows had been blocked off by the new accident and emergency department, which was not open for three years. Not only did it not have the new facility, but it made the old facility worse. One might find that difficult to imagine, but it is a fact.

The Tánaiste, Deputy Harney, then took over as Minister for Health and Children. She did so on the basis that she could do no wrong. After all, she was the Minister for Enterprise, Trade and Employment for seven years, but then again, if one put a five-year-old, with one year of pre-school, into that Department in the past seven years, he or she could have run it because it was virtually running itself, as long as one did nothing to damage it. As she was in charge of that Department, she believed she could tackle the Department of Health and Children, and do so quite well. I imagine for the first year she has been in that office, she has gone into a type of semi-coma. She met so many problems that she has simply thrown her hands in the air and asked herself what is she doing. Perhaps she believes the Minister for Finance's proclamation when he left the Department Health and Children that it was like Angola and she is desperately trying to find an exit strategy.

Let me tell Members about the hospitals in Cork. In Cork University Hospital's outpatient department, people still queue along a corridor for hours. As someone who did so in the past few months, let me recount what the conditions are like. One must queue for the dressing clinic along a corridor where trolleys pass, equipment is moved and people who are seriously ill are brought for X-ray. It is like something one would see in one of the advertisements for Trócaire or GOAL. Nurses desperately try to deal with people as quickly as possible because they are aware of the queue. Nurses are constantly being hailed from other departments to help in the dressing area. It is no wonder infections are being contracted by patients because staff are dealing with people in such volumes and under such poor conditions that it is virtually impossible to give anyone the attention they require, yet they try desperately to do so.

Let me tell Members about the other hospital in Cork, the South Infirmity-Victoria. It is the ready made set for a Dickens novel. There are wards in the hospital that still contain 30 and 40 beds. It is open plan — I suppose that is the modern term. These wards are filled with people who should be somewhere else, but there is nowhere else. This is the Government that manages our wealth and tells us we have the best economy in Europe, which we have, but anyone going into any of these two hospitals would be forgiven for thinking we cannot do anything about it because we are too poor. We are not poor, we are weal-

[Ms Lynch.]

thy. It is just that the Government chooses not to spend the money on the people who created the wealth.

Let me tell Members about the people who should be somewhere else. These people should be at home, but because the former Southern Health Board, the HSE or whatever the Minister wants to call it, has reduced the home help hours by 20% in the Cork city and county area, they cannot go home because there is no one to look after them. As we are all living longer, we will need these facilities and specialties, but they are the services on which the Government has chosen to cut back.

On the disabled person's grant, people at home or in hospitals where they should not be, continue to fill out forms, send them in and wait for occupational therapists and companies to call to the door, and wait for approval by the local authority. Surely in a modern society, when visiting the reception in any hospital to give details about going into hospital, it should be easy enough to figure out that when the patient leaves hospital, he or she will need home help and adjustments to his or her home. However, it appears to be beyond the Government to do anything in a reasonable or rational way. The only thing it appears to be capable of doing is wasting taxpayers' money. There is waste and want. No one is saying that running a country is the same as running a home because it is not the case. However, I guarantee the Minister of State that if people ran their homes in the same way the Government is running the country, the marriage breakdown rate would be much higher because no one would put up with it. The Government is a disgrace and it should hang its head in shame.

There is one other figure in regard to the Cork area, which is important and which should be dealt with. This relates to the orthodontic service, to which Members on this side have been referring for years. The number of children waiting for treatment in Cork city and county is 2,549. These are the children of taxpayers and those who created the wealth the Government is squandering, and even at that level it cannot get things right. When we talk about health, we are really talking about quality of life for the people who created the wealth. Every country can provide proper health services, but it is not the case in this country because the Government is incapable of doing so.

Minister of State at the Department of Health and Children (Mr. S. Power): I move amendment No. 1:

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

- expresses regret at the tragic and untimely death of Mr. Pat Joe Walsh at Monaghan General Hospital recently;
- welcomes the initiation of an independent report into the circumstances of Mr. Walsh's death;
- looks forward to the Health Service Executive implementing operational policies in the light of this report and others so as to ensure patients in each region receive all necessary treatment to the highest standards of safety and care;
- commends the Tánaiste and Minister for Health and Children and the Government for the substantial reform actions taken in the course of the last year including:
 - the establishment of a single, unified Health Service Executive with maximum financial responsibility and accountability to replace the outdated former health board system;
 - the comprehensive range of initiatives to deal with all the factors causing difficulties to patients at accident and emergency;
 - the first ever independent audit of cleanliness across major hospitals;
 - the opening of new acute beds throughout the country to bring the total to 900 more than in 2001;
 - the opening of new accident and emergency departments in Cork University Hospital and Connolly Memorial Hospital, Blanchardstown;
 - a 29% increase in medical card income guidelines, the largest increase in 30 years;
 - the introduction of doctor visit medical cards to enable families on modest incomes visit their GP free of charge;
 - the impetus for the Health Service Executive to seek tenders for a GP out of hours service in north Dublin;
 - the resolution of industrial relations disputes and the opening of contract talks with representative bodies of consultants, non-consultant hospital doctors and general practitioners;
 - the development of a national radiotherapy network to provide essential cancer services for patients in each region of the country;
 - a specific focus on the needs of older people and the development of long-

term care policy, including the preparation of clear standards for nursing home care; and

- establishing after 29 years a clear and legally sound basis for contributions by care recipients to the cost of shelter and maintenance in residential care;
- welcomes the efforts which are being made by the Health Service Executive to address the issue of hospital acquired infections, including MRSA; and
- expresses confidence that the continuation by the Tánaiste and Minister for Health and Children and the Government of substantial reforms matching increased investment will deliver improved care for patients.

I apologise on behalf of the Tánaiste who cannot be here this evening because she is meeting with the Walsh family. I wish to share time with the Minister of State, Deputy Tim O'Malley. I welcome the opportunity to underline the Government's commitment to improving patients' experience of accident and emergency services in hospitals.

I was shocked to learn of the tragic death of Patrick Walsh at Monaghan General Hospital and, like everybody else, I extend my sincerest sympathies to the family. I do not intend to debate the circumstances surrounding the death of Mr. Walsh. The Health Service Executive has commissioned Mr. Declan Carey, a consultant surgeon at Belfast City Hospital and an honorary senior lecturer at Queen's University to carry out an independent and external review of these circumstances. The review is to be completed and a report issued within eight weeks. The full truth will emerge and nothing will be hidden.

Ms Lynch: And nothing will be done about it.

Mr. S. Power: I will not prejudge the report. A timeframe of eight weeks has been provided within which the report will be completed and we are confident that will happen. The full facts will emerge at that stage.

Many people judge our health services by their experience of the accident and emergency services, which might be described as the shop window of the delivery of acute hospital services. People from every background with almost all medical conditions use accident and emergency departments. The extent and quality of service at such departments is affected by factors and issues right across health services from long-term care for older people to general practitioner services, diagnostic facilities, clinical and hospital management and investment programmes.

Accident and emergency departments deal with approximately 1.2 million attendances each

year and, therefore, almost 3,300 people a day visit accident and emergency departments for treatment. Addressing the needs of patients who require emergency treatment and providing the necessary and appropriate care is a challenging task for health care systems generally, both in Ireland and internationally. The Government has allocated priority funding this year of €70 million for a ten-point plan to deal with the most pressing issues. This is not the total investment required for accident and emergency solutions but it does come on top of substantial funding provided for hospitals, long-term care, home help, primary care, general practitioner co-operatives and so on. These actions are also being implemented in conjunction with the health capital investment framework which provides €3.2 billion in Exchequer funding up to 2009.

The Health Service Executive is advancing the implementation of a series of measures to improve the delivery of accident and emergency services. These measures are aimed at improving access to such services, improving patient flows through accident and emergency departments, freeing up acute beds and providing appropriate longer-term care for patients outside the acute hospital setting.

A particular focus has been placed on those patients in acute hospitals who have completed their acute phase of treatment and are ready for discharge to a more appropriate setting. The HSE is making sustained efforts to arrange for the discharge of these patients to have more acute beds available in hospital for emergency patients. High dependency beds and intermediate care beds in private nursing homes along with home care packages are being used to ensure patients are appropriately placed.

Mr. Sherlock: They are placed in private nursing homes without subvention.

Mr. S. Power: The number of delayed discharges in the major Dublin hospitals stands at 377. This is the lowest number since January 2005 and has been achieved as a result of the various measures implemented to improve the delivery of accident and emergency services.

The following additional actions have been taken: 48 high dependency beds have been contracted in private nursing homes for those patients with more demanding care needs; 388 patients have been discharged in 95 intermediate care beds for six to eight-week stays since contracts with private providers commenced in May; and additional home care packages delivered by nurses and care assistants and enhanced subventions have facilitated the discharge of 262 and 94 patients respectively in the Dublin area.

A HSE steering group was established in July 2005 to tackle the issue of delayed discharges in the Dublin hospitals. A number of additional

[Mr. S. Power.]

initiatives have been implemented by the group. A total of 365 patients in public long-stay facilities have been transferred to private nursing homes pending the re-opening of 65 public long-stay beds closed in nursing facilities on the south side of Dublin. A total of 41 beds have re-opened in homes, including Leopardstown Park Hospital, St. Colman's Hospital and St. Brigid's, and the HSE is working towards opening the remainder of the beds as soon as possible. The HSE has confirmed no acute beds are closed owing to lack of funding. Patients in St. Mary's in the Phoenix Park were identified in consultation with clinicians and families for transfer to private nursing homes.

Mr. Sherlock: Is this the Government of private nursing homes?

An Leas-Cheann Comhairle: Order, please.

Mr. S. Power: The 70 beds freed up allowed for the discharge from the Mater and Beaumont Hospitals of 35 patients each and investment in home help and community enhanced subventions. A sum of €6.6 million is being targeted for home help and community enhanced subventions nationally from funding under the ten-point plan. This will act as an important preventative measure and facilitate the discharge of older people from acute hospitals.

At the turn of the 20th century, it would have been very unusual to live to the age of 65, whereas today, most of us can expect to live well into our 70s and beyond. This increase in life expectancy has been one of the great achievements of western societies in the 20th century. With advances in living standards and health services, illness and dependency do not feature in many cases until the final few years of a person's life or not at all.

A number of people require medical attention and support to varying degrees, which must be delivered in the most appropriate setting to meet the needs of the individual. One of the best ways to acknowledge the debt we owe them is by providing them with every opportunity to remain in their homes and communities for as long as possible with all the necessary community supports in place. Research has found that those receiving care in their homes live on average two years longer than those in residential care. It has long been the expressed wish of the majority of older people to remain in their homes.

The cornerstone of public care provision is the home help service. This is invaluable in keeping older people at home for longer and often fulfils not only a functional role in terms of helping older people with everyday tasks but also a social role in terms of helping them to stay out and about and active in their community. Supporting

care in the community has long been the core Government policy relating to older people. Home care packages are being delivered by the HSE to people whose needs are often complex and go beyond what home helps can provide. Such packages are comprehensive, multi-disciplinary and have been making a difference to the lives of people who would, most likely, have ended up in long-term institutional care without this support. They are proving to be a crucial tool not only in helping people to move from acute care back into the community, but also in keeping people in the community where they belong. Various packages are available in different parts of the country. However, one standard package should be available throughout Ireland with one needs assessment process in place. The establishment of the HSE will help to ensure a standard approach is adopted in the future.

No home care package will replace the role of the family or other services provided by the State or voluntary agencies. Rather, home care packages should be used to complement existing services and care. Sheltered housing is a crucial component of community based supports for older people, as it allows older people to remain within the community while offering support and solidarity.

There is no denying that long-term residential care will always be required in the health system. However, currently some 28% of residents in long-stay beds are in the low to medium categories, in other words in residential care for social reasons. This represents over 5,000 people and some of these could be cared for at home if the right level of support were in place. In some cases a minor change may be necessary, allowing the person to live in dignity in his or her home. We will implement a number of measures to make that possible. Entering long-term care should not spell the end of a person's involvement in the community, and nursing homes have an important role to play in ensuring residents are facilitated and encouraged to keep up some level of contact with society.

In line with Government policy, my Department has been examining a number of procurement options with a view to finding the approach that will deliver 850 additional long-stay beds and provide the best services and value for money to the Exchequer. The Department of Health and Children and the Department of Finance have discussed an initiative 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 proposal is being developed further to evaluate its cost effectiveness.

This Government is committed to improving the delivery of accident and emergency services and, by adopting a system-wide approach, I am confident the improvements made will be sus-

tained. In respect of care for the elderly, raised by Deputy Sherlock, the Government announced a package of €50 million on minor capital works throughout the country. This money will be spent immediately, improving the conditions in which people live and making a difference to the quality of their lives.

A number of areas have been mentioned. Speakers from the Labour Party criticised the health service as if there was nothing good in it. We realise we are in the process of reforming the health service and are tackling the difficulties that exist. Over 100,000 people work in the health service, and they are committed to improving the circumstances of the people they treat. It serves little purpose to criticise them continuously.

Mr. Sherlock: Will the Minister of State increase subvention in private nursing homes?

Mr. S. Power: In the near future the Government will make a number of changes to the home help and home care subvention packages. Care of the elderly has always been a priority for this Government and this will continue to be the case.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I am glad of the opportunity to speak in this debate. Improving the infrastructure of acute hospitals has been and will continue to be a priority for this Government. In the past five years alone capital funding of some €80 million has been invested in new accident and emergency departments around the country. New departments have been provided at Cork University Hospital, Connolly Hospital in Blanchardstown, Naas General Hospital and Roscommon General Hospital. A new 25 bed accident and emergency admission unit for the Mater Hospital is expected to be operational by the end of the year. The commissioning of a new accident and emergency unit at St. James's Hospital is almost complete while new hospital developments are being provided at St. Vincent's Hospital in Dublin and at Tullamore.

There is a particular onus on individual hospitals to ensure the care of patients through the hospital is regularly reviewed. Attention must be given to looking at the profile of patients attending accident and emergency and to examining alternative care pathways for people who may not be in need specifically of accident and emergency services but who undoubtedly require treatment, intervention or advice. The HSE has arranged for the assessment and analysis of clinical and organisational processes in ten hospitals nationally. This exercise has been completed and draft individual hospital reports have issued to relevant hospitals. A draft overview HSE report on the findings from the ten hospitals, drawing out the wider system messages and potential for best practice, is being prepared. The Department

of Health and Children expects to have the final report shortly.

General practitioner out-of-hours services are particularly lacking for the population of north Dublin. As a result, particular difficulties are being experienced in the accident and emergency departments at Beaumont Hospital and at the Mater Hospital with an apparent high level of clinically inappropriate attendances. In order to address the situation the HSE has commenced the procurement process for the provision of general practitioner out-of-hours services on the northside of Dublin.

As soon as difficulties with PPARS were brought to the Tánaiste's attention, she acted quickly and decisively. The Secretary General of the Department met with the HSE and this led to a review of the system by the HSE. On 6 October the HSE decided to put on hold further development and to maintain the system in the four current live sites, namely, the north western area, the midland area, the mid-western area and St. James's Hospital. The HSE has set up a high-level group to establish the long-term value of PPARS. The Department of Health and Children and the Department of Finance are represented on this group. The Comptroller and Auditor General is also carrying out a value-for-money examination of PPARS.

On 11 October the Government decided on a new system for the management and control of major ICT projects and on new measures to improve the management of consultancies. Over 32,000 members of staff are covered by the full PPARS solution which covers organisation, management, personnel administration, time management and payroll. In addition approximately 40,000 staff in the HSE western, eastern and north eastern areas are covered by phase 1 of PPARS, which covers organisation management and personnel administration. So far this year a total of 560,000 payroll slips have issued. The Department of Health and Children and the Department of Finance are working with the HSE to ensure an effective central governance structure for ICT is put in place in the HSE. It will be up to the HSE to decide on the future of the project taking all relevant factors into account.

An Agreed Programme for Government includes a commitment to expand public hospital beds in line with the health strategy commitment to increase total acute hospital bed capacity by 3,000 by 2011. Substantial investment in additional bed capacity in acute hospitals has already taken place. Funding has been provided to open an additional 900 inpatient beds or day places in public acute hospitals throughout the country. The HSE has informed the Department that as of 14 October 2005 some 806 of these beds or day places were in place and the remaining 94 beds will come on stream over the coming

[Mr. T. O'Malley.]

months. In addition, a further 450 acute beds or day places are in various stages of planning and development under the Capital Investment Framework 2005-09.

In July of this year the Tánaiste announced an initiative that will provide up to 1,000 additional beds for public patients in public hospitals over the next five years. The HSE has been asked to begin to develop an implementation plan and to prioritise proposals with reference to the public hospitals' requirement for additional bed capacity. Initial discussions have already taken place between my Department and the HSE on this matter. These additional beds or day places will go most of the way to achieving our commitment in the programme for Government to increase total acute hospital capacity.

The health strategy acknowledges that a significant proportion of additional capacity in the acute hospital system will be supplied in future by private providers. The Department of Health and Children, in conjunction with the HSE, will be reviewing public capacity requirements in the acute hospital sector in the light of developments since the health strategy was published and the progress of the initiative announced in July.

MRSA is one of the most well known antimicrobial infections present in hospitals, not alone in this country but internationally. It is also seen increasingly in community health care units such as nursing homes. These infections pose significant challenges for clinicians and hospitals and the Health Service Executive is working to combat hospital acquired infections, HAIs.

There are two types of MRSA cases: colonisation, which can refer to any person who has simply been in contact with this common bacteria but has no symptoms, and blood isolates, which refer to patients who have an infection with symptoms. Data on bloodstream infection are collected by the Health Protection Surveillance Centre. There were 550 cases of bloodstream MRSA infection in Ireland in 2004. The increase in the reported number of cases of MRSA in recent years is mainly due to increased surveillance as a result of more laboratories participating in the reporting process.

Effective infection control measures, including environmental cleanliness and hand hygiene, are central to the control of hospital acquired infections, including drug-resistant organisms such as MRSA. Good hand hygiene is one of the simplest and most effective measures that can be used to stop the spread of MRSA and other infections.

The national hygiene audit, arranged by the HSE, has been completed and a report presented to the director of the National Hospitals Office. This involved visits to each of the 54 acute hospitals in the country by a team of independent consultants. The purpose of the audit was to assess the standards of environmental hygiene

and cleanliness in each hospital and to provide baseline information. The Tánaiste has already given a commitment that the results of the hygiene audit will be published.

The HSE will also publish national infection control standards and national cleaning standards — a consistent and robust set of hygiene standards for our hospitals. Where previously standards may have depended on the approach of a particular hospital or health board, the HSE can now ensure every hospital will share and meet the same high standards of cleanliness and infection control.

The HSE has published guidelines on hand hygiene and guidelines on the control of MRSA for hospital and community settings. These two significant documents give clear policy and practice guidance to health care workers on the control of hospital acquired infections, including MRSA. The Department of Health and Children is continuing to engage with the HSE to agree a series of actions over the coming period to ensure that MRSA can be effectively dealt with and that we can achieve a reduction in the incidence and effects of these infections.

I am confident that the actions being taken by the Tánaiste, supported by the Government, will generate an appropriate multi-faceted and multi-dimensional response to the accident and emergency service problem. I trust I have demonstrated that improving the delivery of accident and emergency services is our priority. We will continue to work in the best interests of patients and staff. That is reflected in the response under development to hospital acquired infections, including MRSA. I am confident that we can and will improve the delivery of accident and emergency services so that patients receive the appropriate treatment as quickly as possible.

Dr. Twomey: We often refer in this House to programmes and quote what a member of the Government or the Opposition said. The Fianna Fáil Ard-Fheis was held over the weekend. The Taoiseach appeared on a television programme on Sunday night but he did not appear to know much about what was happening with the health services in his own back yard. He was not sure what was happening with GP services or out-patients appointments in Beaumont Hospital or the Mater Hospital.

This morning, the Minister of State, Deputy Tim O'Malley, and I were interviewed on local radio in Limerick and during the interview the Minister blamed the consultants for not negotiating their contract and thereby causing the crisis in the acute hospitals. He then went on to blame the general practitioners for holding up the doctor only medical card scheme and accused them of not being available out of hours in both Limerick and Dublin.

Mr. T. O'Malley: That is correct. A total of €1 million is going back because it was not spent by ShannonDoc.

Dr. Twomey: That appears to be the only reason the Progressive Democrats is privatising everything they lay their hands on since they got into the Department of Health and Children.

Mr. T. O'Malley: I thought Deputy Twomey supported co-operatives.

Dr. Twomey: I will get to that point. Not only has the Tánaiste, Deputy Harney, blamed the nurses for many of the problems in the health services but she has also told us we have too many nurses. The Minister of State came into the House to make a speech but he made statements outside the House which confused the general public because they do not know if he wants to take responsibility for what he was elected to this House to do.

The plastic socialists in the Fianna Fáil Party sitting behind the Minister give us a completely different story. They go on about the fact, and unfortunately we heard the Minister, Deputy Martin, say this also, that the Opposition has no policies. If there is one thing the Minister, Deputy Martin, was not short of when he was in the Department of Health and Children it was policies and reports. He published them at a rate even I could not keep up with.

I want to deal with three of his policies, the ones I would consider to be significant. He published the Hanly report. Is that still active or is it due to be resuscitated?

Ms Lynch: It is on a ventilator.

Dr. Twomey: There was also the Hollywood report, which was interesting because it took four years to publish. The Minister, Deputy Martin, told us that the report was written by experts and, therefore, radiotherapy services would only be available in Cork, Galway and Dublin. The Tánaiste, Deputy Harney, then came into office and did a U-turn on it. She said radiotherapy services could be provided in Limerick, the south east and the north west. They have not been delivered by the Government but that was a total U-turn on its own policy.

Mr. T. O'Malley: Is the Deputy against that?

Dr. Twomey: There is then the gold standard of Government policy on health services, the health strategy, Quality and Fairness: A Health System for You. If ever a policy has not been implemented, it is that one. In some respects, the Minister of State suffers from a worse crisis than that of which he accused the Opposition. He has more than enough policies but he just cannot

appear to implement any of them, certainly as far as the health services are concerned.

One of the objectives of the health strategy, Quality and Fairness: A Health Service for You, published in November 2001, was a policy for funding care of the elderly into the future. Ministers come into this House and tell us how concerned they are about care of the elderly but where is the policy that will show how this Government, if it remains in power after the next election, will fund care of the elderly into the future? It has not been published because there is none available.

I take exception to some of the figures both Ministers quoted in their contributions tonight. The document given to us by the Government states that there are 900 extra beds in the health service compared to the 2001 figure. That is not the case. The Minister of State came close to the truth in his contribution. He said there was an extra 800 beds and another 94 pending.

Mr. T. O'Malley: I said there were 94 funded but not——

Dr. Twomey: The reality is they are not available. People are still lying on trolleys and it is no good telling them that if they come back next week they will get a bed. That is the problem.

There are not 800 extra beds in the system. I got a reply from the HSE a month ago which indicated that there were less than 650 new beds in the system since 2001, the exact figure promised by the Government by the end of 2002. The Minister cannot simply make these figures up as he goes along. He cannot say there are 800 this week and 900 next week when they do not exist. There are only 650 extra beds.

Ms Lynch: They are counting the chairs and the trolleys.

Dr. Twomey: They are counting everything. I love the comment about the national treatment purchase fund sanitising the waiting lists to make them acceptable to the Government when it runs in the next general election. The Minister must be realistic. The most important thing to patients is the length of time they must wait from the time the general practitioner writes a letter of referral for them to when they are seen by the consultant. It does not matter whether it is an appointment for an ear, nose and throat specialist, orthopaedics, rheumatology, ophthalmology, neurology or neurosurgical outpatients follow-up. Patients are waiting anything from three to six years for those outpatient appointments. That is the measure of a health service. As the Tánaiste made clear in one of her great speeches to the PD constituents, it is not about facts and figures; it is about a person's experience of the health services and these are not good experiences——

Mr. T. O'Malley: What about the 35,000 people who have availed of the national treatment purchase fund? Do they exist or are they a figment of our imagination?

Dr. Twomey: What about the 30,000 people waiting for their medical card since the beginning of January? The Minister of State cannot blame that on the GPs because that was his own problem. People should stop being unrealistic and lying to the people.

In his contribution, the Minister of State, Deputy Seán Power, talked about the 850 additional long-stay beds. He then referred to "a medium-term service level agreement with the private sector to deliver additional long-stay beds", but does anyone remember where they heard that before? In 2003, the previous Minister for Health and Children, Deputy Martin, and the Minister of State, Deputy Callely, announced those beds at least five or six times. Those beds were supposed to go to Cork and Dublin. Perhaps the idea of the Minister of State, Deputy Seán Power, is a new one, but the previously announced beds never came to fruition. They were quietly dropped when nobody would take them up. It is more Government spin because there are not an extra 850 beds, private or public, in the system. They are not being promised or delivered and one must be realistic about this.

The Government's response to the Opposition concerning nursing home charges included a plan to establish, after 29 years, a clear and legally sound basis for contributions by care recipients to the cost of their shelter and maintenance in residential care. The previous Minister, Deputy Martin, did not bring forward that proposal voluntarily. He was dragged kicking and screaming through the Committee on Health and Children before making those changes. He squealed his way through the committee and claimed the reason he never knew about the illegal nursing home charges was because he never read the memos and nobody ever told him.

Ms Lynch: He was blinded by the flash of the cameras.

Dr. Twomey: He was too busy getting his picture taken. The only reason we have seen changes is because the matter was raised consistently in the House.

The Government response referred to a specific focus on the needs of older people and the development of a long-term care policy, including the preparation of clear standards for nursing home care. When the Leas Cross crisis broke before the summer recess, the Taoiseach and the Tánaiste said they would establish an independent health service inspectorate before the end of the year. This plan was also contained in the health strategy published in 2001. After the sum-

mer recess, however, the Taoiseach and the Tánaiste were relaxed and forgot their purpose in this respect. Their proposal disappeared from the agenda but it has not been forgotten by those who want to see protection for elderly people in nursing homes. Only 5% of elderly people go into nursing homes but an inspectorate is required to protect their human rights in such situations. It is a disgrace for the Government to say it cannot be bothered to do it this year and that it might do it next year. Ministers pretend they are concerned but they are not because they have done nothing about the matter.

The Minister of State also said that the Health Service Executive will address the issue of hospital-acquired infections, including MRSA. It is ridiculous, however, to do an audit and state that the baseline will be an examination of the MRSA problem and other hospital-acquired infections. Why does the Minister not ask those in the hospitals to take responsibility for the jobs they are paid to do? Some people are paid to clean hospitals and maintain acceptable levels of hygiene there. We insist on clean restaurants and meat factories, so we should at least expect the same cleanliness in our hospitals. Someone should be responsible for achieving that.

Infection control requires specialised personnel, including microbiologists and nurses, to take responsibility for the issue. A once-in-a-lifetime audit will not change anything. The Minister should have followed our suggestion of establishing a flying squad to turn up unannounced at hospitals and carry out a thorough audit. Under that plan, no one would be aware in advance of when such a team would arrive. That is the way to change people's perceptions of how a health system should be run.

I am glad the Tánaiste is meeting the family of Mr. Walsh tonight. I am disgusted by the way in which Ministers jump into their Mercedes and travel throughout the country to cut a ribbon on any capital projects that are developed. It is disgraceful that what happened in the north-east region last week attracted only glib comments from the Government side of the House. A Minister should have been sent there to talk to the family concerned as well as visiting all the hospitals involved before reporting back to the House on what happened.

There is no need for an eight-week delay while awaiting yet another review. At least four reviews have been carried out by eminent consultants in the north-east health area. I am shocked that in our health care system a citizen bled to death in front of the very doctors and nurses who were supposed to be looking after him. I was disgusted that the Government never felt it was important enough for any Minister to go and see what had occurred.

Voters will not accept a situation whereby the HSE takes responsibility for the health services

in the same way as the National Roads Authority is responsible for building roads and bypasses. People consider the health service to be much too important to be handed over to some non-statutory body like that. Whoever is the next Minister for Health and Children, he or she should take personal responsibility for citizens' health care instead of handing it over to some organisation like the HSE.

Mr. Neville: I am pleased the Minister of State, Deputy Tim O'Malley, is present because I wish to raise the issue of mental health with him. Earlier today, the Joint Committee on Health and Children's sub-committee on the high level of suicide in society heard a presentation on psychosis. The early intervention programme for psychosis was outlined for members of the sub-committee by Professor Eadbhard O'Callaghan. The programme aims to reduce unnecessary delays in obtaining treatment as well as providing treatment in community-based settings in a way that is both young adult-friendly and holistic. It addresses not just pharmacological but also psychological, social and vocational aspects of a person's situation to maximise the likelihood of recovery.

Professor O'Callaghan informed the sub-committee that early intervention programmes for psychosis work. They reduce the unnecessary delays in getting treatment and so people are less unwell when they come for treatment. Such intervention programmes have been shown to reduce the need for involuntary admissions, reduce suicidal behaviour, increase the prospect for recovery and be cost effective. They are preferred to conventional services by individuals and their families. Professor O'Callaghan is carrying out a pilot study in the south-east Dublin and Wicklow area with a population of 371,000.

Psychosis is an umbrella term used to describe conditions that affect the mind where there has been some loss of contact with reality, including hallucinations and delusions. The suicide rate for people with psychosis is 20 times the rate in the general population. There is a very high risk of suicide among people with psychosis, but it can be reliably identified and effectively treated. Those with psychosis constitute a suitable group to target to try to reduce suicide.

In the Dublin area at present there is an average duration of untreated psychosis of 23 months. Professor O'Callaghan told the sub-committee that such a delay is unacceptable for young people. The duration of untreated psychosis ranges from one month to 240 months.

The sub-committee also heard statistics concerning the length of time a person with psychosis is left untreated and the incidence of attempted suicide. If such people are treated within 13 months, they are never suicidal. If, however, the treatment delay is between 13 and 22.5 months,

they contemplate suicide, and if the treatment is delayed for up to 39.9 months, they will seriously attempt suicide. The best predictor of whether a person will get better from a psychosis is the length of time it took to get effective treatment.

The early intervention system of treating psychosis has been proven to work in Australia, New Zealand, Canada, Denmark and other countries. The UK's department of health has directed the establishment of 50 such programmes. The cost of establishing such a system in the pilot area of south-east Dublin and Wicklow, with a population of 371,000, is €3.5 million. That means that one can effectively introduce such a scheme for the whole country at a cost of €40 million. For that sum, psychotic patients could be treated at an early stage with a high chance of success. It should be borne in mind that 75,000 people in Ireland suffer from psychosis and 34,000 of them have schizophrenia. I will not refer to the wastage that has occurred in the Department of Health and Children because that matter has already been discussed at length. In that context, however, €34 million is a small price to pay for an effective programme to reduce psychosis.

Mr. Crawford: I wish to deal with two sections of this important motion, namely, the unnecessary death of Mr. Patrick Walsh and the deep public anger over the hundreds of millions of euro that are being wasted.

I deplore the fact that the modern theatre and top quality staff at Monaghan General Hospital are not being fully utilised. Some Ministers have accused those of us who raised the tragic death of Mr. Walsh of doing it for political reasons, as if to make out that we have no right to highlight the ongoing mismanagement of the health system in County Monaghan and the north east region. The Taoiseach refused to admit in the House that staff and consultants in the hospital could not have operated on Mr. Walsh because of the protocols in place. He knew he was wrong. He and the Tánaiste must not hide any longer. They must give the same commitment to Monaghan General Hospital as they have given to the hospitals in Ennis and Nenagh.

Mr. Walsh should never have been moved from Drogheda but when he was in Monaghan there should have been freedom to act. Surgical procedures in Monaghan General Hospital must be brought back on-call. How can the Government justify the failure to utilise the new modern theatre and top quality consultants and staff at Monaghan General Hospital? Before the hospital was taken off-call in questionable circumstances, it was carrying out contract surgery for patients north of the Border. The decision to close was taken by non-consultant executives. All surgeons in Monaghan and Cavan have asked that Monaghan General Hospital would be brought back on-call for surgery. All consultants in

[Mr. Crawford.]

Monaghan General Hospital have made the same request.

In 1939 my own mother and her premature newborn baby boy were both rushed to the then Monaghan hospital with a 40% chance of survival. Both were saved by an excellent staff 66 years ago.

Where is the Celtic tiger for Monaghan General Hospital and the people of Monaghan? Some of the €150 million that was lost on an IT project would benefit it. Even the €3 million spent on photocalls for the Minister for Enterprise, Trade and Employment, Deputy Martin, could save lives there. The national treatment purchase fund has the freedom to spend money as it wishes. Why is the equipment in Monaghan General Hospital not utilised?

Last, but by no means least, 100,000 people are no longer eligible for medical cards and cuts have been made in the home help scheme. That is the current state of the health system.

Mr. Deenihan: I wish to refer to accident and emergency services, particularly at Tralee General Hospital. It is acknowledged by the Health Service Executive, and by everyone else, that the accident and emergency facilities there are totally unsuitable and inadequate to cater for the requirements of patients and staff. When the hospital opened in the early 1980s the accident and emergency department had a throughput of about 13,500 patients. Now it has 31,000 patients with the same four cubicles and one toilet for both staff and the public alike.

Only one accident and emergency consultant operates in the hospital with the assistance of six SHOs, five who work by day and one at night. The SHOs are typically junior doctors. There are no registrars in the accident and emergency service in Tralee General Hospital. Tullamore hospital, which is a band 2 hospital like Tralee General Hospital, has six registrars while Tralee has none. There are now rumours that the consultant at Tralee General Hospital will be leaving shortly. This would be a major blow not only for patients but also for the morale of existing staff.

No cleaning staff are available after 5 p.m. in the hospital, although the person cleaning the rest of the hospital can be called on in emergencies or if there are spills. In this age of the MRSA, surely a cleaner should be on duty at all times of the day and night?

I call on the Minister to appoint a design team forthwith for the new accident and emergency unit in Tralee General Hospital. The development will feature a resuscitation room, additional treatment and observation facilities, improved waiting areas and special facilities for children. I appeal to the Minister of State, Deputy Tim

O'Malley, to convey this to the Minister as soon as possible.

Debate adjourned.

Adjournment Debate.

Hospital Services.

Mr. Morgan: I appreciate the opportunity to raise this important issue on the Adjournment. Successive Ministers have attempted to fool the people of the Dundalk area with a plethora of announcements, reports, reviews, recommendations and yet more announcements. The fact remains that there were better services at the Louth County Hospital, Dundalk, 30 years ago than there are today. Shame on the Government for presiding over such a scandalous situation.

The children's ward was the first to go, followed by the maternity ward and then the gynaecological unit. In 2001, we were told the maternity unit was to be closed temporarily yet it remains closed today. We were to get a midwife-led unit in its place. In June 2003 we were told by the then North Eastern Health Board that the building identified for future use as a midwifery-led unit would require some modification and extension and a suitable scheme was to be prepared for consideration. This work was to have been completed in 2004 subject to funding being made available. Although it will soon be 2006 there is no sign of these works.

The latest attack on the hospital came last month when a directive was issued by the HSE ordering an end to all breast surgery procedures at Louth General Hospital. We were also promised a renal dialysis unit yet there is no sign of this unit either. The kitchens at the hospital urgently require upgrading. We have had three announcements since 2002 on the approval for kitchen upgrading but it has yet to materialise.

Similarly, we were promised two modular theatres. The Minister for Foreign Affairs, Deputy Dermot Ahern, danced a merry jig on this issue, boasting about the great work he had done for the hospital. That promise has been reduced to one modular unit. I can inform the Minister for Foreign Affairs that it still has not been delivered.

The Tánaiste and Minister for Health, Deputy Harney, met a delegation from Dundalk Town Council last May. She promised the members she would consider the issue of a CT scanner for Louth General Hospital and that she would visit the site in July. More broken promises from a Minister. She still has not visited Dundalk.

The Tánaiste and Minister for Health and Children recently announced that her Department would provide matching funding for the provision

of a CT scanner at Bantry General Hospital. Fair play to it. I call for similar funding for a CT scanner for Louth General Hospital. We will not be treated as second-class citizens by this or any other Minister. Our hospital cannot survive without a CT scanner. The Minister of State knows that, yet he is still dragging his feet on this important issue.

Yet another ludicrous document relating to the provision of services at Louth County Hospital has emerged recently, this time from the Royal College of Surgeons, signed by Professor Arthur Tanner. The third item in this document instructs that the consultants must have absolute discretion to transfer a patient from Dundalk to Drogheda at any time, with immediate effect. The fourth item in the document states that beds must be made available in Drogheda, without question, and on an immediate basis where such transfers are requested. How can this work in practice? If there is no bed available in Drogheda and a patient is to be transferred from Dundalk, is the sick and, perhaps, dying patient in Drogheda to be removed from a bed, placed on a trolley and pushed into the corridor to make room for the equally sick and, perhaps, dying patient from Dundalk? This document is indicative of the lack of rationale or any semblance of proper management at a senior level in the HSE.

I will give an example of what could work to resolve some of the health care crisis in the north east region. The six surgeons based at Our Lady of Lourdes Hospital, Drogheda, who have a lower throughput of procedures than the two surgeons at Dundalk, could be allocated a small number of additional "splits" with Louth General Hospital. This would have the immediate effect of bringing Dundalk back to the status of a training hospital and addressing in some way the infrastructural deficit in the north east region.

I urge the Minister of State, Deputy Tim O'Malley, to make clear in his reply whether we can expect him to address the litany of issues raised on behalf of people in the Dundalk catchment area who are currently being denied adequate health care services by the Government. They have been denied a proper and adequate health care system over the past eight and a half years when the Government has been in office. I look forward to the Minister of State's reply.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I thank Deputy Morgan for raising this matter on the Adjournment. In raising the matter, he provides me with an opportunity to outline to the House the position on the development of services across the Louth-Meath hospital group. The Department is advised by the Health Service Executive that there are no plans to downgrade Louth County Hospital, Dundalk, and that the hospital is

guaranteed an active role in the delivery of acute hospital services within the group.

This policy is reflected by recent service developments such as the establishment of a joint department of surgery between Our Lady of Lourdes Hospital, Drogheda, and Louth County Hospital, Dundalk, in January 2005. This development has resulted in increased elective activity in Louth County Hospital and a reduction in waiting lists on both sites. In April 2004 the Department approved the appointment of a design team to prepare an outline development control plan for the hospital. Design teams have been appointed to advance the provision of two modular theatres at a capital cost of €3 million and for the upgrading of the kitchens at Louth County Hospital at an estimated capital cost of €1.4 million. A cardiac rehabilitation unit opened at the hospital in 2002, an additional 14 beds were provided under the national bed capacity initiative at a full-year revenue cost of almost €1.5 million, a new consultant physician with a special interest in endocrinology was appointed in April 2004 to support these beds, and a new consultant in emergency medicine has been appointed with sessional commitments to Louth County Hospital. The Department sanctioned the purchase of almost seven acres of land at Louth County Hospital in December 2003 at a cost of €2.6 million.

Mr. Morgan: A private hospital will be built on the site.

Mr. T. O'Malley: Tóg go bog é. Is the Deputy against that also?

Mr. Morgan: The Minister of State said the purpose of—

Mr. T. O'Malley: The purpose of this purchase is to have a strategic land bank that will be of benefit to acute services.

On breast surgery services in the north-eastern region, the HSE has informed the Department that following the resignation of the lead breast surgeon for the region, breast surgery has been carried out in the Louth-Meath hospital group at Our Lady of Lourdes Hospital, Drogheda. The post of lead breast surgeon for the region, based in Our Lady of Lourdes Hospital, Drogheda, is scheduled to be advertised by the Public Appointments Service on Thursday, 13 October 2005, with a closing date of 10 November 2005.

Since 1997, approximately €37 million in cumulative additional funding has been made available to the north-eastern region for the development of appropriate treatment and care services for people with cancer, including a sum of €600,000 which was allocated this year for cancer services in the region. This investment has enabled the funding of an additional ten consultant posts and

9 o'clock

[Mr. T. O'Malley.]

support staff in key areas of cancer care across the region. BreastCheck, the national breast screening programme, has been available to women in the 50 to 64 age group throughout the north-eastern region since 2000. Mobile units provide screening to women in the target age group approximately every two years. Follow-up treatment for those diagnosed with breast cancer under the programme is provided in the BreastCheck clinical units in Dublin.

We can only maintain progress in the fight against breast disease if the delivery of high quality care and adherence to best practice comprise our main priority. For this reason, the Tánaiste recently established a national quality assurance group, under the chairmanship of Professor Niall O'Higgins, for symptomatic breast disease services. It is an important milestone in the development of quality breast disease services. This group will develop an agreed set of interdisciplinary performance indicators for the management of symptomatic breast disease. The objective is to ensure that the same expert guidelines apply to women regardless of the hospital in which they are treated.

The arrangements I have outlined which are being put in place by the Health Service Executive are designed to enhance the overall level of hospital services across the Louth-Meath hospital group.

Sugar Industry.

Mr. Sherlock: The issue of the overhaul of the EU sugar regime is one which, if the current proposals are agreed, will signal the demise of the Irish sugar industry and with it the loss of in excess of 1,000 jobs in sugar manufacturing and associated industries. In EU terms, the Irish sugar quota is small, amounting to just over 1% of the total EU quota, but this does not give an accurate representation of the importance of the industry to Ireland. More than 3,700 farmers grow sugar beet under contract to Irish Sugar Limited and receive approximately €75 million annually for the crop. While we accept that some change to the regime is inevitable, the European Commission proposals are too radical. The price cuts proposed for sugar and sugar beet are very severe. The impact of the current reform proposals will result in the phasing out of sugar production in this country.

The European Parliament report by Mr. Fruteau states that, under the current proposals for sugar, the current support price of €631.90 per tonne is to reduce in stages to €385.50 per tonne from 2008-09. This is a cut of 39% compared with the cut of 33% proposed in the Commission communication of last year. This is unsustainable for any Irish farmer. The minimum cut in the price of sugar beet over two years is to be from €43.63

per tonne to €25.05 per tonne from 2007-08. This is a cut of 42% compared with the cut of 37% proposed in the Commission communication. This is also unsustainable. Compensation for farmers remains at 60% of the drop in the support price. This is to be paid as part of the single payment scheme. Ireland's scope is €11 million from 2006-07 and €18 million from 2007-08. For Irish growers, this works out at €7.35 per tonne of beet in 2006-07, rising to €12.03 per tonne of beet from 2007-08.

I call on the Minister to reject these proposals and, furthermore, I insist that she call for no conclusion on an agreement in advance of the November meeting of the Council of Ministers. We must await the outcome of the World Trade Organisation meeting in Hong Kong in December. The outcome of that meeting will have a direct bearing on the price at which sugar sells in the European Union. I call for prudence in this matter. The outcome of the WTO meeting will have a direct bearing for the EU-wide sugar regime. I appreciate that negotiations are difficult but if they result in the loss of a viable industry and no Irish sugar-producing facility, they will have untold consequences and leave us to the mercy of the European sugar interests. That is a vista we do not want to contemplate.

Minister of State at the Department of Agriculture and Food (Mr. B. Smith): I thank Deputy Sherlock for raising this issue and welcome the opportunity to comment on the proposals for reform of the EU sugar regime, which were again discussed at today's Council of Agriculture Ministers meeting in Luxembourg.

It is over a year since the Commission first outlined its thinking on the future shape of the sugar regime but formal legislative proposals only emerged at the end of June 2005. The proposals have now been formally presented to the Council and the Parliament, and the UK Presidency is striving to reach political agreement before the WTO ministerial meeting in Hong Kong in December. It should also be noted that the sugar regime in its current form will expire at the end of June 2006, and therefore there is a need for a decision on future arrangements to avoid a legal vacuum from next July.

Everybody is familiar with the reasons reform of the sugar regime is high on the EU agenda. In addition to the internal EU pressures to bring the sugar industry into line with the other agricultural sectors, there are international pressures. These fall under three main headings: the everything but arms agreement, the WTO Doha round of trade negotiations, and the ruling by a WTO panel last April against aspects of the EU regime following on a complaint by Brazil, Thailand and Australia.

From the outset, Ireland pointed out the serious repercussions the proposals would have

for the Irish industry. The Minister for Agriculture and Food, Deputy Coughlan, along with her colleagues from nine other EU member states, made a joint submission to the Commissioner for Agriculture pointing out the devastating effect the proposals would have both on producers and the industrial enterprises in the sector. While the ten Ministers acknowledged the need to modify the existing regime, they argued that the reform should aim to keep the existing pattern of sugar beet and sugar production across the entire EU territory.

The legislative proposals published last June turned out to be even more severe than anticipated and went even further than the Commission had initially envisaged, not least because of the WTO ruling in April 2005 against aspects of the EU regime. There were two key differences: the price cuts were deeper and the proposal for compulsory quota cuts along with the proposal to allow quota mobility between member states was dropped, being replaced by a voluntary restructuring scheme for factories.

The Commission's stated objective in presenting these particular proposals is to develop a sustainable future for the EU sugar industry by enhancing competitiveness and, at the same time, to attain a sustainable market balance between domestic production levels and international commitments.

The key elements of the proposals are a 39% price cut in the institutional price for sugar, a corresponding reduction in the minimum price for sugar beet and 60% compensation to farmers for the price cut. A voluntary restructuring scheme is proposed to encourage factory closures and the renunciation of quota.

From Ireland's perspective, the proposals are completely unacceptable in their present form. The price cuts proposed are so severe as to make sugar beet production in several member states, including Ireland, uneconomic. It is unprecedented for the Commission to make proposals that could lead to the demise of an entire sector in a number of member states.

The restructuring scheme as proposed is inequitable as the closure of a sugar factory would have major implications for sugar beet growers and this fact is not sufficiently appreciated. Apart from going against the expressed views of many member states, the proposals for price reductions have not found favour with the least developed countries either.

At Council in July, the Minister argued strenuously that the price cuts proposed are too severe, that the reforms should be based on a longer lead-in time for everything but arms agreement and that it would be preferable to await the outcome of the WTO meeting in Hong Kong in December before seeking to conclude an agreement on sugar reform. The Minister is in frequent contact with like-minded ministerial colleagues in

other member states who also oppose the proposals. A further letter from a group of 11 member states, including Ireland, was submitted to the Commission today in advance of the formal discussion at Council setting out the objections of the group to the proposals.

The Minister also met the Agriculture Commissioner on a number of occasions to voice her strong reservations. Meanwhile, there has been ongoing contact at official level with other member states and the Commission about the reform proposals.

The Minister maintained her firm opposition to the Commission's proposals when she addressed today's meeting of the Council of Ministers in Luxembourg. Negotiations will become more intensive over the coming weeks and the proposals will be considered by the Council again next month. Given their severity, it is clear the negotiations will continue to be difficult but the Minister will be resolute in pursuing her overall objective of achieving a more balanced agreement, which will take Irish interests into account.

Third Level Education.

Ms Sexton: It is difficult in five minutes to cover adequately an issue of such importance to all second level students who make very significant sacrifices at a relatively young age to study hard to ensure they get the required points to pursue a career of their choice.

When I tabled this matter on the Adjournment I did not expect that on the same day *The Irish Times* would carry the moving story of Katie Murphy from Wexford. Her story, told so expressively, encapsulates in a way I could never have done the hope when she applied for a re-check, the joy when she got her additional points, the utter disbelief when no place was available to her, the subsequent disappointment of attempting to access a place and finally the resignation she experienced when she realised that her hopes and dreams were to be dashed, for this year at least. She now must watch helplessly while her friends and contemporaries start their first year in their chosen career without her. None of us can fully understand the impact such a disappointment will have on Katie and the other students whom she, perhaps unintentionally, represents.

I will confine my contribution to the faculty of medicine although it could equally apply to several disciplines. The number of re-checks of papers this year and the percentage of students upgraded were the largest ever, while the number of qualifying students refused places in the faculty of medicine was at an all-time high. I understand, however, that the Minister for Education and Science will address this soon.

Information has come into my possession which suggests that rules governing the allocation of places are not equally applied. University

[Ms Sexton.]

College Cork had four such cases and all four were offered places. Why is there not a universal and common approach between the Central Applications Office and all State universities? This would ensure that no student would feel victimised by a flawed system of allocation.

Natural justice suggests that if a wrong has been perpetrated by any Department, in this case in the correction of papers under the Department of Education and Science, that Department bears responsibility and is morally obliged to right that wrong by ensuring places are made available immediately. The decision must be made for this year and not deferred until next.

A system must be introduced from next year to ensure the results of re-checks are available in time to allow the final CAO offers to take those re-check results into consideration in the allocation of places. I appeal to the Minister to ensure the students who have been treated so unjustly by our system are accommodated this year.

The letter sent to the students concerned from University College Dublin advising that the course was fully subscribed, also stated:

Although students are not usually permitted to defer and attend another third level institution in the intervening year, in your circumstances this would be permitted. We have also been instructed that choosing this option of deferral will have no bearing on any current entitlement to 'free fees' with respect to next year.

As a result 16 students are allowed into a course which is not of their first choice and which must be extremely costly to the State with the knock-on effect this will have in the following year. I appeal to the Minister to ask the Higher Education Authority to conclude its report immediately to allow places to be found this year for the students who so richly deserve them.

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keeffe): I thank the Deputy for raising this pertinent and important matter on the Adjournment. Each year leaving certificate students submit applications to the Central Applications Office for admission to courses of third level education. The principal object of the CAO is to process these applications for admission to courses.

The function of admission or rejection of applicants to institutions remains the strict preserve of the participating institutions. Neither the CAO nor the Department of Education and Science has any involvement in this process in line with the autonomy of the universities in this regard under the provisions of the Universities Act 1997.

Following the issuing of the results of the leaving certificate examination in August, students are offered places on college courses on the basis of the provisional grades achieved by them. The State Examinations Commission is responsible for the development, assessment, accreditation and certification of the second-level examinations, namely, the junior certificate and the leaving certificate. This is a non-departmental public body under the aegis of the Department of Education and Science. On 17 August 2005 the State Examinations Commission issued almost 375,000 provisional leaving certificate grades, marked by some 3,000 examiners, to in excess of 57,000 candidates.

The objective of the State Examinations Commission is to ensure the processing of results is as free from error as possible. Recognising the inevitable problems which can arise in a system of this size, a transparent, easily accessible and effective appeals process is available to all candidates unhappy with their results.

As a first step, candidates, on receipt of their results, are given the facility of viewing their marked scripts to see how the marking schemes were applied in their case. This year the viewing of marked scripts occurred on 2 and 3 September. The appeals system involves a full re-marking of papers by sometimes up to three examiners. The closing date for the receipt of appeal applications this year was 7 September. The results of the appeals issued on 12 October, some five weeks later, during which time the physical re-marking of the appeal scripts took place. During this limited timeframe, examination scripts had to be retrieved from schools, distributed to examiners, fully re-marked by appeal examiners, monitored in at least 20% of cases by appeal advisers and returned to the State Examinations Commission for results processing.

The relationship between the examinations system and entry to third level education is largely beyond the control of the State Examinations Commission. As I have said, offers of third level places are made by the CAO on the basis of the provisional results issued in August. There are good reasons for this. To delay offering places until the appeals process was completed would impact upon the start date for the academic year and as a result disadvantage the overwhelming majority of candidates whose provisional results are their final results.

The State Examinations Commission makes every effort to process the results of appeals as quickly as possible to facilitate the college entry process. This is balanced with the need to allow the appeal examiners sufficient time to carry out a thorough re-marking of candidates' work.

I understand that more than 80 students in total who applied to UCD this year received leaving certificate upgrades. More than 60 of these students have now been offered places on the

basis of their upgraded results. An unprecedented number of students, 16 in total, were entitled to places in medicine at UCD this year as a consequence of leaving certificate upgrades. This has presented logistical and capacity issues for the university which cannot at this stage accommodate an additional 16 students on year one of the six-year medicine programme. In previous years it has been possible to accommodate additional students as the numbers have been much smaller, usually fewer than five.

UCD has now contacted all medicine upgrades to notify them that it is its intention that they will be offered a place in the first year of the accelerated five-year medicine programme in 2006. Most of the students are in the first year of a science related programme, so it is not envisaged that there will be any difficulty with this transition. A small number of students are not studying science related programmes and UCD is looking into mechanisms whereby their entry into the first year of the five-year programme may be facilitated.

In normal circumstances, all of these 16 students would have been entering a six-year programme this year. The alternative option of entry to the five-year programme next year ensures that they will not lose out in terms of the length of time to graduation. It is also the case that, on an exceptional basis, the eligibility of these students under the free fees scheme will not be affected as a result of the necessary transfer of programmes next year.

I thank the Deputy for providing this opportunity to clarify the position relating to the 16 upgraded applicants for medicine in UCD. It has been the normal practice of universities and institutes of technology to make every effort to accommodate students affected in this way. The Minister is satisfied that UCD has dealt sympathetically with the students involved having regard to the logistical difficulties they faced in these particular circumstances.

Water and Sewerage Schemes.

Mr. Neville: I thank the Ceann Comhairle for the opportunity to raise the issue of the provision of a sewerage scheme for Shanagolden village in County Limerick. Shanagolden is situated in the western part of the county, west of Askeaton. It is a very old town dating back to ancient Christian times and has a great heart. However, it is prevented from developing because its sewerage scheme needs updating.

Shanagolden is in an area of great population decline where the exit from farming or the transfer to part-time farming has been very pronounced. There is a great need for an injection of economic activity into the area. The construction of a new sewerage scheme would ensure this injection. People have proposed developments

for Shanagolden. A year and a half ago, one person proposed a €19 million private housing development for the village but it could not proceed because of the lack of the sewerage scheme. A local person proposed 12 apartments for the village but that could not proceed because of the same lack.

Last April, during a discussion at an area committee meeting of Limerick County Council, the assistant county manager pointed out that the council owns lands in Shanagolden in excess of its needs. The council was approached by a developer who wanted to purchase some of this land to build private housing, but because the sewerage scheme was not in place, this could not proceed.

If the Government were to respond to this issue, the entrepreneurs who see potential for development in Shanagolden will come into the village, develop it and bring new people to an area in decline. Shanagolden is twinned with Foynes, where there has been flooding and many sewerage difficulties, and the provision of a new sewerage scheme for Shanagolden would also overcome the difficulties in Foynes.

The Government is obstructing the opportunity for the village to develop. That opportunity may not be around forever. It may not be around next year or in five years' time. We have no indication, other than at election time, that anything will happen with regard to the sewerage scheme. The same applies to other areas such as Askeaton, Glin, Athea, Drumcolligher, Adare, Bruff and other areas where there is an opportunity for villages and towns to develop, yet they are denied that opportunity.

All the development is around the city of Limerick. We have no problem with that but in the rural areas we want to take the opportunity, while development plans are available, to bring them to those areas. In Limerick, villages are being downgraded to rural areas. Villages accepted as such under previous country development plans are now designated as rural areas. For development purposes, they are no longer designated as villages. We are asking the Minister to give us the opportunity, by way of funding, to develop those villages. In this instance, because the opportunity of development in Shanagolden is staring us in the face, we ask that it be facilitated.

I am also concerned that many of the parliamentary questions I tabled get responses related to matters that need to be attended to by Limerick County Council. I have discussed this with the council and its representatives tell me that much of the information required merely involves nit-picking. It is information which could be given over the phone and followed up on very quickly. This is merely an excuse to delay answering the question in this House. We ask the Minister of State to facilitate the growth of this village.

Mr. B. O’Keeffe: I thank the Deputy for raising this issue and I am glad to have the opportunity to give an update on the scheme.

My Department’s water services investment programme for 2004 to 2006 was published in May 2004 and includes funding for more than 20 water and sewerage schemes throughout County Limerick. Towns and villages including Adare, Patrickswell, Athea, Askeaton, Foynes, Glin and Kilmallock can look forward to new or upgraded sewerage schemes.

Mr. Neville: When?

Mr. B. O’Keeffe: Many areas will also benefit from improved water supplies from the major upgrade planned for the Clareville water treatment plant, improvements to the Shannon estuary water supply scheme and extensions of the County Limerick trunk water mains. In total, almost €143 million is being invested under the water services investment programme in County Limerick.

I am glad to be able to confirm that part of this funding has been set aside for the Shanagolden sewerage scheme. The scheme is being advanced as a grouped project in conjunction with the Athea, Askeaton, and Foynes sewerage schemes and it is also proposed to now include Glin sewerage scheme in this group.

The project is a major infrastructural undertaking that envisages a combination of upgraded, extended and newly built wastewater treatment infrastructure and sewage collection networks as required in each location. It will play a major role in allowing each of these communities to develop their residential and commercial sectors. The scheme has been assigned construction status by my Department in the water services investment programme and the council will be able to prepare contract documents once it has submitted and received approval from my Department for

the preliminary report for each of the locations encompassed by the project.

The position with regard to the preliminary reports is that my Department approved Limerick County Council’s brief for the appointment of consultants to produce preliminary reports for Askeaton, Athea, Foynes and Shanagolden in 2002. We subsequently authorised the fees for the consultants selected by the council. That would ordinarily have cleared the way for work to start on the preliminary reports. However, later in 2003, the council submitted substantially increased fee proposals based on significantly higher scheme costs.

Approval for a further increase in the consultants’ fees was sought in 2004, when it was decided to incorporate the Glin sewerage scheme into the group. It has not been possible for the Department to approve these fee increases, which result from an upward revision in the projected cost of the overall scheme from €17.5 million to €28 million.

Following correspondence and consultations between the council and the Department, further information was requested from the council last month to enable the scheme to move forward. The council has been asked to produce an economic justification for the increased costs along with details of the existing housing and projected future residential development the scheme is intended to service. These additional data are required to allow my Department to determine a preliminary budget for the scheme and to respond to the council’s submission on the increased fee proposals.

I assure the Deputy that I have taken note of what he has said about the need to get this project moving and that the council’s response will receive urgent consideration in my Department when it comes to hand.

The Dáil adjourned at 9.35 p.m. until 10.30 a.m. on Wednesday, 26 October 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 8, inclusive, answered orally.

Questions Nos. 9 to 92, inclusive, resubmitted.

Questions Nos. 93 to 99, inclusive, answered orally.

Planning Issues.

100. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government the number of section 140 motions under the Local Government Act 2001 which have been tabled and passed by local authorities in each county since the passing of the Act; and if he will make a statement on the matter. [30418/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The application of section 140 of the Local Government Act 2001 is wholly a matter for local authorities, and my Department does not compile comprehensive data in relation to resolutions by authorities under this section of the Act. However, information is obtained from planning authorities regarding the use of section 140 procedures in relation to planning applications and this information is included in the annual planning statistics published by my Department.

In 2002, 27 resolutions were tabled under this procedure and the related section 4 provisions of the City and County Management (Amendment) Act 1955, of which 23 were passed. In 2003, 130 section 140 resolutions were tabled of which 101 were passed.

Water Quality.

101. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government the action he will take to improve further surface water quality and reduce eutrophication of rivers, lakes, and tidal waters in view of the fact that gains in water quality made in the late 1990s have not been sustained; and if he will make a statement on the matter. [30440/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The main conclusion of the recently published EPA report, Water Quality in Ireland 2001-2003, is that the overall condition of Irish waters remains satisfactory and compares favourably with the position in other European countries.

One important factor has been the dramatic improvement in the area of waste water discharges into fresh or estuarine waters since the mid-1990s. In 1997 when this Government took office, fewer than 20% of discharges met EU requirements. This has by 2005 risen to 90%, reflecting massive investment by my Department in waste water treatment plants — €1.7 billion in the four-year period to 2004 alone. The benefits of this waste water investment programme are now visible. This year Dublin became one of a very small handful of European capitals to have a blue flag beach in their metropolitan area. Again this summer, the River Lee was sufficiently clean for the Lee swim to be held again in the heart of Cork city for the first time in more than 50 years.

While I welcome the positive improvements noted in the report, we cannot be complacent. The report highlights areas where further work is needed, such as combating the risk posed to our rivers and lakes by nutrient enrichment. To meet the challenges raised in the report, we must tackle pollution from all sources, agricultural, municipal or industrial.

A wide range of measures are being progressed to secure further improvements in water quality. A revised nitrates action programme was finalised in July for the purpose of strengthening the application of good farming practice for protection of waters. I have subsequently issued for public consultation the text of draft regulations to give legal effect to the nitrates action programme and I intend to make the regulations by the end of November following consideration of comments received. The nitrates action programme will come into effect on a phased basis from 1 January 2006.

Ireland has, to date, met all implementation deadlines under the water framework directive which aims to prevent any deterioration of waters and to achieve at least good status for all waters. A programme of measures is being developed for each river basin district for this purpose. I am confident that all these measures will bring about sustained improvements in our water quality over the coming years.

Nuclear Safety.

102. **Mr. Noonan** asked the Minister for the Environment, Heritage and Local Government if he will publish his correspondence with Mr. Finn Uglevelt in relation to the level three incident at Sellafield in 2005; and if he will make a statement on the matter. [30426/05]

141. **Ms Enright** asked the Minister for the Environment, Heritage and Local Government if he will publish his correspondence with UK Minister, Mr. Alan Johnson MP, in relation to the level three incident at Sellafield earlier in 2005;

[Ms Enright.]

and if he will make a statement on the matter.
[30425/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 102 and 141 together.

I have had no direct correspondence with Mr. Finn Uglevelt in relation to the level three incident at Sellafield. However, officials of my Department were in correspondence on this issue with Mr. Uglevelt, who is attached to the Norwegian Radiation Protection Authority. The incident at Sellafield was the subject of correspondence between myself and Alan Johnson MP, Secretary of State for the UK at the Department of Trade and Industry, which culminated in my recent meeting with him on the 19 October last.

That meeting focused on the THORP incident and on issues regarding the continued operation of the Sellafield plant. While our meeting was cordial, there was an extremely frank exchange of views. I made very clear to the Secretary of State, the Government's serious concern about the fact that the THORP incident of last April had occurred at all. I strongly underlined our concern about the findings of BNFL's own report in regard to the culture of complacency at Sellafield. The THORP leak represented another chapter in the ongoing Sellafield cycle of failure. This pattern is untenable and the Secretary of State was left in no doubt about our view that it is time for the UK to face up to and make the hard decisions necessary to end reprocessing. The Secretary of State confirmed to me that the UK Government is undertaking a review of the THORP plant with the Nuclear Decommissioning Authority, which assumed responsibility for the Sellafield site and operations in April 2005. While I welcomed this development, I conveyed in the strongest possible terms the view of the Irish Government that reprocessing should be brought to an end.

I also made it known to the Secretary of State that I had again raised the issue of the THORP leak with the European Commissioner for Energy, Mr. Andris Piebalgs. EU safeguards and controls at Sellafield are conducted under the terms of the EURATOM Treaty. In my most recent letter I have pressed the Commissioner to reflect on the implications of the THORP leak for the conduct and effectiveness of the safeguards regime and to respond appropriately. I look forward to hearing from the Commissioner on this important matter at an early date.

Normal practice is to maintain the confidentiality of correspondence which is generated in the context of the international relations of the State. I do not propose to depart from that practice in these cases.

National Building Agency.

103. **Mr. Hogan** asked the Minister for the Environment, Heritage and Local Government the new role for the National Building Agency; and if he will make a statement on the matter.
[30015/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The primary objectives of the National Building Agency are to provide advisory services to local authorities in the provision of social housing and to undertake urban renewal projects on a commercial basis in joint venture arrangements with local authorities and/or builders and developers. The agency makes a valuable contribution in delivering on the Government's objectives on social housing through the voluntary, local authority and affordable housing programmes and major local authority housing refurbishment projects.

Within the agency's overall mandate, there is scope for its expertise to be deployed in providing certain support services to the recently established affordable homes partnership. The partnership, which was established with effect from 1 August 2005, is charged with co-ordinating and adding impetus to the delivery of affordable housing in the greater Dublin area which includes the four Dublin local authority areas and counties Meath, Kildare and Wicklow, with a particular focus on the Dublin area. My Department has had discussions with both the agency and the partnership about this issue and both organisations are now working to progress potential areas for co-operation.

Homelessness Policy.

104. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government if he will guide local authorities and State agencies towards a broader and more realistic definition of homelessness, as recommended by the Simon and Combat Poverty Agency report published earlier in 2005, to inform policy and planning in a more effective way; and if he will make a statement on the matter. [30384/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The definition of homelessness in the Housing Act 1988 provides for a wide range of circumstances on the basis of which a person may be deemed homeless by a local authority. I am, however, aware of calls for the revisiting of this definition and for its application on a more consistent basis by local authorities nationally. The independent review of the implementation of the integrated and preventative homeless strategies and their associated action plans, which is nearing completion, is addressing

issues relevant to this matter. I expect that the outcome of this review will assist future decisions in this area.

Nuclear Plants.

105. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government his views on plans to privatise a number of nuclear installations in the United Kingdom; his further views on whether that as bad as safety at nuclear installations in the United Kingdom is under a state company, they will only worsen if privatised; his views of persons to the privatisation plans of the United Kingdom counterpart; and if he will make a statement on the matter. [30293/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I assume that the question refers to recent reports of plans by the UK Nuclear Decommissioning Authority to introduce competition into the decommissioning process by using contractors and encouraging competition to carry out decommissioning contracts. The Nuclear Decommissioning Authority is a public body established by the UK Government. The objective of the authority is to deliver safe, cost effective and environmentally responsible decommissioning of the UK's civil nuclear legacy.

While in principle the use of contractors should not cause safety standards to be compromised, I understand that contractors were previously used at the Dounreay research reactor site. This experience was unsatisfactory since proper scrutiny and safety co-ordination was not in place and safety standards suffered. I understand that such concerns are being addressed in discussions between the UK regulators and the authority.

Regardless of whether contractors are used for a particular operation, the ultimate responsibility for safety still lies with the Nuclear Decommissioning Authority and it is imperative that safety standards should be maintained and not compromised to achieve false economies. My Department and I will remain fully engaged as stakeholders in regard to the operations of the authority and we will continue to articulate our concerns that only the highest safety, security and environmental standards are employed by the authority in its operations or by contractors acting on its behalf.

Greenhouse Gas Emissions.

106. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government if he has estimated the potential impact on the Exchequer of the purchase of carbon credits under Kyoto. [26665/05]

114. **Mr. Ferris** asked the Minister for the Environment, Heritage and Local Government if he will make a statement to Dáil Éireann regarding the predictions by consultants engaged to review the State's greenhouse gas emissions that they will face a bill of more than €100 million for failure to reduce emissions output in line with Kyoto commitments and the fact that the Government's failure to take the action necessary to curb greenhouse emissions has brought about this situation. [30322/05]

126. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government the level of fines Ireland will be forced to pay for failure to meet obligations under the Kyoto Agreement; and if he will make a statement on the matter. [30341/05]

152. **Mr. G. Mitchell** asked the Minister for the Environment, Heritage and Local Government his views on the recent report on the Kyoto Protocol conducted by companies (details supplied); and if he will make a statement on the matter. [30339/05]

160. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government the amount he projects will need to be spent on emissions trading to meet obligations under the Kyoto Agreement; and if he will make a statement on the matter. [30340/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 106, 114, 126, 152 and 160 together.

On 11 October 2005, my Department made available a report by consultants that sets out preliminary updated projections of national greenhouse gas emissions during the Kyoto Protocol commitment period 2008-2012. These projections are part of Government preparations for the second phase of the EU emissions trading scheme, which covers the same period, and have been published to facilitate public consultation with stakeholders. As such, they should not yet be regarded as definitive projections of emissions for the period in question. The public consultation will inform ongoing work by the consultants and I expect to publish their final report early in 2006.

The preliminary projections suggest that Ireland must achieve emissions reductions of 8.1 million tonnes of carbon dioxide over the period 2008 to 2012 to meet its target for the purpose of the Kyoto Protocol. This figure is more than a million tonnes less than earlier projections of 9.2 million tonnes.

A proportion of this 8.1 million tonnes gap will be allocated to Irish participants in the EU emissions trading scheme and the remainder will be

[Mr. Roche.]

addressed through a combination of emission reductions in line with the national climate change strategy and the purchase by the State of carbon credits through the mechanisms provided for under the Kyoto Protocol.

The purchase of carbon credits is one of the options under the Kyoto Protocol to achieve emission reductions on a least-cost basis. The Government has already signalled its intent to use the Kyoto Protocol flexible mechanisms to purchase up to 3.7 million allowances for each year of the Kyoto Protocol commitment period. On the basis of an assessed average price of €15 per carbon allowance during the period 2008 to 2012, the total annual cost to the Exchequer would be €55.5 million.

In the commitment period 2008 to 2012, Ireland's target is to limit emissions of greenhouse gases at not more than 13% above 1990 levels. Data compiled by the Environmental Protection Agency show overall emissions in 2003 at approximately 25% above 1990 levels, down from approximately 29% in 2002 and 31% in 2001. These show significant progress towards our 13% target. Ireland has no reason to contemplate fines or penalties under the Kyoto Protocol and the focus of Government policy and action is to achieve our emission limitation target.

Departmental Schemes.

107. **Mr. Penrose** asked the Minister for the Environment, Heritage and Local Government if the World Health Organisation international radon project co-ordinators' attention has been drawn to the fact that in 1997 the Government scrapped a radon remediation grant scheme for householders; if this issue has been raised in view of the 200 deaths per year which are linked to radon exposure here; and if he will make a statement on the matter. [30297/05]

203. **Mr. Penrose** asked the Minister for the Environment, Heritage and Local Government the financial constraints within his Department which prevent the introduction of a radon remediation grant scheme for householders; and if he will make a statement on the matter. [30298/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 107 and 203 together.

Ireland, through the Radiological Protection Institute of Ireland, RPII, is actively participating in the World Health Organisation's international radon project and will continue to support this work. Exchanges of information on national experiences are an ongoing part of the international radon project and RPII would have contributed briefing on the Irish experience.

As I have previously stated, Government efforts and resources, together with the RPII, are continuing to focus on highlighting public awareness of radon and on improving information to householders to enable and encourage them to address monitoring or remedial requirements effectively and economically.

The Government has over the years, largely through the RPII, committed significant resources to assessing the extent of the radon problem throughout the country and to highlighting public awareness of radon and the health risks associated with prolonged exposure to high radon concentrations. For many years now, the RPII has been encouraging householders, particularly those in high radon areas, to have their homes tested for radon and to undertake radon remediation works where necessary. This approach is considered to be more effective than the introduction of a demand-led scheme of domestic radon remediation grants.

It should be noted that a recent European study shows that, for those exposed to similar concentrations of radon, the risk of contracting lung cancer is 25 times greater for those who smoke and that the vast majority of the radon-induced lung cancer cases occur among smokers and ex-smokers.

Nuclear Plants.

108. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government if he will report to Dáil Éireann on the meeting which he held with British environment secretary on 19 October 2005; the discussion he had in relation to Sellafield and if any agreements were reached that will further the campaign to bring about the closure of Sellafield. [30318/05]

124. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government his views on his recent meeting with the British Government regarding Sellafield. [30399/05]

177. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if he will report on his meeting with the British Secretary of State for Trade and Industry, Mr. Alan Johnson; if he made him aware of the views of the Irish people at the undetected leak for nine months of 83,000 litres of radioactive material containing 20 tonnes of uranium and plutonium; and if he will make a statement on the matter. [30294/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 108, 124 and 177 together.

I met the Secretary of State for the Department of Trade and Industry, Mr. Alan Johnson, in London on 19 October. The meeting focused on

the THORP incident and on issues regarding the continued operation of the Sellafield plant. While our meeting was cordial, there was an extremely frank exchange of views.

I made very clear to the Secretary of State, the Government's serious concern about the fact that the THORP incident of last April had occurred at all. I strongly underlined our concern about the findings of BNFL's own report in regard to the culture of complacency at Sellafield. The THORP leak represented another chapter in the ongoing Sellafield cycle of failure. This pattern is untenable and the Secretary of State was left in no doubt about our view that it is time for the UK to face up to and make the hard decisions necessary to end reprocessing.

The Secretary of State confirmed to me that the UK Government is undertaking a review of the THORP plant with the Nuclear Decommissioning Authority, which assumed responsibility for the Sellafield site and operations in April 2005, following this year's serious incident. While I welcomed this development, I conveyed in the strongest possible terms the view of the Irish Government that reprocessing should be brought to an end. Reprocessing is unwelcome, environmentally untenable and compromises safety and security on both sides of the Irish Sea. Any review of THORP should encompass not only economic, but also safety, security and environmental considerations. The Secretary of State also informed me that there were no new contracts in place for the THORP facility and that it was expected that all reprocessing at the plant would cease in 2010. If this position holds, as I hope it will, it will represent a very positive outcome, although the operation of the THORP facility is only one of our concerns about the Sellafield operation.

I also made it known to the Secretary of State that I had again raised the issue of the THORP leak with the European Commissioner for Energy, Mr. Andris Piebalgs. EU safeguards and controls at Sellafield are conducted under the terms of the EURATOM Treaty. In my most recent letter I have pressed the Commissioner to reflect on the implications of the THORP leak for the conduct and effectiveness of the safeguards regime and to respond appropriately. I look forward to hearing from the Commissioner on this important matter at an early date. It is clear that the recent incident at the THORP plant has prompted a serious review of the operation of the plant and it remains to be seen if it will reopen.

I also raised the issue of security at Sellafield and both the Secretary of State and myself noted the improved co-operation and information sharing which the two Governments put in place over the past year arising out of the international legal actions which Ireland has pursued.

I have little doubt that the current legal and diplomatic initiative by the Government in

relation to Sellafield has resulted in increasing recognition by the UK Government and its agencies of the priority accorded to the issue of Sellafield by the Irish Government. I am confident that my meeting with Secretary of State Johnson served to again highlight the Government's concerns and reiterate our ongoing commitment to securing the safe closure of the Sellafield plant.

Building Regulations.

109. **Mr. Hogan** asked the Minister for the Environment, Heritage and Local Government the reason for the delay in implementation of the new improved energy efficiency standard for housing; and if he will make a statement on the matter. [30017/05]

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, NCCS, proposed that 1997 part L standards, operative since 1 July 1998, 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 radical increase 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 standards will reduce energy required for domestic space heating by an estimated 23% to 33%, depending on the type and size of dwelling.

The 2002 regulations contained a transitional provision whereby the enhanced part L standards do not apply to new dwellings for which planning permission was sought on or before 31 December 2002, provided the substantial work has been completed on the new dwellings involved by 31 December 2005. This type of transitional provision is a common feature of building regulation amendments and is designed to ensure that major changes in building code requirements do not disrupt the construction of new dwellings at an advanced stage of planning or design.

Social and Affordable Housing.

110. **Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government his plans to repeal the provisions introduced by way of the Planning and Development (Amendment) Act 2002 which enabled developers to give money, land or units on a different development to fulfil their commitments under Part V and which undermine the potential of the legislation to deliver integrated social and affordable housing. [30320/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The changes to Part V of the Planning and Development Act 2000, introduced by way of amendment, are specifically designed to secure delivery of housing more quickly and more efficiently. Section 3 of the 2002 Act which replaced section 96 of the Planning and Development Act 2000 and sets out certain additional ways in which an applicant for permission for development may comply with the requirements of Part V in relation to the provision of social and affordable housing.

Instead of reserving land or providing sites to the local authority within the proposed development, applicants can now reach an agreement to reserve land or to provide houses or sites at another location or to make a payment to the local authority which will be used for the provision of social and affordable housing or to agree to a combination of any of these factors. It is important to note that when considering whether to enter into an alternative agreement, the authority will have to consider its contribution towards achieving the objectives of the housing strategy, its resources and the financial implications of such an agreement towards its budget, the need to counteract undue social segregation in the area, the provisions of the development plan and how quickly housing is likely to be provided as a consequence of the agreement.

While all of these options give considerable flexibility to planning authorities, the preferred option is the delivery of housing units, particularly on site to achieve integrated mixed tenure developments. All moneys received under a Part V agreement by a planning authority must be lodged to a separate account and may only be used as capital for its functions under Part V or in relation to the provision of housing under the Housing Acts 1966 to 2002.

Far from hindering housing output, the introduction of these additional options for compliance with Part V requirements has enabled practical agreements to be made in a timely manner, thus allowing us to secure high levels of housing supply for all sectors of the community. Up to the June quarter of 2005, a total of 1,294 housing units have been acquired under Part V with

in excess of 2,200 units in progress. In the circumstances, I have no plans to repeal the provisions of the Act.

EU Directives.

111. **Mr. Howlin** asked the Minister for the Environment, Heritage and Local Government the reason he has failed to respond to the European Commission's final warning announced on 13 January 2005 regarding the failure to clean up waste at the Boyne estuary in view of the fact that a response was due within three months of the warning; and if he will make a statement on the matter. [30370/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keeffe): On 22 December 2004, an additional reasoned opinion was addressed to Ireland by the European Commission, under article 226 of the treaty establishing the European Community, concerning alleged failure by Ireland to comply with obligations under Directive 75/442/EEC on waste, as amended by Directive 91/156/EEC, and Directive 92/43/EEC on the conservation of natural habitats and of wild flora and fauna. A response by Ireland had in fact issued on 6 December 2004.

This issue was among a number of matters discussed by my officials with the Commission at a meeting in Dublin on 20 October 2005. A further letter issued to the European Commission on 21 October 2005 with the aim of progressing the matter towards a satisfactory conclusion.

Social and Affordable Housing.

112. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government his views on whether the NESC estimation that 73,000 more social housing units will be needed by 2012; if he and the local authorities will be able to supply this many units; and if he will make a statement on the matter. [30360/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I refer to the reply to Question No. 95 of today.

113. **Mr. Hayes** asked the Minister for the Environment, Heritage and Local Government the steps he will take to reverse the trend in construction of voluntary and co-operative housing, which showed a 57.5% fall in the number of completions in the second quarter of 2005; and if he will make a statement on the matter. [30347/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Activity under the voluntary and

co-operative housing schemes has been increasing steadily over the last five years. Some 1,600 units of accommodation were provided last year compared with 950 units in 2000, which represents an increase of more than 59%. The number of units completed and in progress at the end of June 2005 stood at 2,564 and it is anticipated that the number of units which will be completed this year will exceed 1,600.

The Government is fully committed to developing and expanding the sector and to supplying the necessary resources and support to enable it to become an important and significant force and provider in the housing area. Provision for funding for the schemes has been increased significantly from €44 million in 1999 to €237 million in 2005. In conjunction with this funding for the voluntary housing programmes, my Department has also initiated the development by local authorities of five-year action plans, commencing in 2004, for the delivery of social and affordable housing, including the voluntary programme, to ensure a systematic and integrated approach to the effective use of these resources.

Question No. 114 answered with Question No. 106.

Waste Management.

115. **Mr. M. Higgins** asked the Minister for the Environment, Heritage and Local Government the steps he will take at national level to tackle the illegal dumping of construction waste, which was cited by the Office of Environmental Enforcement's report, *The Nature and Extent of Unauthorised Waste Activity in Ireland*; and if he will make a statement on the matter. [30369/05]

125. **Mr. M. Higgins** asked the Minister for the Environment, Heritage and Local Government if a national waiver system for refuse collection will be established in view of claims by the office of environmental enforcement that a significant proportion of the population are illegally dumping or burning waste; and if he will make a statement on the matter. [30368/05]

140. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government if he will provide funding to local authorities to deal with the investigation and clean-up of the 25 illegal dumping sites identified in the EPA report, *The Nature and Extent of Unauthorised Waste Activity in Ireland*; the steps he will take in relation to the clean-up and investigation of the historical illegal dumping sites not included on the EPA list; and if he will make a statement on the matter. [30385/05]

149. **Mr. McCormack** asked the Minister for the Environment, Heritage and Local Govern-

ment the action he will take following the publication by the office of environmental enforcement of its report, *The Nature and Extent of Unauthorised Waste Activity in Ireland*; and if he will make a statement on the matter. [30355/05]

187. **Ms Shortall** asked the Minister for the Environment, Heritage and Local Government the actions he will take to provide stricter enforcement against backyard burning of household waste; the further action he will take in relation to the use of illegal waste collectors; and if he will make a statement on the matter. [30390/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 115, 125, 140, 149 and 187 together.

I welcome the publication of this report which also sets out an action plan to deal further with unauthorised waste activity in Ireland. The office of environmental enforcement, through its national enforcement network, will co-ordinate the implementation of this plan. The network has, for example, on 18 and 19 October 2005 organised a national conference on waste enforcement for local authority personnel and other stakeholders, including officials from my Department and representatives of the regulatory authorities in Northern Ireland, to consider further the prioritisation of the required actions. Additional enforcement initiatives are being planned, including targeted efforts to deal with the construction and demolition waste aspects highlighted in the report. Certain of the initiatives fall to be considered by my Department and these will be dealt with as soon as possible and in conjunction with OEE priorities.

The office is continuing to seek information about unauthorised waste activity, both past and present, and a confidential waste information line is being established to facilitate any individuals or organisations that wish to provide information to the OEE about illegal dumping of waste.

The issue of investigation and remediation associated with illegal waste deposition has been dealt with in the recent policy direction which I issued under section 60 of the Waste Management Act 1996. The direction requires that regulatory authorities pursue illegal holders of waste looking to the maximum potential sanctions available in law. In addition, the direction requires that local authorities, where practicable, pursue civil remedies against illegal operators, as provided for the Waste Management Act, including for purposes of recovering the costs of remediation measures taken.

In regard to landfills which are now closed but which when in operation complied with the then existing legal requirements, a statutory direction issued by me has reminded local authorities of

[Mr. Roche.]

their statutory obligation to identify and risk assess all such facilities having regard to modern environmental standards. The EPA is preparing a methodology to assist in the risk assessment phase of this process. The environmental and financial implications of this landfill legacy will be further considered when this investigation has been advanced.

I am satisfied that there is an effective regulatory and enforcement regime in place to deal with both backyard burning and illegal waste collectors. The Air Pollution Act 1987 prohibits the occupier of any premises from causing or permitting an emission of a pollutant into the atmosphere in such a quantity or manner as to be a nuisance. The Act empowers local authorities to prevent or limit air pollution and provides for penalties including fines and-or imprisonment upon conviction. In addition, section 20 (5) of the Fire Services Act 1981 provides that a fire authority may serve a fire safety notice on the owner or occupier of land on which a flammable, explosive or potentially explosive substance is used, stored or deposited adjacent to buildings in such a manner as to represent a serious danger to life. The fire safety notice may require that specified measures be taken to reduce the level of danger.

The Waste Management Act 1996 also places a general duty on the holder of waste not to hold, transport, recover or dispose of waste in a manner that causes or is likely to cause environmental pollution. Persons who are found to be responsible for or involved in the unauthorised disposal of waste are liable to the following penalties: on summary conviction to a fine not exceeding €3,000 and-or imprisonment for up to 12 months; and on conviction on indictment to a fine not exceeding €15 million and-or imprisonment for up to ten years.

Local authorities are also empowered under Part VII of the Local Government Act 1994 to make by-laws in the interests of the common good of the local community that any activity should be regulated or controlled. 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.

Energy Efficiency.

116. **Mr. McEntee** asked the Minister for the Environment, Heritage and Local Government the number of households equipped with solar panels to provide energy; and if he will make a statement on the matter. [30408/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department does not have information on the number of households equipped with solar panels for energy. However,

information on a range of other energy efficiency measures in Irish households is available in the Irish National Survey of Housing Quality 2001-2002, which was commissioned by my Department. A copy of this report is available in the Oireachtas Library.

EU Directives.

117. **Mr. Howlin** asked the Minister for the Environment, Heritage and Local Government when he will reply to the European Commission regarding the concerns that the Commission has in relation to the conformity of Irish legislation with Article 19(2) of the EC Treaty and Council Directive 93/109/EC, which concern the voting rights of new Community voters, in view of the fact that the Commission has concluded that the difference between the treatment of Irish voters and Community voters under Irish legislation means that the Irish legislation could infringe on Community law; if he has satisfied himself that the information on the official Government website in relation to this matter is accurate; the steps he will take to address the Commission's concerns on this matter; and if he will make a statement on the matter. [30371/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The European Commission has communicated with my Department in relation to potential costs associated with completion of a statutory declaration in respect of the first time registration of Community voters who wish to vote in European Parliament elections in Ireland. Detailed consideration of the matter is now at an advanced stage in my Department and a substantive reply will issue shortly to the Commission.

Social and Affordable Housing.

118. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government the number of units of social and affordable housing provided under Part V of the Planning and Development Acts 2000 to 2002 from 1 January 2005 to date; and if he will make a statement on the matter. [30319/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Information up to the June quarter of 2005 on the number of social and affordable housing units acquired under Part V of the Planning and Development Acts 2000 to 2004 is published in my Department's housing statistics bulletins, which are available in the Oireachtas Library and on the Department's website at www.environ.ie.

119. **Mr. Rabbitte** asked the Minister for the Environment, Heritage and Local Government when the assessment of housing need will be published; if he will report to Dáil Éireann on the numbers of social and affordable houses required nationally as reported in the assessment; and if he will make a statement on the matter. [30387/05]

180. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that owing to lack of current or forwarding addresses, thousands of local authority housing applicants were deleted from the local authority housing list in the course of the housing assessment programme initiated by his Department; if each applicant will be restored to the housing list with full and retrospective entitlement; and if he will make a statement on the matter. [30393/05]

198. **Mr. Gogarty** asked the Minister for the Environment, Heritage and Local Government the number of applicants on local authority housing lists nationally in 1997 and 2002 in the four Dublin counties. [30413/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 119, 180 and 198 together.

The most recent three yearly assessment of need for social housing was carried out by local authorities in March 2005. Returns were received in my Department over the summer period. The data are now being finalised and will be published very shortly.

The Government has been making substantial progress in addressing the concerns raised in the NESC report, with record housing output levels and increased investment in social and affordable housing measures. New measures have already been announced to accelerate the delivery of affordable housing and to maximise the availability of land for social and affordable housing programmes. The Government indicated at that stage that the more medium-term issues highlighted by NESC, particularly in the social and affordable housing area, would be addressed later in the year.

The NESC report advocated a significant increase in the social housing stock and by way of illustration argued for a social housing stock possibly to as many as 200,000 units by 2012. The NESC acknowledged, however, that the appropriateness of the overall scale of ambition and the urgency of actions would be clearer after the completion of the 2005 assessment of housing need. The Government's consideration of this matter will therefore be informed by the outcome of the statutory housing needs assessment being finalised at present and the work by the housing forum in reviewing the effectiveness of the exist-

ing social and affordable housing schemes in the context of the Sustaining Progress agreement. I anticipate the announcement of a new statement of housing policy at the end of this year.

For the purposes of undertaking the 2005 housing needs assessment, my Department issued guidelines to local authorities requesting them to contact applicants included in a previous assessment or subsequently accepted for inclusion in the next assessment to see whether they are still seeking to be housed. Local authorities were requested to carry out an extensive search for any of their existing applicants who did not respond to their requests to update information in relation to their applications. It is understood that in many instances this involved local authorities writing to the applicant up to three times and attempts were also made in some instances to contact applicants by phone.

It is a matter for individual local authorities to decide, having regard to efforts made to contact applicants, to decide on the status of applicants for waiting list purposes. My Department has no function in these individual decisions. Equally, it is a matter for individual local authorities to decide whether a housing applicant who has failed to notify the local authority of where he or she is residing should be reinstated on the waiting list with retrospective recognition of a previous application.

Previous housing needs assessments were carried out in 2002, 1999 and 1996. Information on the number of households in need of housing in the four Dublin authorities was published in my Department's September quarterly edition of the housing statistics bulletin for those years, copies of which are available in the Oireachtas Library.

Consultancy Contracts.

120. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government the guidelines on Department procurement practices and the processes which have been put in place for the approval and reporting on consultancies and for process auditing of all major procurement contracts; and if he will make a statement on the matter. [30439/05]

601. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30166/05]

602. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted, in his

[Mr. Bruton.]

Department from 1998 to date in 2005.
[30181/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 120, 601 and 602 together.

My Department has regard to the appropriate Department of Finance guidelines on engaging consultants. In addition, following the Quigley report, procurement guidelines and practices in the Department were reviewed in March 2005 and a set of consolidated guidelines has been circulated to all staff. Briefings on these have been provided to personnel in all divisions of my Department. The Department's internal guidelines require all general contracts over €25,000 and all consultancy contracts to be reported to a central unit which undertakes a process audit of the procurement prior to award of contract.

Proposals for use of consultancy services by my Department would be set out in divisional work programmes which are reviewed and approved by my Department's management team at the beginning of each year. I and the Ministers of State at my Department meet regularly with the management team and in that context or otherwise would be consulted on significant new consultancy proposals on a continuing basis.

Following on from the Taoiseach's announcement of 11 October, a further review is now under way in my Department of the processes in place for the approval and management of consultancies. This review will be completed shortly and revised processes will be put in place if required.

As regards value for money, the payment process in my Department requires that all deliverables from external commissioners are certified by the appropriate officer as meeting the Department's requirement before payment is approved.

Election Management System.

121. **Mr. J. O'Keeffe** asked the Minister for the Environment, Heritage and Local Government the status of the electronic voting scheme; the cost to date; when electronic voting will next be used here; and if he will make a statement on the matter. [30404/05]

154. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government his plans to recoup the expenditure on e-voting to date; his proposals to ensure that no further costs are incurred under this heading; and if he will make a statement on the matter. [30392/05]

170. **Mr. Rabbitte** asked the Minister for the Environment, Heritage and Local Government his views on whether the electronic voting is unlikely to be used for the next general election;

when the system is likely to be used; the cost of the system when the estimated cost of testing and storing the electronic machines until such time as they are likely to be used is taken into account; and if he will make a statement on the matter. [30386/05]

592. **Ms F. O'Malley** asked the Minister for the Environment, Heritage and Local Government the amount that is being spent by the State per month to store the electronic voting machines; and if he will make a statement on the matter. [30077/05]

657. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he will report on the electronic voting project and the current testing being undertaken on the project along with the associated costs; if the current phase of testing takes into account the need for a voter verifiable audit trail; and if he will make a statement on the matter. [30584/05]

676. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the costs incurred by the State to date in respect of e-voting; the annual projected cost; his plans to identify a more suitable use for the technology in question; and if he will make a statement on the matter. [30630/05]

680. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the cost of public relations and consultancies in respect of e-voting; if further costs are likely to accrue; and if he will make a statement on the matter. [30635/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 121, 154, 170, 592, 657, 676 and 680 together.

Following an open procurement process, my Department appointed consultants in July 2005 as part of a programme of further assessment, testing and validation of the electronic voting and counting system. The brief is to undertake a security and risk assessment of all aspects of the system and to devise a programme of additional testing. This work, which will take into account all relevant considerations, is intended to address issues raised by the Commission on Electronic Voting and demonstrate that the system operates reliably, securely and accurately.

The consultancy work, costing €92,300, excluding VAT, is under way and will be completed as soon as possible. The timing of the further use of the system is dependent on the progress made with the above work and the ongoing work of the Commission on Electronic Voting and on the dates on which future polls may be held.

The total cost incurred to date in the development and roll-out of the electronic voting and counting system is €51.065 million, including €3.097 million in respect of awareness and education initiatives and €581,000 for work by consultants on assessment-testing of the system. In addition, information provided by returning officers to my Department indicates that the total annual storage cost for the electronic voting machines and ancillary equipment is some €696,000 which equates to a monthly cost of some €58,000. It is not possible at this stage to quantify total additional costs that may arise in relation to the electronic voting and counting system. In any event, such costs are likely to be small relative to the capital investment already made.

Water Supply Contamination.

122. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government if he will introduce legislation to give new powers to the Environment Protection Agency to prosecute local authorities who supply a chronically contaminated public water supply; and if he will make a statement on the matter. [30438/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Water Services Bill 2003, which is before the Dáil, provides for a comprehensive legislative code to underpin the delivery of water services. Enforcement provisions in the Bill are being reviewed at present and I will be prepared to facilitate on Committee Stage any reasonable provisions to strengthen current arrangements which may be considered necessary.

Planning Issues.

123. **Mr. J. O’Keeffe** asked the Minister for the Environment, Heritage and Local Government if he will review the planning Acts to provide more choice to persons; and if he will make a statement on the matter. [30405/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Planning and Development Act 2000 was the culmination of a comprehensive review of planning legislation and apart from the strategic infrastructure Bill which is now being drafted, I do not have any current plans to review the general statutory provisions relating to the planning process.

Question No. 124 answered with Question No. 108.

Question No. 125 answered with Question No. 115.

Question No. 126 answered with Question No. 106.

Tribunals of Inquiry.

127. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the files which have been requested from his Department by the Mahon tribunal; and if he will make a statement on the matter. [24245/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Tribunal of Inquiry into Certain Planning Matters and Payments is empowered by relevant Oireachtas resolutions to carry out such preliminary investigations in private, as it thinks fit. My Department has co-operated with all requests by the tribunal to make files available. However, it would not be appropriate to disclose details of material provided in this way to the tribunal, on a strictly private and confidential basis, in the course of its investigations.

Social and Affordable Housing.

128. **Mr. Crowe** asked the Minister for the Environment, Heritage and Local Government the actions he has taken since January 2005 to achieve his Department’s objective of enabling every household to have available an affordable dwelling of good quality, suited to its needs, in a good environment and as far as possible at the tenure of its choice. [30317/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department continually monitors and reviews policies and measures aimed at fulfilling key objectives of national housing policy. This year we have already introduced a number of further initiatives aimed at increasing supply in a sustainable way as well as making substantial progress in addressing concerns raised in the NESC report on housing.

Overall housing output for the first six months of 2005 was running at similar levels to 2004 — the tenth successive year for record house completions with 76,950 units completed. House completions in Ireland are at the highest level in Europe in relation to population — around 19 units per 1,000 population. This is well over five times the rate of our nearest neighbours, the UK.

In July 2005, the Government launched the affordable homes partnership which is designed to drive the delivery of affordable housing in the greater Dublin area. As part of the broader national delivery of housing, all local authorities will review their land management strategies to maximise the availability of land for their own housing programmes, voluntary and co-operative housing and housing partnerships with the private sector, as well as to secure more active use of brownfield land and derelict sites.

A detailed assessment of housing need was carried out by local authorities earlier this year and

[Mr. N. Ahern.]

the results are due to be published shortly. These will provide my Department and housing authorities with improved and updated data on all households in need of social or affordable housing and will assist in the monitoring and review of housing policy more generally.

Record levels of funding have been provided for the broad range of social and affordable housing. The total Exchequer capital and current funding available for social and affordable housing in 2005 will amount to €1.3 billion, which represents an increase of 20% on 2004. Total capital spending on social and affordable housing output in 2005, inclusive of non-Exchequer financing, will amount to €2 billion.

To ensure a systematic and integrated approach to the use of these resources, local authorities in consultation with my Department have developed new five-year action plans for social and affordable housing covering the period to 2008. The preparation of these plans has improved the identification of priority needs and will help to ensure a more coherent and co-ordinated response across all housing services.

Overall in 2005, it is anticipated that the needs of in excess of 13,000 households will be met through the existing social and affordable housing measures. In addition, it is anticipated that a number of households in private rented accommodation will transfer to the new rental accommodation scheme now being introduced. Under the scheme, local authorities will, over a four-year period, progressively assume responsibility for accommodating supplementary welfare allowance rent supplement recipients of 18 months or more continuous duration with a long-term housing need. It is estimated that of the 58,000 people in receipt of rent supplement, 30,000 may fall into the target group for this new scheme.

Planning Issues.

129. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government his views on whether the current planning process is hindering the construction of the necessary infrastructure to allow Ireland increase the production of energy from renewable sources; and if he will make a statement on the matter. [30343/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am satisfied that current planning processes facilitate to the development of renewable energy infrastructure. Wind is a primary source of renewable energy in Ireland. To assist local authorities and An Bord Pleanála in planning for wind energy and in processing applications for facilities for wind farms, I intend to publish final revised guidelines to planning authorities on wind energy development

shortly, following an extensive consultation on draft revised guidelines published in August 2004. I will also consider the possibility of further planning guidance in this area should this appear appropriate.

National Spatial Strategy.

130. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government the progress made in implementation of the national spatial strategy; and if he will make a statement on the matter. [30406/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The national spatial strategy, NSS, is a 20-year strategic planning framework published in 2002 aimed at achieving more balanced regional development. Substantial progress has by now been made at national level with the strategy, which is having an increasing influence on policies and programmes across a number of Departments and agencies such as the Department of Finance, Department of Transport, Department of Enterprise, Trade and Employment and the development agencies. At regional level, a key policy bridge between national development priorities and local planning has been put in place with the adoption in mid-2004 of regional planning guidelines, RPG's.

At county and city level, strategic land use and planning strategies for the Cork, Waterford and Sligo gateways are in place, while the Limerick and Galway strategies have been prepared and are awaiting adoption. Other strategies for gateways are in preparation and should be in place by the end of this year and over the course of 2006.

Some practical examples of implementation progress to date include the incorporation of a requirement by the Department of Finance in capital envelope agreements with spending Departments that there is demonstration of how investments are being prioritised to implement the NSS; the Government's decision in July 2005 that the regional dimension of next national development plan, on which work is now starting, will be broadly based on the NSS; the recognition of the priorities of the NSS and regional planning guidelines in the ten-year investment plan for transport, to be published shortly; the €90 million investment in the Mallow-Cork-Midleton commuter rail system now being implemented following on the Cork area strategic plan which will open up a new 20,000 home development corridor for Cork over the next 15 years; the new objective of Dublin City development plan to ramp up housing output in the city to cut down on urban sprawl and long distance commuting; and in Sligo, a series of private sector hotel, leisure, retail and commercial developments, total-

ling around €200 million in value, have all commenced since its designation as a gateway.

Key ongoing and future work in implementing the NSS include ensuring that the strategy continues to shape the macro-investment agenda which will continue to require a concerted effort, co-ordinated across Departments and their agencies, with a particular focus on driving the accelerated development of the gateways with the support of the necessary investment, particularly in the new NDP period supporting the development of the NSS gateways whereby a major study has been undertaken of their potential for accelerated development in housing, commercial and employment terms and the key infrastructure priorities that will be necessary to facilitate such development — similar work is also being undertaken in relation to the hubs identified in the NSS and work on a feasibility study to further develop the concept of an Atlantic gateways corridor, with enhanced linkages and networking between Cork, Galway, Limerick-Shannon and Waterford is also nearing completion; considerable attention is also being given to the cross-Border aspects of the implementation of the NSS in conjunction with the department of regional development in Northern Ireland, with particular emphasis on the linked gateway of Derry-Letterkenny and cross-Border elements of the regional planning guidelines for the Border region; and proposals are also being developed to put in place a monitoring framework to report on progress in implementing the NSS, with a special emphasis on up-to-date regional population and housing projections that take account of the latest CSO national population estimates which suggest a national population of up to 5 million by 2020.

Building Regulations.

131. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government his plans to modernise the building regulations to provide for the mandatory use of condensing boilers in new dwellings as is the case in the United Kingdom; and if he will make a statement on the matter. [30412/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The basic regulations governing the energy efficiency of boilers in Ireland are the European Communities (Efficiency Requirements for New Hot Water Boilers Fired with Liquid or Gaseous Fuels) Regulations 1994 which require that domestic boilers installed on or after 1 August 1994 meet minimum efficiency requirements laid down by EU Council Directive 92/42/EC of 21 May 1992.

Encouraging the voluntary installation of condensing boilers is one of the issues being actively considered in the current review of part L, conservation of fuel and energy, of the building regu-

lations and the related technical guidance document, TGD, L. This review is necessary as part of the implementation of EU Directive 2002/91/EC of 16 December 2002 on the energy performance of buildings. I plan to publish the amended part L TGD regime early in 2006. I intend that the question of mandating the installation of condensing boilers in new buildings will be considered in the next comprehensive review of part L TGD L due by 2008.

Architectural Heritage.

132. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government his views on the recent report from the Centre for Public Inquiry on Trim Castle; if consent under section 14 of the National Monuments Act was sought from and subsequently given by him; and if he will make a statement on the matter. [30430/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Questions Nos. 525 and 531 of 11 October 2005. No application for consent under section 14 of the National Monuments Act 2004 was received or sought in my Department in relation to the development in question.

Nuclear Plants.

133. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the volumes of highly active liquid waste being held in Sellafield awaiting vitrification; and if he will make a statement on the matter. [30295/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In January 2001, the UK Health and Safety Executive's nuclear installations inspectorate issued British Nuclear Fuels with a specification to formalise a programme to reduce the level of highly active liquid waste stored at Sellafield to a buffer stock limit of 200 m³ by the year 2015. This specification, which is a legal requirement, required that the maximum permitted holding of this liquid waste would reduce from the then permitted holding level of 1,575 m³ by about 35 m³ per annum until 2012, when it would be decreased rapidly to the buffer stock limit of 200 m³.

The information available to my Department is that the British Nuclear Group Sellafield Limited, which is the new name for the company that operates the Sellafield site, continues to comply with the specification. I sought and received confirmation that this remains the case when I met the Secretary of State at the Department of Trade and Industry earlier this week.

The Radiological Protection Institute of Ireland and the Government have long been con-

[Mr. Roche.]

cerned about the continuing storage of this highly active waste in liquid form in tanks at Sellafield and have been pressing, and will continue to press, the UK authorities to accelerate the rate of vitrification. This liquid waste arises from the reprocessing operations at Sellafield. These operations are strongly opposed by Ireland on the grounds that they are an unacceptable threat to human health, the environment and the economy. The Irish Government will, therefore, continue to pursue every available avenue, both diplomatic and legal, to bring about a safe and orderly end to reprocessing operations at Sellafield towards removing that threat permanently.

Waste Management.

134. **Mr. English** asked the Minister for the Environment, Heritage and Local Government if he will appoint a High Court inspector to investigate issues surrounding illegal dumping in County Wicklow, including the Roadstone land at Blessington, as requested by the elected members of Wicklow County Council; and if he will make a statement on the matter. [30436/05]

184. **Ms McManus** asked the Minister for the Environment, Heritage and Local Government if he will appoint a High Court inspector to investigate the issue of illegal dumping in Wicklow; and if he will make a statement on the matter. [30378/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 134 and 184 together.

Extensive investigations have already been undertaken by Wicklow County Council and other enforcement agencies in relation to the instances of illegal dumping that have come to light in County Wicklow in recent years. As a result both civil and criminal actions have been pursued, are under way or are pending.

In relation to the Coolnamadra site, Wicklow County Council obtained High Court orders in July 2002 against the company involved and its directors. The waste has now been removed. The council's investigative costs of €200,000 have been met and legal costs awarded to it. In addition, an investigation by the Garda national bureau of criminal investigation, NBCI, has led to a decision to prosecute individuals.

In regard to a site at Whitestown, the council is taking High Court action to have the location remediated and to recover its expenses and costs. Again, following NBCI investigations, criminal prosecutions are under way.

I understand that High Court action will be taken in respect of a site at Castleruddery if those concerned do not voluntarily comply with council

requirements. This matter is also the subject of NBCI investigation.

The position in regard to the site in Blessington is well known. Roadstone, as a consequence of a direction by the council, has been required to apply to the EPA for a waste licence. As a final decision is pending on this matter, I am precluded from further comment. However, the company has already met council costs of more than €500,000, and an NBCI investigation has also resulted in two persons being charged.

A site at Killegar has been the subject of a statutory direction by the council. I understand that a failure to comply with this direction will result in legal proceedings by the council. In addition, an investigation has been undertaken by the NBCI. A site at Russborough has also been the subject of a statutory direction by the council and this matter is now being progressed.

As regards Wicklow County Council's recent request for a further investigation of issues pertaining to illegal dumping in Wicklow, the Minister for the Environment, Heritage and Local Government has no legal powers to appoint a High Court inspector as suggested in the council resolution and questions.

In considering whether a further inquiry under local government legislation could be deployed in this matter, I must act responsibly in relation to the integrity of the important enforcement processes already in train and ensure that these are not compromised in any way. It would not be in the public interest to take any action that could result in the failure of criminal proceedings against those responsible for serious environmental crimes. I do not however rule out the possibility of an inquiry in this matter and I am at present seeking legal advice on the issues.

I have already used my powers under the Waste Management Act 1996 to issue a policy direction to ensure proper remediation of all illegally deposited waste and pursuit of offenders using all civil and criminal remedies available.

Homelessness Policy.

135. **Dr. Upton** asked the Minister for the Environment, Heritage and Local Government the steps he will take to provide long-term accommodation solutions for those who are homeless as opposed to the current emphasis which is on emergency accommodation; and if he will make a statement on the matter. [30383/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The Government's general response to homelessness is outlined in the integrated strategy on homelessness 2000 and the homeless preventative strategy 2002. Under the terms of the integrated strategy, homeless fora, representative of the statutory and voluntary

homeless sectors, were established at local authority level and homeless action plans, adopted under their aegis and designed to address the accommodation and other care and support needs of homeless persons, are being implemented. These developments have resulted in the provision of a wide range of additional accommodation and services for homeless persons. While the emphasis was initially on the provision of emergency accommodation options, there is now general agreement that there is sufficient emergency accommodation available for those who wish to avail of it and the emphasis must now move to more longer-term solutions.

The range of social and private rented long-term accommodation available for homeless people is being increased. In the context of the local authority housing action plans 2004 to 2008 renewed emphasis is being placed on the provision of long-term accommodation together with the supports necessary to enable homeless persons to move into independent living. The outcome of the triennial assessment of housing need will provide authorities with the information on homeless persons to facilitate the planning of their accommodation requirements. This accommodation may be provided by way of local authority housing or voluntary sector, the capital funding for which is available from my Department. My Department continues to advise local authorities of the need to provide a reasonable mix of dwellings suited to the different kinds of households already on waiting lists, including homeless persons, and to plan their future programmes taking account of the estimated size and type of households likely to be seeking housing in the future.

The tenancy sustainment scheme soon to be piloted by the homeless agency with funding from my Department will facilitate previously homeless tenants to maintain their tenancies whether in public or private sector accommodation. In addition, the introduction of the rental accommodation scheme will enhance the availability of housing options for those homeless persons capable of independent living. I am confident that we will see a significant increase in assistance to homeless persons through a combination of these schemes in 2006 and subsequent years.

An independent review of the implementation of the integrated and preventative homeless strategies and their associated action plans is nearing completion and the outcome of the review will help to inform future developments in this area.

Departmental Expenditure.

136. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government the costs and fines imposed on Ireland arising from losing actions at the European Court of Justice in each of the past ten years; the costs to

date in 2005; the relevant cases and directives; and if he will make a statement on the matter. [30410/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In areas for which my Department has responsibility Ireland has not had to deal to date with any costs arising from cases as referred to in the question. Fines have not been ordered by the European Court of Justice in relation to any case taken against Ireland.

In the period 1995 to 2005, there have been nine judgments against Ireland in areas for which my Department has responsibility. The Community legislation involved in these nine cases has been the habitats directive, two; the nitrates directive; directives on waste, drinking water quality, environmental impact assessment, dangerous substances and end-of-life-vehicles; and a regulation on ozone depleting substances.

Climate Change Strategy.

137. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he will travel to Montreal for the United Nations climate change conference from 28 November 2005 to 9 December 2005; and if he will publish a national climate change strategy review before the conference. [30411/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The 11th conference of the parties to the United Nations Framework Convention on Climate Change and the first meeting of the parties to the Kyoto Protocol will take place in Montreal from 28 November to 9 December. I plan to attend the conference and to lead the Irish delegation during the high level Segment.

My Department, together with other Departments with sectoral responsibility for implementing the national climate change strategy, is reviewing the strategy with a view to updating it in light of developments since its publication in 2000. As part of that process I intend shortly to publish a review document which will take stock of developments since 2000 and propose additional measures for Ireland cost effectively to meet its target for the purpose of the Kyoto Protocol. This document will be designed to inform the revision process and stimulate debate on further potential solutions for reducing national greenhouse gas emissions.

Greenhouse Gas Emissions.

138. **Ms Enright** asked the Minister for the Environment, Heritage and Local Government the action he will take to tackle greenhouse gas emissions following the statement of Dr. Mary

[Ms Enright.]

Kelly, director general, Environmental Protection Agency, that Ireland has one of the highest *per capita* rates of greenhouse gas emissions in the EU and is one of the furthest from meeting its Kyoto targets. [30424/05]

157. **Ms Lynch** asked the Minister for the Environment, Heritage and Local Government when the current national climate change strategy review will be complete; when the results and conclusion of the review will be published; and if he will make a statement on the matter. [30372/05]

171. **Ms McManus** asked the Minister for the Environment, Heritage and Local Government the reason the measures outlined in the national climate change strategy were ignored and delayed to such an extent that the State is likely to be faced with a bill of up to €603 million over five years for missing the Kyoto targets; the steps he will take towards meeting the State's targets under the Kyoto Protocol at this stage; the estimated fines that the State will owe with these steps in place; if Kyoto commitments will be achieved; and if he will make a statement on the matter. [30374/05]

197. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government the steps he will take in relation to tackling climate change in the medium to longer term following the acknowledgement by the EU Environment Council Meeting on the 17 October 2005 that more has to be done to meet the EU ambitions on tackling climate change in this timeframe; and if he will make a statement on the matter. [30375/05]

622. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the extent to which Ireland will be in a position to meet Kyoto targets; and if he will make a statement on the matter. [28054/05]

655. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he will give details of plans or the timeframe for the review of the national climate change abatement strategy. [30582/05]

682. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if his Department is capable of achieving the targets set at Kyoto; and if he will make a statement on the matter. [30637/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 138, 157, 171, 197, 622, 655 and 682 together.

I refer to the reply to Question No. 409 of 12 October 2005. The Government's national climate change strategy, published in November 2000, provides a comprehensive framework for reducing greenhouse gas emissions in the most efficient and equitable manner and for ensuring that Ireland meets its commitments under the Kyoto Protocol to the United Nations Framework Convention on Climate Change. The strategy has provided the basis for Government policy and action in relation to climate change since 2000.

Latest available greenhouse gas emissions figures from Ireland's national inventory report, compiled by the Environmental Protection Agency, show overall emissions in 2003 to be 66.57 million tonnes carbon dioxide equivalent. This figure is equivalent to approximately 25% above 1990 levels, significantly down on the corresponding 31% in 2001 and 29% in 2002. These figures show that progress is being made towards the 13% target. Through a combination of actions, including emission reductions, participation by Irish industry in the EU emissions trading scheme and the purchase of carbon emission credits through the mechanisms provided for in the Kyoto Protocol, I am satisfied that Ireland is on a pathway to deliver on its emission limitation commitment for the purpose of the protocol.

In February 2004, on the basis of greenhouse gas emission projections available at that time, the Government announced an intent to purchase up to 3.7 million carbon credits per year in the first Kyoto commitment period 2008 to 12. The projections are being updated and the actual purchasing requirement will be finalised over the coming months in the context of national policy to underpin participation by Irish installations in the EU emissions trading scheme in the Kyoto period 2008 to 2012.

On basis of an average price of €15 per carbon allowance during the period 2008 to 2012, the total annual cost to the Exchequer of purchasing 3.7 million carbon credits would be €55.5 million. The ultimate cost of purchasing carbon credits by the State will depend on the final purchasing requirement, which will not be finally estimated until early next year, and price of carbon when the credits are actually purchased.

The purchase of carbon credits is a valid option under the Kyoto Protocol to achieve emission reductions on a least-cost basis and should not be confused with failure by any party to meet its target or with any form of financial penalty. Ireland has no reason to contemplate fines or penalties under the Kyoto Protocol, and the focus of Government policy and action is to achieve our emission limitation target.

My Department, together with other Departments with sectoral responsibility for implementing the national climate change strategy, is reviewing the strategy with a view to updating it

in light of developments since its publication in 2000. As part of that process, I intend shortly to publish a review document, which will take stock of developments since the publication of the strategy in 2000 and propose additional measures for Ireland cost effectively to meet its target for the purpose of the Kyoto Protocol. This document will inform the revision process and stimulate debate on further potential policies to reduce national greenhouse gas emissions and to prepare Ireland for more ambitious targets in the post-2012 period. The review will be completed and a new strategy published next year.

Waste Management.

139. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the amount paid into farm plastics recycling scheme by farmers in 2004; the cost of recycling the farm plastics collected under the scheme in 2004; the percentage of waste silage plastic collected in 2004; and if he will make a statement on the matter. [30361/05]

202. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government the measures he will take to prevent further smuggling of farm plastic from Northern Ireland into the State following the Irish Farm Film Producers Group identifying this as a factor in the deterioration of the farm plastics recycling scheme; if the problem has been investigated; if he will prosecute persons in relation to this issue; and if he will make a statement on the matter. [30376/05]

204. **Mr. Broughan** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that the Irish Farm Film Producers Group is having funding problems; the steps he will take to ensure that waste farm plastic is not being left to build-up on farms; if funding will be made available to facilitate the collection of this plastic; if he will review the waste farm plastic system; and if he will make a statement on the matter. [30362/05]

598. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government if he will allocate a special fund in consultation with the Irish Farm Film Producers Group to deal with the backlog of farm plastic not covered by the current levy system; and if he will make a statement on the matter. [30143/05]

599. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government the remedial measures he will take to deal with the ecological problem and nuisance issue posed by the non-collection of farm plastic not covered by the current levy system in association with the

Irish Farm Film Producers Group; and if he will make a statement on the matter. [30144/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 139, 202, 204, 598 and 599 together.

Under the Waste Management (Farm Plastics) Regulations 2001, producers, that is, manufacturers and importers, of farm plastics, 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, IFFPG, is currently 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 principle, 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 — 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. The IFFPG estimates that more than 12,500 tonnes of farm plastics have been collected in 2005.

While responsibility for the collection and recovery of farm plastics rests with the compliance scheme, my Department monitors the scheme on an ongoing basis. I am aware of the specific issues raised and I am anxious to preserve and continue the success of the farm plastic scheme. Discussions are taking place involving my Department and IFFPG to explore options for improvement to the scheme and resolution of outstanding issues.

Question No. 140 answered with Question No. 115.

Question No. 141 answered with Question No. 102.

Register of Electors.

142. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government if he will review the way the register of electors is compiled; if he will ask An Post or other agencies, public or private, to become involved with local

[Mr. Neville.]

authorities in its preparation; and if he will make a statement on the matter. [30428/05]

621. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the position regarding the possible updating of the voters register through An Post; and if he will make a statement on the matter. [28075/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 142 and 621 together.

The compilation and publication of the register of electors is a matter for each local registration authority in accordance with electoral law and includes the carrying out of house to house inquiries, delivery of registration forms and running local awareness campaigns. It is the duty of registration authorities to ensure as far as possible the accuracy and comprehensiveness of the register. In carrying out this work, registration authorities depend to a significant degree on the co-operation and engagement of the public.

The focus of my Department's work in relation to the register is to support and assist registration authorities through, *inter alia*, ensuring that an appropriate legislative framework is in place, developing best practice guidelines for registration authorities and overseeing related national awareness campaigns. While I will continue to keep these issues under review, including the scope for further initiatives in the area, there are no proposals along the lines referred to in the questions.

Nuclear Safety.

143. **Mr. S. Ryan** asked the Minister for the Environment, Heritage and Local Government if he has raised with his United Kingdom counterpart the concerns expressed by the All Ireland Nuclear Free Local Authorities Forum that rising sea levels will speed up the destruction of the Drigg radioactive waste disposal site thus causing problems for future generations; and if he will make a statement on the matter. [30300/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Drigg facility, which is located quite near the Sellafield plant, is a low level waste disposal facility and is run by British Nuclear Fuels Limited, BNFL. The overall responsibility for the Drigg site, as well as a number of other sites including Sellafield, has been assumed by the UK Nuclear Decommissioning Authority as of last April.

The Environment Agency regulates all disposal activities in the UK in accordance with Government policy. Disposal activities are subject to authorisation by the agency, and these authorisations are periodically reviewed. The agency has

recently reviewed BNFL's post closure safety case and 2002 operational environmental safety case for Drigg. The agency's report on these safety cases is critical of a number of aspects.

BNFL has failed to demonstrate to the satisfaction of the Environment Agency that radiation exposure to future generations from the site would not, potentially, increase. BNFL estimates that the facility could be destroyed by erosion from the sea within 500 years but this could happen sooner because of global warming and the consequent rise in sea level.

On this basis, the Environment Agency has recommended that BNFL undertake further work to improve the safety cases by considering a wider range of management options. These include constructing a thicker, more robust cap over the site; limiting future disposals to material with a half life of less than five years; removal of existing long-lived wastes from the trenches; extending the active management beyond 150 years; and combinations of the above.

The Nuclear Decommissioning Agency has a draft strategy open for consultation which includes the Drigg site. This draft strategy is under consideration by my Department and the Radiological Protection Institute of Ireland and a number of meetings with representatives of the authority are scheduled. Following detailed consideration of the draft strategy a submission will be made to the consultation and issues related to the Drigg site will be included in this submission.

144. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government his views on whether the RPII's attention has not been drawn to the re-evaluation by the UK authorities of the threat of a terrorist attack on the BNFL site at Sellafield on the grounds of security; and if he will make a statement on the matter. [30296/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A review of security in relation to sensitive nuclear sites, including Sellafield, was undertaken by the United Kingdom authorities in the aftermath of the 11 September attacks. This review was welcomed by the Irish Government and considered necessary given the threat posed by a malicious attack at Sellafield. As a result of this review, current UK policy is based on restricting access to security sensitive information to those who have an operational need for such information.

The Radiological Protection Institute of Ireland visited the Sellafield facility in September 2004. The institute's ensuing report of this visit contends that the lack of an established framework for assessing the adequacy of threat assessments and security arrangements remains a significant concern. In this regard, the additional access provided by the UK authorities to the

Garda Síochána has been useful. A visit took place in June 2003, and while the report is confidential, the overall view formed was reassuring. Further visits and contacts at senior police level are continuing. Additionally, assurances to the effect that the terrorist threat to Sellafield nuclear plant is continually reviewed and assessed have been received from the UK authorities.

Notwithstanding these advances, the safety of Sellafield and the protective measures in place to secure this are a particular ongoing concern in Ireland and are the subject of regular discussions at both ministerial and official level between the UK and Ireland. Further assurances were sought and received by me most recently in my meeting with the UK Secretary of State, Alan Johnson MP, on Wednesday last. They have also been addressed in the context of Ireland's case concerning the Sellafield MOX plant under the United Nations Convention on the Law of the Sea, UNCLOS.

Security at UK nuclear installations is regulated by the Office of Civil Nuclear Security, OCNS, which reports to the Minister for State for Energy at the UK Department of Trade and Industry. In his most recent report, the director of the OCNS advised the Minister that he was satisfied with the standards, procedures and commitment among those involved with civil nuclear security in the UK and that the measures in place are proportionate to the threat.

145. **Mr. S. Ryan** asked the Minister for the Environment, Heritage and Local Government the position regarding the international legal action taken by the Government with a view to securing the closure of the Sellafield nuclear reprocessing plant; and if he will make a statement on the matter. [30299/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Government initiated international legal proceedings against the UK under the United Nations Convention on the Law of the Sea, UNCLOS, in relation to the Sellafield MOX plant. The current position in relation to the litigation by Ireland under UNCLOS is that the arbitration remains suspended pending resolution of jurisdictional issues in the dispute, which were raised by the European Commission. These issues are now the subject of legal proceedings between Ireland and the Commission before the European Court of Justice and a court hearing of the case is scheduled for 8 November next.

The tribunal in the UNCLOS case issued an order on 24 June 2003 after hearing an application by Ireland for provisional measures. The provisional measures award and orders recommended that Ireland and the UK enter into dialogue to improve co-operation and consultation between the two Governments and report to the

tribunal on specified dates. The most recent report to the tribunal was submitted on schedule by both parties on 31 May 2005 and the next report is due to be submitted by 30 November. In line with the obligation on both parties to improve co-operation and co-ordination arrangements, complex discussions, confidential to the tribunal and the parties pending outcomes, are continuing.

It was my stated intention to report on progress arising from this process at the appropriate instance and the signing of an agreement on notification and exchange of information. Arrangements between Ireland and the UK on 10 December 2004 afforded the two parties an opportunity to do so. The agreed package of measures announced is designed to address a wide range of issues related to nuclear safety and includes, *inter alia*, the facilitating of visits to Sellafield by the Radiological Protection Institute of Ireland and the Garda Síochána, provision of access for the institute to the UK's radiation monitoring system and a series of initiatives to develop and improve existing co-operation arrangements between both Governments.

In accordance with the commitment in the Government's programme for Government to use every legal and diplomatic opportunity to secure the orderly closure of Sellafield, both I and my Department utilise all bilateral and multilateral opportunities to articulate Ireland's concerns in relation to Sellafield. Considerable opportunities arise at international fora such as the International Atomic Energy Agency, IAEA, the European Union and OSPAR Commission to advance our views on issues such as marine transport of nuclear waste, nuclear safety, and radioactive discharges to the marine environment. All these issues have direct relevance to Ireland's concerns regarding Sellafield and I intend to continue Ireland's proactive engagement at these and other fora with a view to maximising support for our policies among like-minded states.

Fire Service.

146. **Ms Burton** asked the Minister for the Environment, Heritage and Local Government the role he envisages the Irish fire service playing in the proposed European international crisis management force as announced by Commissioner Benita Ferrero-Waldner earlier in 2005; and if he will make a statement on the matter. [30364/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): As yet, there is no formal proposal for the establishment of a European international crisis management force. However I am aware of newspaper reports in January 2005 that Commissioner Ferrero-Waldner had suggested the possibility of estab-

[Mr. Roche.]

lishing a crisis management corps to deal with disasters such as the Asian tsunami. I also understand that there are proposals for the establishment of civilian response teams, CRTs, under the existing crisis management system at EU level, these are being dealt by my colleague, the Minister for Foreign Affairs in so far as Ireland is concerned.

With regard to civil protection, Ireland participates in the EU civil protection mechanism which provides for interventions inside and outside the European Union following a request for assistance — personnel, equipment and-or supplies — from a country where the domestic emergency services are unable to cope with a particular event. However, participation when a request for assistance is received is voluntary. It is a matter for the national authorities in the first instance and the organisation-body or individual involved to offer assistance at that time. The European Commission is considering means of strengthening the civil protection mechanism with a view to reinforcing the capacity of the EU to respond to incidents such as major natural disasters.

Tax Code.

147. **Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government if, in discussions with the Department of Finance regarding the impact on the housing market of tax incentives such as section 23 and section 50 tax relief, he has adopted a position regarding the possible abolition of these reliefs. [30315/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): My Department is participating actively in the review of various tax relief schemes led by the Department of Finance. As the review involves an ongoing deliberative process which will support decisions to be taken by my colleague, the Minister for Finance, it would not be appropriate for me to comment further on this work.

Architectural Heritage.

148. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government the status of the proposed Irish heritage trust; and if he will make a statement on the matter. [30396/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Government has recently approved the establishment of an independent Irish heritage trust as an important extension to the existing State measures in support of the nation's built heritage.

The trust will have a mandate to acquire important heritage buildings on a case-by-case basis where there is imminent risk to their heritage value and to provide for public access.

The Irish heritage trust is being established on the basis of recommendations in Indecon international consultants' report on the issue of trust-type organisations to manage heritage properties, a copy of which is in the Oireachtas Library. The trust will operate on the basis of charities legislation and the Minister for Finance is considering, in the context of the budget for 2006, the necessary tax incentives, both in relation to donations of heritage properties to the trust and donations to endowment funds set up to maintain properties.

Indecon recommended that properties should be accompanied by an endowment fund sufficient to maintain the property in perpetuity. While the trust must raise a large part of these endowment funds through tax-incentivised private and corporate donations, the Government recognises that the trust will require greater support in its early days and it is accordingly intended to contribute 75%, at a cost of up to €5.5 million, for the first property, diminishing as more properties are acquired by the trust and as the trust raises its own funds from the private sector.

The Minister for the Environment, Heritage and Local Government will have to certify that the all properties acquired are of appropriate heritage value. The Minister will also have to be satisfied, on the basis of independent financial advice, that the endowment and other supports for each property are sufficient to conserve, maintain and present them for public access.

The Government has approved the provision of funding in 2006 of €500,000 from my Department's Vote to meet the establishment and initial running costs of the trust. However, the trust will also have a strong remit to maximise non-Exchequer resources in support of its activities, and to encourage membership and volunteers. My Department is now working on detailed proposals for the structure, governance, chairman and members of the trust.

Question No. 149 answered with Question No. 115.

Local Authority Grants.

150. **Mr. McGinley** asked the Minister for the Environment, Heritage and Local Government if he will review the operation of the disabled persons grant in view of the significant increase in construction costs; and if he will make a statement on the matter. [30345/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): A review of the disabled persons

grant scheme is being finalised in my Department. On its completion, it will be possible to determine the changes, if any, required to the regulations governing the scheme to ensure that the funding available is directed at those persons in greatest need of such assistance.

Disabled Drivers.

151. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that wheelchair bound disabled drivers are unable to reach the pay machines in local authority car parks thus meaning they have to wait for assistance from the public; and if he will make a statement on the matter. [30443/05]

643. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that wheelchair bound disabled drivers are unable to reach the pay machines in local authority car parks thus meaning they have to wait for assistance from the public; and if he will make a statement on the matter. [30554/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 151 and 643 together.

Under Section 101 of the Road Traffic Act 1961 local authorities may provide such car parks as they consider desirable in order to prevent or relieve traffic congestion. The provision of facilities in such car parks is entirely a matter for individual local authorities. The Minister for Transport is responsible for the Road Traffic Acts 1961 to 2004.

Question No. 152 answered with Question No. 106.

Social and Affordable Housing.

153. **Ms Lynch** asked the Minister for the Environment, Heritage and Local Government the steps he will take to remedy the situation whereby the capital funding limits for housing associations are based on out-of-date building prices, making it difficult for the housing associations to prepare costing; if he will adjust or increase the limits in the near future; and if he will make a statement on the matter. [30373/05]

165. **Mr. Broughan** asked the Minister for the Environment, Heritage and Local Government if he will increase capital funding limits for housing associations from their current limits, which were set in 2002, to more realistic limits as housing associations are unable to prepare costings or obtain builders at 2002 building prices; and if he will make a statement on the matter. [30363/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 153 and 165 together.

The voluntary and co-operative housing sector has an important contribution to make in the provision of social housing. The Government is fully committed to developing and expanding the sector and to supplying the necessary resources and support to enable it to become an important and significant force and provider in the housing area. There has been a steady increase in output by the sector from a level of 579 units of accommodation in 1999 to reach a record output of more than 1,600 units in 2004. The level of assistance available to approved housing bodies under the capital assistance and capital loan and subsidy schemes remains under consideration.

Question No. 154 answered with Question No. 121.

Waste Management.

155. **Ms Burton** asked the Minister for the Environment, Heritage and Local Government if he will reassess his plans in relation to waste incineration in view of the Government commissioned report from the HRB which clearly identifies links between incineration and chronic health problems; his views on the advice given to the Government from the HRB, which was endorsed by the EPA director general, that health information systems here cannot support routine monitoring of the health of persons living near incineration and landfill sites; and if he will make a statement on the matter. [30365/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Ireland's waste management policy is grounded on the internationally accepted waste management hierarchy of prevention, re-use, recycling, and energy recovery, with environmentally secure disposal of any residual waste. This hierarchy has informed the waste policy of countries such as the Netherlands and Germany which are widely considered to be among the most environmentally advanced in Europe and which practice an integrated waste management approach. This approach combines high levels of recycling with the extensive use of modern, highly regulated thermal treatment facilities. The HRB report acknowledges that an integrated systems approach is required for effective waste management in Ireland.

The HRB report focused on old waste facilities which would have higher emissions than would be acceptable today whereas new facilities would have to comply with much more stringent environmental and operational standards. Any evidence of health effects was either inconclusive or heavily qualified. In addition, the UK depart-

[Mr. Roche.]

ment for environment, food and rural affairs recently published a report on the review of environmental and health effects of waste management. This study looked at cancer, respiratory diseases and birth defects and found no evidence for a link between the incidence of the diseases and the current generation of incinerators.

The HRB report refers to the desirability of having health information systems support routine and long-term monitoring of the health of people living near waste facilities so that any public health impact from such facilities or other types of environmentally significant development can be identified and evaluated over time.

All thermal treatment facilities are subject to the most stringent controls under the relevant EU directive on incineration. These have been given legal effect in Ireland through the rigorous licensing system operated by the EPA, which will include ongoing licence enforcement and facility monitoring. The EPA has written to me to reconfirm that it takes into account environmental and human health issues when processing licence applications and that it is satisfied that facilities operating to licence conditions will not endanger human health nor harm the environment.

Recycling Policy.

156. **Dr. Upton** asked the Minister for the Environment, Heritage and Local Government if he will amend the regulations introduced under the WEEE directive in view of the fact that the operation of the current regulations has placed the greater proportion of the recycling cost of electric and electronic equipment on to the consumer and not on the producer; and if he will make a statement on the matter. [30382/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The EU directive on waste electrical and electronic equipment, WEEE, 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. While the funding of such take-back schemes is a producer responsibility, the directive allows producers, for a transitional period of eight years — ten years for large household appliances — to show purchasers, at the time of sale of new products, the costs of recovery and recycling of historic waste which was put on the market before 13 August 2005. These costs are referred to as environmental management costs, EMCs, and were the subject of detailed discussions between stakeholders, which my Department helped to facilitate.

While there were varying opinions on how the provisions in relation to the historic waste should operate, the majority view among the industry and the independent retail sector, for reasons of

fuller transparency and greater accountability, favoured a system of visible EMCs in the manner which has been provided for under the regulations. The design of the new system assures the public that the moneys collected for recycling are assigned for recycling activity and are not diverted elsewhere. It also ensures traceability and financial accountability and, by informing the public in an open way, ensures that profiteering is prevented.

Visible EMCs are designed solely to cover the cost of recycling of WEEE. None of the revenue involved is handled by the Government. The WEEE Register Society Limited, the industry-based national WEEE registration body, 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. Producers pay the appropriate EMCs into the producer recycling funds operated by the two approved collective compliance schemes operating in Ireland — WEEE Ireland and the European recycling platform. Visible EMCs are input costs and how these are dealt with in the pricing of products is part of the normal negotiations between producer and retailer.

While the WEEE register will carry out a comprehensive review of all EMC levels after six months to ensure that they are not higher than is necessary to fund the scheme, it has agreed to my request that it look immediately at levels which apply to low cost goods and I expect more realistic levels for these will be set by the end of this month.

Many and important benefits are already flowing from the new WEEE regime. The scheme represents good value for money. The public can either dispose of this waste on one-for-one basis or bring it to their local civic amenity site, free of charge. It provides a cradle-to-grave system for the management of WEEE. The core components of the scheme are working well. Between retail outlets and local authority civic amenity sites WEEE is being collected from more than 100 collection points throughout the country. While further amendment of the WEEE regulations is not envisaged at this stage, my Department is keeping the operation of the new system under continuing review.

Question No. 157 answered with Question No. 138.

158. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government if, in view of Ireland's poor recycling record, competition between packaging recycling scheme approved bodies will be beneficial. [30414/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Ireland has a

strong track record in meeting targets for the recovery of packaging waste. Under Directive 94/62/EC on packaging and packaging waste, Ireland was required to achieve a 25% recovery rate of packaging waste by 1 July 2001, increasing to a 50% recovery rate by 31 December 2005, with a minimum of 25% to be achieved by recycling, including a minimum 15% recycling rate for each type of packaging material. The 2001 target was achieved and current indications are that the 2005 target will also be met.

Under current regulations, major producers of packaging waste, that is, manufacturers, importers, distributors, wholesalers and retailers, representing all participants in the packaging chain, who place more than 25 tonnes of packaging on the market each year and who have an annual turnover exceeding €1 million excluding VAT, are required to take steps individually to recover their packaging waste — that is, self-compliance — or alternatively to contribute to and participate in compliance schemes set up to recover packaging waste.

Given that Ireland is achieving the required recovery and recycling targets for packaging waste and that major producers may avail of more than one option to comply with their obligations under the regulations, I am of the view that the existing regulatory arrangements make sufficient provision for competition in this area.

Homelessness Policy.

159. **Mr. Costello** asked the Minister for the Environment, Heritage and Local Government the steps he will take to tackle homelessness; the further steps he will take to aid those who find themselves sleeping rough on the streets here (details supplied); and if he will make a statement on the matter. [30366/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Since the introduction of the Government's homeless strategies, there have been significant developments in the provision of a wide range of additional accommodation and services for homeless persons. Since the introduction of the integrated strategy in 2000, 1,000 extra emergency beds have been provided in the Dublin area alone. Rough sleepers have been enabled to access emergency accommodation and homeless persons have been facilitated to move out of emergency accommodation into accommodation more suitable to their needs. Increased levels of day care facilities, together with specific provisions to meet the needs of people with alcohol or drug addiction problems or who are sleeping rough, as well as homeless ex-offenders, have been put in place.

Rough sleeping is the extreme manifestation of homelessness and statutory and voluntary agen-

cies work in close co-operation to minimise it. In Dublin, where the largest incidence of rough sleeping occurs, Dublin City Council operates a night bus service where clients are given access to accommodation and appropriate outreach services. This service, originally operated as a cold weather response, now operates on a year-round basis. An on-line system to facilitate the prompt identification of vacant emergency accommodation on a nightly basis has recently been introduced by the Homeless Agency, with funding from my Department, this will ensure optimum use of the accommodation to meet the needs of rough sleepers. Rough sleeping initiatives also operate in the other main urban areas with specific measures put in place during colder weather if considered necessary.

The Government is committed to continuing to support local statutory and voluntary bodies in tackling the issue of homelessness. My Department's expenditure for the recoupment to local authorities of 90% of the cost of providing accommodation and related services for homeless persons in 2004 was €45.73 million. The allocation for 2005 is €51 million. This brings to €240 million the total funding available for this purpose since 2000. The Department of Health and Children has provided an additional €30.2 million in the same period to meet the care needs of homeless persons.

A review of the implementation of the homeless strategies and their associated local homeless action plans is being finalised and the outcome of the review will inform future policy developments in this area.

Question No. 160 answered with Question No. 106.

Public-Private Partnerships.

161. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government if all the public-private partnership projects approved in 2004 for the environment sector are fully operational; the title and location of these projects; and if he will make a statement on the matter. [26549/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In accordance with Department of Finance public-private partnership, PPP, guidelines, there are two approval points for PPP projects — approval to proceed to procurement and appoint clients advisers following completion of a PPP assessment and approval to go to construction following the procurement process and tender evaluation.

There is of necessity a lead-in period from these approval points until a PPP project becomes operational with the intervening stages being the procurement process, tender eval-

[Mr. Roche.]

uation, contract negotiation and close, construction and commissioning. These stages also apply to traditional contracts.

It is for this reason that none of the PPP projects approved in 2004 are operational to date. The PPP projects approved in 2004 which are advancing through the above stages are: west Cavan rural water; Baltimore sewerage; Ballymakeery-Ballyvourney sewerage; Balbriggan-Skerries wastewater; Headford sewerage; Laois grouped villages; Leitrim towns and villages; Carrick-on-Shannon sewerage; Clareville water treatment; Castlebar environs sewerage; Rhode sewerage; Burncourt regional water; Fethard regional water; Sligo NW and Sligo SW rural water; Mayo group water bundle 2; Glinsk-Creggs group water; Galway group water bundle 2; Leitrim group water; Waterford group sewerage; and Rathdrum-Blessington sewerage.

Waste Management.

162. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government the steps he will take to strengthen the enforcement efforts against illegal movement of waste here in view of the EU Commission's concern regarding the issue and in view of the judgment delivered by the European Court of Justice in April 2005 in relation to Ireland's breaches of requirements of the waste framework directive; and if he will make a statement on the matter. [30379/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A formal response by Ireland to the judgment of the European Court of Justice issued to the European Commission on 21 October 2005 detailing the measures now being taken in terms of the structures, legislation and policy approach to ensure the implementation of the provisions of Council Directive 75/442/EEC of 15 July 1975 on waste, as amended by Council Directive 91/156/EEC of 18 March 1991, and thereby fulfil the obligations imposed by the directive.

The response includes information on the establishment of the Office of Environmental Enforcement and its national enforcement network, which has greatly raised awareness and brought about better practice and a more co-ordinated consistent approach to environmental enforcement. Special training has been rolled out, procedures for site visits are being developed, a new national complaints procedure was launched on 22 September 2005 and a national waste complaints information line is being developed. This has been backed up with State funding of over €7.5million, which has led to over 110 additional enforcement officers being appointed across the local authorities permitting a greatly enhanced

response on the ground with targeted exercises, road blocks, waste audits and port inspections.

These initiatives will add to the capacity to respond to situations more effectively. In general I am satisfied that these institutional and operational developments better equip the national and local enforcement authorities to meet the challenge posed by environmental crime, especially in the area of waste.

Water Quality.

163. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government the level of water estimated to be lost through leaks in water mains; the cost of these leaks; the action he proposes to take; and if he will make a statement on the matter. [30358/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): While local authorities are responsible for the operation and maintenance of their public water supply systems, my Department 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 of capital funding line 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 my Department. 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 my Department'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 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%.

In May 2003 my Department allocated a further €276 million to local authorities to iden-

tify 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 my Department's water services investment programme 2004-06 which is available in the Oireachtas Library.

Detailed information on the cost of unaccounted for water in the public water supply system generally is not available in my Department. There are variations in the production costs of water between local authorities and, in addition, not all unaccounted for water is lost through leakage. A significant proportion relates to unauthorised or unrecorded connections. The universal metering of all non-domestic consumers which is scheduled for completion by end 2006, coupled with the local authorities' ongoing water management system studies, will significantly improve the range of data available in this area and further help to reduce the levels of unaccounted for water.

Local Authority Funding.

164. **Ms O'Sullivan** asked the Minister for the Environment, Heritage and Local Government his views on the undercharging by Waterford County Council of Part V development contributions; if he has investigated the reason for the undercharging; and if he will make a statement on the matter. [30381/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): A recent report from the local government auditor noted two errors of undercharging by Waterford County Council in the calculation of financial contributions where payment was made in lieu of housing units as an agreement under Part V of the Planning and Development Acts 2000 to 2004. These errors, which the report also notes are not recoverable, had been identified earlier within the council's internal checking system and immediate and corrective action was taken to ensure that there could be no repetition.

The auditor in his report has acknowledged the strengthening of the council's procedures for dealing with Part V agreements and has deemed that no further action is necessary. Having had the matter investigated I am satisfied with the outcome of the audit and that proper procedures have been put in place by the council.

Question No. 165 answered with Question No. 153.

Greenhouse Gas Emissions.

166. **Mr. Eamon Ryan** asked the Minister for the Environment, Heritage and Local Government his views on the cost to industry of companies having to pay for their excess carbon; and the measures he has taken to reduce the intensity of carbon emission going forward. [25494/05]

181. **Mr. Eamon Ryan** asked the Minister for the Environment, Heritage and Local Government if he will report on the analysis his Department has made of higher than expected carbon trading costs; and the measures he proposes to take to offset their impact on industry here and on his Department. [25504/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 166 and 181 together.

At this relatively early stage in the development of the international carbon market, the average price at which carbon credits will settle in the longer-term is not clear. In the report made available by my Department on 11 October, a possible average price of €15 per allowance purchased in the EU emissions trading scheme is possible for the period 2008-12.

I understand that prices for allowances in the EU emissions trading scheme are currently trading in excess of €20 per allowance. However, the report distinguishes between the current price for allowances and that likely to prevail during the period 2008-12 and identifies a number of reasons for current trading prices which are particular to the present pilot phase of the emissions trading scheme.

With regard to sectors covered by the EU emissions trading scheme, it is for individual installations themselves to ensure compliance with the scheme and they may do so in the most cost-effective manner available to them. If emission reductions cannot be achieved through their own action, installations may meet their individual targets through emissions trading which permits access to least-cost emissions reduction opportunities across the EU and, ultimately, more widely. The cost of the actions taken is a matter for the installations concerned.

With regard to the possible impact on the Exchequer, I refer to the reply to Question No. 106 of 25 October 2005.

Decentralisation Programme.

167. **Mr. McGinley** asked the Minister for the Environment, Heritage and Local Government if he will investigate the case where a person (details supplied) in Dublin 6 who has signed a contract of indefinite duration with his Department in the national monuments section in Dublin must agree to decentralise to Waterford. [30422/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The contract signed by the officer concerned does not require the individual to decentralise to Waterford.

Waste Management.

168. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government the response he has received from local authorities to his policy directive under section 60 of the Waste Management Act 1996, as amended, regarding action against illegal waste activity and the movement of waste; and if he will make a statement on the matter. [30441/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In May 2005, I issued a policy direction to local authorities and the EPA under section 60(2) of the Waste Management Act 1996 in regard to the further action to be taken against illegal waste activity and to clarify, in the context of waste infrastructure provision, the appropriate interpretation of the proximity principle in regard to the inter-regional movement of waste. In performing their waste management functions, waste regulatory authorities are now required to have regard to this direction.

I am satisfied that the EPA's office of environmental enforcement and the relevant local authorities are proceeding to deal with illegal waste activity in the manner required by the direction. In particular, this is evidenced in the concerted and integrated approach to dealing with this form of environmental crime which is being developed and implemented by the OEE's national enforcement network. In addition to the local authorities concerned, this network also includes representation from my Department, the Garda Síochána and the authorities in Northern Ireland.

As required by the direction, local authorities are placing particular emphasis, in the current

review of their waste management plans, on identifying sites at which waste disposal or recovery operations have been carried on and on the need for any associated risk assessment and remediation. In further support of the direction, the EPA is developing a methodology to assist such risk assessments. I am also aware of individual authorities stepping up actions to deal with cases of illegal deposition of waste in accordance with the direction, for example, the Coolnamadra case in Wicklow.

Freedom of Information.

169. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the number of applications under the Freedom of Information Act 1997 received by him for each year since the Act's inception; the number of internal reviews requested and granted or refused in each year to date in 2005; the charges levied in each year by him; the subsequent reduction in charges; the number of subsequent appeals in each year to the Information Commissioner; the outcome of the final appeal; and if he will make a statement on the matter. [30432/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department has received over 1,800 requests under the Freedom of Information Act 1997 since its introduction in April 1998. There have been 126 requests for internal review since 1998. The original decision was upheld in 83 of these cases. A further 40 were amended or overturned. The balance were withdrawn or are awaiting decision.

Over the last eight years, 59 cases have been appealed to the Information Commissioner. Decisions were upheld in 16 cases and modified or overruled in seven cases. A further 13 requests were withdrawn by the requester, and there are currently 22 cases awaiting decision. Full details are outlined in the following three tables.

Table 1: Breakdown of FOI requests since 1998.

Year	Total received in each year	Requests for internal review	Total appeals to the Information commissioner	Fees collected	Fees refunded upon review
				€	€
2005	101	6	2	2,397.80	0.00
2004	111	12	5	5,656.70	16.76
2003	303	26	11	985.00	19.44
2002	350	20	15	2,472.32	0.00
				IR£	IR£
2001	303	15	7	558.97	0.00
2000	341	21	8	1,389.96	0.00
1999	221	19	4	1,134.00	0.00
1998	85	7	7	121.43	0.00
Total	1,815	126	59		

Table 2: Breakdown of Internal review requests.

Year	Total received in each year	Decisions upheld	Decisions amended	Decisions reversed	Decisions pending	Request withdrawn
2005	6	2	0	2	2	0
2004	12	7	5	0	0	0
2003	26	16	10	0	0	0
2002	20	14	5	1	0	0
2001	15	11	3	1	0	0
2000	21	16	2	0	0	3
1999	19	13	4	2	0	0
1998	7	4	2	1	0	0
Total	126	83	31	7	2	3

Table 3: Appeals to Information Commissioner.

Year	Total appeals to the Information commissioner	Decisions upheld	Decision amended or overruled	Requests withdrawn	Cases not yet decided
2005	2	0	0	0	2
2004	5	1	0	1	3
2003	11	3	1	0	7
2002	15	6	4	2	3
2001	7	0	1	2	4
2000	8	3	0	3	2
1999	4	1	0	2	1
1998	7	2	1	3	0
Total	59	16	7	13	22

Question No. 170 answered with Question No. 121.

Question No. 171 answered with Question No. 138.

Greenhouse Gas Emissions.

172. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government his plans to reduce CO₂ emissions from private cars which have increased by 130% since 1990; and if he will make a statement on the matter. [30342/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The latest available inventory of greenhouse gas emissions, compiled annually by the Environmental Protection Agency, shows that emissions for the entire transport sector for 2003 were 11.85 million tonnes CO₂ equivalent, an increase of 130% since 1990. The inventory shows that emissions of CO₂ from road transport increased by 135% between 1990 and 2003. Emissions of CO₂ from private cars are not available as emissions are calculated on the basis of fuel sold, rather than vehicle type.

The national climate change strategy identifies a range of policies and measures to reduce the level of greenhouse gas emissions across various sectors. Measures addressed to the transport sector include vehicle efficiency improvements, taxation measures and measures to promote modal shift. While my Department has overall responsibility for the strategy, it is a matter for Departments with direct responsibility for each sector identified in the strategy to implement the optimum mix of policies and measures in order to control and reduce Ireland's overall level of greenhouse gas emissions. Work is currently in progress in my Department on reviewing the strategy, taking account of developments since its publication in 2000. My Department is working closely with all relevant Departments in the context of this review, including the Department of Transport as regards its work on reducing emissions in the transport sector.

Social and Affordable Housing.

173. **Mr. Timmins** asked the Minister for the Environment, Heritage and Local Government his plans to change the legislation with respect to the claw back on affordable housing; and if he will make a statement on the matter. [30308/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):

The claw-back provisions provide that if a house purchased under the affordable housing schemes at a discount from market value is resold before the expiration of 20 years from the date of the purchase, the person selling the property shall pay to the local authority a percentage of the proceeds of the sale. This percentage is equal to the percentage discount allowed by the local authority on the original sale of the house where the house is resold within the first ten years. The amount payable is reduced by 10% in respect of each complete year after the tenth year during which the person who purchased the property has been in occupation of the house as his or her normal place of residence.

The provision for a claw-back is necessary to ensure that there is no short-term profiteering on the resale of a house provided by a local authority at a discount from market value. I am satisfied that the provision operates fairly in protecting the State's interest in these affordable houses and I have no plans to amend the relevant legislation.

Litter Pollution.

174. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government if he has satisfied himself that the current level of fines, detection and punishment for litter offences are a sufficient deterrent; and if he will make a statement on the matter. [30352/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am satisfied that the enforcement powers and penalties available to local authorities under the Litter Pollution Acts 1997 to 2003 are adequate to tackle the problem of litter pollution. The 2003 Act strengthened litter legislation generally and substantially increased the financial penalties for litter offences. Since the introduction of the 1997 Act, local authority performance on enforcement of the litter laws has improved significantly, with more litter wardens employed and substantial increases in the number of prosecutions taken and on-the-spot fines issued.

Social and Affordable Housing.

175. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the number of affordable houses provided under the 1999 scheme, Part V and Sustaining Progress to date; and if he will make a statement on the matter. [30444/05]

587. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the number of affordable houses provided under the 1999 scheme, Part V and Sustaining Progress

to date; and if he will make a statement on the matter. [30547/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 175 and 587 together.

Information to June 2005 on the number of affordable housing units acquired under the 1999 affordable housing scheme and Part V of the Planning and Development Acts 2000-2004, is published in my Department's housing statistics bulletins, which are available in the Oireachtas Library and on the Department's website at www.environ.ie.

Almost 800 units have been completed under the affordable housing initiative, including from Part V, which is an important contributor to the initiative.

Local Authority Housing.

176. **Ms O'Sullivan** asked the Minister for the Environment, Heritage and Local Government if he will carry out an investigation or survey of local authorities in order to ascertain the reason many have failed to meet housing targets; if a strategic plan will be drawn up to tackle the issues that are causing this failure; and if he will make a statement on the matter. [30380/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The Government have provided significant additional resources for housing in recent years. Investment in social and affordable housing is at its highest ever level. The total Exchequer capital and current funding available for social and affordable housing in 2005 amounts to €1.3 billion, which represents an increase of 20% on 2004. Total capital spending on social and affordable housing output in 2005, inclusive of non-Exchequer financing, will amount to some €2 billion.

Ensuring that we achieve maximum output for these resources and best value for money is a prime concern. Independent evaluation of the housing programmes at the mid-stage of the national development plan highlighted the fact that spending was 9% ahead of target and this was having positive impacts in addressing social inclusion. Output has been behind that forecast. Some of this is attributable to rising costs of sites and construction inflation and mobilisation of construction programmes by local authorities has proceeded at different speeds.

The important task is to ensure that best practice is highlighted and replicated. We need to focus the local government system on achieving the best performance possible on housing issues. This relates not only to providing the required quantum of housing, but achieving this on a timely basis with appropriate quality.

One of the key lessons from past performance is the need for certainty around funding and the value of a multi-annual approach. In line with NDP targets, a multi-annual programme was introduced for the main local authority programme in 2003. A number of benefits were seen from this approach in terms of providing certainty for local authorities in planning projects and achieving an appropriate response to social needs. However, the fact that Exchequer capital spending was decided on a year to year basis at that time, meant that the full benefits of a multi-annual approach were not fully realised in terms of certainty of funding availability.

The commitment to multi-annual capital programmes in this Government's 2004 budget and the introduction of five-year action plans covering all social and affordable housing programmes by local authorities up to 2008, provides a strong basis for a strategic and measured approach to housing investment. The plans also address maintenance and estate management issues. The preparation of these plans sharpened the identification of priority needs and will help to ensure a more coherent and co-ordinated response across all housing services.

I consider that, with both funding and plans in place, real benefits will be seen in terms of both the output and the quality of social housing provision over the coming years.

Question No. 177 answered with Question No. 108.

178. **Mr. Hayes** asked the Minister for the Environment, Heritage and Local Government his views on the latest housing statistical bulletin which shows a 8.5% drop in the number of social housing units completed in the second quarter of 2005; and if he will make a statement on the matter. [30346/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The total number of local authority houses constructed-acquired in the first six months of 2005 was 1,756 units which compares favourably with the figures for the similar period in 2004 of 1,752 units. In addition, work was in progress on a further 8,000 units at the end of June last — an increase of 26% on the same date last year. It is anticipated that local authorities will complete-acquire in the region of 5,500 units for the full year 2005 including completions under various regeneration programmes.

Activity under the voluntary and co-operative housing schemes has been increasing steadily over the last five years. Some 1,600 units of accommodation were provided last year, compared to 950 units in 2000, which represented an increase of over 42%.

Some 548 units were completed under the programme in the first six months of this year and work was in progress on a further 2,000 units at the end of that period. It is anticipated that the number of units which will be completed this year will exceed 1,600.

The housing needs of an increasing number of households are being met each year through the provision of housing by local authorities and voluntary and co-operative housing bodies. In the current year the Government has allocated record levels of funding to local authorities for their social and affordable housing programmes. Total capital spending on social and affordable housing output in 2005, including non-Exchequer finance, will amount to some €2 billion and will assist in meeting the housing needs of over 13,000 households through the full range of social and affordable housing measures. This compares with 8,400 households in 1998.

Radon Protection Measures.

179. **Mr. Gogarty** asked the Minister for the Environment, Heritage and Local Government the action he will take arising from the Radiological Protection Institute of Ireland report that suggests that 10% of new dwellings constructed with radon protection barriers have high levels of radon. [30416/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Part C, Site Preparation and Moisture Resistance, of the building regulations and the related technical guidance document, TGD C, require that new houses in high radon areas commencing on or after 1 July 1998 incorporate the following radon prevention measures in the foundations: radon proof membrane; and a standby radon sump which can be activated if the radon membrane is not fully effective in keeping the indoor radon level below the national reference level of 200 becquerels per cubic metre, 200 Bq/m³.

RPII surveys of new houses commenced since 1 July 1998 in the high radon areas of Ennis, Kilkenny and Tralee have shown that the radon-proof membrane has significantly reduced the percentage of new dwellings with radon above the national reference level, compared with what would be expected on the basis of RPII survey results for radon in existing dwellings.

However, to further reduce the incidence of high radon levels in new buildings, including new dwellings, I published a revised edition of TGD C in October 2004, which applies to new dwellings commencing on or after 1 April 2005. The revised edition of TGD C specifies that membranes be independently certified as fit for radon proofing; that membranes be carefully installed; and that membranes be protected from damage after installation. The guidance also recommends that

[Mr. Roche.]

a radon survey be carried out after the new dwelling is completed and occupied and again after remediation action, should that prove necessary.

Question No. 180 answered with Question No. 119.

Question No. 181 answered with Question No. 166.

Social and Affordable Housing.

182. **Ms Shortall** asked the Minister for the Environment, Heritage and Local Government his views on the assertion by the Irish Council of Social Housing in September 2005 that Ireland is building social housing at a slower rate than other European countries, in view of the fact that Ireland has one of the highest completion rates for private housing; the actions he will take to remedy the situation; and if he will make a statement on the matter. [30391/05]

694. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government his views on the fact that, despite the very high levels of home ownership here and the building boom in recent years, we have the lowest level of social housing output in the EU; and if he will make a statement on the matter. [30767/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 182 and 694 together.

The nature of and demand for social housing varies among European countries depending on need and policy approaches also reflect this diversity of conditions. Overall national housing output provides a more straightforward point of comparison, and in this context the Government's approach to increasing overall supply has had major success and has enhanced access to housing generally. This has occurred alongside a very active response by the Government to higher levels of Irish housing need. In the current year the Government have allocated record levels of funding to local authorities for their social and affordable housing programmes. Total capital spending on social and affordable housing output in 2005, including non-Exchequer finance, will amount to some €2 billion and will assist in meeting the housing needs of over 13,000 households. This compares with 8,400 households in 1998.

In addition, it is anticipated that a number of households currently in private rented accommodation will transfer to the new rental accommodation scheme now being introduced. These households will continue to be mainly accommodated within the private rented sector. There are currently up to 30,000 households in receipt of

rent supplements for a period in excess of 18 months who, on the basis that they are assessed to have long term housing needs, will be transferred to the new rental accommodation scheme over a four-year period.

Five-year action plans for the period 2004-08 for social and affordable housing have been developed by local authorities, which will ensure that the resources available are used to best effect and will help ensure a more coherent and coordinated response across all housing services. This will allow for the planning of activity for local authority own build, Part V arrangements and output by the voluntary and co-operative housing sector. Provision has been made for a mid term review of the plans in 2006 which will allow for adjustments to be made in light of actual performance and any new housing policy initiatives arising in the interim.

Environmental Policy.

183. **Mr. Coveney** asked the Minister for the Environment, Heritage and Local Government his views on whether the Environmental Protection Agency will not rule on appeals to its own decisions; his further views on whether a different agency should do so; if so the agency that should be; and if he will make a statement on the matter. [30402/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The process under which integrated pollution prevention and control licences should be determined has been twice considered in detail by the Oireachtas in the context of the Environmental Protection Agency Act 1992 and the Protection of the Environment Act 2003.

Both enactments confirmed the role of an expert, management body, the Environmental Protection Agency, EPA, in operating integrated pollution prevention and control licensing of complex installations. Both also provided a system of review of draft licence determinations by EPA itself, following due consideration of submissions and observations by all parties rather than the establishment of an external official mechanism.

I consider that these arrangements agreed by the Oireachtas are consistent with the principles of administrative justice. It would also be impractical to operate an external appeal arrangement in this area given the scarcity of relevant expertise which exists in a small country like Ireland and the difficulties in terms of cost and organisation arising from this. For these reasons, I have no proposal to amend existing legislation on this matter.

Question No. 184 answered with Question No. 134.

Social and Affordable Housing.

185. **Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government his views on the introduction of legislation to give local authorities powers to compulsory purchase order land at existing use value for the construction of social housing. [30321/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The ninth progress report of the All-Party Oireachtas Committee on the Constitution, concerning private property, NESC report No. 112, Housing in Ireland: Performance and Policy and the Goodbody Economic Consultants' report, Rationale for and Impact of a Use it or Lose it Scheme, contain analysis and/or recommendations on issues pertinent to the question and my Department is giving careful consideration to these recommendations.

In response the Government has already approved the establishment of the affordable homes partnership to drive and co-ordinate the delivery of affordable housing in the greater Dublin area; the preparation of legislative proposals for additional powers should the partnership need these to deliver fully on its mandate; and the review by all local authorities of their land management strategies to maximise the availability of land for their own housing programmes, voluntary housing, and housing partnerships with the private sector.

In this context, work is proceeding on legislation which could entail compulsory acquisition of land at below market value in specified circumstances.

186. **Mr. Sherlock** asked the Minister for the Environment, Heritage and Local Government the consideration he has given to the NESC report, Housing in Ireland: Performance and Policy; the legislative measures he will take arising from the report; and if he will make a statement on the matter. [30388/05]

194. **Mr. Sherlock** asked the Minister for the Environment, Heritage and Local Government if he will implement the recommendations made by the report of the All-Party Committee on the Constitution on the process of building land; the planned timeframe for implementing these recommendations; if he will report to Dáil Éireann on his strategy for such an implementation; and if he will make a statement on the matter. [30389/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 186 and 194 together.

The Government has been making substantial progress in addressing the concerns raised in the

NESC report and the report of the All-Party Committee on the Constitution with record housing output levels and increased investment in social and affordable housing measures. The recently launched affordable homes partnership provides further demonstration in this regard. In addition consideration is to be given to approaches dealing with land options and a "use it or lose it" scheme. As part of the broader delivery of housing nationally, all local authorities will review their land management strategies to maximise the availability of land for their own housing programmes, voluntary and co-operative housing, housing partnerships with the private sector and to secure more active use of brownfield land and derelict sites.

These measures are designed to provide a practical response, focused on delivery to the policy challenges identified by NESC and APOCC. NESC also highlighted a number of issues, particular in the social housing area, for further consideration. The Government intends to address these more medium-term issues for the provision of social and affordable housing shortly. This process will be informed by the outcome of the statutory housing needs assessment being finalised at present and the work under way by the housing forum in reviewing the effectiveness of the existing social and affordable housing schemes in the context of the Sustaining Progress agreement.

Question No. 187 answered with Question No. 115.

Freedom of Information Provisions.

188. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government when he will extend the extend the Freedom of Information Act 1997 to other bodies under the aegis of his Department; and if he will make a statement on the matter. [30409/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Freedom of Information, FOI, Acts currently apply to the following nine bodies under the aegis of my Department:

- An Bord Pleanála
- An Chomhairle Leabharlanna
- Environmental Protection Agency
- Fire Services Council
- Heritage Council
- Housing Finance Agency
- Irish Water Safety Association
- Local Government Computer Services Board
- Rent Tribunal.

[Mr. Roche.]

The FOI Acts will shortly be extended by regulations to be made by the Minister for Finance to the following further agencies under my Department's aegis:

- Buildings Regulations Advisory Board
- Dublin Docklands Development Authority
- Local Government Management Services Board
- National Building Agency
- Radiological Protection Institute Of Ireland
- Affordable Homes Partnership.

The FOI Acts will also be extended to the Private Residential Tenancies Board, PRTB, in respect of functions other than dispute resolution services.

Nuclear Plants.

189. **Mr. Deenihan** asked the Minister for the Environment, Heritage and Local Government if he has made representations in relation to the danger posed by building B30 at Sellafield; and if he will make a statement on the matter. [30419/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The B30 building at Sellafield is a fuel storage pond for spent magnox fuel and has been in use since the 1950s. Although the European Commission have been inspecting this plant regularly since the 1980s, both the physical condition of the plant and the high radioactivity in the area have made it impossible for the Commission to accurately verify the quantities of material held in the facility.

Under the safeguards provisions of EURATOM, the Commission has the right to inspect facilities where nuclear fuel cycle material is stored, as well as the records for such facilities, to verify that the material has not been diverted to non-peaceful uses.

In March 2003, the Commission adopted a directive under Article 82 of the EURATOM Treaty concerning the storage of spent fuel at Sellafield that compelled the United Kingdom to take steps to allow Commission inspectors to verify accurately the amount of plutonium stored in the pond. The UK subsequently responded in detail to the Commission and I understand the issue between the UK and the Commission on B30 is ongoing. I have written to the European Commissioner for Energy, Mr. Andris Piebalgs, and *inter alia* reiterated that the B30 storage pond represents a very substantial ongoing environmental and public health risk.

The UK Ambassador to Ireland has advised my Department that his Government will ensure that remediation works at B30 will be guided first and foremost by safety and environment-related considerations. While this is reassuring, my Department will continue to monitor developments in relation to developments at B30 and other facilities at Sellafield to ensure the concerns and interests of Ireland are protected. Indeed, during my meeting with Mr. Alan Johnson MP, UK Secretary of State at the Department of Trade and Industry in London last week, I again outlined the Government's concerns in this regard.

Waste Management.

190. **Mr. G. Murphy** asked the Minister for the Environment, Heritage and Local Government the steps he has taken to eliminate cross-Border dumping following his speech on the matter to the Environment Ireland 2005 Conference; and if he will make a statement on the matter. [30397/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Office of Environmental Enforcement's report, *The Nature and Extent of Unauthorised Waste Activity in Ireland*, which was published last month, noted that due to increased regulatory vigilance on both sides of the Border, the practice of illegal waste trafficking to Northern Ireland has become more sporadic. I intend that the excellent co-operation between our enforcement authorities and those in Northern Ireland will continue, including through the enforcement network established by the office of environmental enforcement, to pursue those responsible for such activity. In addition, regulatory authorities have been enjoined by the policy direction, which I recently issued under section 60 of the Waste Management Act 1996, to pursue illegal holders of waste looking to the maximum potential sanctions available in law.

Building Regulations.

191. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government the steps open to him to encourage greater use of energy efficient and renewable energy technology in newly-built homes; and if he will make a statement on the matter. [30354/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The question of encouraging the voluntary installation of energy efficient and renewable energy technology in newly-built dwellings is being actively considered in a current review of Part L, Conservation of Fuel and Energy, of the building regulations and the related technical guidance document, TGD.

This would be achieved by structuring the method of showing compliance with Part L in such a way that the use of energy efficient and renewable energy technology would simplify compliance; and would give greater flexibility to designers in relation to other aspects of design.

Local Authority Land Development.

192. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government the circumstances under which local authorities may dispose of land and criteria that apply; and his plans to put in place a requirement to ensure that competitive tenders are sought. [30415/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Local authorities are empowered to dispose of land in accordance with section 211 of the Planning and Development Act 2000 and Article 206 of the Planning and Development Regulations 2001. In general, any land previously acquired by a local authority may be sold, leased or exchanged subject to such conditions as the local authority considers necessary in order to secure the best use of that land.

Where the local authority is of the opinion that price or rent obtained for the land in question is not the best reasonably obtainable, the manager must prepare a report setting out the economic and social reasons which apply in relation to the disposal of land and include this in the notice given to the members of the authority. The notice and report must also be made available for public inspection at the local authority offices for a period of one year. Otherwise the Minister's consent is required. My Department has no proposals to amend the relevant legislation.

Planning Regulations.

193. **Mr. English** asked the Minister for the Environment, Heritage and Local Government if he will legislate for development levies to be used for community amenities including schools and health centres; and if he will make a statement on the matter. [30437/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Planning legislation currently allows for the imposition of planning conditions requiring the payment of a contribution in respect of public infrastructure and facilities, provided by or on behalf of a local authority, which benefit development in the area of the planning authority, including the provision of open spaces, recreational and community facilities and amenities and landscaping works.

I am interested in ensuring that the planning process supports the provision of necessary community facilities in parallel with housing devel-

opments. My Department has been in discussion with other relevant Departments to facilitate this and is continuing to explore all options in that regard.

Question No. 194 answered with Question No. 186.

Water and Sewerage Schemes.

195. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government his views on whether it is unfair to ask non-residential residents of Achill Island to pay €3 million towards the long awaited sewage scheme in Achill in view of the fact that persons will have to pay this between them; his further views on whether Achill should not be asked to pay 50% of the costs, as it cannot be compared to a large urban area or town, under the polluter pays principle; if he will intervene in this situation and ensure that the scheme goes ahead without putting the future of the local businesses at risk; the resolution his Department has to enable this to proceed; and if he will make a statement on the matter. [30442/05]

670. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government his views on whether it is unfair to ask the non-residential residents of Achill Island to pay €3 million towards the long awaited sewage scheme in Achill; his further views on whether Achill should not be asked to pay 50% of the cost; if steps will be taken to ensure that the scheme goes ahead without putting the future of local businesses at risk; the resolution his Department has to enable this to proceed; and if he will make a statement on the matter. [30611/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 195 and 670 together.

In common with all projects funded under my Department's water services investment programme, the Achill Sound scheme is subject to water services pricing, polluter pays policy. Local authorities must ensure that the design and scale of individual schemes takes account of the implications of the pricing policy framework. In broad terms, this involves my Department funding the capital costs associated with the provision of services to meet the requirements of the existing domestic population. The additional marginal capital cost of servicing non-domestic consumers, and providing for future development, is recovered by the local authority from all non-domestic consumers in its functional area, i.e. on a county-wide basis, through a combination of water charges on commercial consumers and planning levies on future development. Only significant large scale consumers who reserve a spec-

[Mr. Roche.]

ific proportion of the overall capacity of a scheme are required to make a direct contribution to the capital cost of the scheme up-front. It is unlikely that there are any such consumers in this case.

My Department is currently awaiting submission by Mayo County Council of a revised water services pricing policy report that will determine the appropriate apportionment of the capital costs in this case in accordance with the policy framework. Until this report is submitted and approved, any estimate of the likely contribution required from the non-domestic sector is purely speculative.

With regard to commencement of works, the position is that the scheme has been approved for construction under my Department's water services investment programme 2004-06. I have already cleared Mayo County Council's tender recommendations for the scheme and its further advancement is now a matter for the council.

Planning Regulations.

196. **Mr. Timmins** asked the Minister for the Environment, Heritage and Local Government the discussions he has had with county managers or their representatives with respect to the rural planning guidelines on one-off housing; and if he will make a statement on the matter. [30307/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The guidelines for planning authorities on sustainable rural housing came into effect on 13 April 2005. They provide that reasonable proposals on suitable sites in rural areas for persons who are part of, contribute to, or have links with the rural community must be accommodated. The guidelines thus affirm a presumption in favour of quality one off housing for rural communities, provided proposals meet normal standards in relation to matters such as the proper waste water disposal and road safety.

My Department held two seminars in June for local authority planning officials on the implementation of the guidelines. The seminars dealt with the overall objectives of the guidelines and provided practical advice on the implementation of their core provisions, including preparation of development plan policies, providing better support and advice to applicants and more efficient and comprehensive consideration of planning applications.

In September 2005, my Department also held discussions on the guidelines with the planning committee of the County and City Managers' Association. These discussions were around the need to embed regard for the guidelines, as required by section 28 of the Planning and Development Act 2000, in their performance by local authorities of their relevant functions i.e. in

making or reviewing their development plans, in providing planning services to applicants or potential applicants and in deciding on planning applications. County managers have also been asked for a report on the measures taken to date to implement the guidelines and on their impact. I intend to continue this close monitoring of the new guidelines on rural housing.

Question No. 197 answered with Question No. 138.

Question No. 198 answered with Question No. 119.

Care of Homeless Persons.

199. **Mr. Crowe** asked the Minister for the Environment, Heritage and Local Government the actions he has taken in the past twelve months to address the ongoing homelessness crisis. [30316/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Local authorities and the Health Service Executive are responsible for meeting the accommodation and health care needs of homeless persons. The Government's integrated and preventative strategies on homelessness provide the framework within which the agencies fulfil these responsibilities.

Under the terms of the integrated strategy, homeless fora, representative of the statutory and voluntary homeless sectors, were established at local authority level and homeless action plans, adopted under their aegis, are being implemented. These developments have resulted in the provision of a wide range of additional accommodation and services for homeless persons. Rough sleepers have been enabled to access emergency accommodation and homeless persons have been facilitated to move out of emergency accommodation into accommodation more suitable to their needs. Increased levels of day care facilities, together with specific provisions to meet the needs of people with addiction problems or who are sleeping rough, as well as homeless ex-offenders, have been put in place. While the emphasis was, initially, on the provision of emergency accommodation options, there is now general agreement that there is sufficient emergency accommodation available for those who wish to avail of it and the emphasis must now move to more long-term solutions.

While there is a range of social and private rented long term accommodation available the amount of such accommodation needs to be increased. Steps have already been taken to encourage local authorities to focus their future activity in this area and a number of recent developments will facilitate their efforts to make pro-

gress. The development of the local authority housing action plans 2004 to 2008, the introduction of the rental accommodation scheme and the information gained from the assessment of housing need carried out in March 2005 will enable local authorities to include the specific housing needs of homeless persons in their overall housing programmes and enhance the availability of housing options for those homeless persons capable of independent living. A tenancy sustainment scheme soon to be piloted by the homeless agency with funding from my Department will facilitate previously homeless tenants to maintain their tenancies whether in public or private sector accommodation.

The continued provision of adequate funding is of major importance. While the provision of accommodation and related services for homeless persons is the responsibility of local authorities, my Department recoups to them 90% of their expenditure in this area. In 2004, a total of €45.7 million was recouped to local authorities while the allocation for 2005 is €51 million. This brings to €240 million the total funding made available for this purpose since 2000. The Department of Health and Children has provided an additional €30.2 million in the same period to meet the care needs of homeless persons.

An independent review of the implementation of the integrated and preventative homeless strategies and their associated action plans is nearing completion and the outcome of the review will help to inform future developments in this area.

EU Legislation.

200. **Mr. McEntee** asked the Minister for the Environment, Heritage and Local Government the number of EU Directives for which he has responsibility for that remain to be transposed into Irish law; and if he will make a statement on the matter. [30394/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am fully aware of the importance of timely transposition of EU environmental legislation, some 200 items of which, including more than 140 directives, have by now been transposed in this country. There are currently seven directives in my Department's area of responsibility which are outstanding for transposition. These are: — 2000/53/EC — End-of-life vehicles: this directive was due for transposition by 21 April 2002 with obligations imposed under the directive effective in respect of new vehicles sold after 1 July 2002 from that date and from 1 January 2007 for all other vehicles. It is anticipated that this directive will be fully transposed by the end of the year. — 2002/49/EC — Assessment and management of environmental noise: drafting of regulations to transpose this directive, which was due for trans-

position by 18 July 2004, is well advanced and transposition is intended by the end of the year. — 2002/88/EC — Measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery and 2004/26/EC — Amending Directive 97/68/EC on the approximation of the laws of member states relating to emissions from internal combustion engines in non-mobile road machinery: draft regulations transposing both directives are nearing completion with a view to transposition by the end of the year. The first directive was due for transposition by 11 August 2004 and the second by 20 May 2005. — 2003/4/EC — Public access to environmental information, repealing Directive 90/313/EEC: legislative proposals for the transposition of this directive are in drafting. The directive was due for transposition by 14 February 2005 and it is intended that this directive will be transposed at the earliest possible date. — 2003/35/EC — Directive on public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Directives 85/337/EEC and 96/61/EC: this directive was due for transposition by 25 June 2005. Options for transposition of the directive are being examined with a view to completing transposition at the earliest possible date. — 2004/12/EC — Directive amending Directive 94/62/EC on packaging and packaging waste: my Department is engaged with a stakeholder group on a final phase of consultation prior to finalising regulations to give effect to this directive. The directive was due for transposition on 18 August 2005 and it is intended that it will be transposed in the first quarter of 2006.

201. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government the circumstances surrounding the scheduling and subsequent cancellation of an oral hearing on 11 October 2005 in the European Court of Justice regarding Ireland's implementation of EU legislation on environmental impact assessments; and if he will make a statement on the matter. [30435/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): This matter arises from an application by the European Commission to the European Court of Justice in July 2003 seeking the imposition of a daily fine of €21,600 against Ireland to enforce a previous judgment by the Court made on 21 September of September 1999 against Ireland. That judgment centred on the environmental impact assessment, EIA, directive, as amended, in relation to the exemption thresholds set for peat extraction.

My Department has since been working, in consultation with European Commission officials,

[Mr. Roche.]

on a series of measures to address the findings of the court and the final measures have now been put in place. Earlier this year, I signed the Planning and Development Regulations 2005. These regulations generally exempt peat extraction below a threshold of 10 hectares from the requirement for planning permission. However, there are exceptions where the peat extraction would have significant effects on the environment or, where the peat extraction takes place within peatland areas that have been afforded protection either as special areas of conservation, SACs or natural heritage areas, NHAs, both of which are subject to a separate control system. The European Commission was concerned that all designations of SACs and NHAs should be fully completed so as to ensure that any cases involving sub-threshold peat extraction in sensitive locations, while not subject to planning permission, would be subject to nature conservation controls under wildlife legislation.

I am pleased to inform the House that I signed the final set of protection orders for NHAs on 20 September thus satisfying all of the Commission's outstanding concerns. As Ireland is now fully in compliance with the 1999 judgment, the Commission proceeded to request the court to cancel its application for a daily fine against Ireland.

Question No. 202 answered with Question No. 139.

Question No. 203 answered with Question No. 107.

Question No. 204 answered with Question No. 139.

Local Authority Funding.

205. **Mr. G. Murphy** asked the Minister for the Environment, Heritage and Local Government his views on whether comments by the chief executive of the Heritage Council that under-resourcing of local authorities means they cannot afford to properly maintain green spaces; and if he will make a statement on the matter. [30398/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am not aware of comments by the chief executive of the Heritage Council to this effect.

Local authorities fund expenditure on services, including maintenance of green spaces, from a variety of sources including specific State grants, commercial rates, fees and charges for goods and services and general purpose grants from the local government fund. Increased funds are also becoming available to local authorities for capital improvement of infrastructures and amenities

from their schemes of development contributions which were finalised in 2004. The general purpose grants allocated to local authorities for 2005 amount to some €817 million, representing an increase of 8.6%, or more than double the rate of inflation, on the corresponding figure for 2004 and an increase of some 130% on the 1997 provision. I am satisfied that this level of funding, together with the current funding available to local authorities from other sources, enables them to provide a satisfactory level of services. It is, of course, a matter for each local authority to prioritise its expenditure within the resources available to it and to operate its services as efficiently and effectively as possible.

206. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government if the report service indicators in local authorities suggest a lack of funding from the Central Exchequer may be responsible for some of the failings; and if he will make a statement on the matter. [30357/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The first report on service indicators in local authorities, published in July 2005, details the performance of local authorities in 2004 with regard to 42 indicators of service. This is a significant innovation for the local government sector and will be a valuable baseline against which future performance can be assessed. I have asked each authority to review its performance across the range of indicators and in light of performance by other authorities and put in place a strategy for continued improvement.

Local authorities fund expenditure on services from a variety of sources including specific State grants, commercial rates, fees and charges for goods and services and general purpose grants from the local government fund. The general purpose grants allocated to local authorities for 2005 amount to some €817 million, representing an increase of 8.6% or more than double the rate of inflation, on the corresponding figure for 2004 and an increase of some 130% on the 1997 provision. I am satisfied that this level of funding, together with the current funding available to local authorities from other sources, enables them to provide a satisfactory level of services. It is a matter for each local authority to prioritise its expenditure within the resources available to it and operate its services as efficiently and effectively as possible.

Local Authority Staff.

207. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government if he will amend the two codes of conduct, one for local authority employees and the other for coun-

cillors to take account of suggestions by the Standards in Public Office Commission suggesting the possibility of provision being made in the code whereby protection against reprisal will be guaranteed in any circumstances where a bona fide report or complaint was made by an employee or a councillor who believed that he or she was being required to act in a manner which was illegal, improper, or unethical, was in breach of constitutional convention or a professional code, may involve possible maladministration or was otherwise inconsistent with the relevant code; and if he will make a statement on the matter. [30433/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The codes of conduct for councillors and employees of local authorities were published in June 2004 under Part 15 of the Local Government Act 2001, and form an integral part of the ethics framework for the local government service. The implementation of the codes is being kept under review in light of experience since their introduction and as part of an assessment of the effectiveness of the regime. The suggestions in the Standards in Public Office Commission's 2004 annual report are being fully considered in that context.

Architectural Heritage.

208. **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. [30014/05]

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 2005, €700,000 has been allocated in thatching grants by my Department, with 152 grants having being provisionally approved for 152 roofs.

I am also in the process of establishing the Irish Heritage Trust, as set out further in reply to Question No. 148 on today's Order Paper. Funding for architectural heritage protection is also provided directly by the Heritage Council and the council administers certain one-off grants directly on my behalf. In addition, tax relief is available

under 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. I am satisfied that, taken together, these provisions afford appropriate support for the safeguarding of our architectural heritage.

House Prices.

209. **Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government his views on whether competition from buyers of second homes is a contributory factor to house price increases. [30314/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The unprecedented demand for housing consequent of rapid economic growth and demographic changes has been the major driver of house price increases in recent years. While precise information is not available, it is clear there has been significant activity over this period by both investors and owners of second properties. This is to be expected in a growing economy. Although at different times and locations this may have an impact on prices, there can be gains in terms of the supply of private rented accommodation, tourist accommodation and revitalisation of areas.

Against this background, the Government's strategy is to increase housing supply to meet the diverse demand. A particular focus of attention is on measures to improve affordability and access to housing for new emerging households. Focusing on sustaining supply at levels to meet demand is the key objective of policy and in this way we seek to bring moderation to house price increases. The success of these measures is demonstrated by the substantial increase in output, which has doubled in the past seven years with house prices having moderated from their high levels in the late 1990s.

Planning Regulations.

210. **Mr. Deenihan** asked the Minister for the Environment, Heritage and Local Government if he will make changes to section 29(1)(a) of the Planning and Development Act 2001; and if he will make a statement on the matter. [30421/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I assume the Question relates to Article 29(1)(a) of the Planning and Development Regulations 2001. This article provides that any person or body, on payment of the prescribed fee, may make a submission or observation in writing to a planning

[Mr. Roche.]

authority in relation to a planning application within the period of five weeks beginning on the date of receipt by the authority of the application. While I have been reviewing the 2001 planning regulations to refine and streamline aspects of the planning application process, it is not planned to amend the provision in question.

Live Register.

211. **Cecilia Keaveney** asked the Taoiseach if the live register figure for County Donegal is at its lowest point in over ten years; and if he will make a statement on the matter. [30205/05]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The live register series gives a monthly breakdown of the number of people claiming unemployment assistance, unemploy-

ment benefit and other claimants registered with the Department of Social and Family Affairs. Figures are published for each county and local office. The most recent information available is for September 2005. It should be noted that the live register is not a definitive measure of unemployment as it includes part-time workers, seasonal and casual workers entitled to unemployment assistance or benefit. Statistics on unemployment are measured at regional level by the quarterly national household survey. In addition, the exact area covered by each local office is not limited to the immediate locality of the particular office. For instance, in the Tallaght local office there may be registered persons from the Blessington area.

The live register figures for County Donegal for the period 1995 to 2005 as requested by the Deputy are set out in the following table. The September 2005 figure is the lowest figure in the period since January 1995:

Live Register for County Donegal 1995 to 2005.

Live Register County Donegal total.

Year	January	February	March	April	May	June	July
1995	12,282	11,850	11,936	12,072	11,865	12,205	12,552
1996	12,913	12,957	12,563	12,761	12,584	12,921	13,393
1997	12,670	12,737	12,548	12,344	12,273	12,719	12,943
1998	12,719	12,512	12,109	12,282	12,086	12,549	12,634
1999	12,144	11,966	11,623	11,501	11,469	11,907	12,293
2000	11,642	11,413	10,980	10,830	10,365	10,652	10,705
2001	10,160	10,008	9,969	9,861	9,856	10,263	10,441
2002	10,182	10,133	10,108	9,729	9,899	10,364	10,605
2003	10,048	10,013	9,964	10,111	9,882	10,680	10,907
2004	10,331	10,246	10,037	9,662	9,576	10,146	10,473
2005	9,590	9,304	9,073	8,846	8,790	9,103	9,516

Year	August	September	October	November	December	Average
1995	12,359	12,308	12,394	12,438	13,127	12,282
1996	13,051	12,784	12,469	12,473	12,981	12,821
1997	13,001	12,742	12,313	12,365	12,927	12,632
1998	12,565	12,094	11,772	11,469	13,485	12,356
1999	12,224	11,971	11,532	11,431	11,699	11,813
2000	10,622	10,003	9,862	9,837	10,088	10,583
2001	10,297	9,620	9,558	9,549	9,896	9,957
2002	10,499	9,663	9,355	9,418	9,897	9,988
2003	10,931	10,187	9,975	9,923	10,149	10,231
2004	10,374	9,432	9,079	9,088	9,440	9,824
2005	9,508	8,586				

Source: Live Register Analysis, Central Statistics Office.

Irish Language.

212. **Mr. Kenny** asked the Taoiseach the number of households in each Gaeltacht area

where it is estimated that Irish is spoken on a full-time basis as an every day language; and if he will make a statement on the matter. [30648/05]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The information requested by the Deputy is contained in the following table which is based on the results of the 2002 census of population. The question used in the census was as follows:

11. Can you speak Irish?

Answer if aged 3 years or over.

1 Yes

2 No

If 'Yes', do you speak Irish?

1 Daily

2 Weekly

3 Less often

4 Never.

It is important to bear in mind that the census question seeks information on ability to speak the Irish language and frequency of speaking it. It is not possible to infer the number of households where Irish is being spoken on a full-time basis from the census data.

Private households in each Gaeltacht area classified by the number of persons who speak Irish daily, census 2002.

Number of daily Irish speakers in the household	Total Gaeltacht area	Cork	Donegal	Galway City	Galway County	Kerry County	Mayo County	Meath County	Waterford
Total households	29,777	1,137	8,347	3,825	9,012	2,859	3,677	466	454
None	15,175	616	3,789	2,987	3,447	1,389	2,454	270	223
1 or more	14,602	521	4,558	838	5,565	1,470	1,223	196	231
<i>of which:</i>									
1	5,884	189	1,915	438	1,987	617	571	81	86
2	3,933	129	1,254	234	1,494	364	355	42	61
3	2,086	88	579	109	861	233	150	26	40
4	1,366	61	415	42	592	143	69	24	20
5	822	35	239	10	381	73	53	15	16
6 or more	511	19	156	5	250	40	25	8	8

Consultancy Contracts.

213. **Mr. Bruton** asked the Taoiseach the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30152/05]

The Taoiseach: The procurement of consultancy services in my Department is subject to public procurement guidelines from the Department of Finance as set out in the document, Guidelines for engagement of Consultants in the Civil Service — 1999. Procurement of outside expertise in the public relations field is also subject to public procurement guidelines as set out in the 2004 Department of Finance publication, Public Procurement Guidelines — Competitive Process, which replaced the previous Department of Finance guidance entitled, Public Procurement — 1994 Edition (Green Book).

In addition, the procurement of these services is also subject to applicable EU procurement rules and guidelines. Furthermore, since early this year additional guidelines agreed by Government, specifically for public relations and communication type consultancies, are now incorporated into the Cabinet Handbook. I am satisfied that these guidelines are followed in my Department and are fully reflected in the Department's

internal procedures, including the training provided to relevant staff.

More recently a number of new measures were announced which will contribute to improving the management and value for money aspects of consultancies projects. Approval of expenditure on consultancy projects is handled at the appropriate level within my Department, depending on the scale and nature of each and I am kept informed as appropriate. With my colleagues, I consider the provision made for consultancy services in my Department's Vote is necessary and appropriate for the effective discharge of its functions.

214. **Mr. Bruton** asked the Taoiseach the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted, in his Department from 1998 to date in 2005. [30167/05]

The Taoiseach: There have been no cases of reports, consultancies or cases from external commissions in this period where the issue of poor value for money has been highlighted in my Department.

Population Statistics.

215. **Mr. Cuffe** asked the Taoiseach the population of the State at the end of each of the past

[Mr. Cuffe.]

ten years; and the estimate for the population of the State on 31 December 2005. [30461/05]

Minister of State at the Department of the Taoiseach (Mr. Kitt): Population estimates are compiled on an annual basis in respect of mid-April. For census years the relevant census figure is taken. The following table provides population estimates for the past ten years. The figures for 2003 to 2005, inclusive, are preliminary and subject to revision after the publication of the 2006 census totals.

Mid-April Population

Year	Estimate (Thousands)
1996	3,626.1
1997	3,664.3
1998	3,703.1
1999	3,741.6
2000	3,789.5
2001	3,847.2
2002	3,917.2
2003	3,978.9
2004	4,043.8
2005	4,130.7

Departmental Expenditure.

216. **Mr. Deasy** asked the Taoiseach the amount which has been spent by his Department in bringing into effect the provisions of the Official Languages Act 2003. [30523/05]

The Taoiseach: As part of its commitment to the principles of quality customer service, my Department has always sought to ensure that customers who wish to conduct their business through Irish can do so. Expenditure on providing such services, therefore, cannot be considered as arising exclusively from the provisions of the Official Languages Act, as they also arise from our existing commitments to our customers as outlined in our customer charter, which states: “We will ensure that customers who wish to conduct their business through Irish can do so.”

My Department was among the first of the public bodies to draft schemes under the Official Languages Act in relation to the delivery of our services to the public in Irish. My Department’s scheme for the years 2005 to 2008 was published on 26 July 2005 and will commence on 1 September 2005. It is not expected that implementation of the scheme will give rise to substantial costs additional to those which were being incurred prior to its commencement. However, it has been possible to identify certain costs arising specifically from implementation of the Act to date. These are: the translation of the scheme into

Irish — €972; design and printing of the scheme — €5,250. This gives a total amount of €6,222 to date. We also anticipate that approximately €7,000 to €10,000 will be spent up to the end of 2005 on in-house Irish language and other related training for staff and on certain translation costs.

Infectious Diseases.

217. **Mr. Quinn** asked the Tánaiste and Minister for Health and Children the plans in place to address a generic pandemic of influenza or any other transmittable disease here; the specific quarantine and isolation procedures which would be put into effect when required for both individuals and groups and geographical areas; the triggers required before quarantine of an individual, group or area is enforced; the stocks of vaccines and treatments in place to treat not only a specific threat such as avian influenza but also non-specific threats such as a different strain of influenza; the funding available during the first response to the outbreak of a pandemic to the groups involved; the triggers required to release such funding to both events and executive actions; the command structure available to be put in place at extremely short notice to co-ordinate national operations in the event of a pandemic; the person who is the head of such a command structure; the person who is the head of such a command structure in the event of absence or incapacity of the head of that command structure at the time of an outbreak the person or persons who are authorised to act as the head of the command structure; the organisations which would be involved in any such operations; the co-ordinated training and exercise which has taken place with the organisations involved; the results of these exercises; the cost of these exercises to the Exchequer both direct and indirect through redirection of resources from other duties; and if she will make a statement on the matter. [30022/05]

239. **Mr. Kirk** asked the Tánaiste and Minister for Health and Children the steps she has taken regarding the threat of avian influenza reaching Ireland; if sufficient vaccine is in stock; and if she will make a statement on the matter. [30127/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 217 and 239 together.

Avian influenza — “bird flu” — is an infectious disease of birds caused by the type A strains of the influenza virus. The Department of Agriculture and Food is responsible for controlling avian influenza in birds and mammals other than humans. That Department has a contingency plan for avian influenza and all questions relating to this should be referred to my colleague, the Minister for Agriculture and Food, Deputy Coughlan.

According to the World Health Organisation, the spread of the A/H5N1 virus to poultry in new areas is of concern as it increases opportunities for further human cases to occur. However, all evidence to date indicates that the H5N1 virus does not spread easily from birds to infect humans. The WHO level of pandemic alert remains unchanged at phase 3 — a virus new to humans is causing infections but does not spread easily from one person to another.

My Department and the Health Service Executive are closely monitoring avian influenza developments with particular reference to the public health implications. The overall aims of influenza pandemic planning are to reduce mortality and morbidity and minimise the resulting disruption to society. However, the consequences of a global pandemic are still likely to be serious. Pandemic planning can only mitigate the effects and my Department and the Health Service Executive are working closely together on pandemic planning.

A generic public health emergency plan for the health system was prepared in 2004. This included disease specific operational response plans in relation to SARS, pandemic influenza and smallpox. These plans identify key actions which must be undertaken before and during a major public health threat. The responses are structured within the following functional areas: surveillance, health services, public health measures, vaccines-antivirals, etc., communications, laboratories and materials management. The pandemic influenza plan is being updated to reflect the most up-to-date advice of the influenza pandemic expert group and the World Health Organisation. Social distancing measures will be considered in the context of public health measures generally.

The public health emergency plan provides for a command and control structure with strategic and operational components. My Department has responsibility for the strategic issues while the Health Service Executive continues to have responsibility for operational issues. The Secretary General of my Department chairs the team which will co-ordinate the response at national level and the chief medical officer of my Department will act as head of the team in the absence of the Secretary General for whatever reason. The national team had its first official meeting in July 2005.

The public health emergency plan may be activated following consideration of advice from the chief medical officer or relevant personnel in the Health Service Executive or from an outside agency such as the European Union or World Health Organisation. The Health Service Executive held regional influenza pandemic exercises earlier this year to test its regional plans. The results of these exercises will be taken into account in updating the national plan. The European Commission is organising a command post

pandemic influenza exercise to test communications, exchanges of information and interaction between the competent authorities at EU level and the co-ordination and interoperability of national plans. Ireland is participating in this exercise, which is being funded by the Commission. The dates are not being publicly announced to make the exercise as realistic as possible.

Influenza pandemics are caused when a new flu virus emerges to which people have no immunity. As it is new, a vaccine can only be manufactured once the new strain emerges. It should be noted that it will take at least four to six months from the time a pandemic flu strain emerges to develop and manufacture a vaccine. A vaccine is in development which could offer some protection against an H5N1 influenza strain. International experts consider that a stockpile of H5N1 vaccine could be used as a first line of defence for front-line health and emergency staff while a vaccine against the exact pandemic influenza strain is manufactured.

It was decided in August on foot of expert advice that a limited amount of H5N1 vaccine should be purchased. It is intended to purchase 400,000 doses, which is sufficient for 200,000 people. My Department is actively pursuing this matter. H5N1 vaccines will not be available anywhere before March-April 2006.

Antivirals can shorten the duration of the disease and alleviate symptoms. We already have an emergency supply of more than 45,000 treatment packs of antivirals — Tamiflu® — and 10,000 units of paediatric suspension. We are stockpiling a further 1 million treatment packs of Tamiflu®. This quantity is sufficient to treat 25% of the population. Of these, 600,000 packs will be delivered by the end of this year while the remaining 400,000 packs will be delivered next year. Plans for the storage and distribution of antivirals are being developed as part of the planning process. The size of the stockpile is in line with international trends.

Pension Payments.

218. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) who was made redundant following the abolition of the National Rehabilitation Board in 2000 and who was subsequently deemed to be owed an abolition of office pension by the High Court has to date not received any payment from the Health Service Executive, the successor to the ERHA which assumed responsibility for National Rehabilitation Board pensions; and if she will make a statement on the matter. [30027/05]

225. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the reason a person

[Mr. Kenny.]

(details supplied) has not received payment from the Health Service Executive; and if she will make a statement on the matter. [30037/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 218 and 225 together.

I should explain that this case has been under consideration in my Department and that, following this consideration, my Department has recently been in contact with the Health Service Executive in the matter. As this matter is now with the Health Service Executive, my Department has asked the parliamentary affairs division of the executive to reply directly to the Deputy in regard to the payment in question.

Medical Aids and Appliances.

219. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if assistance will be given to a person (details supplied) for digital hearing aids; and if she will give the maximum support and assistance. [30097/05]

232. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if assistance will be given to a person (details supplied) for digital hearing aids; and if she will give the maximum support and assistance. [30096/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 219 and 232 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 this matter investigated and have a reply issued directly to the Deputy.

Nursing Homes.

220. **Ms Lynch** asked the Tánaiste and Minister for Health and Children the person with responsibility for a regulatory and inspection function in a home (details supplied); and if she will make a statement on the matter. [30301/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Department of Health and Children has examined records related to the home in question. Evidence of a regulatory or inspection role has not be found on these papers and, as a result, it is not possible to indicate who had responsibility for this function. The home in question was a private home and admissions were primarily made by the families of the home's clients.

Proposed Legislation.

221. **Mr. Cuffe** asked the Tánaiste and Minister for Health and Children her plans to transpose the rights enshrined in the United Nations Convention on the Rights of the Child into Irish law. [30607/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): Ireland ratified the UNCRC without reservation on 21 September 1992. The convention entered into force for Ireland on 21 October 1992. Similar to other common law countries, Ireland has a “dualist” system under which international agreements to which Ireland becomes a party are not automatically incorporated into domestic law.

Article 29.3 of the Constitution of Ireland states: “Ireland accepts the generally recognised principles of international law as its rule of conduct in its relations with other States.” Article 29.6 of the Constitution of Ireland provides: “No international agreement shall be part of the domestic law of the State save as may be determined by the Oireachtas.” These constitutional provisions have been interpreted as precluding the Irish courts from giving effect to an international agreement if it is contrary to domestic law or grants rights or imposes obligations additional to those of domestic law. Consequently, whereas Ireland has ratified the UNCRC, the convention did not thereby automatically become part of Irish law. There are no plans at present to transpose the convention into Irish law.

Services for People with Disabilities.

222. **Ms C. Murphy** asked the Tánaiste and Minister for Health and Children the action she proposes to take in view of the need identified by the eastern regional autism service for the extension of multidisciplinary special needs service provision (details supplied) from primary school level to secondary school level to ensure that this extension of services transpires; if she has sought funding or has allocated funding to facilitate such an extension of services; the reason such services are currently unavailable to children at secondary level when they are available to children at pre-school and primary levels; and if she will make a statement on the matter. [30652/05]

223. **Ms C. Murphy** asked the Tánaiste and Minister for Health and Children her plans to accommodate the 75 children currently on the waiting list for multidisciplinary services provided by the eastern regional autism service; and if she will make a statement on the matter. [30655/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 222 and 223 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 have a reply issued directly to the Deputy.

Nursing Home Regulations.

224. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the rules governing the operation of patient accounts in public nursing homes; the action taken in respect of outstanding balances in such accounts in the event of the death of a patient to refund this balance to the family concerned. [30036/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Service Executive administers a patient private property account system to manage the private money of patients in long-stay care. Previously, different health boards employed various methodologies for the administration of these accounts depending on legal advice received by different boards as to how these accounts should operate.

Following the establishment of the HSE, clarification was sought from senior counsel as to the precise relationship which should exist between the HSE and patients in its care and to put in place one standardised system for the operation of these accounts. This legal advice was received by the HSE in September of this year and led to the establishment of a multidisciplinary working group on patient private property accounts. The working group was established to ensure the administration of these accounts: meets all legal and regulatory requirements; operates in the best interests of patients in as responsive way as practical; takes appropriate account of, in so far as is practical, the input of patients relatives and friends; is consistent with best practice in terms of financial controls, transparent accountability and corporate governance arrangements; and is efficient and represents value for money in the use of staff and HSE resources.

Following the death of a patient there is a legal obligation on the HSE to ensure any funds held on behalf of the patient are preserved for the beneficiaries of the patient's estate. In circumstances in which a patient has made a will and the executor obtains a grant of probate, the HSE releases any funds remaining in the patient's property account to the executor. In circumstances in which the patient has died intestate and a grant of administration is obtained by his or her personal legal representatives, the HSE releases any funds remaining to the administrators who would normally be a surviving spouse or next of kin. Where a patient dies intestate and there are

no next of kin, as defined in the succession Acts, the State is the ultimate successor and any funds in the patient's private property account are transferred to the Chief State Solicitor's Office.

Question No. 225 answered with Question No. 218.

Health Services.

226. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children the position regarding the case of an application for additional home help hours by a person (details supplied) in County Tipperary. [30038/05]

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 have a reply issued directly to the Deputy.

227. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children the position regarding the case of an application for additional home help hours for persons (details supplied) in County Tipperary. [30039/05]

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 have a reply issued directly to the Deputy.

Hospital Services.

228. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called to the Mater Hospital for open heart surgery. [30040/05]

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 have a reply issued directly to the Deputy.

Services for People with Disabilities.

229. **Mr. Perry** asked the Tánaiste and Minister for Health and Children her plans to increase funding for personal assistant service for persons with disabilities in counties Sligo and Leitrim; and if she will make a statement on the matter. [30042/05]

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 has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and have a reply issued directly to the Deputy.

Health Service Executive Correspondence.

230. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children her views on the contents of a letter sent to Professor Brendan Drumm and copied to her (details supplied); and if she will make a statement on the matter. [30094/05]

Minister of State at the Department of Health and Children (Mr. S. Power): The letter referred to by the Deputy 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. I understand this letter is being dealt with by the Health Service Executive.

Health Services.

231. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if payment will be made to a person (details supplied) in County Kilkenny under the national repayment scheme; if a decision in the case will be expedited. [30095/05]

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 have a reply issued directly to the Deputy.

Question No. 232 answered with Question No. 219.

Departmental Statistics.

233. **Mr. Deasy** asked the Tánaiste and Minister for Health and Children the numbers of acute hospital beds per 1,000 population in each of the former health board areas in the years 1987, 1992, 1997, 2002 and in September 2005. [30098/05]

Tánaiste and Minister for Health and Children (Ms Harney): The information requested is being provided directly to the Deputy.

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 if she will give the maximum assistance in the home help service. [30099/05]

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 have a reply issued directly to the Deputy.

Medical Aids and Appliances.

235. **Mr. Nolan** asked the Tánaiste and Minister for Health and Children the reason there is a substantial waiting list for aids and appliances within the Carlow-Kilkenny community care area for disabled children and adults; and if she will make a statement on the matter. [30100/05]

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 has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and have a reply issued directly to the Deputy.

Hospital Waiting Lists.

236. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the number of children awaiting assessment by the Health Service Executive southern area at a clinic (details supplied) in County Kerry; the average waiting time for an appointment; and if she will make a statement on the matter. [30101/05]

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 has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and have a reply issued directly to the Deputy.

Mental Health Services.

237. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if she has received a report on the shortage of step-down accommodation in the community for persons recovering from mental illness who need a half-way house; if her attention has been drawn to the fact that there is a waiting list for such accommodation (details supplied); and if she will make funds available to extend this service. [30102/05]

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 the matter investigated and to have a reply issued directly to the Deputy.

Eating Disorders.

238. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the strategy in place to assist young persons with eating disorders; and if she will make a statement on the matter. [30126/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): 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.

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.

Question No. 239 answered with Question No. 217.

Hospital Services.

240. **Mr. Perry** asked the Tánaiste and Minister for Health and Children the funds she will make available to provide a taxi service from County Sligo for patients who have to travel to Dublin for radiotherapy and chemotherapy services (details supplied); and if she will make a statement on the matter. [30128/05]

Tánaiste and Minister for Health and Children (Ms Harney): As I have previously stated to the House, I consider that appropriate transport arrangements for oncology patients should be made available, where necessary, by the Health Service Executive. My Department has asked the HSE to advise the Deputy directly regarding current and proposed transport arrangements for oncology patients in the Sligo area.

Ambulance Service.

241. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children if she will meet a deputation (details supplied) regarding the extension of cover to 24 hours for a town's ambulance station service; and if she will provide the funding through the Health Service Executive so that extra emergency medical technician personnel can be employed for same; and if she will make a statement on the matter. [30130/05]

Tánaiste and Minister for Health and Children (Ms Harney): I am keen to see effective ambulance services in all counties and regions of the country working to deliver emergency care in our regional hospitals network.

The Deputy's question does, however, relate to the provision of ambulance services, which are the responsibility of the Health Service Executive. Accordingly, my Department has requested the parliamentary affairs division of the executive to examine the service issue raised and to have a reply issued directly to the Deputy. In my view, any request for a meeting regarding the matter would appropriately be addressed to the executive.

Services for People with Disabilities.

242. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children to ensure that personal assistants for people with a physical disability are adequately funded in 2006 and to expand the service for a person (details supplied) in County Mayo; and to work with other Departments on the matter. [30131/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's

[Mr. T. O'Malley.]

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.

Housing Aid for the Elderly.

243. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the position of an application for special housing aid for the elderly for a person (details supplied) in County Wexford; and if the medical information submitted assisted in bringing forward the person's application; and if she will make a statement on the matter. [30133/05]

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. That 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 the matter investigated and to have a reply issued directly to the Deputy.

Special Residential Services Board.

244. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if she will make a statement on the purpose and function for the Special Residential Services Board; the number of members on the Special Residential Services Board; the remuneration of the board; the number of children the board is responsible for; the number of residential beds the board is responsible for; and the number of care staff the board is responsible for. [30138/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Special Residential Services Board is provided for under Part 11 of the Children Act 2001. The board was established on a statutory basis on 7 November 2003.

The purpose of the board is to advise the Ministers for Health and Children and Education and Science on policy relating to the remand and detention of children and ensure the efficient, effective and co-ordinated delivery of services to children in respect of whom children detention orders or special care orders are made.

The functions of the board are defined in Part 11 — section 227 (1)(a)-(i), but in brief are: to advise the Ministers on policy issues relating to the remand and detention of children, and on the provision of accommodation and services to detained children; to co-ordinate the delivery of services to detained children and to ensure appropriate and efficient utilisation of the schools and units where children are detained; to liaise with and advise the courts, on request, on appropriate placements for offending and non-offending children; to give the board's views to the courts on special care applications; to arrange and take part in seminars and conferences to promote agency co-ordination and the use of best practice; to collect, maintain, research and evaluate statistics and other data relating to children, to inform policy; and to ensure that a co-ordinated approach is adopted in the development and provision of the necessary programmes, physical infrastructure and training of staff in the units.

The membership of the board is set out in section 230 of the Children Act 2001 and consists of the chair and 12 other members. In accordance with the Act, the membership of the board is comprised of: three representatives of the children detention schools, nominated by the Minister for Education and Science; three representatives of the Health Service Executive; three experts in child care; three experts in the educational needs of detained children, nominated by the Minister for Education and Science, of whom one shall be a member of the school attendance service; and a probation and welfare officer nominated by the principal probation and welfare officer.

The term of office of the chairperson and other members of the board shall not be for more than four years, and each member shall be eligible for re-appointment. The board members of the Special Residential Services Board are not remunerated. In accordance with section 234 of the Act, the Chairperson receives an annual stipend of €10,157.90, payment of which was approved by my Department. That stipend is paid in accordance with the provisions of the code of practice for the governance of State bodies.

The children detained in children detention schools are the responsibility of the Department of Education and Science, and the children detained in special care units are the responsibility of the Health Service Executive. The Special Residential Services Board is not directly responsible for the provision of beds in special residential care, but the board monitors the level of provision and use of 114 beds in children detention schools and 30 beds in special care units to advise the Ministers on policy, with a view to co-ordination, and to inform best practice.

The care staff employed in special residential care are not the direct responsibility of the Special Residential Services Board, but the board

has a role in ensuring a co-ordinated approach to the training of the staff of children detention schools and special care units.

Community Pharmacy Services.

245. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if stocks of the vitamin B12 injection have been replenished and distributed to areas in need of same; the reason for the delay; and if she will ensure that such shortages do not occur again. [30139/05]

Tánaiste and Minister for Health and Children (Ms Harney): The manufacturers of the product referred to by the Deputy have advised my Department that, owing to problems in the manufacturing process, it is temporarily unavailable in either Ireland or the UK.

I have had inquiries made into the matter, and I understand that there is an alternative product available in community pharmacies for people prescribed the original product.

Children in Care.

246. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the number of children catered for residentially in a centre (details supplied) in County Dublin since its establishment; the number of children residing there at present; the number of staff employed and personnel costs each year to date since its establishment; the ratio of staff to children; the running costs of the building each year since its establishment; and the capital investment involved in its building. [30145/05]

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 the matter investigated and to have a reply issued directly to the Deputy.

247. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the number of children that have been catered for residentially in the Wexford high-support unit since its establishment; the number of children currently in residence; the number of staff employed there at present; the staff costs each year since establishment; the running costs each year since establishment; and the capital investment involved in its building. [30146/05]

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 the matter investigated and to have a reply issued directly to the Deputy.

248. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the number of children catered for by the State in each high-support unit around the country since 1998 to date; the number of children able to be catered for residentially in each unit since 1998; the ratio of carers to children since 1998; the average cost of running each unit each year since 1998; and the capital investment involved in each unit. [30148/05]

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 the matter investigated and to have a reply issued directly to the Deputy.

249. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children when Coovagh House will be reopened; the reason for its closure; the number of children it has catered for residentially; the running costs of the building each year since its establishment; and the capital investment involved in its building. [30149/05]

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 the matter investigated and to have a reply issued directly to the Deputy.

Consultancy Contracts.

250. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for expenditure on such commissions. [30153/05]

Tánaiste and Minister for Health and Children (Ms Harney): My Department applies stringent controls regarding the employment of external consultancy assistance. Under existing pro-

[Ms Harney.]

cedures, a business case must be prepared to support the need for the consultancy and approved at either Principal Officer or MAC level, as appropriate. Funding to support the procurement, which can be project-specific or from the Department's administrative budget, must be identified and approved before any commitment is made. The procurement of all consultancies must comply with public procurement law and meet requirements under both national guidelines and European rules. Once awarded, each procurement contract must be managed in accordance with the Department's best practice.

In addition to measures recently announced by the Government to ensure the appropriate use of consultancy assistance across the Civil Service, I have also now introduced additional procedures in my Department to ensure that the business cases for all such contracts receive my approval.

251. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted in her Department from 1998 to date in 2005. [30168/05]

Tánaiste and Minister for Health and Children (Ms Harney): The information requested is being collated by my Department and will be forwarded to the Deputy as soon as possible.

Health Services.

252. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a medical report is available in the case of a person (details supplied) in County Kilkenny; if the Health Service Executive will provide the home aids required in this case; and if she will make a statement on the matter. [30201/05]

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 the matter investigated and to have a reply issued directly to the Deputy.

Grant Payments.

253. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a medical officer's report will be expedited in the case of persons (details supplied) in County Kilkenny who have made an application under the disabled person's grant scheme. [30202/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The preparation of medical reports at the request of local authorities in respect of applicants for the disabled person's grant is a service provided by the Health Service Executive from within existing resources. 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.

Services for People with Disabilities.

254. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children if she will intervene in the case of a person (details supplied) in County Tipperary who has had a request for additional home help hours rejected. [30224/05]

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 the matter investigated and to have a reply issued directly to the Deputy.

Homeless Persons.

255. **Mr. Haughey** asked the Tánaiste and Minister for Health and Children if she will provide funding for the provision of emergency hostel accommodation for psychiatric patients; her policy regarding this issue; and if she will make a statement on the matter. [30226/05]

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 the matter investigated and to have a reply issued directly to the Deputy.

Health Service Executive.

256. **Dr. Upton** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that it has taken the regional chief executive of the Eastern Health Board until 30 September 2005 to answer Parliamentary Question No. 203 of 20 October 2004 (details supplied), which she told Dáil Éireann on 20 October 2004 she was referring to the regional chief executive; and if she will make a statement on the matter. [30231/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Department is working closely with the Health Service Executive to develop a parliamentary affairs division under the chief executive to distribute parliamentary questions and to track them within the HSE to the point of reply. The HSE's parliamentary affairs division commenced operations at the beginning of last April. It is intended that these new arrangements will enhance performance in providing timely replies to Oireachtas Members in future.

The executive has informed me that it wishes to convey its apologies for the delay in responding in the case referred to by the Deputy.

Medical Cards.

257. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the estimated cost of the extension of the full medical card to all persons here under 18. [30240/05]

Tánaiste and Minister for Health and Children (Ms Harney): On the basis of the figures contained in the 2004 annual report of the former General Medical Services (Payments) Board, which is now the Health Service Executive, shared services, primary care reimbursement service, it is estimated that the additional cost involved if medical cards were provided to all those aged under 18 would be approximately €223 million. That estimate is calculated with reference to the average annual capitation fees paid to general practitioners and the average costs of drugs and medicines and fees paid to pharmacists for patients in that age cohort at the end of 2004. It also includes an estimate of other costs such as practice support, superannuation and other allowances payable to GPs.

The estimate does not take into account any fee increases which would apply under the terms of the Labour Relations Commission's recommendations of 20 June 2005 or any additional costs that might result from future industrial relations negotiations.

258. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the estimated cost of the extension of the general practitioner-only medical card to all persons here under 18. [30241/05]

Tánaiste and Minister for Health and Children (Ms Harney): On the basis of the figures contained in the 2004 annual report of the former General Medical Services (Payments) Board, which is now the Health Services Executive, shared services, primary care reimbursement service, it is estimated that the additional cost involved if GP visit cards were provided to all those under 18 years would be approximately

€150 million. That estimate is calculated with reference to the average annual capitation fees paid to general practitioners and includes an estimate of other costs such as practice support, superannuation and other allowances payable to GPs.

The estimate does not take into account any fee increases which would apply under the terms of the Labour Relations Commission's recommendations of 20 June 2005 or any additional costs that might result from future industrial relations negotiations.

Health Services.

259. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if assistance will be given to a person (details supplied) in County Dublin regarding medical expenses and other issues relating to that person's disability. [30246/05]

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 the matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

260. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children if the different waiting times for persons waiting for psychotherapy, counselling or associated services throughout the country will be published; and if she will differentiate between those awaiting adolescent and child services. [30250/05]

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 the matter investigated and to have a reply issued directly to the Deputy.

Consultancy Contracts.

261. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if the Government is considering any legal action against the consultants on the PPARS project to recover lost money; if she has seen the contracts for engaging the consultants; and if she has sought legal advice on the

[Mr. Bruton.]

potential for enforcing penalty or performance clauses within that contract. [30256/05]

Tánaiste and Minister for Health and Children (Ms Harney): The management of PPARS contractual relationships is a matter for the Health Service Executive, HSE.

As the Deputy is aware, the HSE, at its board meeting on 6 October 2005, decided to put on hold the further roll-out of PPARS in the HSE west, south, south east, east and north east pending a review. That review is currently under way, and my Department and the Department of Finance are represented on the review group.

Following that decision, the HSE sought and received legal advice on the management of its contractual relationships. That advice recommended that the contract be suspended, as provided for in the contract, and arrangements have been made to give effect to that decision by the HSE, pending the review.

My Department and the Department of Finance will be considering the outcome of that review as soon as it becomes available. The Deputy will be aware that the Government has decided on a new system for the management and control of major IT projects and on new measures to improve the management of consultants.

Health Service Executive.

262. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children if payments over and above salaries have been made to members of senior management of the former health boards who took up positions in the Health Service Executive; the individual payments and the cost; and if she will make a statement on the matter. [30262/05]

Tánaiste and Minister for Health and Children (Ms Harney): In addition to their salaries, staff may be eligible to receive payments such as travel and subsistence payments, performance-related awards and the like. I am not aware of any payments to senior management staff in the former health boards who took up positions in the Health Service Executive that are not in accordance with their agreed terms and conditions. If the Deputy has incidents in mind, he might let me have the details, and I will contact the chief executive officer of the Health Service Executive on the matter.

Inquiry Terms of Reference.

263. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the terms of reference of the inquiry into the death of Mr. Patrick Walsh in Monaghan General Hospital;

and if she will make a statement on the matter. [30263/05]

289. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the terms of reference provided by a person (details supplied) for the carrying out their inquiry into the circumstances of, and that led to, the tragic death Mr. Patrick Walsh in Monaghan General Hospital on 14 October 2005; and if she will make a statement on the matter. [30613/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 263 and 289 together.

Following the tragic death of Mr. Patrick Walsh in Monaghan General Hospital on 14 October 2005, the Health Service Executive commissioned Mr. Patrick Declan Carey, a consultant surgeon at Belfast City Hospital, and an honorary senior lecturer at Queen's University, to carry out an independent and external review. The review is to be completed, and a report issued, within eight weeks. My Department is advised by the executive that the terms of reference are being finalised.

Health Service Executive.

264. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the reason no reply has issued from the Health Service Executive to Parliamentary Question No. 81 of 29 September 2005; and if a full and detailed reply will be issued. [30269/05]

Tánaiste and Minister for Health and Children (Ms Harney): I have been advised that the Health Service Executive has now written to the Deputy concerning the issue raised.

Health and Safety Regulations.

265. **Ms McManus** asked the Tánaiste and Minister for Health and Children if she has received a copy of the report by the Construction Workers' Health Trust, Patterns of Ill-Health in Irish Construction Workers; her views on same; and if she will make a statement on the matter. [30272/05]

Minister of State at the Department of Health and Children (Mr. S. Power): I have reviewed the report referred to by the Deputy.

A settings approach to health promotion is internationally recognised, and the Health Promotion Strategy 2000-2005 identifies the workplace as an important setting for the development of health promotion programmes.

In recognition of the importance of the workplace setting, the health promotion unit of my Department has supported the appointment of

regional workplace co-ordinators in the former health boards. Those co-ordinators are building alliances with all stakeholders to ensure that workplace health promotion programmes are developed and sustained.

The health promotion unit has also provided direct grant aid to the Construction Employees' Health Trust in support of many of the activities of that organisation.

Health Services.

266. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the length of time that children in primary schools have to wait before obtaining the dental check from the Health Service Executive; the number of checks carried out in each year over the past five years; if the waiting time is the same throughout all parts of the country; and if she will make a statement on the matter. [30279/05]

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.

267. **Ms Shortall** asked the Tánaiste and Minister for Health and Children if, further to Parliamentary Question No. 257 of 8 July 2004, she will provide the corresponding figures from April 2005 to date; if she will provide the specific dates from January 2003 to date in 2005 on which the Mater and Beaumont Hospitals went off-call for part of or for a whole day. [30282/05]

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.

268. **Mr. Neville** asked the Tánaiste and Minister for Health and Children when orthodontic treatment will be rendered to a person (details supplied) in County Limerick. [30306/05]

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.

National Drugs Strategy.

269. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if she will implement the recommendations in the report of the Joint Committee on Arts, Sports, Tourism, Community, Rural and Gaeltacht Affairs in the treatment of cocaine addiction, with particular reference to the Irish experience. [29918/05]

Tánaiste and Minister for Health and Children (Ms Harney): This report makes a number of recommendations including the funding and expansion of treatment services for cocaine users. The Health Act 2004 provided for the Health Service Executive, which was established on 1 January 2005. Under the Act, the HSE has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Accordingly, my Department has requested the Health Service Executive to investigate the matter raised and to reply directly to the Deputy.

In addition, the report makes recommendations in relation to the development of media information campaigns to underpin the wide variety of drug education and prevention work being undertaken. The health promotion unit of the Department, in fulfilling its obligations under the National Drugs Strategy 2001-2008, has developed and managed the national drugs awareness campaign over the past three years. The campaign aims to increase awareness among the general population and particular target groups about current problem drug use and its consequences across society. To date the campaign has developed four distinct phases, consisting of both advertising and public relations, which have targeted the general population, parents, 18-35 year olds and teenagers. The report also highlights the importance of drugs education from an early age, in conjunction with awareness raising campaigns.

In Ireland drugs education is delivered in schools through the social, personal and health education, SPHE, curriculum. Both my Department and the Department of Education and Science support the introduction and implementation of this curriculum area in schools. Since September 2003, SPHE has been mainstreamed in all primary and post-primary schools, for junior cycle students. A management committee is currently working on the development of an SPHE curriculum for senior cycle students.

Action 43 of the National Drugs Strategy also called for all schools to develop, through a pro-

[Ms Harney.]

cess of consultation and partnership, a school substance use policy. To facilitate this process my Department, the Department of Education and Science and the HSE health areas have produced guidelines for schools to assist in developing policies. These have been circulated to all schools and highlight the importance of SPHE as the core preventative strategy for schools.

Immune Deficiency Disorders.

270. **Ms Enright** asked the Tánaiste and Minister for Health and Children her policy on the care of cystic fibrosis patients; the steps she will take to ensure they are adequately segregated in hospital; and if she will make a statement on the matter. [30328/05]

271. **Ms Enright** asked the Tánaiste and Minister for Health and Children her policy proposals to address the fact that the average age of death of cystic fibrosis patients here is 21 compared to 30 in Northern Ireland and 45 in the United States; and if she will make a statement on the matter. [30329/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 270 and 271 together.

Following the publication of the Pollock Report, commissioned by the Cystic Fibrosis Association of Ireland, the Health Service Executive established a multidisciplinary 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. I understand that the work is at an advanced stage.

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 have arranged to meet with representatives of the Cystic Fibrosis Association of Ireland later this week to discuss the future needs of persons with cystic fibrosis.

Private Nursing Homes.

272. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children the nursing homes that the Health Service Executive had contracts of care with for each of the years 2000, 2001, 2002, 2003, 2004 and to date; if those nursing homes received adverse reports from the nursing home inspectorate; if such adverse reports were issued; the action taken by the Health Service Executive; if patients were removed from these homes which had adverse reports; if not the reason therefore; the number of contract beds in each nursing

home; the number of beds in total in each home; and if she will make a statement on the matter. [30485/05]

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 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.

273. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children the medical condition of patients moved from public health institutions including psychiatric institutions to Leas Cross Nursing Home for each year since 2000; if they were satisfied that Leas Cross Nursing Home had at all times suitably qualified professional staff in the medical, nursing and psychiatric areas to deal with these medical conditions; and if she will make a statement on the matter. [30486/05]

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 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.

274. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children if contracts of care were signed and available in relation to all Health Service Executive contract beds in private nursing homes for each year since 2000; and if she will make a statement on the matter. [30487/05]

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 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.

275. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children the qualifications of each of the nurses employed in Leas Cross Nursing Home for each of the years 2003, 2004 and 2005, if the nurses had specialist nursing quali-

cations; and if she will make a statement on the matter. [30488/05]

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 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.

276. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children the qualifications of each of the nurses employed in Bedford Nursing Home for each of the years 2000, 2001, 2002, 2003, 2004 and to date in 2005; if the nurses had specialist nursing and psychiatric qualifications; and if she will make a statement on the matter. [30489/05]

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 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.

277. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children the position regarding the examination of deaths in Leas Cross Nursing Home; the number of deaths which are being examined; if a report has been completed; if she has received the report; if she will publish the report; and if she will make a statement on the matter. [30490/05]

278. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children if seven patients died in Leas Cross Nursing Home within one month of their arrival from St. Ita's, Portrane; if this case is being investigated; if a report has been completed; if she has received the report; if she will publish the report; and if she will make a statement on the matter. [30491/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 277 and 278 together.

The Health Service Executive has advised that it has appointed a professor of geriatric medicine to independently review the deaths of residents of Leas Cross Nursing Home. The review commenced on 1 September 2005 and involves 95 deaths. It is not possible at this stage to mention the previous accommodation of the persons

whose deaths are being examined. The HSE has advised that it is expected that the review will be finished by the end of December 2005.

279. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children if she has carried out investigations into deaths in nursing homes for each year since 2000 to date; the number of investigations being carried out and the health regions within which they are taking place; and if she will make a statement on the matter. [30492/05]

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 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.

280. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children if she will publish the Hynes Report; when it will be published; and if she will make a statement on the matter. [30493/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Tánaiste wishes the report to be published. I understand from the Health Service Executive that it hopes to be in a position to make the report available in early November, 2005.

Health Services.

281. **Mr. Neville** asked the Tánaiste and Minister for Health and Children when physiotherapy will be administered to a person (details supplied) in County Limerick. [30494/05]

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 HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

282. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if a person (details supplied) will be admitted to Beaumont Hospital; and if she will make a statement on the matter. [30497/05]

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 HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Departmental Expenditure.

283. **Mr. Deasy** asked the Tánaiste and Minister for Health and Children the amount which has been spent by her Department in bringing into effect the provisions of the Official Languages Act 2003. [30524/05]

Tánaiste and Minister for Health and Children (Ms Harney): This Department does not separately account for expenditure related to the Official Languages Act and so the information sought is not directly available. However, information on translation and advertising costs, excluding VAT, currently to hand is as follows: costs to 30 June 2005 — €54,680; estimated costs for July to December 2005 — €128,000.

The provision in my Department's administrative budget is expected to be sufficient to meet any needs arising in the current year.

Health Services.

284. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children the number of music therapists working under the Health Service Executive. [30542/05]

285. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children the number of vacancies within the Health Service Executive for music therapists. [30543/05]

286. **Cecilia Keaveney** asked the Tánaiste and Minister for Health and Children her views on whether the use of music therapy is important to the treatment of both paediatric and geriatric patients in view of international research on this issue; and if she will make a statement on the matter. [30544/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 284 to 286, inclusive, together.

Both the Department and the Health Service Executive support the use of music therapy in the treatment of paediatric and geriatric patients and recognise the positive benefits for patients when music therapy is used in their treatment.

As regards the number of music therapists working in the HSE, this is a matter for the executive and my Department has requested its parliamentary affairs division to arrange to have

this matter investigated and to have a reply issued directly to the Deputy.

Cancer Research.

287. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the funding allocated by her for research on breast cancer for each year from 2000 to date; and if she will make a statement on the matter. [30556/05]

288. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the funding allocated by her for research on prostate cancer for each year from 2000 to date; and if she will make a statement on the matter. [30557/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 287 and 288 together.

Since 1997, there has been an additional cumulative investment of €720 million in the development of cancer services nationally, including the sum of €23.5 million which was made available in 2005. The Health Research Board, HRB, is the statutory body that promotes, conducts, funds and commissions medical, epidemiological and health services research in Ireland. The HRB has advised my Department that since 2000, funding of approximately €1.76 million has been made available for research into breast cancer and €0.35 million for research into prostate cancer.

Under the Ireland-Northern Ireland-National Cancer Institute consortium, an all-island infrastructure to co-ordinate the clinical trial activity of hospitals on both sides of the Border is being developed. Since 2001, awards to the value of €3.6 million have been made available through the HRB to support this initiative in nine hospitals throughout the country.

The predominant disease area of the cancer clinical trial community in this country is breast and prostate. The HRB estimates that approximately 90% of this funding has been spent on the development of clinical trials in breast and prostate cancer. In addition, a grant of €0.32 million was made available to the Irish Cancer Society in 2002 to support the study of prostate cancer, including diagnosis.

The National Cancer Forum is currently finalising a new national cancer strategy. The strategy will make recommendations on the development of a specific plan for cancer research and will be completed by the end of the year.

Question No. 289 answered with Question No. 263.

Hospital Procedures.

290. **Mr. Gregory** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 387 of 5 October 2004, his views on the reason the reply received from the Rotunda Hospital to the referenced

question contained inaccurate and misleading information; the further reason the persons concerned were obliged to have the reply amended by means of an application made under the Freedom of Information Act 1997; in view of that and the information sought by the persons in relation to the parliamentary question, the reason the persons were refused treatment on 27 February 2002 and again on 20 April 2003; and if arrangements will be made to facilitate the correction of inaccuracies in the person's medical record without requiring them to go through the freedom of information process. [30615/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the provision of services at a private clinic attached to the Rotunda Hospital. My Department requested the former Eastern Regional Health Authority, ERHA, to investigate issues relating to the case which had been raised by the Deputy. As the functions of the ERHA have since transferred to the Health Service Executive my Department has now requested its parliamentary affairs division to arrange to have the matter further examined, and to have a reply issued directly to the Deputy.

Accident and Emergency Services.

291. **Mr. J. O'Keeffe** asked the Tánaiste and Minister for Health and Children the number of persons who have been treated for injuries as a result of fire works during the nine years since 1996; the breakdown of the figures in terms of age profile; the county origins of the persons injured and the types of injuries sustained. [30617/05]

Tánaiste and Minister for Health and Children (Ms Harney): The information requested by the Deputy is set out in the following tables. Data are derived from the hospital inpatient enquiry, HIPE, system which records information on each episode of hospitalisation in publicly funded acute hospitals. The primary aim of HIPE is to provide measures of hospital activity for specific diagnostic and procedure categories. There is provision in HIPE for coding of underlying external causes of types of injuries, such as fireworks, but this information may not always be available to the coder and significant under-reporting is therefore possible. National statistics are not available on injuries from fireworks which do not result in hospitalisation.

Table 1 provides figures for each year from 1996 to 2004 and separately for Dublin residents and the rest of the country. Numbers of cases are too small to provide a breakdown by individual county of residence. Table 2 shows an age and gender breakdown for all years combined. Nearly 70% of injuries are to males under the age of 20. Table 3, again for all years combined, indicates the principal types of injuries sustained. More

than 40% of all principal diagnoses are burn injuries.

Table 1 Hospitalisations due to Accidents involving Fireworks.

Year	Area of Residence		
	Dublin	Rest of Ireland	Total
1996	16	11	27
1997	1	5	6
1998	4	6	10
1999	1	2	3
2000	4	7	11
2001	13	9	22
2002	6	3	9
2003	14	12	26
2004	12	11	23
Total Cases 1996-2004	71	66	137

Table 2

All Hospitalisations due to Accidents involving Fireworks 1996-2004 by Age Group & Gender.

Age Group	Males	Females	Total
0-9 Years	21	3	24
10-19 Years	74	10	84
20-29 Years	11	3	14
30+ Years	13	2	15
All Ages	119	18	137

Table 3

Types of Injuries from Fireworks, 1996 to 2004

Injury	Number
Burns of Face / Neck / Head	23
Burns of Wrist / Hand	21
Burns of Eye & Adnexa	8
All Other Burns	8
Open Wound of Upper Limb	24
Open Wound of Head, Neck & Trunk	11
Fractures	8
Contusion with Intact Skin Surface	13
Other Injuries	21
Total	137

Source: Hospital inpatient enquiry, HIPE, 1996-2004

Notes: Data refer to patients with a diagnosis of ICD-9-CM E923.0 — accidents caused by fireworks). Types of injuries refer to the principal diagnosis only.

Dental Services.

292. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when a person

[Mr. Durkan.]

(details supplied) in County Kildare will be offered category one orthodontic treatment; and if she will make a statement on the matter. [30622/05]

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 HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Cancer Services.

293. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children when BreastCheck will be available in County Mayo; and if she will make a statement on the matter. [30656/05]

Tánaiste and Minister for Health and Children (Ms Harney): BreastCheck, the national breast screening programme, commenced in 2000 and currently covers the eastern, north eastern, midland and part of the south eastern regions of the country. There are approximately 160,000 in the target age group in these regions.

The roll out of the national breast screening programme to the remaining regions in the country is a major priority in the development of cancer services. A design team has been appointed to work up detailed plans for two new clinical units, one at the South Infirmary, Victoria Hospital, Cork and one at University College Hospital, Galway. It is anticipated that, subject to obtaining satisfactory planning approval, the design process including the preparation of the

tender documentation will be completed by mid 2006. Approximately €21 million capital funding has been made available and my Department is in discussions with BreastCheck as regards the revenue requirements for the programme.

There are approximately 130,000 women in the target population for screening in the southern and western regions including approximately 9,000 in County Mayo. It is expected that screening will commence in these regions in 2007. This 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. Any woman, irrespective of her age or residence, who has immediate concerns or symptoms should contact her GP who, where appropriate, will refer her to the symptomatic services in her area.

Consultancy Contracts.

294. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the name and location of each recruitment agency employed in recruiting personnel for the PPARS programme; the number recruited by each such agency to this project; the amount drawn down by each such agency for persons employed; and if she will make a statement on the matter. [30657/05]

Tánaiste and Minister for Health and Children (Ms Harney): I understand from the Health Service Executive that specialised skills were required for this project. Efforts were made to recruit Irish staff on the payroll in the first instance. This did not prove successful. The project team then sought to secure these skills from Irish-based recruitment firms, and while there was limited success it became necessary to source resources further afield; the UK market enabled the deficit to be filled.

The following is the information I received from the Health Service Executive.

Name of recruitment firm	Location	Number recruited	Total amount drawn including VAT
			€
Access Consulting	England	1	7,394.96
Ark International Recruitment	England	1	478,139.98
Blackmore Group Assets Ltd.	England	7	1,968,982.10
Computer Futures Solutions	Ireland	3	62,920.00
Diagonal Consulting Ltd.	England	1	277,245.99
Divine Solutions (UK) Ltd.	England	1	191,358.00
EDS Ireland Ltd.	Ireland	1	115,809.65
File Travel Overseas Ltd.	England	1	15,730.00
Fusion Business Solutions	Ireland	5	1,183,245.15
Global Resourcing	England	1	638,257.93
MSB International PLC	England	2	1,379,668.23
Portland Resourcing Ltd.	England	1	426,644.11
Williams McKinley	England	1	63,222.44
Square One Resources Ltd.	England	2	86,774.00
			6,895,392.54

Note: Recruited Resources worked for varying durations between January 1999 and September 30th 2005.

295. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the number of international personnel recruited for work on the PPARS project since its inception; if any international personnel were required to travel to Ireland on a regular basis to deal with their work;

if so, the details of destination, frequency of travel, cost and so on in each case; and if she will make a statement on the matter. [30658/05]

Tánaiste and Minister for Health and Children (Ms Harney): The following is the information I have received from the Health Service Executive.

Name of recruitment firm	Number of international personnel	Resource nationality (see Note 1)	Travel paid	Comment
Access Consulting	1	UK	Yes	Short term assignment. Flight from UK.
Ark International Recruitment	1	New Zealand	No	
Blackmore Group Assets Ltd.	7	UK, South Africa, Australia	No	
Computer Futures Solutions	1	UK	No	
Diagonal Consulting Ltd.	1	UK	No	
Divine Solutions (UK) Ltd.	1	UK	No	
File Travel Overseas Ltd.	1	South Africa	No	
Global Resourcing	1	South Africa	No	
MSB International PLC	2	UK, South Africa	No	
Portland Resourcing Ltd.	1	UK	No	
Williams McKinley	1	UK	Yes	Weekly return flight to UK.
Square One Resources Ltd.	2	UK	Yes for one individual	Weekly return flight to UK.

Note 1: Resources were sourced through Irish or UK Recruitment offices with project base agreed as Sligo. The nationality of individuals was not relevant to the contract and is not formally known. Bids from recruitment agencies were to perform work in Sligo.

Ambulance Services.

296. **Mr. J. Breen** asked the Tánaiste and Minister for Health and Children if funding will be provided to ensure that east Clare will have 24 hour ambulance cover; if the embargo on recruitment will be lifted to enable the Health Service Executive employ the personnel for this service; and if she will make a statement on the matter. [30659/05]

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 2005 employment ceiling for the health service is 97,550 in whole time equivalent terms. Within this national ceiling, there is no specific cap on the number of ambulance personnel which may be employed. It is a matter for the Health Service Executive, as part of its management of its employment ceiling, to determine the appropriate staffing mix required to deliver their service plan priorities. Accordingly, my Department 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.

Adoption Matters.

297. **Caoimhghín Ó Caoláin** asked the Tánaiste

and Minister for Health and Children the agreed heads of Bill for the Adoption (Hague Convention, Adoption Authority and Miscellaneous) Bill scheduled for publication in mid 2006. [30660/05]

Tánaiste and Minister for Health and Children (Ms Harney): The heads of Bill on the Adoption (Hague Convention, Adoption Authority and Miscellaneous) Bill are currently being drafted into a Bill in the Parliamentary Counsel's Office. I hope that the Bill will be published in the earlier part of 2006 and will be circulated then.

Injury Benefit.

298. **Mr. Connaughton** asked the Tánaiste and Minister for Health and Children the reason a statutory increase on injury benefit has not been awarded to a person (details supplied) in County Galway; and if she will make a statement on the matter. [30731/05]

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 HSE to arrange to have the matter investi-

[Ms Harney.]

gated and to have a reply issued directly to the Deputy.

National Children's Strategy.

299. **Mr. Stanton** asked the Tánaiste and Minister for Health and Children if the national children's research dissemination unit has been established; if so, the work of the unit to date; and if she will make a statement on the matter. [30734/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The national children's strategy, *Our Children — Their Lives*, was published in the year 2000. The second goal of the national children's strategy is concerned with strengthening research, evaluation and information on children's lives. The national children's office, or NCO, oversees important elements of the research programme to be developed under this goal. One of the commitments contained in the strategy is the establishment of the national children's research dissemination unit. The dissemination unit has not yet been established. However, there have been several important developments in the area of children's research in which the NCO has been taking a lead role.

Developments to date include the establishment of the national children's strategy research scholarship scheme in 2001 to develop research capacity regarding children and supporting research directly related to the national children's strategy. To date 17 scholarships have been awarded. In 2004, the national children's strategy research scholarship scheme was extended to include research placement awards. This gives students the opportunity to work with the research division at the national children's office. To date five research placements have been awarded. Other developments include the launch of the national children's office research programme in 2004. Under this programme, a total of ten research projects have been funded. These research studies are due for completion over the course of 2005 and their findings will be widely disseminated. Researchers in the NCO have developed a national set of child well-being indicators in consultation with a number of key stakeholders, including policy-makers, researchers, service providers, parents and children themselves.

The process of developing this indicator set included four major components, which are a background review of indicator sets in use elsewhere and the compilation of an inventory of key indicators, domains and indicator selection criteria; a feasibility study of the availability of national statistics to construct the indicators identified in the previous step; a study on children's understandings of well-being; and a research-

based consensus process known as the Delphi technique, through which the final set of indicators were identified and agreed with a panel of experts. Agreement has been reached in respect of 42 key indicators that will be used initially. This report and related documents were published in June 2005. Work has commenced on the preparation of the state of the nation's children report based on these indicators. It is anticipated that the first report will be published early in 2006. The commissioning of a national longitudinal study of children in Ireland. This study has been put out to tender using a negotiated procedure. Following a period of clarification and negotiation, the evaluation took place on 2 June 2005 and a preferred bidder has been identified. It is hoped to award the contract for this study by the end of 2005.

Health Services.

300. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children the length of time the x-ray machine at Baltinglass Hospital, County Wicklow has been unworkable; when it will be in operation again; and if she will make a statement on the matter. [30743/05]

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.

National Children's Strategy.

301. **Mr. Stanton** asked the Tánaiste and Minister for Health and Children the position regarding the nation's children reports that have been produced as promised under the National Children's Strategy launched in 1990; the publication date of the next such report; and if she will make a statement on the matter. [30747/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The national children's strategy, *Our Children — Their Lives*, was published in 2000. The strategy, rooted in the UN Convention on the Rights of the Child, is a cross-government response to improving children's lives and was developed with the assistance of NGOs and academics. Ireland is one of the few countries in the world with such a strategy. The national children's office, NCO, was set up to drive implementation of the strategy and to ensure better coordination of services for children. The NCO has become a centre of excel-

lence in children and young people's participation and children's research, the two areas for which it has lead responsibility. It has also been innovative in developing policies that meet the needs of children and in finding solutions where better coordination is required.

One of the commitments in the strategy is the production of a state of the nation's children report biannually under the aegis of the Minister of State with responsibility for children. The research team within the NCO have been actively advancing the development of the report. To date, work has focused on the development of an agreed set of national child well-being indicators, which were published in June 2005. A multi-stage incremental approach was taken to the development indicator set and there were four main components. These included a background review of indicators sets in use elsewhere and the compilation of an inventory of key indicators, domains and indicator selection criteria; a feasibility study of the availability of national statistics to construct the indicators identified in the previous step; a study on children's understandings of well-being; and a consensus process referred to as a Delphi technique, where participants on a panel of expertise agreed indicators for use in the Irish context. A full set of the published documents will be made available to the Deputy. Work has now commenced the first state of the nation's report based on these indicators. It is anticipated that the report will be published early in 2006.

Annual progress reports on the national children's strategy are compiled by the National Children's Office on the basis of detailed returns submitted by Departments against each of the actions in the strategy. These reports show the progress that has been made against each action. A copy of the 2002, 2003 and 2004 reports are available on the NCO website at www.nco.ie.

Hospital Waiting Lists.

302. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if a person (details supplied) will be called for treatment to St. Vincent's Hospital; and if she will make a statement on the matter. [30761/05]

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.

303. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if a person (details

supplied) in County Sligo will be called for their hip operation; and if she will make a statement on the matter. [30762/05]

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.

304. **Mr. Perry** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 204 of 20 October 2004 if a person (details supplied) in County Sligo will be called for their operation; and if she will make a statement on the matter. [30763/05]

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.

Tax Code.

305. **Mr. Fleming** asked the Minister for Finance if there are exemptions to the vehicle registration tax imposed on persons who bring in second hand cars from the United Kingdom to here especially where such a car was a present from a family member to an elderly parent; and if an exemption can be made to vehicle registration tax for persons in these situations. [30031/05]

Minister for Finance (Mr. Cowen): Exemptions from the payment of vehicle registration tax are provided for in Sections 134 (permanent relief) and 135 (temporary exemption) of the Finance Act 1992. Typical examples of permanent relief, subject to certain criteria, from the payment of VRT are where the vehicle forms part of the assets of a transfer of residence to the State; where the vehicle is acquired by way of inheritance; or where the vehicle is supplied under diplomatic or consular arrangements. Temporary exemption, subject to certain criteria, is available to individuals with domestic ties outside the State who bring the vehicle into the State for private or business use. The Revenue Commissioners confirm that where a vehicle, from the UK or elsewhere outside the State, is transferred from a

[Mr. Cowen.]

family member to a parent by way of a gift, normal rates of VRT apply on the registration of such vehicle in the State.

Ordnance Survey Office.

306. **Mr. Cuffe** asked the Minister for Finance if the Ordnance Survey Office has plans to provide contour maps for existing and proposed new urban areas at a scale of 1:5,000 in order that persons be better informed regarding the potential for flooding in these areas. [30457/05]

Minister for Finance (Mr. Cowen): I am informed by Ordnance Survey Ireland that the mapping series in the scale of 1:1,000 and 1:5,000 does not include contouring. However, Ordnance Survey Ireland is in the initial phases of obtaining ground height details in respect of certain urban areas on a test basis. The information contained in this height model could, with additional relevant data assembled by public authorities and others, such as the collection and interpretation of water flow and related information, be of some assistance to those concerned.

Ferry Services.

307. **Mr. O'Dowd** asked the Minister for Finance the nature of discussions and reports received regarding the provision of a ferry service from Dingle and Dunquin to the Blasket Island; and if he will make a statement on the matter. [30471/05]

Minister of State at the Department of Finance (Mr. Parlon): The two documents which inform the basis for the future management of the island, including the provision of ferry services, are the forum report dated January 2002 and the Great Blasket Island management plan, completed in September 2004, which was drawn up on foot of the recommendations of the forum report following consultation with the property owners on the island.

Tax Code.

308. **Mr. Cuffe** asked the Minister for Finance his plans to review the definitions of commercial vans for tax purposes in view of the dangers caused to drivers and occupants of such vehicles by the blind spots created by the insertion of blank infill panels into the rear side windows of ordinary cars or vans to achieve their tax designation as commercial. [30610/05]

Minister for Finance (Mr. Cowen): For the purposes of vehicle registration tax, vehicles are classified broadly into three categories. Category A is for motor vehicles designed for the transport of a driver and passengers. Category B is for car

derived vans, small crew cabs and small motor caravans. Category C is for commercial vehicles, large crew cabs and pick-ups. In addition, VRT law states that any vehicle which is under three tonnes unladen weight and which has to the rear of the driver's seat, *inter alia*, a roofed area which is fitted with one or more side windows is considered to be a category A vehicle. The purpose of this aspect of the law is to prevent the substitution of such vehicles for private motors, category A, for the purpose of avoiding VRT.

The rates in categories B and C are, as a matter of policy, reduced because the main purpose of such vehicles generally involves carrying goods rather than passengers. The Revenue Commissioners advise that their experience in categorising vehicles suggests that in practice the vast majority of vehicles in the B and C categories are in fact manufactured without side windows to maximise the cargo carrying capacity and, also, for security reasons, so as to prevent the contents of the cargo areas being visible in the first instance and perhaps accessible to thieves.

I appreciate the concerns raised by the Deputy with respect to road safety but I am not aware of examples or instances where tax categorisation has caused particular problems with respect to road safety. Should I be made aware of such examples or instances, I will ensure this issue is investigated.

Decentralisation Programme.

309. **Mr. Healy** asked the Minister for Finance the position regarding decentralisation of part of his Department to Tipperary Town; if he has received the contract for the purchase of a site for this purpose; if so, when he received same; if he has signed the contract; and if not, when he proposes to do so. [30667/05]

Minister of State at the Department of Finance (Mr. Parlon): As part of the Government decentralisation programme it is planned to decentralise 186 staff in the Department of Justice, Equality and Law Reform to Tipperary Town. The Commissioners of Public Works have informed me that terms have been agreed on a suitable site. The contract for sale was received in July 2005 and is currently being processed by the Chief State Solicitor. The commissioners hope to be in a position to sign the contract in the near future.

Tax Code.

310. **Mr. Carey** asked the Minister for Finance if a person (details supplied) in Dublin 11 should pay tax; and if he will make a statement on the matter. [30021/05]

Minister for Finance (Mr. Cowen): The person concerned is in receipt of a pension from his former employer and an invalidity pension from the Department of Social and Family Affairs. Both pensions are taxable. His income for 2005 will be in the region of €34,000. As neither the person nor his wife are 65 years of age or over, at which point the exemption limit of €33,000 and the marginal relief system could apply, he is taxable in the normal way.

Financial Services Regulation.

311. **Mr. Ferris** asked the Minister for Finance if his attention has been drawn to the over-charging of persons from non-eurozone States when they use their visa credit cards here and request that payment be taken in their own currency. [30045/05]

Minister for Finance (Mr. Cowen): Responsibility for investigating complaints regarding credit card charges rests with the financial regulator.

My Department has been informed by the financial regulator that a small percentage of credit card sale terminals in the State offer a service which provides consumers from non-eurozone countries with the option of having their bill charged in their home currency at the time of purchase. This service is offered in accordance with the rules of the international card payment schemes. The rate of exchange applied to these transactions, if the customer avails of the option, is set each morning by reference to the then prevailing international rate of exchange. This exchange rate may not be as beneficial to the customer as that which would have been applied by the card company when charging the transaction to the card holder's account if the payment were made in euros. My Department was informed in 2004 of one case of the type of transaction referred to in the Deputy's question.

My Department understands that the financial regulator has received a small number of complaints from consumers from countries not in the eurozone relating to the use of their credit cards in the State. In this context, if the Deputy is aware of particular complaints from consumers, the financial regulator would welcome any specific details and will investigate the matter further.

State Property.

312. **Mr. Gormley** asked the Minister for Finance the reason no public consultation took place on the future of the veterinary college site; and if he will make a statement on the matter. [30047/05]

Minister of State at the Department of Finance (Mr. Parlon): All property in the Commissioners of Public Works portfolio is constantly under

review. To date the process has produced a number of properties surplus to requirement which have been disposed of in the open market. The veterinary college site at Shelbourne Road was vacated on the 1 March 2005. The property was assessed in the light of the State requirements in Dublin. As the site was surplus to State requirements it was placed on the open market for sale.

Public Service Contracts.

313. **Mr. Gormley** asked the Minister for Finance the reason, despite giving an undertaking to this Deputy that work would be carried out on reinstating the car park on Leinster Lawn during the summer recess, no such work has taken place; when this work will commence. [30048/05]

Minister of State at the Department of Finance (Mr. Parlon): Technical difficulties which delayed the preparation of tender documentation have now been resolved. A contract for the reinstatement works will be placed following the completion of a tender process which has begun.

Motor Fuels.

314. **Mr. Bruton** asked the Minister for Finance the excise duty which applies to motor fuel based on bioethanol; the way in which this compares with the excise on petrol; and the further way in which the Irish differential in total tax paid on these competing fuels compares with other EU countries. [30080/05]

Minister for Finance (Mr. Cowen): The rate of mineral oil tax on substitute fuel, such as bioethanol, for auto-use is 36.8 cents per litre, the same rate as for auto-diesel. The rate for unleaded petrol is 44.3 cents per litre. However, an exception applies where bioethanol is produced in the projects approved under an excise exemption scheme for biofuels, which was introduced in Finance Act 2004, as a limited, pilot scheme. The purpose of the provision was to allow qualified and conditional relief from excise for biofuel used in approved pilot projects for either the production of biofuel or the testing of the technical viability of biofuel for use as a motor fuel. After obtaining the necessary State aid approval from the EU Commission, the scheme was subsequently advertised by the Department of Communications, Marine and Natural Resources. Excise relief was granted to successful applicants to the scheme from August 2005 for a total of 16 million litres of fuel at a cost of €3 million per annum. The issue of putting a wider scheme of excise relief in place is under active consideration with the Department of Marine, Communications and Natural Resources, which has primary

[Mr. Cowen.]

responsibility for the promotion of biofuels in Ireland.

With respect to tax differentials between bioethanol and petrol in other EU countries, the situation varies greatly and different national tax regimes make country comparisons difficult. It appears that apart from Ireland, 12 member states have implemented, or are in the process of implementing, partial or full tax reliefs for biofuel, which would include bioethanol.

315. **Mr. Bruton** asked the Minister for Finance the vehicle registration tax concessions which apply to cars adapted to use bioethanol or other fuels which offer lower CO₂ emissions or renewable sources; his views on further restructuring of vehicle registration tax to promote the expansion of such vehicles; and if he will make a statement on the matter. [30081/05]

Minister for Finance (Mr. Cowen): There are currently no vehicle registration tax concessions available for cars in respect of any adaptation for the use of bioethanol or other fuels that offer lower CO₂ emissions or renewable sources. There is a scheme which provides for a remission or repayment of 50% of VRT for certain hybrid electric vehicles, which was introduced in January 2001. This hybrid electric technology results in significantly lower pollutant emissions than conventional vehicles powered exclusively by internal combustion engines. The scheme was extended by the Finance Act 2005 for a further two years to 31 December 2006.

However, the purpose of that scheme was to encourage the new technology required to develop hybrid vehicles by encouraging the purchase of vehicles that use a combination of an internal combustion engine and an electric motor to derive motive power. The introduction of a hybrid-like VRT incentive for vehicles adaptable to biofuels may be problematic insofar as such cars may also run on petrol and diesel and some abuse of such a scheme is possible. Arguably, the promotion of biofuels, insofar as tax is concerned, might be best done within the excise relief scheme. Currently, there are a number of biofuels pilot projects where full excise relief is being applied. The issue of putting a wider scheme of excise relief in place is under active consideration with the Department of Marine, Communications and Natural Resources.

Tax Code.

316. **Mr. Kehoe** asked the Minister for Finance if there are exemptions for full time farmers over 35 years of age paying stamp duty when a farm is transferred from their father, when the cost of this duty cannot be met; and if he will make a statement on the matter. [30118/05]

Minister for Finance (Mr. Cowen): There is no exemption from stamp duty on the transfer of a farm from a father to one of his children who is a full time farmer and who is over 35 years of age at the date of the transfer. The stamp duty code contains full stamp duty relief for transfers of land to young trained farmers under 35 years where land is transferred to them by way of gift or sale, provided they have attained relevant educational qualifications. This relief, which is considered generous, is intended to encourage the transfer of land to young farmers who have successfully undergone training.

Where a parent wishes to transfer agricultural land to a child where the child does not qualify for this young trained farmer relief, he or she can qualify for a 50% relief on the stamp duty otherwise chargeable, as the child of the person transferring the land. I am further informed by the Revenue Commissioners that there is no provision in the stamp duty code to take account of a taxpayer's personal circumstances or ability to pay where a liability to stamp duty is incurred.

Public Sector Recruitment.

317. **Mr. P. Breen** asked the Minister for Finance if he will lift the ban on public sector recruitment for health and ambulance personnel in the forthcoming budget in the interests of public safety; and if he will make a statement on the matter. [30129/05]

Minister for Finance (Mr. Cowen): There is no ban on public sector recruitment for health and ambulance personnel and recruitment continues within the limits set out by Government for the control of public service numbers generally. In implementing this policy, I want to avoid or minimise the effect on front line staff providing a service to the public and to ensure that essential services to the public are not affected. It is a matter for each Department and sector of the public service and relevant Minister to set priorities to give effect to this policy.

Consultancy Contracts.

318. **Mr. Bruton** asked the Minister for Finance the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30154/05]

Minister for Finance (Mr. Cowen): In common with all public procurements, the commissioning of consultancy and public relations expertise is subject to national and EU procurement requirements. The guidelines in place specifically for the commissioning of consultancy and public relations expertise includes the guidelines for the

engagement of consultants published by my Department in March 1999 which covers all types of consultancy and since early this year the additional guidelines agreed by Government specifically for PR and communications consultancies which are now incorporated into the Cabinet handbook.

More recently, a number of new measures were announced which will contribute to improving the management and value for money aspects of consultancy projects. Approval of expenditure on consultancy projects is handled at the appropriate level within my Department depending on the scale and nature of the individual projects and I am kept informed as appropriate.

319. **Mr. Bruton** asked the Minister for Finance the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted, in his Department from 1998 to date in 2005. [30169/05]

Minister for Finance (Mr. Cowen): I take it the intended scope of the question is the same as the Deputy's question of 28 June of this year which related to reports, consultancies or other advisory or public relations commissions awarded by my Department. The reply to that question, together with the reply to a similar question on 17 February 2004, lists all such commissions awarded by my Department from 1 January 1998 to 28 June 2005. There have been no further awards since 28 June.

My Department issues comprehensive guidelines concerning the engagement of consultants. The most recent were issued in 1999 and are entitled, *Engaging Consultants: Guidelines for the Civil Service*. The guidelines cover a range of topics relevant to the decision to commission external support or assistance. They stress that value-for-money considerations must be paramount when deciding whether to engage consultants, that projects should be strictly necessary and that consultants should only be engaged where specialised knowledge is not available internally, or in the wider civil service, or where independent advice is deemed essential, and that as far as possible skills are transferred to the civil servants involved. My Department complies with these guidelines and I am assured that my Department achieved value for money in its commissions from 1998 to date, the period covered by the Deputy's question.

Post Office Savings Bank.

320. **Mr. Quinn** asked the Minister for Finance the rate of interest on short-term and long-term deposits in the Post Office savings bank for each year since 1990; and if he will make a statement on the matter. [30196/05]

Minister for Finance (Mr. Cowen): Three short-term deposit accounts are available through the Post Office savings bank, or POSB, which are the book-based demand deposit account, the 30 day notice account, known as 'Deposit Account Plus', and the Special Savings Incentive Account. Details of the interest rates applying to these accounts since 1990 are set out in the following tables. Since the Deputy's question refers to long-term as well as short-term deposits, I am also including information about savings certificates, savings bonds and instalment savings which are longer-term small savings products but not actually POSB products. The changes in interest rates over the period 1990 to 2005 reflect changes in interest rates generally in the retail market.

POSB Demand Deposit Rates

A. 1990-1993

With effect from:	Rate (p.a.)
	%
21/10/89	7.00
21/01/90	7.75
15/06/90	7.25
06/07/90	6.75
01/11/90	6.25
28/01/91	6.75
24/04/91	6.25
02/09/91	5.75
01/02/92	6.00
09/06/92	5.50
12/10/92	7.00
05/04/93	4.50
18/05/93	3.50
21/06/93	3.00

Note: Until 1 November 1993, there was one interest rate for POSB demand accounts irrespective of the amount on deposit.

Savings Certificates

With effect from:	Total return	Term	Rate (p.a.)
	%		%
07/03/86	40	5 years	6.96
27/01/94	40	5 years & 9 months	6.00
14/02/96	34.5	5 years & 6 months	5.54
18/03/97	30	5 years & 6 months	4.89
05/05/98	25	5 years & 6 months	4.14
23/12/98	16	5 years & 6 months	2.74

Savings Bonds

With effect from:	Total return	Term	Rate (p.a.)
	%		%
01/07/86	20.4	3 years	6.38
14/02/96	17	3 years	5.37
18/3/97	14	3 years	4.46
5/5/98	12	3 years	3.85
23/12/98	8	3 years	2.60

Instalment Savings

With effect from:	Total return	Term*	Rate (p.a.)
	%		%
1/7/86	50	5 years	7.65
4/4/96	35	5 years	5.61
7/4/97	30	5 years	4.89
23/12/98	15	5 years	2.57

* Not including contribution period.

B. 1993-2005

With effect from:	Tiers	Rate (p.a.)
		%
01/11/93	under £3,000	2.00
	£3,000 and over	2.75
19/01/94	under £1,000	0.75
	£1,000-£2,999	1.00
	£3,000-£4,999	1.50
	£5,000 and over	2.25
01/06/94	under £1,000	0.50
	£1,000-£2,999	0.75
	£3,000-£4,999	1.25
	£5,000 and over	2.00
01/03/96	under £3,000	0.50
	£3,000-£4,999	0.75
	£5,000 and over	1.50
01/06/96	under £5,000	0.50
	£5,000 and over	1.00
10/04/99	under £5,000	0.25
	£5,000 and over	0.50
<i>Euro Changeover</i>		
01/01/02	under €6,000	0.25
	€6,000 and over	0.50
21/07/03	under €6,000	0.10
	€6,000 and over	0.25

30 Day Notice POSB Accounts

With effect from:	Tiers	Rate (p.a.)
		%
01/01/93	all accounts	7.00
05/04/93	under £1,000	4.50
	£1,000-£2,999	5.50
	£3,000-£4,999	7.00
	£5,000 and over	9.00
18/05/93	under £5,000	7.00
	£5,000 and over	9.00
01/07/93	under £5,000	7.00
	£5,000 and over	8.00
02/01/93	under £5,000	6.00
	£5,000 and over	7.00
09/02/94	under £5,000	5.00
	£5,000 and over	6.00
01/03/96	under £5,000	4.00
	£5,000-£24,999	5.00
	£25,000-£39,999	5.50
	£40,000 and over	5.75
01/06/94	under £5,000	3.50
	£5,000-£24,999	4.50
	£25,000-£39,999	4.75
	£40,000 and over	5.00
10/04/99	under £40,000	2.00
	£40,000 and over	2.50
<i>Euro Changeover</i>		
01/01/02	under €50,000	2.00
	€50,000 and over	2.50
21/07/03	under €30,000	1.00
	€30,000 and over	1.50

Note: Introduced 1 January 1993

Special Savings Incentive Accounts (POSB)

With effect from:	Type	Rate (p.a.)
		%
01/05/01	Fixed rate	4.00
	Variable rate	4.00
01/03/03	Fixed rate	4.00
	Variable rate	2.75
21/07/03	Fixed rate	4.00
	Variable rate	2.00

Note: Introduced 1 May 2001

Tax Code.

321. **Mr. Crowe** asked the Minister for Finance the outcome of the car tax concessions review referred to in Parliamentary Question No. 106 of 2 June 2004; and his views on whether a person with autism who presents a danger to themselves and another person while being carried in a car due to an inability to remain still, and having out-

grown a conventional baby seat, warrants the granting of car tax exemption in order to pay for the necessary adaptations. [30232/05]

Minister for Finance (Mr. Cowen): A special interdepartmental review group reviewed the operation of the disabled drivers scheme. The terms of reference of the group were to examine the operation of the existing scheme, including the difficulties experienced by the various groups and individuals involved with it, both on an administrative and user level, and to consider the feasibility of alternative schemes, with a view to assisting the Minister for Finance in determining the future direction of the scheme.

The group's report, published on my Department's website in July 2004, sets out in detail the genesis and development of the scheme. It examines the current benefits, the qualifying medical criteria, the Exchequer costs, relationship with other schemes and similar schemes in other countries. The report also makes a number of recommendations, both immediate and long-term, encompassing the operation of the appeals process and options for the future development of the scheme.

Following on from the report's immediate recommendations concerning the appeals process, amendments to the regulations governing the scheme have been made by my predecessor, and subsequently, by me, in April and again in September, to improve the operation of the appeals process. These amendments included providing for an expansion of the panel of medical practitioners serving on the medical board of appeal from three to 15 — this will substantially reduce the waiting time for appellants.

In respect of the long-term recommendations, given the scale and scope of the scheme, further changes can only be made after careful consideration. For this reason, the Government decided in June 2004 that the Minister for Finance will consider the recommendations in the report of the interdepartmental review group in the context of the annual budgetary process having regard to the existing and prospective cost of the scheme. The Government is committed to supporting and reinforcing equal participation in society by people with disabilities. Disability was one of the priority areas in which I substantially increased investment in last year's budget.

National Lottery.

322. **Mr. G. Mitchell** asked the Minister for Finance if his attention has been drawn to a lottery spam purporting to emanate from lottery authorities in Dublin (details supplied); and if he will make a statement on the matter. [30305/05]

Minister for Finance (Mr. Cowen): I am informed that An Post National Lottery Com-

pany has warned the public that it has come to its attention that some people have received correspondence by e-mail or letter purporting to come from the Irish National Lottery advising them that they have won a substantial amount of money. An Post National Lottery Company has pointed out that it never notifies prize winners in this manner and that to win and claim a prize in the Irish National Lottery, a person must be in possession of a prize-winning ticket. The National Lottery Company advises the public not to respond to such correspondence and has posted this warning on its website.

Tax Code.

323. **Ms Enright** asked the Minister for Finance the reason the expenses related to the educational course, *An Scrúdú le hAghaidh Cáilíochta an Ghaeilge* do not attract tax relief; if he will examine this issue; and if he will make a statement on the matter. [30337/05]

Minister for Finance (Mr. Cowen): Section 473A of the Taxes Consolidation Act 1997, provides tax relief, at the standard rate of tax, for tuition fees paid in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in EU member states and postgraduate courses in non-EU countries. Tax relief is not available on tuition fees paid in respect of the educational course, *An Scrúdú le hAghaidh an Ghaeilge*, as it does not qualify as an approved course and it is not undertaken in an approved college. The approval of colleges and courses is, in the first instance, a matter for the Minister for Education and Science.

324. **Mr. Cuffe** asked the Minister for Finance if he has examined the figures for the construction of one-off houses and compared such figures with the capital gains tax receipts on land that may have been transferred to facilitate such construction; and if so, if he has satisfied himself that there is no inconsistency between the figures. [30452/05]

Minister for Finance (Mr. Cowen): Information on capital gains tax receipts arising on land transferred to facilitate construction of one-off houses is not available. The construction of one-off houses falls within the area of general housing policy and as such is primarily the responsibility of the Minister for the Environment, Heritage and Local Government.

325. **Mr. Cuffe** asked the Minister for Finance if private waste contractors are obliged to charge value added tax on the provision of waste collection services; his views on whether contractors are

[Mr. Cuffe.]

complying with this requirement; and if he will make a statement on the matter. [30453/05]

Minister for Finance (Mr. Cowen): Private waste contractors are obliged to register and account for VAT on their supply of waste collection services where their turnover in any period of twelve consecutive months exceeds or is likely to exceed €25,500. The rate of VAT appropriate to the collection and disposal of waste is 13.5%. Private contractors engaged by local authorities to provide waste collection services in their areas are obliged to obtain tax clearance certificates annually from Revenue. This helps to ensure that such contractors are compliant with their VAT obligations.

There is no evidence to suggest that there is a general VAT compliance problem regarding the provision of waste collection services. However, waste contractors as with all other sectors are subject to Revenue's compliance and audit programmes, on a risk basis, and if the Deputy has evidence of non compliance, the Revenue Commissioners would be glad to have details about the matter.

National Development Plan.

326. **Mr. Cuffe** asked the Minister for Finance if the current or proposed new national development plans have been, or will be assessed under the guidelines for strategic environmental assessment; and if he will make a statement on the matter. [30454/05]

Minister for Finance (Mr. Cowen): I assume the Deputy is referring to a strategic environmental assessment under the EU strategic environmental assessment directive (2001/42/EC).

In the case of the National Development Plan 2000-2006, the issue does not arise as the strategic environmental assessment directive only applies to a plan or programmes where the preparation was commenced on or after 21 July 2004. The next NDP, for 2007-2013, will be a financial plan. It is accordingly considered that it does not fall within the framework of the directive and it will not therefore be subject to a formal SEA.

The Government has, however, indicated that environmental sustainability will be a key horizontal objective of the investment strategy of the next NDP and consultation on this aspect with environmental interests will take place in the context of drafting the plan.

Departmental Expenditure.

327. **Mr. Deasy** asked the Minister for Finance the amount which has been spent by his Department in bringing into effect the provisions of the Official Languages Act 2003. [30525/05]

Minister for Finance (Mr. Cowen): The main area of expenditure on the Irish language in my Department is through *Gaeleagras na Seirbhíse Poiblí*. *Gaeleagras* was established in the Department in 1971 with the general aim of promoting the Irish language throughout the Civil Service. *Gaeleagras* continues to make a significant contribution to the promotion and development of the use of Irish in the Civil Service including supporting the implementation of the Official Languages Act 2003. In anticipation of an increased level of activity in 2005, the allocation for *Gaeleagras* this year is €369,000, an increase of €119,000 over the 2004 allocation.

Gaeleagras expenditure since 2003.

	€
2003	234,000
2004	238,000
2005	369,000 (Estimated Outturn)

Outside *Gaeleagras*, work relating to implementing the Official Languages Act is spread across the Department and is undertaken in conjunction with officials existing duties. It is therefore not possible to provide an overall cost for the implementation of the Act in the Department. However the additional costs incurred by the Department associated with using external translation and printing services etc. arising from the Act was in the order of €33,300 in 2004 and €8,670 to date in 2005.

Garda Stations.

328. **Mr. Stagg** asked the Minister for Finance if the sanctioning of the revised sketch scheme for the new Leixlip Garda station has been notified to him; and when the planning procedure will commence. [30733/05]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works are awaiting approval from the Department of Justice, Equality and Law Reform to the revised sketch scheme for Leixlip Garda station. On receipt of approval, planning permission will be sought under the part 9 planning process.

Kyoto Protocol.

329. **Mr. Gormley** asked the Minister for Communications, Marine and Natural Resources if, in view of the necessity of Ireland complying with the targets set by the Kyoto Protocol, he will consider the introduction of grants to persons to convert to woodburning stoves, heat pumps, solar panels and other sustainable technologies; and if he will make a statement on the matter. [30046/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department continually reviews possibilities for incentivising the increased utilisation of cost effective energy efficient technologies. Sustainable Energy Ireland, which was established as a statutory agency in May 2002, implements a wide variety of programmes on energy efficiency and renewable energy on behalf of my Department. Any increase in funding required for these programmes would have budgetary implications and could only be considered in the light of the overall budgetary requirements of SEI and the level of funding available to my Department.

Under SEI's house of tomorrow research, development and demonstration programme, financial support is directed at encouraging developers of housing, both new-build and refurbishment, to incorporate design and technology features, which deliver significantly superior energy and CO₂ performance. By targeting developers of schemes of houses, from the private or social housing sectors, the aim has been to establish over a number of years a nationwide network of accessible examples of more sustainable energy design and technology practices. With the accompaniment of other promotional measures by SEI, this is intended to encourage a sufficient degree of market replication, without subsidy, to elevate energy performance standards across the wider housing stock. This targeted approach is also designed to be an administratively efficient method for deployment of public moneys.

To date the programme has committed more than €7.5 million funding to 39 projects comprising a total 1,818 housing units, all featuring an integrated approach to energy supply and use that achieves performance of at least 20% better than current building regulations and in fact, in the majority of projects, 40% better. The range of sustainable energy technologies employed within these demonstration projects includes the following: condensing boilers in 236 homes, solar water heating in 344 homes, heat recovery ventilation in 176 homes, geothermal heating systems in 143 homes, and wood pellet boilers in 93 homes.

Some of the technologies mentioned by the Deputy can have a relatively quick pay back period in terms of efficiency gains and therefore direct subvention to the consumer for using such technologies may not be warranted.

Mobile Telephony.

330. **Cecilia Keaveney** asked the Minister for Communications, Marine and Natural Resources his views on the need for ready to go phones to be sold only on the presentation of a utility bill and proof of identity to ensure issues of traceability of these phones is attained and therefore security in their use in all circumstances will be

addressed; and if he will make a statement on the matter. [30206/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Parliamentary Question No. 211 of 11 October 2005.

EU Directives.

331. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources if the Government will support amendment No. 8 to recital 31, adopted by the European Parliament at its second reading on 15 September 2005, regarding closed mines and the responsibility the member states have to rehabilitate such sites (details supplied); and if he will make a statement on the matter. [30325/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The amendment to which the Deputy refers is one of 38 amendments adopted by the European Parliament. Not all were acceptable to the Commission or the Council and the conciliation process is, therefore, now in progress. Under these circumstances, it would not be appropriate to comment on either the Council's or the Irish position on individual amendments.

The Government recognises the need to address the rehabilitation of closed sites and has therefore decided to allocate €10.6 million for the remediation of the Silvermines site in County Tipperary, and €500,000 to produce integrated conceptual management and remediation plans for the former copper mines at Avoca, County Wicklow. In addition, the Environment Protection Agency, EPA, is carrying out a project, with my Department's assistance, to produce an inventory of all problem sites.

The need to prevent problems arising in the future from closed mines has been recognised and the three operating metal mines have all provided significant sureties which mean funding will be provided by the operators for their planned closure and aftercare.

Fisheries Protection.

332. **Mr. Fleming** asked the Minister for Communications, Marine and Natural Resources if the nominee of the Trout Anglers Federation of Ireland, which has a membership of more than 20,000 trout and salmon anglers, will be appointed to a place on the National Salmon Commission; and if he will make a statement on the matter. [30024/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): In exercise of the powers con-

[Mr. Gallagher.]

ferred on me by section 55A — inserted by section 22(1) of the Fisheries Act 1999 — of the Fisheries Act 1980, I included 34 organisations in the National Salmon Commission (Prescribed Bodies and Organisation) Order 2005, SI 626 of 2005, which I signed on 28 September 2005. The Trout Anglers Federation of Ireland is one of these organisations.

The Fisheries Acts, however, provide that not more than 16 members of the commission shall be appointed from among those nominated by the representative bodies and organisations prescribed by the Minister. As such, inclusion on the prescribed list does not convey an automatic right for any particular body or organisation to have its nominee appointed to the commission.

The number of bodies and organisations seeking to have representation on the National Salmon Commission this year was far in excess of the number of places available, and, as a result, it was not possible to appoint all nominees. However, the membership I have chosen will ensure that all relevant stakeholders, including salmon and trout anglers, are equally and fairly represented at the commission. The commission has the function of assisting and advising me in regard to the conservation, management, protection and development of the national salmon resource in accordance with the detailed terms of reference set out in the National Salmon Commission (Terms Of Reference) Order 2005, SI 627 of 2005.

Although the Trout Anglers Federation of Ireland had a nominee appointed to the previous National Salmon Commission, due to the restriction on the number of membership places available, I was unable to appoint its nominee as a member of the new commission. However, the terms of reference for the new National Salmon Commission provide that it will consult and engage as appropriate in a proactive dialogue with the Trout Anglers Federation of Ireland and all the other prescribed bodies and organisations listed in the 2005 order.

I am satisfied that through these terms of reference, all the prescribed bodies and organisations will have the opportunity to have their interest recognised and that any proposals they may have having regard to the conservation, management, protection and development of the national salmon resource will be fully considered and evaluated by the National Salmon Commission during its current term of office.

Postal Services.

333. **Mr. Bruton** asked the Minister for Communications, Marine and Natural Resources if he has had discussions with any of the parties in An Post regarding the present industrial dispute; if reports are accurate that he is considering

lifting the exclusive right of An Post to handle smaller postage items; if this company has in place a code of practice governing disputes in essential services under the Industrial Relations Act 1990; and if he will make a statement on the matter. [30025/05]

351. **Mr. Lowry** asked the Minister for Communications, Marine and Natural Resources if it is his intention to privatise the collection and delivery element of An Post prior to full deregulation of the postal market in 2009 in view of his statement that he would give serious consideration to lifting An Post's monopoly in 2006 if the unions went ahead with industrial action over non-payment of Sustaining Progress payments; and if he will make a statement on the matter. [30746/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 333 and 351 together.

With globalisation, liberalisation and developments in technology that are changing the way people communicate, all national postal operators, including An Post, have to change very rapidly to stay competitive and commercial in the European postal market. This reflects the change in the market from one dominated by letters to one dominated by parcels and direct mail. Both of these areas are much more open and attractive to competition, especially international competition, than the traditional letters business. Competition in the sector is growing and at present there are 26 firms operating in Ireland with a postal service authorisation from ComReg.

The economy and society at large also need a strong and vibrant postal service in light of the many internationally traded sectors operating in the country but it also needs An Post to be competitive and there is universal agreement that change is required if the postal services of An Post are to adapt to the modern business environment and to continue to offer a top-class nationwide delivery service to the customer into the future. Liberalisation and the expected increase in competition will ultimately be good for both An Post and consumers.

To date, Ireland has fully implemented European Directives 97/67/EC and 2002/39/EC, which set out the requirements for member states on the provision of high-quality postal services and liberalisation within their postal networks. Under the directives, each member state is obliged to provide a universal service whereby a minimum level of service must be provided. Both the directives have been transposed into Irish law in SI 616 of 2002, European Communities (Postal Services) Regulations.

Since the transposition of the directives, the weight limit applying to postal items falling within the reserved area and therefore not open to com-

petition has been reduced to 100g from 2003 with a price limit of three times the basic tariff for domestic and inbound international. The reserved area will be further reduced to mail weighing 50g or less and two and a half times the basic tariff from 2006 for domestic and inbound international. Outbound international mail was fully liberalised on 1 January 2004. The second directive also stipulates that the postal sector is to liberalise across the EU in full on 1 January 2009, subject to political agreement.

In light of the announcement by the Communication Workers Union, CWU, that it had rejected the Labour Court recommendation on collection and delivery and that union members have voted for industrial action which may lead to a serious disruption to postal services, I am considering all options open to me, up to and including early liberalisation of the sector, to limit the disruption caused to the sector and the economy at large as a result of any prolonged period of industrial action. However, the Government has no plans to privatise the postal service and wants to see An Post continuing to play a significant role in the postal sector following full liberalisation of that market.

To progress the change agenda necessary to the long-term sustainability of An Post, I have met representatives of An Post management and unions on various occasions over the past 12 months. I have continually emphasised to all parties the importance of an early start to the company's modernisation and that both sides must adhere to the parameters of the Labour Court recommendation in respect of the proposed new collection and delivery arrangements and Sustaining Progress. This is essential to resolve long-standing and deep-seated problems besetting the company.

I understand that in 1992, under section 42 of the Industrial Relations Act 1990, the Labour Relations Commission, following consultation with ICTU and IBEC, prepared a code of practice on dispute procedures including in essential services. The procedures in the code provide a framework for the peaceful resolution of disputes, including disputes in essential services and does not refer to specific companies. The code recognises there is a joint responsibility on employers and trade unions to resolve disputes in essential services and employments without resorting to strikes or other forms of industrial action.

Garda Investigations.

334. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the situation regarding the investigation surrounding the harbour in Killybegs; when a final report on the issued will be released; when the

matter will be formally finalised; and if he will make a statement on the matter. [30026/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I assume the Deputy refers to allegations made about illegal fishing. When this matter was brought to my attention, I arranged to have the matter formally referred to the Garda Síochána with a request for an investigation. I understand the Garda is conducting an investigation into the matter. That investigation is solely a matter for the force and I have no role in it. As the time-frame and conduct of the investigation are matters solely for the Garda, it would be inappropriate to comment further or make a statement on the matter.

Emergency Response Plan.

335. **Mr. J. Higgins** asked the Minister for Communications, Marine and Natural Resources if he received an outline of Dublin Port Company's emergency response plan since the Shell FOB fire incident which occurred on 27 June 2004. [30107/05]

336. **Mr. J. Higgins** asked the Minister for Communications, Marine and Natural Resources if Dublin Port Company is obliged to have 24-hour fire protection cover as required by legislation. [30108/05]

337. **Mr. J. Higgins** asked the Minister for Communications, Marine and Natural Resources if Dublin Port Company is negligent in its responsibilities to its workforce, port tenants and surrounding communities by not providing 24-hour cover by the ports fire protection unit. [30109/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I propose to take Questions Nos. 335 to 337, inclusive, together.

Dublin Port Company is subject to the fire safety and protection regulations and legislation which are enforced by Dublin Corporation fire authority. These regulations do not fall under my area of responsibility and the issue of fire safety is not dealt with under the Harbour Acts. The company's emergency response plan is an operational matter for the company and I have not received an outline of it.

Harbour Police Powers.

338. **Mr. J. Higgins** asked the Minister for Communications, Marine and Natural Resources if he is aware that the harbour police have no powers under the road traffic Acts or Dublin Port by-laws to enforce road traffic management

[Mr. J. Higgins.]

within the environs of Dublin Port and therefore to prevent speeding, dangerous driving and road traffic accidents. [30110/05]

339. **Mr. J. Higgins** asked the Minister for Communications, Marine and Natural Resources if he is aware that Dublin Port Company is attempting to change the status of the harbour police as a statute police force. [30111/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I propose to take Questions Nos. 338 and 339 together.

I refer the Deputy to my answers to Questions Nos. 101 and 102 by Deputy Bruton on 13 October 2005 which refer to the same matters.

340. **Mr. J. Higgins** asked the Minister for Communications, Marine and Natural Resources his views on the request of SIPTU docks, marine and transport branch for a full hearing by the Labour Court into conditions of employment and the status of harbour police. [30112/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I assume the Deputy refers to the harbour police of Dublin Port. Industrial relations issues relating to this group are a matter for Dublin Port Company in the first instance and I have no role in this regard. Nor do I have a function in regard to the Labour Court or its operations.

341. **Mr. J. Higgins** asked the Minister for Communications, Marine and Natural Resources if he will meet with representatives of the SIPTU docks, marine and transport branch to discuss the policing of the Dublin Port Company and the implementation of the ISPS code. [30113/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I have not received any request from SIPTU to meet me on the matter referred to in the Deputy's question. Industrial relations in Dublin Port Company are a matter for the company and its employees' unions, and it would not be appropriate for me to intervene.

Consultancy Contracts.

342. **Mr. Bruton** asked the Minister for Communications, Marine and Natural Resources the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is

required for approval of expenditure on such commissions. [30155/05]

343. **Mr. Bruton** asked the Minister for Communications, Marine and Natural Resources the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted in his Department from 1998 to date. [30170/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 342 and 343 together.

In the time available, it has not been possible to complete an exhaustive examination of all reports and consultancies commissioned since 1988 that came within the remit of my Department or its predecessors. My Department's policy is to engage consultants or commission reports only in circumstances where: specialised knowledge or expertise, not available in the Department or in the wider Civil Service or public service, is required for a temporary period; a need for objectivity and-or independence is deemed essential; a consultancy study is required by an external body such as the EU; a specialist study or project must be completed within a short timescale; the specialised knowledge or expertise may be available within the Department, but an in-house solution would involve a prohibitive opportunity cost and-or would be impractical, for example, where staff must be diverted from other essential duties.

My Department is particularly mindful of the value for money imperative and the need to develop and deploy in-house skills and, as far as possible, to minimise the requirement for consultancies. The Department also seeks to avail of skills and experiences of other Departments or other parts of the public sector where appropriate. I will be in touch with the Deputy as soon as possible regarding the instances, if any, where value for money issues may have been identified as a result of assessment by outside bodies.

Regional Fisheries Boards.

344. **Mr. P. McGrath** asked the Minister for Communications, Marine and Natural Resources if and when the regional fisheries boards are to be dissolved; when a central agency will be set up; and if some of the responsibilities of the fisheries boards are to be outsourced to other agencies. [30221/05]

345. **Mr. P. McGrath** asked the Minister for Communications, Marine and Natural Resources how he will ensure adequate fish stocks, fish habitats and water quality following the proposed

centralisation of the fisheries boards; and if he will make a statement on the matter. [30222/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): I propose to take Questions Nos. 344 and 345 together.

I received the report of the first stage of the high-level review of the inland fisheries sector from the consultants concerned earlier this year and have considered its findings. It is my intention to bring this report to Government in the near future and to have it published as soon as possible thereafter. Until such time as the report is presented to Government, I am not in a position to comment on its recommendations or implementation.

346. **Mr. P. McGrath** asked the Minister for Communications, Marine and Natural Resources the number of staff employed by the Shannon Regional Fisheries Board at Tudenham, Mullingar; the grades and their annual remuneration; and if there are plans to re-deploy these personnel to the central agency. [30223/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): The Shannon Regional Fisheries Board has 11 staff operating at its facility at Tudenham in Mullingar, including an inspector, assistant inspector, two fishery officers, two foremen, four general operatives and a part-time administrative assistant. Remuneration in respect of the grades outlined is set out in the following table.

Grade	Salary Scale
Inspector	€27,853–€48,681 + (unsocial hours allowance)
Assistant inspector	€25,823–€40,030 + (unsocial hours allowance)
Fishery officer	€22,762–€33,406 + (unsocial hours allowance)
Foreman	€27,822
General operative	€25,783–€27,095
Administrative assistant	€21,257–€34,447

The deployment of staff is a matter for the Shannon Regional Fisheries Board. As I have previously stated to the House, it is my intention to bring the report of the first stage of the high-level review of the inland fisheries sector to Government in the near future and to have it published as soon as possible thereafter. Until such time as the report is presented to Government, I am not in a position to comment on its recommendations or implementation.

Alternative Energy Projects.

347. **Ms F. O'Malley** asked the Minister for Communications, Marine and Natural Resources the Government's long-term strategy for the development of offshore wind resources, considering that no offshore project benefited from support in the recently announced support mechanisms for renewable energy projects; and if he will make a statement on the matter. [30484/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The current target to promote renewable-powered technologies in the electricity market is to increase the amount of electricity from all renewable energy sources to 13.2% by 2010. This will require us to more than double the current generating capacity of 675 MW of renewable powered plant connected to our system to 1,450 MW by 2010.

This target is demanding and requires change. I recently announced a new support programme for renewable energy-powered electricity generating plants to ensure the target is delivered. The detailed draft terms and conditions of the new feed-in support programme were recently put out to public consultation on my Department's website, www.dcmnr.gov.ie. Interested parties had until 12 October last to raise any queries or furnish any observations on the proposals and some 30 responses were received.

Following consideration of the matters raised in these responses, the new programme, to be known as the renewable energy feed-in tariff, REFIT, will be finalised and published shortly. My overall target is to optimise the amount of renewable energy technologies, which can be connected to the network while maintaining safe and reliable supply and reasonable retail charges for consumers.

Within the wind category of this new support programme, separate prices are proposed for small-scale wind projects and large-scale wind projects, and there is no differentiation between onshore and offshore projects. It will be a matter for project developers to determine whether a business case can be constructed to allow offshore projects, operating from a higher cost base than the onshore projects, to proceed under the new support programme.

The question of what higher target beyond 1450 MW can be set for all renewable energy technologies, including offshore wind, and in what timeframe, is one that requires further analysis and technical input. In July, my Northern counterpart, Ms Angela Smith MP, and I published a preliminary consultation paper on an all-island vision for renewable energy to the year 2020 and beyond. The consultation period recently ended and the response has been encouraging.

Departmental Expenditure.

348. **Mr. Deasy** asked the Minister for Communications, Marine and Natural Resources the amount spent by his Department in bringing into effect the provisions of the Official Languages Act 2003. [30526/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The amount spent to date by my Department in bringing into effect the provisions of the Official Languages Act 2003 is €84,342.36.

EU Funding.

349. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the payments made from Structural Funds under the economic infrastructure programme for the

provision of broadband telecommunications infrastructure for the period 1999 to date; the companies paid under the programme and the extent of payments; if he has satisfied himself with the standard of work carried out and that all such works envisaged were carried out in full accordance with the conditions of the programme; and if he will make a statement on the matter. [30541/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Under the broadband measure of the Economic Infrastructure Operational Programme 1994-1999, EIOP, an invitation to tender was issued on 20 July 1999. Following the evaluation process, 12 projects were selected for funding. Details of the individual companies and contracts are set out as follows.

Contractor	Project Description	EIOP Payments
		€
NTL	Deployment of fibre optic cable from Terenure to Belgard Road.	1,000,000
Chorus	Design and construction of hybrid fibre coaxial infrastructure in Castlebar.	615,627
	Provide 114 km of optical fibre network linking the towns of Ennis, Shannon, Limerick, Kilmallock, Charleville, Mallow and Cork	1,082,437
	Hybrid fibre coaxial cable upgrades and digital MMDS upgrades in Clonmel and Kilkenny	1,999,972
	Upgrade and extend existing cable network in Thurles.	1,025,753
eircom	Development of high-capacity fibre optic infrastructure in 75 towns along the west coast from Sligo to west Cork.	4,646,763
	Provision of optical fibre cable along a 32 km link connecting Galway and Castlebar, and a 40 km link between Birr and Tullamore	661,395
Esat	Rollout of fibre optic cable in urban areas including Cork, Galway, Dundalk, Thurles, Carlow, Tralee, Athlone, Sligo, Maynooth, Letterkenny and Limerick.	1,010,728
	Extension of Esat's national fibre optic network to Mayo, Roscommon and Sligo, covering the towns of Athlone, Ballina, Claremorris, Roscommon, Castlerea, Ballyhaunis, Sligo and Collooney.	1,844,150
	Extension of Esat's national fibre optic network from Cork to Little Island to Carrigtwohill, 21 km.	375,095
	Construction of a high-capacity fibre optic digital corridor linking Dublin, Athlone, Galway and Shannon and 30 locations en route.	6,000,000
HEAnet	HEAnet delivers managed broadband services to more than 30 educational and research institutions throughout the State.	898,377
	Total EIOP payments	21,160,297

Financial audits were carried out by Ernst & Young, which was appointed following a tender process. The technical evaluation of each project was completed by North West Labs Limited, which furnished a completion report for each phase and a final report for each project.

Industrial Relations.

350. **Mr. Lowry** asked the Minister for Communications, Marine and Natural Resources the reason An Post pensioners are not being awarded the full terms of the Sustaining Progress

agreement; if he has met senior management in An Post regarding this matter; and if he will make a statement on the matter. [30745/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am aware of the situation that has arisen in regard to industrial relations issues at An Post, in particular, the non-payment of Sustaining Progress increases to the company's pensioners and employees. I have no function in directing An Post in the matter of operational and commercial issues such as the application of national pay awards.

An Post has a remit to be financially viable and, following significant losses which amounted to €43 million in 2003 alone, An Post management invoked the “inability to pay” clause provided for in Sustaining Progress. Therefore, the key challenge for the company is to return to long-term financial stability. An agreement on a viable recovery plan is the only way forward for An Post to deliver quality services to our citizens, while at the same time providing sustainable well-paid employment for its staff.

To progress the change agenda, an exhaustive process of negotiation was entered into between An Post management and An Post trade unions, under the auspices of the Labour Relations Commission, LRC, and then the Labour Court, which has lasted almost two years. The question of Sustaining Progress payments to employees was addressed in a process brokered by the Labour Relations Commission. Assessors appointed by the LRC recommended that An Post was in a position to pay a 5% increase to its employees. This increase, backdated to 1 January 2005, was paid to An Post employees and pensioners at the end of June 2005.

To meet union concerns, a three-person expert group was formed under the auspices of the Labour Court to devise a workable agreement on collection and delivery. The process at the Labour Court recently concluded with the court's recommendation that the company accept the proposals as set out by the three-person, court-appointed technical group's report on An Post's collection and delivery arrangements and that upon ratification by both parties of the draft agreement annexed to that recommendation, the company should arrange for payment of all 2005 and future increases due under Sustaining Progress to its employees and pensioners. The court further recommended that all retrospective payments, relating to the recent 5% increase paid by An Post, be made to its employees and pensioners as soon as the company is returned to reasonable and sustainable profit and when commercial circumstances permit.

On 5 September 2005, however, the Labour Court's recommendations on the issues of Sustaining Progress and collection and delivery were rejected by the main union in An Post, the Communications Workers Union, with the result that the company is not in a position to make any further increases to its employees or pensioners. I have frequently engaged with and met the management and unions of An Post to emphasise the importance of an early start to the company's modernisation and that both sides must engage directly in order to resolve long-standing and deep-seated problems besetting the company. It is only then that the concerns facing the company, its employees and pensioners will be addressed.

Question No. 351 answered with Question No. 333.

Consultancy Contracts.

352. **Mr. Bruton** asked the Minister for Foreign Affairs the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30156/05]

353. **Mr. Bruton** asked the Minister for Foreign Affairs the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money in his Department was highlighted, from 1998 to date in 2005. [30171/05]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 352 and 353 together.

In commissioning outside expertise, my Department is guided by a number of publications and circulars issued by the Department of Finance. These include Guidelines for Engagement of Consultants in the Civil Service, March 1999; Public Procurement Guidelines — Competitive Process, 2004; Ethics in Public Procurement, June 2005; and Guidance arising from Quigley Report Recommendations, September 2005.

We are also guided by the protocols set out in the February 2005 guidelines issued by the Department of the Taoiseach entitled “Additional Procedures to apply to certain consultancies and procurements”. Within the context of Vote 29, International Co-operation, a number of detailed guideline documents outline the specific procedures to be used by the development co-operation division of my Department. These include Financial Policy Guidelines and Procedures Manual, April 2005; Guidelines on Project Appraisal and Evaluation Group, PAEG, Processes and the Preparation of PAEG Documents, April 2005; and Guidelines for Procuring Goods and Services, May 2004.

These guidelines are applied in the operation of all projects and programmes under the aegis of Development Co-operation Ireland, including consultancies and public relations. The pattern of consultancies carried out by the development co-operation division is, in the main, for small-scale commissions, typically less than €30,000 in value.

The Department's evaluation and audit unit examines consultancy contracts commissioned by the development co-operation division. This consultancy work was also reviewed by the independent audit committee of the Department of Foreign Affairs. In its annual report for 2004, the audit committee did not indicate any value for money concerns around specific consultancies. It

[Mr. D. Ahern.]

endorsed the recommendations made by the evaluation and audit unit for continued improvement in the management of consultancies.

Ministerial approval is not required for the engagement of outside expertise and I have had no personal involvement in the process. Approval of expenditure in this regard is a matter for the departmental accounting officer. Inevitably, there are variations in the quality of the advice or expertise received from external commissions but the Department insists upon the highest standards in achieving value for money in the commissioning of any outside expertise.

Human Rights Issues.

354. **Mr. Cuffe** asked the Minister for Foreign Affairs if his attention has been drawn to the recent reports that two gay teenagers were hanged after being found guilty of homosexuality in Iran; and if such reports are true, if the Government will express its concern through diplomatic and other appropriate means. [30445/05]

Minister for Foreign Affairs (Mr. D. Ahern):

As I stated in reply to a written question on 28 September 2005, I was deeply concerned by reports of the public execution of two youths in Mashad in Iran on 19 July, following their conviction for the abduction and rape of a minor. The Government is strongly opposed to the use of the death penalty in all circumstances, and the world-wide abolition of the death penalty is a political priority for us and our partners in the EU. In addition, we have also strongly urged states which retain the death penalty not to apply it to any person below adult age. I understand at least one of the youths in this case was aged under 18 at the time of the offence.

The EU issued a statement on 26 July expressing strong concerns in regard to the Mashad case and, more broadly, on the use of the death penalty and the execution of minors in Iran. These concerns were also raised directly 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.

Diplomatic Representation.

355. **Mr. Deasy** asked the Minister for Foreign Affairs if he will raise with the Irish Embassy in Paris the lack of assistance given to persons (details supplied) in County Waterford following the robbery of their money and credit cards while on holiday; if the embassy will provide full assistance in such cases; and if he will make a statement on the matter. [30501/05]

Minister for Foreign Affairs (Mr. D. Ahern):

The persons referred to by the Deputy contacted the Irish Embassy in Paris on the morning of Tuesday 11 October following a robbery. I understand the consular staff confirmed that neither had suffered any physical harm, that they were still in possession of their flight tickets and passports and that they had accommodation for the rest of their stay.

The consular staff also advised the persons in question to report the incident to the local police. When it became clear that they needed financial assistance, they were contacted and advised on how to organise a transfer of funds from Ireland. They were also assured that if they encountered any difficulties transferring the funds, they should alert the embassy. They were subsequently contacted to establish that sufficient funds had been received. When this was confirmed, I understand the persons concerned expressed appreciation for the embassy's assistance.

I assure the Deputy that the consular staff in the Department and in the Paris embassy strive to offer the maximum understanding and support in all difficult circumstances, such as those outlined by the Deputy.

Departmental Expenditure.

356. **Mr. Deasy** asked the Minister for Foreign Affairs the amount spent by his Department in bringing into effect the provisions of the Official Languages Act 2003. [30527/05]

Minister for Foreign Affairs (Mr. D. Ahern): It was already my Department's policy, prior to the coming into effect of the Official Languages Act 2003, to publish most classes of documentation intended for public dissemination in both Irish and English. A training programme was also in place to assist staff in developing their Irish language skills. This was and is part of a wider policy aimed at developing the Department's capability to accommodate those customers who prefer to conduct their business with the Department through Irish. As a consequence, there has been no expenditure to date that can be attributed solely to implementing the provisions of the Act.

Expenditure will arise in due course in regard to the publication by the Department of a notice under section 13 of the Act. This requirement will arise when the Department is formally requested by the Minister for Community, Rural and Gaeltacht Affairs to prepare a draft scheme specifying the services the Department will provide through Irish or English only, and those which will be provided through both languages. The notice will invite submissions from the public and a draft scheme will then be prepared and submitted for approval to the Minister for Community, Rural and Gaeltacht Affairs. The cost of publishing the notice is estimated at €12,000 to €15,000.

Foreign Conflicts.

357. **Mr. F. McGrath** asked the Minister for Foreign Affairs the position regarding the case of a person (details supplied) in Iraq; and if the Iraqi people are aware he is an Irish citizen. [30773/05]

Minister for Foreign Affairs (Mr. D. Ahern): We were all delighted by the release of Mr. Rory Carroll. I share the enormous sense of relief felt by all people in Ireland at his release and I pay tribute to the dignity and composure of the Carroll family throughout the whole ordeal and under such pressure.

I take this opportunity to record the Government's and my own appreciation to all who helped achieve this happy outcome. In particular, we have maintained the closest contact with a number of our EU partners, Britain, France and Italy, whose co-operation, both in their capitals and on the ground in Baghdad, has been quite outstanding. I have written to the British Foreign Secretary, Mr. Jack Straw, and to Foreign Ministers Philippe Douste-Blazy and Gianfranco Fini of France and Italy respectively, to express our deep appreciation for their efforts. In addition, I thank the opposition parties for their co-operation throughout. Likewise, the interim Iraqi Government and the Iranians were helpful. I also thank the Muslim community in Dublin for its concern and support.

Throughout the 36 hours that Rory Carroll was abducted, the Government used every opportunity to emphasise his Irishness. To cover all eventualities, the Taoiseach and I decided, based on professional advice from Baghdad, to put an Irish team, led by a senior ambassador and including Garda and Defence Forces personnel, on the ground in Iraq. We believed it was vital to have our people on the spot to ensure our input into discussions and decision making in Baghdad. The team would have remained in constant contact with the Government.

Consultancy Contracts.

358. **Mr. Bruton** asked the Minister for Arts, Sport and Tourism the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30157/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): In commissioning outside expertise in the consultancy and public relations fields my Department adheres to the Department of Finance publications, Guidelines for Engagement of Consultants in the Civil Service, 1999; Public Procurement Guidelines — Competitive Process, 2004; and all of the supplement to the Department of Finance circular 40/02. Responsibility for

the commissioning of consultancies by my Department is delegated to senior management.

New guidelines arising from the recommendations of the Quigley report have been circulated recently within my Department and will be adhered to in future.

359. **Mr. Bruton** asked the Minister for Arts, Sport and Tourism the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money in his Department was highlighted, from 1998 to date in 2005. [30172/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): There are no instances in my Department where poor value for money has been highlighted in regard to reports, consultancies and cases from external commissions.

Sports Funding.

360. **Mr. Cuffe** asked the Minister for Arts, Sport and Tourism if he has put in place any means of gender-proofing the distribution of sports funding; and if he will make a statement on the matter. [30463/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery-funded sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level for projects which must be directly related to the provision of sport and recreation facilities.

The guidelines, terms and conditions of the programme stipulate that "applicants will have to submit rules and procedures as evidence of non-discrimination on the grounds of sex, religion, ethnic origin etc.". This emphasis on ensuring equality of treatment is reflected in the fact that grants allocated under the scheme are made available only to organisations whose membership is open to both sexes. It should, however, be borne in mind that in some situations and sports, patterns of participation may differ as between males and females.

The local authority swimming pool programme, also administered by my Department, provides capital funding to local authorities for the building or refurbishment of public swimming pools. These publicly funded facilities are open to all members of the community.

Departmental Expenditure.

361. **Mr. Deasy** asked the Minister for Arts, Sport and Tourism the amount which has been spent by his Department in bringing into effect the provisions of the Official Languages Act 2003. [30528/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): Prior to the enactment of the Official Languages Act 2003, my Department was already making a range of departmental publications available bilingually including the Department's statement of strategy and customer charter. It also had bilingual stationery and placed public advertisements in both languages. Therefore, implementation of the Act in these areas involves no extra costs for my Department.

The total amount spent by my Department arising directly from the implementation of the provisions of the Official Languages Act 2003 is approximately €15,000 which has been met from within my Department's existing budget.

Sports Capital Programme.

362. **Dr. Upton** asked the Minister for Arts, Sport and Tourism if the grant of €100,000 which was provisionally allocated under the 2004 Sports Capital Programme to Dublin City Council towards the provision of a skateboarding park in Bushy Park is still available for that purpose, given that the skateboarding park has yet to be built; the provisional allocation which this is dependent upon; if he has satisfied himself that the sustainability, viability and running costs, including insurance, of the facility have been adequately examined in line with Sports Capital Programme requirements; if that examination has been concluded; and the conclusion of that examination. [30768/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): A grant of €100,000 was provisionally allocated to Dublin City Council under my Department's 2004 sports capital programme to assist in the provision of a skateboarding facility in Bushy Park.

The provisional allocation was made following a detailed assessment of the council's application in accordance with the various criteria set out in the guidelines, terms and conditions of the programme.

Following contact between the council and my Department, this provisional grant remains available to the council. Grant payments can only be made by the Department as construction work proceeds and the other payment requirements are fully met by the grantee.

The day-to-day management of this facility once completed, including all running costs and the provision of insurance, will be a matter for Dublin City Council.

Estate Agents Regulation.

363. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment his plans in relation to malpractices by an estate agent and

if he will work with other Departments on this matter. [30018/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The licensing of estate agents is currently a matter for the courts and, therefore, is more appropriate to my colleague, the Minister for Justice, Equality and Law Reform.

However, I am aware that the Minister for Justice, Equality and Law Reform published the report of the auctioneering/estate agency review group on 18 October 2005. My Department was represented on this review group. The Government recently approved the report of the group and, following a recommendation in the group's report, the Minister for Justice, Equality and Law Reform has announced that he intends to establish, on an interim basis, a new regulatory authority for the sector. Accordingly, all allegations of malpractice by estate agents will, in future, be a matter for the new regulatory authority.

Work Permits.

364. **Mr. Hayes** asked the Minister for Enterprise, Trade and Employment the position regarding the appeal on a decision not to approve work permits in the case of persons (details supplied). [30142/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The work permits section of my Department took a decision to refuse applications for work permits in respect of the named individuals on 6 October 2005. The employer has been notified of this decision in writing and has been informed of their right of appeal. To date no such appeal has been received.

Consultancy Contracts.

365. **Mr. Bruton** asked the Minister for Enterprise, Trade and Employment the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30158/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): My Department operates to detailed guidelines when commissioning outside expertise from our consultancy or research budgets. In that regard, my Department interprets consultancy as relating mainly to the provision of advice and research as relating to the compilation of information or data.

The guidelines state, *inter alia*, that the requirements for external consultancies and/or research projects should arise only where appropriate skills, knowledge or expertise are not available within the Department, where a particular need

arises that cannot be addressed within the resources available, and/or where expertise available in other Departments and offices, e.g. obtaining legal advice from the Chief State Solicitor's office in preference to engaging external consultants, cannot be used.

Furthermore, to maximise the effectiveness of the consultancy and research budgets, all proposals for funding must present a strong business case to my Department's management board for its consideration and approval.

In evaluating each business case my Department examines whether the project is designed to tackle a problem of sufficient importance to the Department relative to the costs, both in terms of financial and staff resources involved. It also examines whether the business case has been properly identified, prepared and is convincing, and the links to the Department's strategy statement.

The guidelines also set out the specific information required in each application for funding. These include: an evaluation of possibilities other than engaging external consultants to carry out the project; the purpose of the project; an outline of the timescale and scope of the project; the main objectives of the study; the amount requested and the anticipated timescale for the project; the tendering and evaluation process to be undertaken, including the timescale anticipated for this; any proposed companies it is intended to invite to tender, if appropriate, and if available; and the deliverables expected to result from the project, including the possibility for future cost savings.

The guidelines also address the issue of regular progress reports on projects approved. My Department's management board approves projects bidding for funding for the commissioning of external expertise in line with the aforementioned guidelines and ministerial approval is not routinely required. I would, naturally, be made aware of particular projects from time to time.

Insofar as the commissioning of outside expertise in consultancy funded through mainstream subheads of my Department's Vote is concerned — e.g. in the area of science and technology — the same principles for the use of public moneys to purchase goods or services apply. These include, equal treatment, non-discrimination, transparency, and value for money. We also require that multiple quotes are requested and that clear criteria are set against which competing tenders can be assessed.

The same guidelines apply to the commissioning of PR consultancies. However, my Department has not commissioned such expertise in either 2004 or 2005 to date. Our 2004 expenditure in this general area was confined to media advertising in related to statutory obligations, advertising in the national and provincial papers, exhibitions and so on.

Where a contract is anticipated to exceed €152,000, excluding VAT, the EU's tendering rules must be applied. In this regard, the Department of Finance procurement guidelines have been disseminated throughout my department and we have a dedicated resource available to assist in clarifying these rules should that prove necessary.

366. **Mr. Bruton** asked the Minister for Enterprise, Trade and Employment the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted in his Department, from 1998 to date in 2005. [30173/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): All proposals for funding from my Department's consultancy and research budgets are evaluated against the criteria outlined in my response to the Deputy's Question No. 365, also for answer today. These criteria have ensured maximisation of the effectiveness of both the consultancy and research subheads. My Department is satisfied that value for money has been achieved in all cases.

Health and Safety Regulations.

367. **Mr. Ferris** asked the Minister for Enterprise, Trade and Employment if he will make a statement on the outcome of the investigation into health and safety at an apartment block (details supplied) in County Kerry. [30239/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): Under the Safety, Health and Welfare at Work Act 2005, the Health and Safety Authority is the State body charged with overall responsibility for administration, enforcement and promotion of workplace safety and health. Matters arising from this responsibility are, therefore, a day-to-day function of the authority.

I understand that a written complaint was received by the Health and Safety Authority in July 2005 relating to an allegation about inadequate safety and health arrangements for staff working on their own at night at the workplace referred to in the Deputy's question, as well as some other matters outside the authority's remit.

On foot of the complaint, the authority contacted the complainant by telephone and wrote to the employer informing him of the allegations and requesting a response, detailing the control measures or remedial action to be taken if the allegations were true.

Since then, the authority tried without success to contact the complainant. If the complainant wishes to pursue the matter further, he should contact the authority again.

Competition Authority.

368. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment the number of prosecutions initiated by the Competition Authority for breaches of the Competition Act 1991 and 2002 for each year since 1996; the number of convictions secured; and if he will make a statement on the matter. [30283/05]

369. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment the number of civil cases initiated by the Competition Authority in the High Court since 1996 concerning breaches of the Competition Acts 1991 and 2002; the number of such proceedings that were withdrawn, settled or otherwise compromised; the number of such proceedings that went to a full hearing before the High Court; the number of proceedings that have yet to be heard by the High Court; and if he will make a statement on the matter. [30284/05]

370. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment the number of civil or criminal cases that the Competition Authority has initiated under section 4 of the Competition Acts since 1996; and if he will make a statement on the matter. [30285/05]

371. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment the number of civil or criminal cases taken by the Competition Authority since 1996 under section 5 of the Competition Acts for an alleged breach of a dominant position; and if he will make a statement on the matter. [30286/05]

372. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment the number of complaints the Competition Authority has received for alleged breaches of the Competition Acts for each year since 1996; the number of complaints that have gone on to be investigated by the authority; the number of complaints that have resulted in the initiation of legal proceedings by the authority in respect of alleged breaches or the conclusion of agreements between the authority and parties; and if he will make a statement on the matter. [30287/05]

374. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment the number of investigations which have been carried out in respect of complaints received by the Competition Authority for breaches of the Competition Acts for each of the years from 1996 to date; the average length of time between the receipt of the complaint by the authority and the conclusion of its investigation or the determination of legal proceedings; and if he will make a statement on the matter. [30289/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 368 to 372, inclusive, and 374 together.

The Competition Authority is an independent statutory body which was established under the Competition Act 1991 and continued under the Competition Act 2002. I have no role in relation to the day-to-day activities of the authority regarding the way in which it discharges its statutory functions nor do I have any detailed information regarding every case of competition law enforcement in which the authority becomes involved. I am aware, however, that the authority is currently involved in significant legal proceedings regarding alleged breaches of competition law but it would be inappropriate for me to comment further on any such current matter.

The authority has also advised me that while it would try to facilitate anyone with requests for statistical data, information in relation to its enforcement activities has been provided routinely since 1991 in its annual reports.

The authority is required by the Competition Act 2002 to report to the Oireachtas in a number of ways. For example, section 42 of the Act requires it to publish an annual report by the end of February each year detailing its activities in the previous year and, prior to publication, the authority is required to have laid a copy of its annual report before each House of the Oireachtas.

Section 38 of the Act sets out the functions and accountability of the chairperson which can require him to give evidence before the Committee of Public Accounts and any other committee of the Oireachtas whose business relates to examination of competition policy.

The chairperson appeared before the Committee of Public Accounts in July 2004 and has given evidence to the Oireachtas Joint Committee on Enterprise and Small Business on a number of occasions, most recently in September 2005. The records of all of these meetings are freely available.

The authority assures me that it would be more than happy to provide Deputies with any further assistance required in this matter. However, I draw attention to the authority's 2004 annual report in which it stated that the vast majority of complaints made to it do not reveal a breach of competition law or are resolved at an early stage without the need for legal action.

I also point out that because of the complexities involved in the enforcement of competition law, proceedings often prove lengthy.

373. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment the redress that exists for a person who makes a complaint to the Competition Authority in a case in which the authority decides not to investigate the complaint; if an administrative appeal exists against

the authority's decision; and if he will make a statement on the matter. [30288/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): There is no administrative appeal against a decision of the authority not to investigate a complaint. However, the Competition Act 2002 provides for a right of private action to any person for breaches of competition law.

The authority acknowledges that complaints are a vital part of its campaign to stamp out anti-competitive behaviour in Ireland and it has published, both on its website and in its annual report, details on how to make a complaint and what type of information it requires to progress a complaint.

Complaints made to the authority are subject to a screening system, details of which were published in the authority's 2003 annual report. This screening system essentially involves three stages.

All complaints received are examined within one week of receipt to determine the validity or otherwise of the complaint, thereby disposing of those that do not involve a competition issue or offence, and referring on to an evaluation stage those that require further scrutiny.

Evaluation involves additional work to decide whether to progress to an investigation. This may involve background research, taking formal statements from complainants and/or third parties and examining the legal parameters of the case. The object of this part of the exercise is to identify cases suitable for investigation and to close off others in the interest of efficiency of resources, etc.

Complaints considered appropriate for investigation then proceed, subject to adequate resources being available, etc.

At all stages of the process complainants are advised as to the status of their complaint.

Question No. 374 answered with Question No. 368.

375. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment the professional backgrounds of the members of the Competition Authority; and if he will make a statement on the matter. [30290/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): There are currently three members of the Competition Authority. Details about their professional backgrounds are posted on the authority's website at www.tca.ie.

Mr. Declan Purcell was appointed to the Competition Authority in April 1998. He previously worked in the Department of Enterprise, Trade and Employment in a wide range of management positions, including industrial policy develop-

ment, human resource development and company law.

Mr. Paul Gorecki was appointed in June 2000. He is an economist by profession having been awarded his BSc. (Econ.) at the University of London in 1969, followed by an M.A. in Economics at Queen's University, Ontario, in 1971, and a Ph.D. at the London School of Economics in 1974.

Mr. Edward Henneberry was appointed a member of the Competition Authority in September 2003. He is a lawyer by profession. Prior to joining the authority, he was a senior partner in Howrey, Simon, Arnold and White's anti-trust practice group, based in Washington, D.C. The focus of his practice was anti-trust litigation, mergers and government investigations.

A new member has been appointed and will take up his position in February 2006. He is Mr. Stanley Wong, currently a partner and head of the competition law practice in Canadian law firm Davis & Company. He is qualified as an economist and a lawyer.

World Trade Negotiations.

376. **Aengus Ó Snodaigh** asked the Minister for Enterprise, Trade and Employment if he will make a statement on the Government's preparations for the next round of World Trade Organisation talks beginning on 20 October 2005 and the French proposal for a technical committee on the socio-economic impact of future trade moves; and the Government's priorities in terms of the upcoming negotiations. [30304/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): Since the re-launch of the Doha development agenda in July 2004, with the adoption of the framework agreement by WTO members, DDA negotiations have been on-going in Geneva across the full range of trade-related issues, including agriculture, industrial goods, services, and the issue of development. Negotiations have been slow but have increased in intensity in recent weeks in the lead-in to the WTO ministerial conference in Hong Kong, in December, with the tabling of offers by WTO members, including the United States.

Ireland's objective, and that of the EU, going into Hong Kong is to come to a result that will be ambitious, balanced and creates the right basis for the final and decisive stage of negotiations with a view to concluding the round as soon as possible after Hong Kong. Ireland's priority has been, and is, to see that the process of trade liberalisation continues in a fair and balanced manner and that the WTO continues to provide a stable and constant framework for the regulation of world trade.

[Mr. M. Ahern.]

The conclusions of the EU General Affairs and External Relations Council last week, which considered the state of play of the current WTO negotiations, reaffirmed the importance to the EU of overall balance in the outcome of the DDA negotiations. The council underlined its support for the European Commission's efforts to secure an outcome in line with its negotiating mandate. This process is to include explanations to the Council, confirming that the Commission's actions remained within the mandate, including as necessary, the use of technical analysis.

Industrial Relations.

377. **Ms Enright** asked the Minister for Enterprise, Trade and Employment if employees of electrical contractors are included under an agreement registered in Employment Agreements of 7 March 1969 as provided for under section 28 of the Industrial Relations Act 1946 and as varied by the Labour Court; if such employers are required to pay into this; and if he will make a statement on the matter. [30330/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The employment conditions of employees of electrical contractors are regulated under registered employment agreements for the electrical contracting industry as varied by the Labour Court. The agreements apply to all electricians engaged in the general electrical contracting industry and to all electrical contractors engaged in the industry.

The registered employment agreement for the electrical contracting industry provides that sick pay and pension and mortality schemes equal in benefits to those required by the terms of the registered employment agreement for the construction industry apply to those employees over 20 years of age.

With regard to pensions, my Department has no direct role in the day-to-day operation of the pension scheme, which is administered by the Construction Industry Federation. However, there is provision in the agreement for a trade union representative of employers or workers to complain to the Labour Court where an employer is alleged to have failed to comply with the registered employment agreement. In pursuing the matter the Labour Court can be assisted by the labour inspectorate. Acting on specific information from the Labour Court, the employment records of an employer will be examined by an inspector and any relevant information gathered is communicated back to the Labour Court subsequently. The inspectorate has no other function in the matter.

Having completed its examination of the complaint the Labour Court can, where it deems it

appropriate, issue an order. The Department will process legal proceedings against an employer who fails to comply with that court order.

Irish Fertilizer Industries.

378. **Mr. Howlin** asked the Minister for Enterprise, Trade and Employment if, in view of the recent announcement by the liquidator of Irish Fertilizer Industries that moneys realised allow payment of 39% of claims of creditors, the fact that the State will make a considerable tax take from the sale of property by the liquidation, sufficient funds will be available to the liquidator to pay the promised level of redundancy to the former employees of the company; and if he will make a statement on the matter. [30496/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): 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 in accordance with the basis for distribution determined by the trustee of the fund, which was endorsed by a ballot open to all employees. These payments were in addition to statutory redundancy entitlements which were also paid.

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, 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.

Departmental Expenditure.

379. **Mr. Deasy** asked the Minister for Enterprise, Trade and Employment the amount which has been spent by his Department in bringing into effect the provisions of the Official Languages Act 2003. [30529/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): It is estimated that €41,694.00 has been spent by my Department in bringing into effect the provisions of the Official Languages Act, 2003.

Unemployment Levels.

380. **Cecilia Keaveney** asked the Minister for

Enterprise, Trade and Employment his views on the latest unemployment figures for the border counties, with special reference to Donegal, in the context of the trend over the past ten years in the region; and if he will make a statement on the matter. [30614/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): According to figures provided by the Central Statistics Office from the 1995 labour force survey and the most recent quarterly national household survey, unemployment in the Border region has dropped from 17,800 in 1995, to 10,300 in the second quarter of 2005. Over the same period, the unemployment rate for persons in the Border region has dropped from 11.4% to 4.9%. While the quarterly national household survey does not give a county breakdown, I am aware that the live register analysis figures for Donegal show a decrease from 9,432 in September 2004 to 8,586 in September 2005. Overall, I am encouraged by these figures which show on-going positive trends.

As Minister for Enterprise, Trade and Employment, my objective is to ensure that the Border region remains a globally competitive, profitable and secure location for business. We can best help enterprise 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. Developing a competitive economy, resilient to the toughest competitive pressures, is the optimal approach to sustainable employment growth both in County Donegal and the Border region as a whole. Indeed, there have been significant job announcements for County Donegal this year, with over 600 new jobs being announced in companies supported by the development agencies.

Social Welfare Benefits.

381. **Mr. Gormley** asked the Minister for Social and Family Affairs if returned Irish immigrants who have been living outside the country for more than two years are entitled to the same social welfare benefits as all Irish citizens; and if he will make a statement on the matter. [30060/05]

Minister for Social and Family Affairs (Mr. Brennan): From 1 May 2004 a requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes including child benefit.

The basis for the restriction contained in the rules is the applicant's habitual residence. The restriction is not based on citizenship, nationality, immigration status or any other factor. Irish citi-

zens, including returned Irish emigrants, must satisfy the habitual residence condition on the same basis as any other applicants for social assistance.

The effect of the restriction is that a person whose habitual residence is elsewhere is not paid certain social welfare payments on arrival in Ireland. The question of what is a person's "habitual residence" is decided in accordance with European Court of Justice case law, which sets out the grounds for assessing individual claims. The court has determined that five factors are relevant in determining whether a person is habitually resident, which are: 1. Length and continuity of residence in a particular country; 2. Length and purpose of absence from Ireland; 3. Nature and pattern of the employment; 4. Applicant's main centre of interest; and 5. Future intention of applicant concerned as it appears from all the circumstances.

Each case received for a determination on the habitual residence condition is dealt with in its own right and a decision is based on application of the guidelines to the particular individual circumstances of each case. Any applicant who disagrees with the decision of a deciding officer has the right to appeal to the social welfare appeals office. The habitual residence condition is not applied to social welfare benefit schemes, as these scheme types are based on insurance contributions.

382. **Dr. Cowley** asked the Minister for Social and Family Affairs if free travel will be extended to older Irish emigrants at the very least to Irish pensioners living in the UK, when they return here on their holidays; and if he will make a statement on the matter. [30065/05]

Minister for Social and Family Affairs (Mr. Brennan): The free travel scheme is available to all people living in the State aged 66 years, or over. It is also available to carers and to people with disabilities who are in receipt of certain social welfare payments. It applies to travel within the State and cross-Border journeys between here and Northern Ireland.

There has been a number of requests and inquiries in relation to the extension of entitlement to free travel to Irish born people living outside Ireland, particularly in the UK.

I assure the Deputy that there is a strong desire on the part of the Government to extend the free travel concession to older Irish emigrants, particularly those in the UK, as a recognition of their contribution to the economic life and other aspects of the growth of this country over several decades.

This issue has now been examined in considerable detail. As of now, the legal advice available to me is that such a proposal would be contrary to the EU treaty, which prohibits discrimination

[Mr. Brennan.]

on grounds of nationality. While taking this advice on board, I intend to continue to examine the options that remain available and to pursue all possible avenues in order to advance the issue further.

383. **Mr. Ring** asked the Minister for Social and Family Affairs if a reassessment of means for a person (details supplied) in County Mayo in respect of their claim for farm assist will be arranged; if he will provide a complete breakdown of the calculations of their recent assessment given exact details of where the income and means assessed were earned. [30066/05]

Minister for Social and Family Affairs (Mr. Brennan): A deciding officer disallowed the farm assist claim of the person concerned from 26 May 2005, on the grounds that his means exceeded the statutory limit of €148.80 per week, which is the rate applicable in this person's case.

The means of the person concerned are derived from income from a holding and the capital value of a house.

His means are assessed as follows:

gross income from holding, €19,733.00;

less expenses, €15,776.92;

net income, €3,956.08 x 70%;

yearly means, €2,769.20 ÷ 52; weekly means from holding, €53.25;

capital value of house, €100,000;

less disregards, €20,000;

assessable capital, €80,000; €10,000 @ €1.00 per €1,000; €10.00,

€10,000 @ €2.00 per 1,000; €20.00; €60,000 @ €4.00 per €1,000; €240.00.

Total weekly means from capital, €270.00.

Total weekly means assessable, €323.00.

It is open to the person concerned to appeal this decision and a form for this purpose was issued to him on 20 October 2005. Under social welfare legislation, decisions on 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.

384. **Mr. Durkan** asked the Minister for Social and Family Affairs if the community welfare officer has discretion in the case of a person (details supplied) in County Mayo; and if he will make a statement on the matter. [30104/05]

Minister for Social and Family Affairs (Mr. Brennan): Section 172(1) of the Social Welfare (Consolidation) Act 1993 provides that people in full-time education are not normally eligible to

receive assistance, including rent supplements, under the supplementary welfare allowance scheme. Section 172(3) of the Social Welfare (Consolidation) Act 1993 and regulations made thereunder, provide that in a case where there are exceptional circumstances, supplementary welfare allowance may be granted to a person who would qualify other than for their exclusion under section 172(1). This discretion is aimed at enabling assistance to be provided through the scheme if necessary to people who face an exceptional non-recurring cost which they cannot meet from their own resources. This exceptional needs provision is not intended to circumvent existing standard rules for other schemes.

Under the back to education scheme operated by my Department, there is special provision to enable the retention of rent supplement, and any other secondary benefits to which they had been entitled, by eligible people who wish to resume full-time education in approved courses.

The person concerned is in full-time third-level education. She is not eligible under the back-to-education scheme, and in any case has no existing rent supplement to retain under that scheme as she has not been in receipt of supplement previously. The Dublin/mid-Leinster area of the Health Service Executive has advised that it has thoroughly examined all information available to it about the circumstances of the person concerned, in considering her application for rent supplement in her college location, and has determined that she is not eligible on the basis that she is a full-time student. This decision has been upheld by a designated appeals officer of the executive recently. The executive has further advised that, in its opinion, there are no special circumstances in this case to merit payment of assistance on an exceptional needs basis.

It is open to the person concerned to appeal the decision of the executive appeals officer to the social welfare appeals office if she so wishes.

385. **Ms Cooper-Flynn** asked the Minister for Social and Family Affairs his plans to increase the amount the dependant of an old age contributory pensioner is allowed to earn. [30136/05]

Minister for Social and Family Affairs (Mr. Brennan): Across the majority of social welfare payments, entitlement to an increase for a qualified adult is based, *inter alia*, on the spouse-partner's income. An increase at the maximum rate is payable where the spouse-partner's income is €88.88 per week or less, with a reduced or tapered rate payable where this income is between €88.88 and €220. This lower threshold of €88.88 was last increased in budget 2000 while the upper threshold has been increased in each successive budget since then, from €171.41, £135, in 2000 to €220 in budget 2005. It should be noted, therefore, that

the IQA is not fully withdrawn until the spouse-partner's weekly income exceeds €220.

Since this Government came into office, a number of changes to these tapered arrangements have been introduced with a view to ensuring that the impact of increases in earnings are not negated for families where the spouse is the sole earner and is in low-paid employment. First, the range of income over which the IQA is withdrawn has been progressively extended. Second, provision was made for the deferral of the loss of half the child dependant allowance until the earnings of the spouse-partner exceeds the upper bound of the income range. Third, the IQA weekly rates have been increased annually in each budget package.

One of the key objectives of the 2005 social welfare budget package was to protect and enhance the real value of all rates of payment. In this context, budget 2005 provided for increases in the main personal rates of weekly payments ranging from 8.4% to 13.1%.

The main IQA rates were also increased by the same percentages thereby ensuring that they did not fall as a proportion of the associated personal rate. Thus, since the year 2000 the rate of IQA payable with old age contributory pension has increased by 56.3%, €43.06, while the consumer price index has risen by 18.8%. Similarly, since 1995, the rate of IQA has increased by 95.7%, €58.43, while the consumer price index has risen by 34.6%. This has given real increases of 31.6% and 45.4% respectively.

Any change in the current arrangements relating to entitlement to an increase for a qualified adult would have to be considered in a budgetary context and in the light of available resources.

Consultancy Contracts.

386. **Mr. Bruton** asked the Minister for Social and Family Affairs the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30159/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department engages consultants to provide expertise across a range of its activities. Broadly, expertise is sought under three main headings: Support with a number of strategic multi-annual programmes aimed at enhancing the delivery of the Department's services, for example, the service delivery modernisation programme; technical consultancies relating to the ongoing development of information technology systems; consultancy assistance in other areas, including policy development, advertising and information.

My Department, in engaging consultants, adheres to the Department of Finance and EU

guidelines, which are published on the Department of Finance website. All projects which require consultancy support are approved and monitored on a monthly basis by a projects governance committee comprised of senior managers in my Department.

Operational guidelines for the management of consultancy projects include standard templates for requests for tender and for consultancy contracts. These templates have been validated by the office of the Attorney General. Operational guidelines are reviewed on a regular basis to ensure best practice in the procurement and management of consultancy services. In accordance with best practice in procurement and in line with the recommendations of the Quigley report, ministerial approval is not sought for the expenditure on consultancy expertise.

387. **Mr. Bruton** asked the Minister for Social and Family Affairs the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted, in his Department, from 1998 to date. [30174/05]

Minister for Social and Family Affairs (Mr. Brennan): The Department's activities require the engagement of a range of consultancy expertise. Broadly, expertise is sought under three main headings: Support with a number of strategic multi-annual programmes aimed at enhancing the delivery of the Department's services, for example, the service delivery modernisation programme; technical consultancies relating to the ongoing development of information technology systems; consultancy assistance in other areas, including policy development, advertising and information.

Prior to the engagement of consultants, a rigid procurement process is undertaken in accordance with public sector procurement guidelines and best practice. The achievement of value for money is the central criterion throughout the process. Once a preferred bidder has been identified, my Department agrees a contract, setting out the scope of the services to be provided by the consultants and the deliverables to be achieved. Contracts are drawn up on the basis of ensuring the Department achieves value for money. In line with such contracts, payments are made in respect of the services and deliverables achieved and provided they meet the requirements of the contract expectations of my Department in all respects.

Social Welfare Benefits.

388. **Mr. Quinn** asked the Minister for Social and Family Affairs his plans to introduce contributory old age pensions for home carers in their own right; and if he will make a statement on the matter. [30195/05]

394. **Mr. Kenny** asked the Minister for Social and Family Affairs the estimated number of persons who could claim contributory pensions under the homemaker's scheme introduced in 1994; if dates were agreed for disregards being considered from 1979 when PRSI replaced flat rate contributions or 1973 when the marriage ban was abolished; and if he will make a statement on the matter. [30661/05]

395. **Mr. Kenny** asked the Minister for Social and Family Affairs the way in which he proposes to recognise, in the context of pension reckonable credits, the contribution of persons who gave up paid work for positions to undertake caring duties in the home on a full-time basis either for child care or elder care purposes; and if he will make a statement on the matter. [30662/05]

396. **Mr. Kenny** asked the Minister for Social and Family Affairs the progress made since March 2000 in regard to deciding on a suitable date for the establishment of disregards under the homemaker's scheme introduced in 1994 for eligibility for pension rights for persons caring for children under 12 years on a full-time basis; and if he will make a statement on the matter. [30663/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 388, 394, 395 and 396 together.

The social welfare pension rights of those who take time out of the workforce for caring duties are protected by carer's benefit, carer's allowance and the homemaker's scheme.

The carer's benefit and allowance schemes are designed to provide financial support while the homemaker's scheme, which was introduced from 1994, is different in nature in that it is intended to mitigate the effect of periods spent on caring duties when a person's insurance record is being averaged for pension purposes. Subject to qualifying conditions, credited contributions are awarded for each week when a person receives either carer's benefit or allowance. However, the homemaker's scheme operates differently in that it allows up to 20 years spent on caring duties to be disregarded when a person's insurance record is being averaged to assess entitlement for contributory pension purposes. For any year to be disregarded, a homemaker must be out of the workforce for a complete year, 52 weeks, from 6 April 1994. Provision is also made for the award of credited contributions in the year in which a person commences or ceases to be a homemaker.

However, it must be borne in mind that the scheme will not of itself qualify a person for a pension. The standard qualifying conditions for

pensions, which require a person to enter insurance ten years before pension age, pay a minimum of 260 contributions at the correct rate and achieve a yearly average of at least ten contributions on his or her record from the time he or she enters insurance until he or she reaches pension age, must also be satisfied.

The Government is anxious to ensure that as many people as possible can qualify for pensions in their own right. A number of measures have been introduced over the years which make it easier for people to qualify for pensions. These include the reduction in the yearly average number of contributions required for pension purposes from 20 to ten and the special half-rate pension based on pre-1953 insurance contributions. *Pro rata* pensions are also available to allow people with mixed rate insurance records to receive a payment and this is of benefit to people who may have worked in both the public and private sectors. This set of measures is of particular benefit to women who may have less than complete social insurance records due to working in the home. It is estimated that approximately 87% of women aged 65 years of age are at present receiving social welfare support, either in their own right or as qualified adults on the pension of their spouse or partner.

There are those who will not benefit from the homemaker's scheme and who cannot qualify for a pension in their own right. In this regard, the Government is committed to increasing the payment for qualified adults, age 66 or over, to the same level as the personal rate of the old age non-contributory pension and to facilitate the direct payment of the allowance to spouses and partners. A number of special increases have been given over several budgets in pursuit of this target, totalling €56.47 per week since April 2000. Also, since 2002, new pension claimants can now opt to have the qualified adult allowance paid directly to their spouse or partner. The administrative and legislative implications of enhancing these provisions are being examined to ensure that more qualified adults can receive a personal payment.

In August 2000, the Department published a review of the qualifying conditions for old age contributory and retirement pensions. This review also included a general examination of the homemaker's scheme and suggested a number of reforms for further consideration. These included the possibility of changing the operative date of the scheme and replacing the disregard system with one based on actual credited contributions. In general, changes to insurability of employment, etc., are not backdated and the same principle was applied to the homemaker's scheme in 1994. Apart from that there would be practical

difficulties in certifying periods of caring and very significant costs involved. It is difficult to suggest a date that would be equitable. One of the dates suggested was 1953 when the unified system of social insurance came into operation. A case could equally be made to backdate to 1973 when the marriage bar was removed. However, many of those who left employment due to its operation were public servants who were in most cases never insured for social welfare pension purposes. Their pension fell to be paid through their occupational pension arrangements and the solution to their difficulties should perhaps be considered in that context. Other dates mentioned are 1979 when the PRSI system was introduced or 1988 when the system of social insurance became almost universal with the inclusion of the self employed. Any date other than 1953 would result in large groups being excluded.

It is not possible to estimate the number of people who would qualify for contributory pensions having availed of the homemaker's scheme as each person's working record must be examined to determine his or her eligibility for a pension.

I am at present examining aspects of the social welfare pension system. This includes the relationship between contributory and non-contributory schemes and the operation of means testing in the context of old age non-contributory pension. The needs of people who are outside the social welfare pensions system, including those excluded by virtue of time spent on caring duties, may be best addressed in the context of that review.

389. **Mr. Haughey** asked the Minister for Social and Family Affairs if the household benefits package and free travel will be awarded to all widows and widowers over 50 years of age even in cases where the late spouse was not receiving these benefits; and if he will make a statement on the matter. [30225/05]

Minister for Social and Family Affairs (Mr. Brennan): 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 and people with disabilities under the age of 66 who are in receipt of certain welfare type payments. People aged over 70 years of age can qualify regardless of their income or household composition. Widows and widowers aged from 60 to 65

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, including that referred to by the Deputy, have been made to extend the coverage of the household benefits package. These proposals are kept under review in the context of the objectives of the scheme and budgetary resources.

390. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be approved for the free schemes. [30270/05]

Minister for Social and Family Affairs (Mr. Brennan): The person concerned has been awarded an electricity and telephone allowance with effect from 12 March 2005. The relevant service providers have been notified to apply the allowances to the customer's account.

A free lifetime television licence has also been awarded with effect from the expiry date of the customer's current TV licence. If the person concerned has purchased a TV licence since 12 March 2005, it should be forwarded to the Free Schemes Section, Pension Services Office, College Road, Sligo, and a refund of the cost will be made.

Departmental Expenditure.

391. **Mr. Deasy** asked the Minister for Social and Family Affairs the amount which has been spent by his Department in bringing into effect the provisions of the Official Languages Act 2003. [30530/05]

Minister for Social and Family Affairs (Mr. Brennan): Providing quality customer service in Irish has always been a high priority in my Department. This includes provision of staff training in spoken and written Irish, translation of forms, leaflets and other documents, advertising, and the provision of bilingual signage in public areas. Expenditure on Irish is, therefore, part of the delivery of customer service and it is not possible to state what amount of the total expenditure on Irish results from the implementation of the Official Languages Act 2003. In my Department, specialised staff training has been provided since 2001 while the translation of forms, leaflets and documents into Irish has been in train for many years.

The following is the spend on the various aspects of Irish service provision in 2003, 2004 and 2005 to date:

[Mr. Brennan.]

	2003	2004	2005 (to date)	Total Year
	€	€	€	€
Staff training	56,436	63,330	3,579	123,345
Translation	72,733	27,816	23,698	124,247
Bilingual signage	37,873	22,944	43,115	103,932
Advertising	4,090	19,317	12,024	35,431
Grand Total				386,955

While the spend to date in 2005 on Irish training courses is low, it is estimated that the total spend for the year on courses will amount to approximately €85,000.

An element of staff costs arises each year when translation is carried out by staff proficient in Irish. In the case of bilingual signage and advertising, it is not possible to separate the Irish element from the total cost incurred.

Social Welfare Benefits.

392. **Mr. Ring** asked the Minister for Social and Family Affairs if a person (details supplied) in County Mayo will be awarded the back to work allowance. [30539/05]

Minister for Social and Family Affairs (Mr. Brennan): The back to work allowance scheme which was introduced in September 1993 as part of my Department's programme of initiatives designed to assist long term unemployed people, lone parents and other social welfare recipients to return to the active labour force. The allowance provides a monetary incentive designed to make their return to work financially attractive and viable. It is designed to support people who would not otherwise be able to return to the workforce for financial reasons.

People applying for the allowance should do so in advance of taking up employment to allow their eligibility for the scheme to be determined. Claims made after the person has started work indicate that the person was in a position to take up employment without the need of the financial support the scheme provides.

The person concerned commenced employment on 7 June 2005. He applied for the allowance on 30 July 2005, and does not, therefore, satisfy the eligibility criteria for participation in the scheme.

Departmental Staff.

393. **Mr. Sargent** asked the Minister for Social and Family Affairs if it is a requirement for employment as a nurse attendant in his Department that a successful candidate be a registered nurse; if the term nurse can be used forthwith and

these professionals paid according to their qualifications. [30569/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department arranges sessions at various centres around the country to assess or review the medical condition of people who are claiming a payment from my Department in respect of illness. These sessions are conducted by the Department's medical assessors and a nurse attendant is always present during the examinations.

A nursing qualification, although advantageous to applicants, is not an essential requirement for the post of nurse attendant. I am satisfied, on the basis of the duties of the post, that the title and salary scale, as determined by the Department of Finance, are appropriate to the grade of nurse attendant.

Questions Nos. 394, 395 and 396 answered with Question No. 388.

Social Welfare Benefits.

397. **Mr. Stanton** asked the Minister for Social and Family Affairs the number of families that received the back to school clothing and footwear allowance each year since 2002 and, to date; the number of children who benefited from the scheme each year since 2002 and to date; the age breakdown of these children; and if he will make a statement on the matter. [30754/05]

Minister for Social and Family Affairs (Mr. Brennan): The back to school clothing and footwear allowance scheme is administered on my behalf by the community welfare division of the Health Service Executive. The scheme is open to applications from June to the end of September each year. The statistics requested by the Deputy for the years 2002, 2003 and 2004 are set out in the following table. Statistics for 2005 are not available as they have yet to be furnished to my Department by the Health Service Executive. However, initial indications are that at least 75,000 families will have received assistance under the scheme this year.

Number of Children and Families in receipt of Back to School, Clothing and Footwear Allowance, 2002, 2003 and 2004.

	2002	2003	2004
Child Age 2 and under	8,368	12,377	10,708
3	8,857	14,716	11,096
4	10,161	13,709	11,745
5-11	65,408	68,347	62,212
12-17	55,365	55,475	50,568
18-22	7,652	7,499	7,080
Total Number of Children	155,811	172,123	153,409
Total Number of Families	71,759	75,202	70,577

Road Freight Carriers.

398. **Mr. Kenny** asked the Minister for Transport if arrangements will be made for owners of tractors with tipping trailers to be eligible for consideration for work for commercial hire with local authorities; if he proposes to introduce a system of road freight carriers licence eligibility for them; and if he will make a statement on the matter. [30468/05]

Minister of State at the Department of Transport (Mr. Callely): In the light of the recent representations to me in this regard, I am currently reviewing the issues raised by the Deputy with a view to finding a solution to the difficulties which have been recently brought to my attention and I will revert back to him in due course on the matter.

Environmental Policy.

399. **Mr. Sargent** asked the Minister for Transport the legislation available to counter the growing number of cars with loud exhausts; and if he will make a statement on the matter. [30479/05]

400. **Mr. Sargent** asked the Minister for Transport the regulations relating to the maximum noise levels from motorised vehicles in residential areas; and if he will make a statement on the matter. [30480/05]

Minister of State at the Department of Transport (Mr. Callely): I propose to take Questions Nos. 399 and 400 together.

Article 85 of the Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963, SI No. 190 of 1963, prohibits the use in a public place of a vehicle which causes excessive noise. In this respect, the regulations do not specifically mention of residential areas. Enforcement of this prohibition is a matter for the Garda Síochána.

Services for People with Disabilities.

401. **Dr. Cowley** asked the Minister for Transport his views on whether it is true that parking spaces for disabled people provided by local authorities are free of charge with no time limit applying; when all car parks will have free parking for disabled drivers with a parking permit; and if he will make a statement on the matter. [30554/05]

Minister for Transport (Mr. Cullen): Traffic and parking regulations made in 1997 under section 35 of the Road Traffic Act 1994 provide that the only vehicles that may stop or park in a disabled person's parking bay are those in which a disabled person's parking permit is displayed, provided the vehicle is being used for the convenience of the person to whom the permit was issued. The prohibition on parking in disabled person's parking bays applies at all times of the day and may not be restricted to particular periods. Equally there is no provision in the regulations for the imposition of a charge for permit holders using the disabled person's parking bays.

The provisions in the traffic and parking regulations apply in respect of the use of public roads only. Section 101 of the Road Traffic Act 1961 provides that local authorities may make by-laws in respect of the use of car parks they provide. The determination of the provisions in such by-laws is a matter for the elected members of the local authority.

Public Transport.

402. **Ms F. O'Malley** asked the Minister for Transport when integrated ticketing will be available to public transport users in Dublin; and if he will make a statement on the matter. [31122/05]

419. **Mr. Cuffe** asked the Minister for Transport the progress to date and future plans for the development of integrated ticketing between public transport providers in the greater Dublin area (details supplied). [30449/05]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 402 and 419 together.

The proposed contactless smartcard-based integrated ticketing system, for which the Railway Procurement Agency, RPA, was given statutory responsibility, will enable a customer to use a ticket on one or more scheduled public transport services, by road and by rail, irrespective of the transport operator involved. In line with international experience, the system is being introduced on a phased basis, initially in the Dublin area.

In April 2004, a private operator, Morton's Coaches, in conjunction with the RPA and as a "proof of concept", successfully launched smart cards on its services. Last March, another step was taken with the launch of smart cards on Luas

[Mr. Cullen.]

services. The Luas smart card deployment is helping to obtain important feedback from passengers and provide operational experience for the next stage of integrated ticketing.

Following an inconclusive procurement procedure earlier this year for the selection of an integrated ticketing provider and operator, the RPA commenced work on a revised procurement strategy and has submitted a draft to my Department. The finalisation of that procurement strategy is being assisted by an informal tripartite group representing the RPA, Dublin Bus and my Department. The work of the group will assist the RPA in determining a revised target implementation date.

International experience has shown that successful delivery of integrated ticketing is achieved by a careful, phased introduction with full co-operation from all public transport operators. The RPA is correct in taking a prudent approach to the implementation of this complex project using new technology.

Driving Tests.

403. **Ms B. Moynihan-Cronin** asked the Minister for Transport the number of persons awaiting driving tests at both the Tralee and Killarney test centres on 1 January 2002, 1 January 2003, 1 January 2004, 1 January 2005 and the most recent date for which figures are available; and if he will make a statement on the matter. [30020/05]

Minister for Transport (Mr. Cullen): The information requested is set out in the following table.

Date	Number awaiting test	
	Tralee	Killarney
17 October 2005	1,614	1,941
January 2005	1,685	2,092
January 2004	2,007	1,925
January 2003	982	1,017
January 2002	921	812

404. **Mr. Stanton** asked the Minister for Transport the number of supervisors or driver testers; the location of each; the number of tests supervised by each of these drivers in each year since 2002; the failure rate in each of the driving test centres each year since 2002; and if he will make a statement on the matter. [30028/05]

Minister for Transport (Mr. Cullen): There are currently 115 driver testers, ten supervisors, of whom one is engaged full-time as training co-ordinator, and one chief tester employed in my Department. Driver testers are not employed at all driving test centres but are assigned to head-

quarter centres within a region. Other test centres within the region are served from the head-quarter centres. The following table shows where driver testers are headquartered and the centres they service.

The numbers of tests directly supervised by supervisory driver testers were 740 in 2002, 876 in 2003 and 819 in 2004. The second table shows the failure rate at each test centre since 2002.

Table 1

Driving Test Centres	Number of Testers	Supervisor
<i>North Leinster Region</i>		
Finglas	17	1
Raheny	8	1
Dundalk	—	—
Mullingar	—	—
Navan	1	—
<i>South Leinster Region</i>		
Churchtown	7	1
Rathgar	9	—
Tallaght	9	—
Gorey	—	—
Naas	2	1
Tullamore	—	—
Wicklow	—	—
<i>West Region</i>		
Athlone	2	—
Birr	—	—
Castlebar	4	—
Clifden	—	—
Ennis	3	1
Galway	6	—
Loughrea	2	—
Roscommon	—	—
Tuam	—	—
<i>North West Region</i>		
Ballina	—	—
Buncrana	—	—
Carrick-on-Shannon	2	1
Cavan	2	—
Donegal	—	—
Letterkenny	3	—
Longford	—	—
Monaghan	1	—
Sligo	2	—
<i>South East Region</i>		
Carlow	1	1
Clonmel	2	—
Dungarvan	—	—
Kilkenny	2	—
Nenagh	—	—
Portlaoise	1	—

Driving Test Centres	Number of Testers	Supervisor
Thurles	—	—
Tipperary	—	—
Waterford	4	—
Wexford	4	—
<i>South West Region</i>		
Cork	13	1
Killarney	2	—
Kilrush	—	—
Limerick	4	1
Mallow	—	—
Newcastle West	—	—
Shannon	—	—
Skibbereen	—	—
Tralee	2	—

Table 2
Pass or Fail Rate by Centre

Centre	2004	2003	2002
	% Pass	% Pass	% Pass
Athlone	59.5	57.0	53.9
Ballina	62.4	61.2	58.1
Birr	64.7	65.1	62.3
Buncrana	63.5	65.6	63.2
Carlow	50.0	49.2	47.6
Carrick-on-Shannon	55.5	54.4	51.2
Castlebar	63.0	62.1	58.3
Cavan	48.3	50.2	47.3
Churchtown	47.5	48.3	50.0
Clifden	59.3	56.0	52.2
Clonmel	51.5	51.3	57.0
Cork	55.5	55.5	59.2
Donegal	56.7	57.1	61.3
Dundalk	53.0	51.6	49.1
Dungarvan	60.8	57.3	54.6
Ennis	62.7	65.5	59.6
Finglas	47.8	48.8	49.0
Galway	61.8	61.2	55.2
Gorey	48.6	52.6	51.6
Kilkenny	55.1	55.4	52.7
Killarney	59.2	60.0	62.2
Kilrush	61.4	62.3	59.6
Letterkenny	56.8	60.4	62.0
Limerick	61.9	60.7	61.7
Longford	52.7	55.9	56.2
Loughrea	61.4	58.5	51.3
Mallow	56.9	57.8	61.5
Monaghan	47.7	50.8	51.7
Mullingar	55.8	57.0	55.8
Naas	51.9	53.6	53.9
Navan	56.1	54.4	53.2

Centre	2004	2003	2002
	% Pass	% Pass	% Pass
Nenagh	53.3	49.8	49.8
Newcastle West	60.4	60.5	64.4
Portlaoise	53.3	50.0	51.4
Raheny	52.4	49.7	50.4
Rathgar	41.3	48.1	50.7
Roscommon	62.0	60.0	55.8
Shannon	64.4	66.4	65.0
Skibbereen	61.6	59.5	60.0
Sligo	63.2	63.5	62.0
Tallaght	48.3	50.9	49.8
Thurles	53.6	56.3	52.6
Tipperary	48.9	47.9	50.8
Tralee	57.0	59.7	56.8
Tuam	64.4	64.2	55.5
Tullamore	49.4	54.2	56.6
Waterford	55.7	55.6	54.3
Wexford	53.7	51.5	51.9
Wicklow	44.7	47.3	49.0
Overall Total	54.0	54.5	54.3

405. **Mr. Connaughton** asked the Minister for Transport if an application for a driving test for a person (details supplied) in County Galway will be expedited; if he is aware this person applied on 1 August 2005 at the Roscommon centre; if his attention has further been drawn to the fact that the applicant needs a driving test for employment; and if he will make a statement on the matter. [30029/05]

Minister for Transport (Mr. Cullen): A driving test will be arranged in due course for the person concerned. My Department did not receive any request for an early test, or documentary evidence to support such a request.

406. **Mr. Connaughton** asked the Minister for Transport if an application for a driving test for a person (details supplied) in County Galway will be expedited; if he is aware this person applied in May 2005 at the Roscommon centre; if his attention has further been drawn to the fact that the applicant needs a driving test for employment; and if he will make a statement on the matter. [30030/05]

Minister for Transport (Mr. Cullen): A driving test will be arranged in due course for the person concerned. My Department did not receive any request for an early test, or documentary evidence to support such a request.

407. **Mr. Nolan** asked the Minister for Transport when the new contracted driving testers will take up their positions in view of the large waiting

[Mr. Nolan.]

lists for driving tests; and if he will make a statement on the matter. [30073/05]

Minister for Transport (Mr. Cullen): The competition in question is being managed by the Public Appointments Service, to which I refer the Deputy for more detail. My Department has been informed by the PAS that it hopes to schedule the first stage of the recruitment process, a written practical exam, in mid-December. The PAS has further indicated it hopes to offer successful candidates offers of appointment, on completion of all the stages of recruitment, in early April 2006.

Route	2000	2001	2002	2003	2004	Totals
	€ million					
Dublin-Sligo	20.0	9.0	10.3	5.5	5.2	50.0
Portarlington-Galway	7.1	6.9	6.8	10.6	5.4	36.8
Limerick Junction-Limerick-Ennis	3.3	4.0	7.0	11.1	2.4	27.8
Mallow-Tralee	7.8	6.3	4.9	2.8	4.0	25.8
Dublin-Cork	8.3	9.3	13.2	7.4	7.7	45.9
Cherryville Junction-Waterford	6.5	7.4	10.6	2.6	8.4	35.5
Athlone-Westport/Ballina	10.4	19.7	13.2	13.7	3.1	60.1
Dublin-Rosslare	13.6	16.1	20.0	20.4	17.2	87.3
Totals	77.0	78.7	86.0	74.1	53.4	369.2

In addition to what I have outlined, expenditure was also incurred in projects such as Heuston Station, €107 million, which benefited all the services out of that station. A total of €312 million was spent on rolling stock over the same period which is also not route specific.

Road Network.

409. **Mr. Deasy** asked the Minister for Transport the total spending on national roads in each county council and city council area in the years 2000, 2001, 2002, 2003 and 2004. [30075/05]

Minister for Transport (Mr. Cullen): Under section 19(1)(f) of the Roads Act 1993, the allocation of funding for undertaking national road improvement projects is a matter for the National Roads Authority, NRA. Therefore, the detailed information sought by the Deputy is held by the NRA. To facilitate the Deputy, my Department has asked the NRA to forward the requested data directly to him.

Driving Tests.

410. **Mr. Fleming** asked the Minister for Transport if a person who has a full driver's licence for a car, 54-seater bus, rigid lorry and articulated lorry and wishes to obtain a licence for a motor-

Rail Network.

408. **Mr. Deasy** asked the Minister for Transport the total spending on railway lines (details supplied) in each of the years 2000, 2001, 2002, 2003 and 2004. [30074/05]

Minister for Transport (Mr. Cullen): Iarnród Éireann has supplied the following information in answer to the Deputy's question. It is not possible to give a precise breakdown in regard to each of the lines as some of the trackwork is shared between the various routes. The expenditure shown in the following table relates to track, signalling and other safety related investment such as level crossings, fencing and bridges which is line specific.

bike is legally obliged to undergo a theory test; and if he will make a statement on the matter. [30114/05]

Minister for Transport (Mr. Cullen): In accordance with the provisions of the European Communities (Driving Theoretical Tests) Regulations 2003 and in line with EU directive requirements, a person who wishes to obtain a driving licence entitlement for the first time in respect of a particular vehicle category must firstly pass the driver theory test for that particular vehicle category unless the person has already done so.

Consultancy Contracts.

411. **Mr. Bruton** asked the Minister for Transport the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30160/05]

Minister for Transport (Mr. Cullen): Existing guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields include Department of Finance public procurement guidelines: Competitive Process — Supplies and Services — July 2004, and Department of Finance Guidelines for Engage-

ment of Consultants in the Civil Service — March 1999.

Furthermore, this Department has taken on where applicable the recommendations outlined in the Quigley report of January 2005 and will take steps to ensure that the measures outlined in the Taoiseach's statement of 11 October 2005, management of ICT projects and consultancy services, and the Minister for Finance's statement of 20 October 2005, achieving value for money in public expenditure, are implemented as quickly as possible. While current practice within this Department is that formal ministerial approval is not required for expenditure on such commissions, this is under review at present.

412. **Mr. Bruton** asked the Minister for Transport the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted, in his Department from 1998 to date in 2005. [30175/05]

Minister for Transport (Mr. Cullen): My Department's policy is to engage consultants or to commission reports only in those circumstances where there is a requirement for specialised knowledge or expertise which is not available in my Department or where the cost of performing the task in-house would result in a prohibitive opportunity cost. I am conscious of the necessity to achieve value for money and of the key role the Comptroller and Auditor General plays in carrying out value-for-money audits of State organisations.

Driving Tests.

413. **Mr. McGuinness** asked the Minister for Transport if a site at the ring road, Kilkenny, or any other suitable location in Kilkenny has been examined for the purpose of driver testing off-road; the progress being made in relation to the issue; when a decision will be made; and if he will make a statement on the matter. [30203/05]

Minister for Transport (Mr. Cullen): A range of options regarding off-road driving test centres is under consideration in my Department in consultation with the Office of Public Works. A final decision has not yet been made.

Rail Services.

414. **Mr. F. McGrath** asked the Minister for Transport if the services on the DART for passengers at Harmonstown, Killester and Clontarf stations will be improved; and his plans for same for 2006. [30230/05]

Minister for Transport (Mr. Cullen): Iarnród Éireann has advised me that, as part of the

DART upgrade, the following works are being carried out at Harmonstown, Killester and Clontarf Road stations. The stations will be fully accessible to mobility-impaired persons, new sloped paths have been constructed for mobility-impaired access to both platforms, and tactile strip will be added to existing platforms. The stations will be upgraded to include improvements such as better lighting, enhanced CCTV, improved station signage, seating, litter-bins and fencing. An overall improved station infrastructure will enable the safe accommodation of increased passenger flows. To facilitate eight-carriage trains, both platforms at each station have been extended and already eight-carriage DART trains are being phased into service.

State Airports.

415. **Ms Harkin** asked the Minister for Transport if he will end the Shannon stopover; and if so, the steps he will take to ensure that the level of economic activity is expanded and that jobs are protected. [30255/05]

Minister for Transport (Mr. Cullen): As the Deputy will be aware, negotiations are ongoing between the EU and US with a view to reaching an open skies agreement by the end of this year. The next set of EU-US negotiations is scheduled for 14-18 November in Washington, after which it is expected that a draft agreement will be discussed at the meeting of Transport Ministers in Brussels on 5 December.

We need certainty for Shannon on this issue. Increased access to the US under open skies will provide significant benefits to Irish tourism, trade, economic growth and aviation, leading to more — not fewer — opportunities for Shannon to develop new routes into North America. I am convinced that Shannon, with the right cost base for the airport and with the proper competitive environment, can maintain and grow its transatlantic business. However, I am equally clear that Ireland must obtain the best possible transition for Shannon to enable a smooth phasing in of open skies arrangements with the US in the future. Accordingly, as I have indicated to the House on many occasions, it is my clear intention that any such agreement will include an appropriate transitional arrangement for Shannon airport that will be agreed between Ireland and the US for inclusion in the EU-US deal. I will be raising this issue directly with the US Secretary of State for Transportation, Mr. Norman Mineta, in the coming weeks.

Rail Network.

416. **Aengus Ó Snodaigh** asked the Minister for Transport if his attention has been drawn to the routes which are being considered regarding Luas

[Aengus Ó Snodaigh.]

extensions; and the discussions which have been held between his Department officials, Luas and officials from the various Dublin local authorities to plan the future development of the light rail system in the city. [30257/05]

Minister for Transport (Mr. Cullen): I understand that the Railway Procurement Agency, RPA, is developing proposals for a number of extensions to the Luas network. Proposals for the development of public transport in the greater Dublin area, including Luas, are being considered by my Department as part of its preparatory work on the ten-year transport investment framework. In this connection, there have been consultations with relevant bodies, including the bodies referred to by the Deputy.

417. **Mr. Cuffe** asked the Minister for Transport if phase 1 of the DASH or DART upgrade project has come in over or under-budget; if he will provide the financial figures for the project; and his plans to improve the frequency of the service by commencing phase 2 of the project. [30447/05]

Minister for Transport (Mr. Cullen): I understand from Iarnród Éireann that the DART upgrade project is nearing successful completion. The budget for the project is €176 million and the company's forecast outturn is estimated at €165 million. The completion of the project allows Iarnród Éireann to operate eight-car trains on the entire DART network.

The next project designed to increase the capacity of the DART, is a resignalling upgrade that will allow for an increase in train frequency from 12 to 16 trains per hour in the city centre area. This project is at planning and design stage and I expect Iarnród Éireann to put specific proposals to my Department shortly.

Road Network.

418. **Mr. Cuffe** asked the Minister for Transport the criteria he uses to designate roads as national routes; and the role of the National Roads Authority, local authorities and the Dublin Transportation Office in the designation or change of designation of such routes in the greater Dublin area. [30448/05]

Minister for Transport (Mr. Cullen): A comprehensive review of the classification of national and regional road system was concluded in 1994 as set out in SI 209 of 1994, Roads Act 1993 (Declaration of National Roads) Order 1994, and SI 400 of 1994, Roads Act 1993 (Declaration of Regional Roads) Order 1994. This classification was carried out based on criteria relating, *inter alia*, to the type of route, for example, whether it

is a long distance through route, whether a route provides connections between principal cities and towns and access to the key commercial seaports and State airports, the extent of HGV traffic and route continuity. An update of the 1994 statutory instruments is under way in my Department to update the classification to take account of new roads built since 1994. The National Roads Authority, NRA, and the local authorities were consulted in relation to the classification as set out in the 1994 statutory instruments and in relation to the update under way.

Question 419 answered with Question No. 402.

Departmental Expenditure.

420. **Mr. Deasy** asked the Minister for Transport the amount which has been spent by his Department in bringing into effect the provisions of the Official Languages Act 2003. [30531/05]

Minister for Transport (Mr. Cullen): My Department is meeting all its obligations under the Official Languages Act 2003 and will continue to do so. This Department has spent approximately €36,000 on the implementation of the Official Languages Act 2003.

Road Safety.

421. **Mr. Stanton** asked the Minister for Transport if legislation is planned or about to be enacted which places an obligation on every vehicle driver to carry a high visibility jacket or other equipment for use in the case of a breakdown or accident; and if he will make a statement on the matter. [30555/05]

Minister of State at the Department of Transport (Mr. Callely): Reflectorised advance warning triangles are required to be carried on heavy goods vehicles. I have no proposals at present to extend this requirement to other categories of vehicles, nor to make it mandatory for motorists to carry high-visibility jackets in their vehicles. However, I have had discussions with the representatives of the insurance industry as to the benefits of high-visibility jackets and other such early warning supports in the case of breakdown or accident.

Rail Services.

422. **Ms O. Mitchell** asked the Minister for Transport if he will ensure that no further Iarnród Éireann freight related capital equipment or rolling stock is decommissioned, sold off or otherwise disposed of pending a review by him of the future of rail freight transport; if he will allow at least a two-year period for the emergence of private operators for freight services; and his

views on whether rail freight merits at least the same order of investment made in heavy goods vehicle road transport in the port tunnel. [30560/05]

Minister for Transport (Mr. Cullen): It is my view that future investment in rail freight is a matter which should be decided on the basis of sound economic appraisal, taking all factors into account. I am informed by Iarnród Éireann that the company disposes of rolling stock or handling equipment only when it has reached the end of its operating life, is surplus to requirements and uneconomic to repair. The average age of freight rolling stock that has been scrapped is close to 40 years.

While no direct Exchequer capital is being provided to Iarnród Éireann for its freight operations, the company has invested approximately €4.5 million from its own resources in container wagons and €3 million in depot cranes in the recent past. The purchase of this equipment is broadly in line with the relevant recommendations of the strategic rail review.

European Directive No. 2004/51, amending Council Directive No. 91/440/EEC, on the development of the Community's railways provides for the complete opening of the market for international rail freight services from 1 January 2006 and national freight markets from 1 January 2007. At a practical level, this will mean that, from 1 January 2006, any licensed railway undertaking established in the EU that wishes to provide international rail freight services between member states must be given access and transit rights on the rail networks of member states to allow it to provide that service. From 1 January 2007, any licensed railway undertaking established in the EU that wishes to provide any type of rail freight service, including national rail freight services, must be given access rights to the rail networks in member states to provide that service.

National Development Plan.

423. **Ms O. Mitchell** asked the Minister for Transport the capital projects in the five-year multi-annual capital envelope scheme completed to date in 2005; the projects under way; the projects which have not yet started construction; the extent of the anticipated time overrun; the cost of each project to date in 2005 and its original budget; the extent of the remaining unspent money and the extent to which it is envisaged that additional funding will be required to complete all schemes projects. [30561/05]

Minister for Transport (Mr. Cullen): I refer the Deputy to my response to Question No. 259 of 19 October in which I provided information on capital projects for which my Department has

responsibility. The essence of my Department's activities is the consideration and implementation of policy on the delivery of a safe, efficient and integrated transportation system. Over time, within this overall policy context, virtually every type of project in respect of air, rail, road, and bus transport is embraced within my Department's capital programme.

While my Department considers programmes of activity and larger-scale projects, the detailed planning and delivery of particular projects is the operational responsibility of agencies under the aegis of my Department. For these reasons, the Deputy will appreciate that it is not feasible to provide a response in respect of all those considerations in her question. If the Deputy has particular projects in mind, I would be happy to check my Department's records and provide whatever details are available, where feasible.

Proposed Legislation.

424. **Ms O. Mitchell** asked the Minister for Transport if additional legislation is needed to allow for the outsourcing of the fixed-charge processing system and the planned outsourcing of the installation and maintenance of the fixed camera system. [30562/05]

Minister for Transport (Mr. Cullen): Provision to support the outsourcing of the collection of fixed-charge payments was included in the Road Traffic Act 2004. The extension of both the fixed-charge system and the penalty points system to additional road traffic offences will be progressively commenced once the appropriate Garda Síochána IT processing system is fully operational and related administrative supports are in place. I will make the necessary statutory instruments at that point. The delivery of the IT and related measures are matters for the Garda Síochána and the Department of Justice, Equality and Law Reform, respectively, and my officials are continuing to work with their counterparts in those agencies to expedite matters as much as possible.

As I indicated in my reply to Question No. 296 on 11 October 2005 in regard to the introduction of a network of private speed cameras, a working group chaired by the Department of Justice, Equality and Law Reform and representing my Department, the Garda Síochána and other relevant agencies has carried out an in-depth examination into the issue of the engagement of private sector interests in the operation of speed cameras. The group's report, which has been presented to the Government, makes a series of recommendations which include proposals that will require the introduction of changes to the current Road Traffic Acts. My Department is preparing legislative provisions necessary to support those recommendations and, on the completion of that work, I will include those pro-

[Mr. Cullen.]

visions in an appropriate Bill for the consideration of the House.

Cycle Facilities.

425. **Mr. Cuffe** asked the Minister for Transport his plans to provide funding for the Sutton to Sandycove cycleway proposal for the perimeter of Dublin Bay. [30609/05]

Minister of State at the Department of Transport (Mr. Callely): The DTO traffic management grant committee approved an allocation of €50,000 towards a jointly funded preliminary design study and environmental report on the Sutton to Sandycove cycleway proposal. Final comments on the draft final report are being assembled by the DTO and will be forwarded to the consultants within the next month. I look forward to being advised by the DTO on recommendations as to future progress on the scheme.

Road Network.

426. **Ms O. Mitchell** asked the Minister for Transport the policy direction which has been given to the National Roads Authority to ensure connectivity between the gateway towns of Athlone, Mullingar and Tullamore; and if he will make a statement on the matter. [30677/05]

Minister for Transport (Mr. Cullen): No policy direction under section 41 of the Roads Act 1993 has been given to the National Roads Authority, NRA, regarding this matter. The national spatial strategy, NSS, identifies Athlone, Mullingar and Tullamore as a linked gateway. The NRA has regard to the NSS in the implementation of the national roads programme.

427. **Ms Shortall** asked the Minister for Transport his target date for the full implementation of open road tolling on the M50; if this will occur before the Dublin Port tunnel opens; the estimated cost to the State; and if he will make a statement on the matter. [30770/05]

Minister for Transport (Mr. Cullen): The planning, design and implementation of national road improvement projects, including the upgrade of the M50 and the move to barrier-free tolling at the West Link Bridge, are a matter in the first instance for the National Roads Authority, NRA. The timing and cost of the move to barrier-free tolling, which will not occur before the opening of the Dublin Port tunnel, will depend on the outcome of negotiations under way between the NRA and NTR.

Grant Payments.

428. **Mr. Hayes** asked the Minister for Com-

munity, Rural and Gaeltacht Affairs the position regarding an application submitted by a group (details supplied) in County Tipperary under the scheme of equipment and refurbishment grants. [30057/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): An application has been received by my Department from the group 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.

Community Development.

429. **Mr. Ferris** asked the Minister for Community, Rural and Gaeltacht Affairs if he will make a statement on the proposed rationalisation of Leader programmes and its implications for local accountability and control. [30151/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Deputies will be aware that, arising from the tri-ministerial review of structures involved in the delivery of local and community development programmes, the Government decided that community and local development groups across urban, rural and Gaeltacht areas should be requested to bring forward measures for improved alignment of structures in their respective areas. Funding was earmarked to support specific co-ordinated measures emerging from this process.

The core objective of the funding for 2005 and 2006 is the alignment of local, community and rural development structures to achieve full county-city coverage of social inclusion programmes by the end of 2006. In rural areas, this will involve Leader and partnership, including community partnership, groups coming together to develop a unified structure where they have not already done so based, as far as possible, around county boundaries and, in city areas, around contiguous electoral areas, with strong linkages to community-based groups. The intention is to have simplified local delivery structures with improved coverage and levels of service locally.

Consultancy Contracts.

430. **Mr. Bruton** asked the Minister for Community, Rural and Gaeltacht Affairs the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30161/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department follows the Department of Finance's guidelines for the engagement of consultants in the Civil Service and its local procurement procedures which have been developed in line with the Department of Finance's guidelines. Ministerial approval is not required for approval of expenditure on such commissions.

431. **Mr. Bruton** asked the Minister for Community, Rural and Gaeltacht Affairs the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted in his Department from 1998 to date in 2005. [30176/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): There were no such reports, consultancies or cases.

Gaeltacht Schemes.

432. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs if he has received a reply from Údarás na Gaeltachta regarding a query raised in Question No. 132 of 13 October 2005. [30236/05]

433. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs if Údarás na Gaeltachta will subsidise veterinary visits to farmers in remote areas of north Mayo; the position regarding same. [30237/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I propose to take Questions Nos. 432 and 433 together.

A response to the query referred to by the Deputy was received from Údarás na Gaeltachta on 21 October 2005. The present position is that an tÚdarás proposes to carry out a full review of its current scheme of assistance for veterinary visits. No decision will be made in regard to any extension of this scheme pending the outcome of the review.

Community Development.

434. **Mr. Quinn** asked the Minister for Community, Rural and Gaeltacht Affairs the statistical criteria mentioned in reply to Question No. 594 of 18 October 2005 regarding the RAPID programme for both strand one and URBAN II as well as other sections of RAPID for which there are similar criteria. [30310/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Twenty-five urban areas, identified as the most disadvantaged, are included under strand one of the programme. These areas were selected using the Trutz Haase

deprivation index, supported by data relating to location of significant rented local authority housing, and schools designated as disadvantaged by the Department of Education and Science.

In recognition that pockets of acute disadvantage may also exist in provincial towns, the programme was subsequently extended, strand two, to include 20 towns which were identified for inclusion on the basis of objective criteria, including educational attainment and social housing. My Department is not responsible for the URBAN II programme.

Irish Language.

435. **Mr. Gilmore** asked the Minister for Community, Rural and Gaeltacht Affairs the reason the Government has not yet signed or ratified the European Charter for Regional and Minority Languages; and if he will make a statement on the matter. [30326/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The status of the Irish language is enshrined in Article 8 of the Constitution which recognises it as the national language and the first official language of the State. The English language, in the same article, is recognised as the second official language. In addition, the Official Languages Act 2003, which provides a statutory framework for the delivery of public services through the Irish language, defines the official languages in accordance with the provisions of the Constitution. Furthermore, in June 2005 the European Union unanimously accepted the Irish Government's proposal that official and working status be given to the Irish language in the European Union with effect from 1 January 2007.

In these circumstances, my considered view is that to regard the Irish language as having the legal status of either a regional or minority language would be inappropriate. For these reasons it is not proposed to ratify the charter in respect of the Irish language.

Community Development.

436. **Mr. Cuffe** asked the Minister for Community, Rural and Gaeltacht Affairs if he will provide figures for the current and capital spending under the RAPID programme for each of the past five years and the estimate for 2005; if he will provide a breakdown for the Dún Laoghaire-Rathdown County Council area; and if he will make a statement on the matter. [30456/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department, supported by Area Development Management, ADM, Limited, co-ordinates the implementation of the RAPID programme. It is therefore a

[Éamon Ó Cuív.]

matter for each Department to report on progress on its implementation of RAPID and details of funding for the proposals that fall within its remit.

My Department was established in 2002 and therefore I am providing relevant figures for the period 2002 to 2005. RAPID areas are supported under my Department's community development programme, funding for local drugs task forces and the young people's facilities services fund the RAPID leverage fund and administrative supports for RAPID.

There are also more than 110 community development programme projects in RAPID areas. Details of the funding under this programme are in the following table.

	Total allocations	Dún Laoghaire / Rathdown — allocations within RAPID areas
	€m	€m
2002	16.1	0.34
2003	12	0.26
2004	10.6	0.26
2005	12.1	0.42

My Department also has responsibility for the work of the 14 local drugs task forces and ten regional drugs task forces. The local drugs task forces were established in the areas experiencing the worst levels of drug misuse, particularly heroin, and many of them have RAPID areas within them. More than €95 million has been allocated to the task forces to implement their two rounds of local action plans. A further €13.6 million has been allocated to capital projects under the local drugs task force premises initiative, which is designed to meet the accommodation needs of community-based drugs projects. Details of funding under this programme are set out in the following table.

	Total	Dún Laoghaire / Rathdown spend *
	€m	€m
2002	13.4	0.270
2003	36.4	0.725
2004	27.5	0.468
2005	31.5**	0.533

* Figures show total spend in local drugs task force areas in Dún Laoghaire-Rathdown, including within RAPID areas.

** Revised Estimates Volume allocation.

In addition, approximately €85 million has been allocated to support the work of the young people's facilities and services fund in local drugs task force areas and four other urban centres. The main aim of the fund is to attract at risk young people in disadvantaged areas into recreational facilities and activities and divert them

away from the dangers of substance misuse. RAPID communities located in these areas would benefit from this funding. In total, €2.07 million was spent in Dún Laoghaire-Rathdown, including within RAPID areas.

Money is also spent under the local development social inclusion programme in RAPID areas. As the border of local development social inclusion programme partnerships are not co-terminous with those of RAPID areas, it is not possible to quantify the exact spend in RAPID areas. Details of funding under this programme are set out in the following table.

	Total
	€m
2002	52.1
2003	43.5
2004	43.2
2005	45.7

In 2004, I launched the RAPID leverage fund and €4.5 million was ring-fenced to progress small-scale localised actions in RAPID areas through co-funding with the relevant Department or agency. Details of the 2004 co-funded schemes are as follows: local authority housing estate enhancement scheme 2004: funding totalling €2 million allocated by my Department and the local authorities — each strand one area was allocated €66,000; RAPID playgrounds scheme 2004: funding totalling €3 million allocated by my Department and the Department of Health and Children — each strand one area was allocated €72,000; top-up funding under the sports capital programme 2004: my Department allocated top-up funding of €2.2 million to successful projects under the sports capital programme in RAPID areas and four clubs in the Dún Laoghaire-Rathdown RAPID area were allocated additional top-up funding under the programme totalling €86,000 from my Department; co-funding of projects between my Department and Department of Justice, Equality and Law Reform 2004: funding totalling €351,000 for small-scale projects, IT equipment and minibuses.

In 2005, €7.5 million funding is available to my Department for RAPID leverage and the following schemes for RAPID areas have been rolled out: local authority housing estate enhancement scheme 2005-06: total funding €4.5 million, with €100,000 allocated to each RAPID area. This scheme is co-funded with the Department of the Environment, Heritage and Local Government through the local authorities. Under the RAPID health sector co-fund a total of €4.6 million has been allocated to support small-scale health and community projects, co-funded by the Department of Health and Children through the Health Service Executive.

The traffic measures co-fund received total funding of €2.025 million, €45,000 was allocated to each RAPID area, co-funded with the local authorities. The playgrounds grants scheme 2005 received total funding of €3 million, €66,000 has been allocated to each RAPID area to develop or refurbish playgrounds in RAPID areas, co-funded with the Department of Health and Children through the Health Service Executive. Additional funding was provided for RAPID community-based CCTV. This scheme was launched by the Department of Justice, Equality and Law Reform. Successful applicants from RAPID areas will receive additional funding towards the capital cost of the scheme from my Department.

Under the 2005 sports capital programme top-ups my Department allocated top-up funding of €2.3 million to 72 successful projects under the sports capital programme in RAPID areas. One club in Dún Laoghaire was allocated top-up funding of €75,000 from my Department.

Special provision was also made for RAPID areas under the dormant accounts plan. RAPID, CLÁR and local drugs task force areas have benefited from just over €38.4 million in funding allocations over 2004 and 2005, with €2.7 million allocated within RAPID areas in Dún Laoghaire-Rathdown.

Since the establishment of the RAPID programme, my Department has provided approximately €6.3 million by way of support to the local areas in the preparation and implementation of their plans and administration costs associated with the support team in ADM. A total of €71,673 has been paid to the Dún Laoghaire-Rathdown RAPID area to date.

Water and Sewerage Schemes.

437. **Cecelia Keaveney** asked the Minister for Community, Rural and Gaeltacht Affairs his views on the need for a scheme to deliver cheaper group water scheme projects in non-CLÁR but rural areas; and if he will make a statement on the matter. [30498/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): As Minister for Community, Rural and Gaeltacht Affairs, I recognise the success of the CLÁR top-up measure in facilitating the provision of water supply to households in the most disadvantaged rural areas and last year, I introduced a similar measure for Gaeltacht areas.

As the Deputy is aware, wider policy on the implementation of Group Water Schemes is primarily a matter for my colleague, Deputy Roche, Minister for the Environment, Heritage and Local Government. However I have noted the

concern of the Deputy in relation to this matter and I will discuss it with Deputy Roche.

Security of the Elderly.

438. **Mr. Neville** asked the Minister for Community, Rural and Gaeltacht Affairs when funding will be made available for socially monitored personal alarms under the scheme of community support for older persons. [30521/05]

439. **Mr. Neville** asked the Minister for Community, Rural and Gaeltacht Affairs the reason, once the closing date for applications for socially monitored personal alarms has passed, it is another 12 months before new applications can be submitted. [30522/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): I propose to take Questions Nos. 438 and 439 together.

The scheme of community support for older people encourages and assists local support for older people by means of a community-based grant scheme to improve the security of its older members through the provision of security devices including pendant alarms. The scheme is administered by community and voluntary organisations throughout the country on an annual basis with support provided by my Department. This process enables my Department to assess the amount of funding sought under the scheme in a given year to distribute available funding as equitably as possible to applicant organisations.

Given the nature of the scheme, my Department, where possible, exercises a degree of flexibility in regard to the advertised closing date. In addition, my Department will accept additional applications from groups during the period of processing of the group's application.

I approved the first tranche of funding under this year's scheme to 100 applicant groups earlier this month and the payment of grants to those groups has commenced. Details of the approved groups are available on my Department's website at www.pobail.ie. The assessment of the remaining applications is in progress and further approvals and payments will be notified to eligible applicant groups over the coming weeks.

Departmental Expenditure.

440. **Mr. Deasy** asked the Minister for Community, Rural and Gaeltacht Affairs the amount which has been spent by his Department in bringing into effect the provisions of the Official Languages Act 2003. [30532/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): In September 2004, my

[Éamon Ó Cuív.]

Department published its scheme under the Official Languages Act for the period 2004 to 2007. The scheme details specific commitments regarding improved delivery of the services of my Department through the Irish language. These commitments are being delivered from within the overall budget available to my Department in the relevant years.

As Minister for Community, Rural and Gaeltacht Affairs, I have overall responsibility to ensure that the provisions of the Official Languages Act 2003 are implemented and that the primary objective of the Act, which is to ensure better availability and a higher standard of public services through Irish, is achieved. Consequently, since the enactment of the Act, my Department has incurred costs in the publication of statutory guidelines as required under section 12 of the Act. In addition, costs were incurred in placing advertisements requesting submissions on the preparation by my Department of a scheme under the Act. In all, these costs, which are once-off, have to date amounted to some €55,600, a breakdown per year of which is set out in the following table.

Year	€
2003	5,041
2004	43,145
2005 (to date)	7,431
Total	55,617

These figures do not include provision for the Office of an Choimisinéir Teanga.

Calafoirt agus Céanna.

441. D'fhiafraigh **Mr. Sargent** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an dtuigeanann sé an inniú atá ann i measc an phobail i dtaobh forbairtí atá á bplé maidir leis an mBlascaod Mór i gContae Chiarraí agus an baol a bheadh ann le cé níos faide go ligfí francaigh isteach san oileán chun dúlra eile, uibheacha éan go mórmhór a scriosadh. [30727/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Is ar an Roinn Comhshaoil, Oidhreacht agus Rialtais Áitiúil agus ar Oifig na nOibreacha Poiblí atá an phríomh-fhreagracht maidir le togra an Bhlascaoid agus, tríd is tríd, baineann ábhar na ceiste seo leo. Ní bheidh freagracht ar mo Roinnse ach i ndáil le cur i bhfeidhm na n-oibreacha mara atá beartaithe i nDún Chaoin agus ar an oileán féin.

Mar áis don Teachta, áfach, tuigtear dom ó Oifig na nOibreacha Poiblí gur tugadh deis fhairsing don phobal saincheisteanna mar ata luaite ag an Teachta a ardú sa phróiseas comhchomhairle

don staidéar féidearthachta maidir le forbairt na gcéanna. Tuigim freisin go bhfuil sé mar sprioc faoin bplean bainistíochta don Bhlascaod Mór rochtain go dtí an oileán a cheansú chun dúlra agus timpeallacht an oileáin a chosaint. Tuigim chomh maith ó Oifig na nOibreacha Poiblí go mbeidh teorainn leis an méid báid a ligfear i dtír ar an oileán agus gur cheist bainistíochta í toirmeasc a chur ar francaigh agus creimíirí eile.

Comharthaí Dátheangacha.

442. D'fhiafraigh **Mr. Sargent** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cé na treoirlínte atá aige maidir le cur i láthair na Gaeilge ar chomharthaí sa Ghaeltacht nó san iarGhaeltacht agus cén tuairim atá aige faoi chomharthaí nuair a bhíonn na focail Ghaeilge orthu níos lú ná na cinn Bhéarla, a ndath níos éadroime agus iad mílitrithe chomh maith. [30728/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Mar is eol don Teachta, tá sé de chumhacht agam mar Aire rialacháin a dhéanfar faoi alt 9(1) d'Acht na dTeangacha Oifigiúla 2003 chun úsáid na Gaeilge amháin nó an Ghaeilge agus an Bhéarla le chéile a rialú ar fhógairtí béil — cibé beo nó taifeadta — ar stáiseanáireacht, ar chomharthaí agus ar fhógraí.

Mar a thug mé le fios don Teach i bhfreagraí ar cheisteanna phairliminte faoin ábhar seo cheana féin, tá mo Roinnse ag obair, i gcomhar le hOifig an Dréachtóra Pharlaiminte, ar dhréacht de na rialacháin a dhéanfar faoin mhír sin den Acht. Chomh maith leis sin, tá comhairle á glacadh ag mo Roinnse le Ranna eile mar ullmhúchán do chur i bhfeidhm na rialachán. Tá dul chun chinn suntasach déanta agus táim dóchasach go mbeidh mé in ann na rialacháin a dhéanamh go gairid le go dtiocfaidh siad i bhfeidhm, ar bhonn chéimiúil, go luath sa bhliain 2006.

Agus na rialacháin sin á ndréachtú, tá béim ar leith á leagan agam ar dhá bhun-phrionsabal. Ar an gcéad dul síos, tá i gceist go mbeidh rogha idir Gaeilge, nó Gaeilge agus Béarla, a úsáid. Ní bheidh an tríú rogha — Béarla amháin — dlíthiúil níos mó. An dara rud ná go gcaithfidh an Ghaeilge a bheith ar a laghad ar chomh-thaispeántacht leis an mBéarla ar aon chomhartha sa chás go roghnófar an dá theanga oifigiúil a úsáid.

I dtaca le comharthaíocht sa Ghaeltacht, ní miste liom a lua chomh maith go ndéarna mé Órdú Logainmneacha (Ceantair Ghaeltachta) 2004 i leith logainmneacha i limistéir Ghaeltachta a tháinig i bhfeidhm ar 28 Márta 2005. Ciallaíonn an tordú seo nach ceadmhach ach an leagan Gaeilge de logainmneacha Gaeltachta a úsáid ar chomharthaí bóthair agus sráide ón dáta sin ar aghaidh.

Acht na dTeangacha Oifigiúla.

443. D'fhiafraigh **Mr. McGinley** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cad iad na céimeanna atá á nglacadh sna Ranna éagsúla chun a chinntiú go mbeidh siad ábalta seirbhís trí Ghaeilge a thabhairt don phobal de réir fhorálacha an Achta Teanga. [30730/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Mar is eol don Teachta, feidhmíonn Acht na dTeangacha Oifigiúla ar dhá bhealach. I dtosach báire, tá forálacha ar leith a bhaineann go díreach le gach eagrais poiblí. Chomh maith leis sin, tá forálacha ann maidir le scéimeanna reachtúla a chaithfidh gach comhlacht poiblí, ar iarratas uaimse mar Aire a ullmhú agus a aontú. I dtaca leis na scéimeanna de, ní miste a lua go bhfuil suas le 20 scéim daingnithe agam go dáta. Tá cur chuige réadúil agus praiticiúil glactha sna cásanna sin d'fhonn soláthar níos fearr de sheirbhísí trí Ghaeilge a sheachadadh, ag tógáil san áireamh cumas na n-eagrais poiblí ó thaobh na n-acmhainní daonna agus airgeadais atá ar fáil dóibh. Leagtar béim ar leith sna scéimeanna ar a thábhachtaí is atá sé cumas Gaeilge na mball foirne a fheabhsú trí oiliúint agus sainchúrsaí cuí a chur ar fáil dóibh.

Sa chomhthéacs sin, ní mór dom a rá go bhfuil mo Roinnse ag obair go dlúth le Foras na Gaeilge, Gaeleagrais na Seirbhíse Poiblí, An Foras Riaracháin agus institiúidí tríú leibhéal chun a chinntiú go gcuirfear leis an soláthar sainchúrsaí atá dírithe ar riachtanais na hearnála poiblí i ndáil le cur i bhfeidhm an Achta, ar a n-áirítear córas dearbhúcháin do cháilíochtaí i seirbhísí aistriúcháin, córas creidiúnaithe d'oiliúint Ghaeilge, sainchúrsaí oiliúna Gaeilge, agus bunachar sonraí leictreonach de chomharthaí caighdeánacha. Bhí áthas orm an céad comhartha de thoradh dearfach na hoibre sin a aithint le déanaí nuair a sheol mé dhá sainchúrsa atá forbartha ag An Foras Riaracháin.

Mar atá mínithe go minic agam cheana féin, cuirfear Acht na dTeangacha Oifigiúla i bhfeidhm ar bhonn céimiúil, i gcomhréir leis an éileamh ón bpobal ar sheirbhísí ar leith agus de réir mar a thiocfaidh feabhas ar chumas na hearnála poiblí seirbhísí a seachadadh trí mheán na Gaeilge thar tréimhse ama. Mar chuid lárnach den phróiseas forbartha sin, caithfear béim nach beag a leagan ní amháin ar an córas scolaíochta, ach ar dheiseanna a chruthú do dhaoine atá fostaíthe cheana féin chun feabhas agus snas a chur ar a gcuid Gaeilge.

Decentralisation Programme.

444. **Mr. Kenny** asked the Minister for Agriculture and Food under what conditions public servants previously employed in the Department of Agriculture and Food in Davitt House, Castle-

bar, and now either being transferred to the Department of Agriculture and Food in Portlaoise or taking up positions as shift workers on the new Garda PULSE system, can be based in Davitt House, Castlebar; if this changes the conditions of employment for these public servants; the numbers and grades involved; the way in which these conditions imposed can be equated with a voluntary scheme; the situation pertaining to those who do not agree to go to Portlaoise; and if she will make a statement on the matter. [30647/05]

Minister for Agriculture and Food (Mary Coughlan): Consequent on the recent reform of the Common Agricultural Policy, a number of headage and premium schemes are being terminated by my Department. This reduces my Department's requirement for staff. In particular, there will be a reduction of approximately 100 in staffing levels in Michael Davitt House.

The Garda Síochána is establishing the Garda information service centre, GISC, in Castlebar which will perform some administrative functions of the Garda. This centre will be situated in Michael Davitt House and, when fully rolled out, have a staffing complement of 161 people. While the majority of staff in GISC will be required to work on a shift work basis, there are about 40 positions within GISC where staff will continue to work on a normal day basis and these are being reserved for Department of Agriculture and Food staff based in Castlebar.

The transfer of staff to shift work will be on a voluntary basis and no Department of Agriculture and Food staff are being compulsorily transferred from Castlebar to Portlaoise. The GISC requires 161 staff, made up of one principal officer, five assistant principals, 12 higher executive officers, 20 executive officers, ten senior officers and 113 clerical officers. Currently, in those grades, my Department has a staffing complement of 139 people in Michael Davitt House made up three principal officers, five assistant principals, 16 higher executive officers, 29 executive officers, 20 senior officers and 66 clerical officers.

The number of volunteers from my Department staff in Castlebar is below the numbers identified by the Garda Síochána as being required. Accordingly, the next step in the process will include the extension of the option of transferring to GISC to staff of the other Departments in Castlebar, the Revenue Commissioners and the Department of Communications, Marine and Natural Resources. It is expected that staff transferring from these Departments will create vacancies that can, in turn, be filled by Department of Agriculture and Food staff who do not wish to transfer to GISC.

Grant Payments.

445. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Galway is not credited with a higher level of single payment; if her attention has been drawn to the fact that the person dramatically increased the stock numbers on the farm in 2002; if her attention has further been drawn to the fact that they extensively drained the farm and erected a range of new farm buildings at huge costs; if her attention has further been drawn to the fact that the person is a highly trained certified young farmer and that the farm is now used by Teagasc as a demonstration farm; and if she will make a statement on the matter. [30034/05]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted applications for consideration in respect of both the new entrant and inheritance measures of the single payment scheme. The person named was notified that his new entrant application was rejected as he established no entitlements during the reference period 2000-2002. The inheritance application was accepted on 16 May 2005 and the entitlements gifted with lands to the person named have been transferred.

The person named submitted an application for an allocation of entitlements from the single payments scheme national reserve under categories B(1), (II), (III) and D. 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 2000-2002. Category D caters for farmers who commenced farming after 31 December 2002 or who commenced farming in 2002 but who received no direct payments in respect of that scheme year.

The position is that applications for an allocation of entitlements from the national reserve were received from more than 17,500 farmers. Processing of these applications is continuing and the intention is to make allocations to successful applicants by 1 December next. My Department will be in touch with the person named as soon as his application is fully processed.

Direct Payment Schemes.

446. **Mr. Connaughton** asked the Minister for Agriculture and Food if, in the context of on-farm inspections under the good farming practice code, farmers who have underclaimed their land area will be penalised; if silage bales stacked out in a field constitutes a penalty; the way in which missing eartags will be dealt with; the type of time allocation made available for such inspections; if

it is necessary for the farmer to be present for such on-farm inspections; and if she will make a statement on the matter. [30035/05]

Minister for Agriculture and Food (Mary Coughlan): No penalty will be applied for under-declaration of land under the single payment scheme unless a full parcel of land has been omitted. Even then, if the area of the parcel omitted is less than 3% of the total area declared, no penalty will be applied. Where the area of the land parcels under-declared amounts to between 3% and 20% of the total area declared, a penalty of 1% will be applied to the payment. Where the area of the land parcels under-declared amounts to between 20% and 50% of the total area declared, a penalty of 2% will be applied to the payment. Where the area of the land parcels under-declared amounts to over 50% of the total area declared, a penalty of 3% will be applied. To use payment entitlements in full, an applicant must declare one hectare of land for each payment entitlement.

The stacking of silage bales in a field will not in itself give rise to a penalty provided there is no danger of leaching into nearby watercourses. With regard to missing eartags, my Department applies a tolerance in such cases depending on herd size with a view to ensuring that minor non-compliance will not give rise to any financial sanction. The European Commission has conducted a preliminary audit of the cross-compliance system adopted in Ireland. My Department awaits a final report from the Commission auditors and confirmation that it regards the framework for the application of cross-compliance in Ireland as fully meeting the EU requirements.

In so far as the time taken to carry out inspections is concerned, the position is that much depends on the number of measures that must be checked on individual farms selected for inspection on the basis of risk analysis. The regulations governing the single payment scheme require that 5% of applicants be inspected in respect of the eligibility of the land area declared. Furthermore, it is necessary to inspect at least 1% of single payment scheme applicants under the various statutory management requirements and good agricultural and environmental condition that constitute cross-compliance with the exception of identification and registration of bovine animals where at least 5% of applicants must be inspected.

To minimise the level of inconvenience to farmers, it has been decided to integrate inspections to the maximum extent possible thus ensuring, as far as possible, that there will be only one visit to each farm selected. The result of this integration is that one measure will be checked on approximately 3,000 farms, two measures on approximately 3,000 farms, three measures on approximately 2,000 farms, four measures on approximately 500 farms, five measures on

approximately 100 farms, six measures on approximately 20 farms and seven measures on approximately five farms. Inspections under the area-based compensatory allowance scheme in disadvantaged areas are also integrated into the single payment scheme inspections. On this basis my Department estimates that, in all, fewer than 10,000 farmers will be inspected annually under the single payment scheme. This represents a reduction of some 50% in the number of inspections when compared with the old coupled regime.

In general, advance notice of 48 hours is given to farmers selected for inspection. Where the farmer is unable to be present at the inspection he or she can make arrangements to have somebody represent him or her.

Grant Payments.

447. **Mr. McGuinness** asked the Minister for Agriculture and Food if she will investigate the entitlements under the single payment scheme being awarded to a person (details supplied) in County Kilkenny with a view to increasing the level of payment. [30067/05]

Minister for Agriculture and Food (Mary Coughlan): The person named has submitted an application requesting consideration in respect of both the new entrant and inheritance measures of the single payment scheme. Following processing, her applications under both measures were eligible. However, the new entrant measure was more financially beneficial and, as a result, the years 2000 and 2001 were excluded from the calculation of her single payment entitlements. The person named was advised that the application was successful on 18 May 2005.

Consultancy Contracts.

448. **Mr. Bruton** asked the Minister for Agriculture and Food the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30162/05]

Minister for Agriculture and Food (Mary Coughlan): The document entitled Guidelines for the Engagement of Consultants in the Civil Service, issued by the Department of Finance in 1999 provides instructions to all Departments in the engagement of consultants. They outline national and EU contract procedures and, furthermore, set out guidelines for establishing the need to engage consultants, describe the selection process and provide guidelines for the management of such contracts. Officials in my Department apply these guidelines at all times in the commissioning of outside expertise in the con-

sultancy and public relations fields. No public relations consultants have been engaged by my Department since 1999.

Grant Payments.

449. **Mr. Hogan** asked the Minister for Agriculture and Food when payment will be made in respect of scrapie depopulated flocks in the 2001 to 2003 period; and if she will make a statement on the matter. [30185/05]

Minister for Agriculture and Food (Mary Coughlan): During the period December 2001 to April 2003, a total of 135 flocks were depopulated under the scrapie programme and restocking was not permitted for a period of two years. Flock owners received compensation for the capital value of the sheep and for income loss for that period. In addition, those who restocked in the third year are to receive compensation for income loss for that year. A total of 78 flock owners have received their third year income loss payments and a further 41 flocks are due to be inspected before the end of April 2006 to establish the entitlement of the flock owners to third income loss payments. The entitlement of flock owners to further payments in respect of the years after restocking is being pursued.

450. **Mr. Deenihan** asked the Minister for Agriculture and Food if a person (details supplied) in County Kerry will qualify under the 2005 single payment scheme; and if she will make a statement on the matter. [30292/05]

Minister for Agriculture and Food (Mary Coughlan): The person named was not in receipt of either livestock premia or arable aid payments during the 2000 to 2002 reference period and has not established entitlements under the single payment scheme.

Noxious Weeds Act.

451. **Mr. Cuffe** asked the Minister for Agriculture and Food the action she will take to limit the dangers from noxious weeds (details supplied). [30460/05]

Minister for Agriculture and Food (Mary Coughlan): The Noxious Weeds Act 1936 provides for the control of the spread of the following six noxious weeds: thistle, ragwort and dock — 1937 order; common barberry — 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 weeds 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,

[Mary Coughlan.]

the local authority charged with the maintenance of such roads is the responsible person.

The Department is examining the provisions of the Act with a view to updating and strengthening them in accordance with good agricultural and environmental practice. My Department has written to all local authorities charged with the maintenance of public roads 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, 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.

Afforestation Programme.

452. **Mr. Sargent** asked the Minister for Agriculture and Food the remit, structure and membership of the woodlands of Ireland, together with the sources and extent of funding. [30503/05]

Minister for Agriculture and Food (Mary Coughlan): The woodlands of Ireland is a partnership involving those with an interest in conserving Ireland's native woodlands. The project is funded jointly by the Department of Agriculture and Food, the Department of the Environment, Heritage and Local Government and the Heritage Council.

The objectives of the project are to develop strategies aimed at securing the sustainable management of Ireland's semi-natural woodlands, encourage the restoration of degraded semi-natural woodland, facilitate the establishment of new woodlands consisting of indigenous species from indigenous sources, initiate educational programmes to promote awareness of the importance of native woodlands and to disseminate information pertaining to these activities.

Woodlands of Ireland employs one full-time project manager. Overall guidance is provided by a steering group comprising one representative from each of the three funding agencies, along with a further seven members elected at the annual general meeting. A technical advisory group, with up to 27 members selected for their particular expertise, provides advice on various technical matters. The project has no membership, as such. Anybody interested in the conservation of native woodlands can seek election to the steering group.

The Department of Agriculture and Food has approved funding of €30,000 to support the activi-

ties of woodlands of Ireland for 2005. I understand that similar funding has been approved by the other funding agencies.

Woodlands of Ireland also works with the forest service in the provision of training courses. The courses cover topics relevant to the native woodland scheme and are aimed at foresters, ecologists, personnel from relevant State agencies and others directly involved in developing projects under the native woodland scheme.

453. **Mr. Sargent** asked the Minister for Agriculture and Food if she will report on the native woodland scheme since its establishment; the date of approval; the areas concerned, nature and extent of these applications; the source and amount of funding involved; and the status of their implementation differentiating between establishment and conservation schemes and giving the names of the successful applicants. [30504/05]

Minister for Agriculture and Food (Mary Coughlan): The native woodland scheme was established in 2001 to provide support to landowners to protect and enhance existing native woodlands and to establish new native woodlands using close-to-nature silvicultural practices. The scheme is funded under the National Development Plan 2000-2006, supported by the European Union. Expenditure under the scheme to date is €1,204,936.70. I am arranging to send details of the application approved to date to the Deputy within the next week.

454. **Mr. Sargent** asked the Minister for Agriculture and Food if sites have been approved for the native woodland scheme which were already clear-felled; if so, if she will provide a list of those sites; the names of the applicants; the date of approval; the areas concerned; the nature and extent of these applications; their cost and the status of their implementation. [30505/05]

Minister for Agriculture and Food (Mary Coughlan): The purpose of the native woodland scheme is to provide support to landowners to protect and enhance existing native woodlands and to establish new native woodlands using close-to-nature silvicultural practices. Sites which have been clear-felled and which may have been originally planted with a range of coniferous and other species are eligible to be considered for grant assistance for replanting as native woodland.

I am aware of 25 sites under the native woodland scheme where some element of clear-felling had taken place prior to application. I am compiling the information requested about these sites and will send the relevant details to the Deputy within the next week.

455. **Mr. Sargent** asked the Minister for Agriculture and Food if she will provide a breakdown of prosecutions undertaken by her Department for unauthorised felling, in view of the number of reports received; the number of proceedings undertaken and their outcome over the past five years. [30506/05]

Minister for Agriculture and Food (Mary Coughlan): Since 2000 my Department has received 312 reports of alleged unauthorised felling of trees. Each report is fully investigated by my officials who carry out an on-site inspection in every case and submit a full written report. Based on their assessment of the situation and legal advice, where considered appropriate, a decision is taken on whether proceedings should be initiated. However, in the majority of reported cases of unauthorised felling, it is found that there is no breach of the Forestry Act 1946. Of the cases investigated by my Department, 13 were brought to court over the last five years. Successful prosecutions were obtained in 12 of these cases.

456. **Mr. Sargent** asked the Minister for Agriculture and Food if she will require advertisement by signs for afforestation projects similar to those used to ensure public consultation under the planning system. [30507/05]

Minister for Agriculture and Food (Mary Coughlan): I will consider whether the public notification and consultation process is adequate.

Departmental Expenditure.

457. **Mr. Deasy** asked the Minister for Agriculture and Food the amount which has been spent by her Department in bringing into effect the provisions of the Official Languages Act 2003. [30533/05]

Minister for Agriculture and Food (Mary Coughlan): It is estimated that a total of €116,790.54 has been spent by my Department to date in bringing into effect the provisions of the Official Languages Act 2003.

Consultancy Contracts.

458. **Mr. Bruton** asked the Minister for Agriculture and Food the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted, in her Department from 1998 to date in 2005. [30538/05]

Minister for Agriculture and Food (Mary Coughlan): In leading the development of a sustainable, competitive and consumer-focused agri-food sector, my Department has from time to

time considered it necessary to engage external expertise to advise on or otherwise assist in the development, implementation and independent evaluation of its policies, programmes and services.

In some instances, there is a legal obligation to obtain independent evaluation. Under the provisions of the EU Council Regulation No. 1258/99 on the financing of the Common Agricultural Policy, CAP, and Commission Regulation No. 1663/95, since 1995 the European Commission only finances expenditure that is made by paying agencies accredited by member states. As part of the accreditation process, the regulations require that the annual accounts of the CAP paying agencies in member states must be accompanied by an “attestation” certificate regarding the integrality, exactitude and veracity of the annual accounts. This certificate must be given by a certifying body that is operationally independent of the paying agency.

With regard to ICT, consultancies were used over the period to establish and advise on some aspects of ICT strategy and e-Government delivery, which underpinned the transformation of our ICT systems over the past five years. As a result of this, my Department has delivered major improvements in internal efficiencies, controls, and delivery of service to its customers. For example, this has allowed my Department to deliver efficiently direct payments to farmers of €1.6 billion annually. In addition, my Department has been able to implement the single payment system, SPS, in 2005, and will start making such payments to farmers in December, the earliest implementation date allowable. A further return on the design of and the investment in ICT capability can be seen in the fact that it has control systems in place to trace animals and protect the food production chain and to manage disease outbreak, such as the foot and mouth disease outbreak in 2001.

Apart from early delivery of payments and improved food safety and traceability systems, my Department now also provides electronic access for farmers to the claims information, including their land parcel mapping. It provides electronic access to herd details and online registration of calf births.

I consider that consultancies engaged during the period in question have been necessary and have contributed significantly to my Department’s capabilities in developing the agrifood sector, preserving the country’s animal health status and protecting consumers, thus representing good value for money for my Department’s wide range of stakeholders, including taxpayers.

Grant Payments.

459. **Mr. Connaughton** asked the Minister for Agriculture and Food the single farm payment

[Mr. Connaughton.]

available to a person (details supplied) in County Galway; if her attention has been drawn to the fact that the applicant purchased a farm in 2001; if her attention has further been drawn to the fact that it may be more advantageous to have the reference years 1997, 1998 and 1999 rather than 2000, 2001 and 2002; if the entitlements on the farm transferred with the farm at the point of sale; if the applicant is entitled to be considered for an allocation from the national reserve; and if she will make a statement on the matter. [30736/05]

Minister for Agriculture and Food (Mary Coughlan): An application for consideration under the *force majeure* — exceptional circumstances measure of the single payment scheme, SPS, was submitted by the person named on 5 February 2004. The person named has been 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.

The person named also submitted an application for consideration in respect of both the new entrant and inheritance measures of the SPS. Following processing of his applications, he was advised that he did not meet the criteria as a new entrant during the reference period as he did not receive any livestock premia payments during that period. His application for the transfer of entitlements on the grounds of inheritance was ineligible as he purchased the lands in question. A letter detailing the decisions in respect of these applications was issued to the person named on 20 December 2004 and he was advised that he could submit an application to have entitlements transferred to him by way of private contract clause. To date no such application has been submitted.

An official from my Department contacted the person named on 24 October 2005 and advised him to submit a private contract clause application immediately if he wished to proceed on this basis and if agreement had been reached with the vendor for the transfer of the entitlements. The person named submitted an application for an allocation of entitlements from the single payment national reserve under category D which caters for farmers who commenced farming after 31 December 2002 but who received no payments in respect of that scheme year. If it is the case that the person named purchased land in 2001, the application will now also be examined under category B (1) which caters for farmers who between the 1 January 2000 and the 19 October 2003 made an investment in production capacity in a farming sector for which a direct payment would have been payable during the reference period 2000 to 2002.

Applications for an allocation of entitlements from the national reserve were received from more than 17,500 farmers. My Department will be in touch with the person named as soon as his application is fully processed.

Property Management Services.

460. **Ms C. Murphy** asked the Minister for Justice, Equality and Law Reform if he will introduce legislation to govern the operation of estate management companies; and if he will make a statement on the matter. [30467/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I published the report of the auctioneering — estate agency review group on Tuesday, 18 October 2005 and, at the same time, I announced that the Government had approved the establishment of the national property services regulatory authority, one of the key recommendations in the report.

A further key recommendation is that the new authority should assume responsibility for the licensing and regulation of all trading entities providing auctioneering, estate agency, property letting and property management services. Property management agencies are not regulated. The report recommends a specific class of licence for property management agencies, that they contribute to an approved fidelity fund and are made subject to oversight by the authority and to its vetting and complaints procedures.

The new authority is being established on an interim basis pending the enactment of the necessary statutory framework. It will be based in Navan and I anticipate that it will be operating early in 2006.

Prison Service.

461. **Mr. Stanton** asked the Minister for Justice, Equality and Law Reform the status of the prison officers who were transferred from Spike Island in Cork; the number of prison officers who have been permanently located in other prisons; if compensation has been paid or will be paid on re-location of these prison officers to other prisons on a permanent basis; and if he will make a statement on the matter. [30019/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my response to Question No. 137 on 19 May, 2005 and to Question No. 961 on 28 September 2005 in which I outlined the position of staff who were previously employed at Fort Mitchel. As I indicated previously, I understand that the director general of the Irish Prison Service is addressing the issue of the permanent redeployment of Fort Mitchell staff in the context of the implementation of the proposal for organisational change

in the Irish Prison Service. To date, one officer has been assigned to Mountjoy Prison and one officer to Limerick Prison. There were also two officers assigned to Portlaoise Prison. The issue of the permanent assignment of the other staff previously assigned to Fort Mitchel will be addressed in the coming months having regard to the phased implementation of the change programme.

I do not propose to make any compensatory payments to the staff concerned. However, some officers may be entitled to claim certain expenses under the provisions of Department of Finance circular 6/1989.

Visa Applications.

462. **Mr. O'Shea** asked the Minister for Justice, Equality and Law Reform if he will grant holiday visas to persons (details supplied) from a non-EU state to attend a family christening; and if he will make a statement on the matter. [30051/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa applications in question were received in my office on 30 September 2005. When assessing the applications in question, consideration was given to the personal circumstances of the applicants and the extent of their ties in their country of origin. The applications were refused because it was not established, on the basis of the documentation supplied to my Department, that the applicants would observe the conditions of a visit visa. In particular, it was felt that the applicants had not displayed sufficient evidence of their obligations to return home following their proposed visit. Second, financial information was not provided, therefore the visa officer could not be satisfied that there would be no recourse to public funds.

It is open to the applicants to appeal against the refusal of the visas by writing to the visa appeals officer in my Department, together with additional supporting documentation. It is the responsibility of each applicant to submit all relevant documentation, including any evidence of intent to return home, which may support the appeal.

Garda Stations.

463. **Mr. Stanton** asked the Minister for Justice, Equality and Law Reform his plans to upgrade Youghal Garda station; and if he will make a statement on the matter. [30052/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that there are plans to refurbish and extend Youghal Garda station to bring it up to the status of an area headquarters station. In the meantime, the Office of Public Works is prepar-

ing a tender specification to invite tenders for approved remedial works to be carried out at the station. This forms part of an ambitious national Garda building programme which has already resulted in many Garda stations being modernised and many more at various stages of being modernised.

Citizenship Applications.

464. **Mr. Cregan** asked the Minister for Justice, Equality and Law Reform when an application for citizenship (details supplied) will be processed; and if he will make a statement on the matter. [30053/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I informed the Deputy in response to Question No. 269 on 17 May 2005 that an application for a certificate of naturalisation from the person concerned had been received in March 2004 and that it was likely that it would be finalised in early 2006. This is still the position.

Garda Complaints Procedures.

465. **Mr. Gogarty** asked the Minister for Justice, Equality and Law Reform when a report will be issued in relation to complaints made by a person (details supplied) to the Garda Commissioner regarding the way named members of the Garda Síochána handled their case; the redress available should any performance of duties be found to be less than satisfactory; and if he will make a statement on the matter. [30054/05]

466. **Mr. Gogarty** asked the Minister for Justice, Equality and Law Reform the status of the investigation into the incident of alleged rape (details supplied); if prosecution is likely to be issued and the reason for such a decision; if the person against whom the allegations are being made already has a criminal record. [30055/05]

467. **Mr. Gogarty** asked the Minister for Justice, Equality and Law Reform the status of the investigation into the incident of alleged sexual assault (details supplied); if prosecution is likely to be issued and the reason for such a decision; if the person against whom the allegations are being made already has a criminal record. [30056/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 465 to 467, inclusive, together.

I have been informed by the Garda authorities that individuals have the opportunity to have complaints dealt with by the Garda Síochána complaints board or have them dealt with by the

[Mr. McDowell.]

Garda authorities. The person named in the question has had complaints dealt with to a conclusion by the Garda Síochána complaints board. Recent correspondence to the Commissioner from the named person recounting several incidents, which had previously been investigated by the Garda Síochána complaints board, is being investigated by the Garda authorities.

I am further informed that a full investigation into the two other incidents that are the subject of the Deputy's questions was carried out and submitted to the Office of the Director of Public Prosecutions. A decision was made by the DPP that no prosecution was to take place. The role of the Garda is to investigate alleged offences, gather whatever evidence may be available and submit a report to the DPP. The question of whether a particular person should be prosecuted and for what criminal offence is the responsibility of the DPP. The DPP, who is independent in the performance of his functions, makes his decision on the basis of the Garda findings viewed against the background of common and-or statute law.

Garda Investigations.

468. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform if the case of a person (details supplied) in County Kerry will be considered under the provisions of the new Garda Síochána Act 2005. [30090/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am considering my response to a number of communications received by and on behalf of the person in question dealing with, *inter alia*, the matter raised by the Deputy. My response will issue in due course.

Equality Legislation.

469. **Mr. J. Higgins** asked the Minister for Justice, Equality and Law Reform the measures he will take to end the discrimination encountered by tenants in the private rented sector in receipt of rent allowance who despite having references are refused accommodation by landlords solely due to their status as persons in receipt of rent allowance. [30091/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Equal Status Acts 2000 to 2004 prohibit discrimination in the provision of accommodation on nine grounds — gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community. Being in receipt of a rent allowance is not of itself a discriminatory ground within the meaning of the Equal Status Acts 2000 to 2004. A review of the grounds of

discrimination under the equal status Acts is to take place shortly within my Department.

Explosives Licences.

470. **Mr. J. Higgins** asked the Minister for Justice, Equality and Law Reform the reason an explosives licence can be approved for a quarry in County Monaghan operated by a person (details supplied) which is not operating under any planning permission and does not have any pre-1964 status from the date before the current planning system came into force. [30092/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will be aware, the question of whether the quarry to which he refers is an unauthorised development under the Planning and Development Acts 1963 to 2000 is entirely a matter for the local planning authority, in this case Monaghan County Council, or the planning appeals board and one in which I as Minister for Justice, Equality and Law Reform may not intervene.

Any person wishing to manufacture explosives requires to obtain a licence from me under the Explosives Act 1875. In 2002 Irish Industrial Explosives Limited sought a licence to manufacture explosives for use in the quarry in question and following careful consideration a licence was issued in January 2003. When deciding on the grant of such licences my primary concern must be matters of safety and security and I may not refuse to grant a licence on planning grounds as decisions on planning are solely a matter for the planning authority concerned.

In the present case my Department was informed by the local planning authority, Monaghan County Council that the quarry in question is registered in accordance with the requirements of section 261 of the Planning and Development Act, 2000 and that it does not consider the quarry to be unauthorised.

Asylum Support Services.

471. **Mr. Allen** asked the Minister for Justice, Equality and Law Reform, further to Question No. 942 of 28 September 2005, the number of centres housing asylum seekers and refugees on a yearly basis from 2000 to 2005; the expenditure including differentiating between capital and other expenditure including rental on each centre on an annual basis since their opening to date in view of the fact that he refused to give the information requested to a question which was submitted on 29 August 2005 one month previously and has since failed to provide the information as promised; and if he will provide that information. [30119/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy was forwarded by me on 24 October 2005. The delay in providing the substantive information sought by him is regretted. However, the level of detail required to answer the question was not readily available in electronic format and, consequently, had to be compiled by hand. This required a detailed and exhaustive analysis of a very large number of files and records dating back to 2000 and necessitated a very considerable volume of work and staff time.

Compensation Claims.

472. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when a person (details supplied) in County Mayo will receive their award under the criminal injuries compensation tribunal. [30140/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Following a review of the criminal injuries compensation tribunal's commitments relative to its allocation for 2005, I understand that the tribunal is in a position to meet a number of the outstanding awards, either in part in the case of larger awards or in whole in the case of a number of smaller awards. The award referred to by the Deputy is one of the latter such cases and I understand that a payment will issue within the next few weeks.

Consultancy Contracts.

473. **Mr. Bruton** asked the Minister for Justice, Equality and Law Reform the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30163/05]

474. **Mr. Bruton** asked the Minister for Justice, Equality and Law Reform the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted in his Department from 1998 to date in 2005. [30178/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 473 and 474 together.

The procedures to be applied in engaging consultants are set out in the Department of Finance guidelines on this subject which supplement the general guidelines relating to public procurement. Ministerial approval of individual contracts is not a requirement of these guidelines. The Deputy will be aware that the Government has also recently agreed upon on a number of new measures to improve the management of consultancies, including a review by the Department of

Finance of the existing guidelines to ensure that they accord with best practice.

I am satisfied that the measures in place in my Department are such that value for money is achieved in the use of the services in question. The additional measures recently announced will contribute further to the effective use of external advice as an aid to policy development and in the delivery of quality public services. Given the range and complexity of issues addressed by my Department, additional external advice has a role in providing skills and experience not readily available within the Department including in the design of major IT systems such as those referred to in my response to Question No. 155 of 20 October.

Visa Applications.

475. **Mr. Hogan** asked the Minister for Justice, Equality and Law Reform when a decision will be made regarding an application for residence for a person (details supplied) in County Kilkenny. [30190/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa application for the person in question to join her spouse for the duration of his permission to remain in the State while a holder of a work permit has been approved.

Road Traffic Accidents.

476. **Cecilia Keaveney** asked the Minister for Justice, Equality and Law Reform the exact format that recently announced programmes to combat deaths on the roads will take in Inishowen, County Donegal; and the increase associated with this in terms of personnel and hours on duty. [30191/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that in response to the serious number of road traffic fatalities in the Inishowen area of County Donegal, a dedicated traffic corps unit has been established in Buncrana district in addition to traffic corps personnel already operating within the Donegal division. I am further informed that the unit will comprise one sergeant and four gardaí and will operate out of Burnfoot Garda station on a pilot basis for a defined period and will be evaluated thereafter. The unit will operate intelligence-led policing initiatives in the Inishowen peninsula which will be deployed at collision-prone locations and will augment the district and divisional traffic corps performing the core policing and traffic duties in the area. The unit is committed to continue to work in partnership with all the groups who have an interest in road safety, including the wider community in the Inishowen peninsula and will

[Mr. McDowell.]

assist local gardaí in their efforts to prevent and reduce road fatalities in the area.

Crime Levels.

477. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform the provisional crime statistics for County Sligo over the past 12 months, detailing differences in the past number of years on certain figures; and if he will make a statement on the matter. [30192/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In regard to crime figures the Deputy will be aware that 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 6 per 1,000 over the longer period of 11 quarters for which figures are available. This trend is reflected throughout most Garda districts in the country. 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. 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. I am informed by the Garda authorities that the table supplied provides the number of headline offences recorded and detected for the Garda Síochána districts of Sligo and Ballymote from 2000 to date in 2005. The statistics provided for 2004 and 2005 are provisional, operational and liable to change.

Headline Offences (by Group) Recorded and Detected for Garda District of Ballymote for Years 2000 to 2005.

District: Ballymote	2005*		2004*		2003		2002		2001		2000	
	Rec	Det	Rec	Det	Rec	Det	Rec	Det	Rec	Det	Rec	Det
Homicide	0	0	0	0	0	0	0	0	0	0	0	0
Assault	4	0	3	3	2	2	7	7	3	3	3	3
Sexual Offences	4	0	1	0	3	2	6	6	3	1	2	1
Arson	0	0	3	0	1	0	1	0	3	2	2	2
Drugs	1	1	0	0	1	1	3	3	0	0	0	0
Thefts	41	5	37	3	50	9	55	11	47	17	38	10
Burglary	25	1	26	4	24	2	34	4	48	12	43	13
Robbery	0	0	2	1	1	0	2	1	1	1	1	1
Fraud	0	0	3	1	4	2	14	13	3	2	11	6
Other	1	0	6	5	3	0	0	0	2	2	0	0
Total	76	7	81	17	89	18	122	45	110	40	100	36

* Figures provided are provisional/operational and liable to change.

Headline Offences (by Group) Recorded and Detected for Garda District of Sligo for Years 2000 to 2005.

District: Sligo	2005*		2004*		2003		2002		2001		2000	
	Rec	Det	Rec	Det	Rec	Det	Rec	Det	Rec	Det	Rec	Det
Homicide	1	0	1	1	1	1	3	3	0	0	0	0
Assault	33	12	39	28	56	37	82	60	30	23	12	9
Sexual Offences	22	16	27	12	43	34	25	14	9	4	11	11
Arson	37	2	57	1	67	12	43	2	33	7	15	0
Drugs	16	16	19	19	27	27	28	27	20	20	36	36
Thefts	475	131	557	175	659	234	576	176	426	180	428	236
Burglary	204	35	221	48	278	87	216	34	305	77	267	83
Robbery	9	2	17	9	10	6	5	4	9	4	6	4
Fraud	33	12	58	40	44	12	31	13	35	24	37	33
Other	9	2	10	5	11	5	12	11	4	3	2	2
Total	839	228	1,006	338	1,196	455	1,021	344	871	342	814	414

Homicide	2005*		2004*		2003		2002		2001		2000	
	Rec	Det	Rec	Det	Rec	Det	Rec	Det	Rec	Det	Rec	Det
Murder	1	0	1	1	1	1	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	1	1	0	0	0	0
Total	1	0	1	1	1	1	1	1	0	0	0	0

* Figures provided are provisional/operational and liable to change.

Asylum Support Services.

478. **Mr. Ferris** asked the Minister for Justice, Equality and Law Reform if he will make a statement on the representations made by a former security guard (details supplied) in County Kerry regarding the lack of security on a premises. [30238/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Reception and Integration Agency is responsible for the accommodation of asylum seekers through the Government policy of direct provision and dispersal. The agency operates 75 accommodation centres across 24 counties.

The agency entered into the current contract for the provision of full-board accommodation at Westward Court hostel, Tralee, County Kerry, commencing on 17 December 2004. The contract entered into by the agency specifies a number of requirements which must be met by the contractor in the operation of the accommodation centre. These include standards in respect of health and safety, food, including food hygiene, building regulations and security.

To ensure that the terms of all contracts are adhered to, the agency schedules a number of inspections of centres in its accommodation portfolio each year. In addition to inspections conducted by officers of the agency, an independent inspectorate with expertise in the area of full board accommodation standards has been contracted to undertake detailed inspections of all centres on behalf of the agency. The Reception and Integration Agency is satisfied that the security arrangements in place at Westward Court accommodation centre are in compliance with the terms of the contract.

Public Order Offences.

479. **Mr. Deasy** asked the Minister for Justice, Equality and Law Reform the number of convictions that have been recorded under the Criminal Justice (Public Order) Act 2002; the number of closure orders that have been applied for and granted under the Act; the number of exclusion orders that have been made under the Act; and if he will make a statement on the matter. [30242/05]

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 in regard to this matter when it becomes available.

Crime Prevention.

480. **Mr. Kirk** asked the Minister for Justice, Equality and Law Reform if, in view of the increase of machete attacks, he will consider banning the import of such dangerous weapons; and if he will make a statement on the matter. [30248/05]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): The importation of machetes or machets is prohibited under the Firearms and Offensive Weapons Act 1990. A machete or machet is defined as an offensive weapon for the purpose of the 1990 Act which prohibits the manufacture, importation, sale, hire or loan of offensive weapons.

Proposed Legislation.

481. **Mr. Bruton** asked the Minister for Justice, Equality and Law Reform the progress made in drafting legislation to deal with fireworks since the first announcement of his intention to change the law; and when he will introduce new legislation to Dáil Éireann. [30252/05]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): The law governing the control of the importation, manufacture, storage and sale of fireworks is the Explosive Act 1875. The Deputy will be aware that 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 provision in the 1875 Act. My Department has received a wide range of submissions in response to the consultation document which are 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

[Mr. McDowell.]

1875 Act. Accordingly, I propose to take the opportunity presented by the Criminal Justice Bill 2004, which is 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 to increase significantly penalties governing the illegal importation, sale and use of fireworks.

Garda Deployment.

482. **Mr. Rabbitte** asked the Minister for Justice, Equality and Law Reform the average number of community gardaí which have been deployed in Tallaght in each of the years 2003, 2004 and to date in 2005; and if he will make a statement on the matter. [30258/05]

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 Tallaght Garda station on 18 October 2005 was 173, all ranks. The personnel strength of Tallaght Garda station on 31 December 1997 was 133, all ranks. This represents an increase of 40 or 30% in the number of personnel allocated to Tallaght Garda station since the former date.

The number of gardaí, all ranks, employed in community policing duties on 30 September 2003, 2004 and 2005 is set out in the following table:

Year	Strength
30 September 2003	24
30 September 2004	24
30 September 2005	22

I am further informed that local Garda management is satisfied the resources available in Tallaght are adequate to meet the policing needs in the community.

With regard to Garda resources generally, the accelerated recruitment campaign to reach a record 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 attested gardaí and recruits in training of 14,000 by the end of 2006. The Garda Commissioner will draw up plans on the best distribution and management of these additional resources and, in this context, the needs of the Tallaght area will be fully considered within the overall context of the needs of Garda areas throughout the country.

Registration of Title.

483. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when a dealing with the Land Registry will be completed for a person (details supplied) in County Mayo. [30271/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have requested the Land Registry to contact him directly concerning the current position of the application in question.

Residential Institutions Redress Scheme.

484. **Mr. M. Higgins** asked the Minister for Justice, Equality and Law Reform if he has satisfied himself that the decision by the Incorporated Law Society of Ireland to issue a notice to persons applying to the Residential Institutions Redress Board referencing the society's complaints procedure is an adequate response to allegations of wrongdoing in connection with solicitors' fees for work before the redress board in terms of ensuring compensation of victims and deterrence of such future practices. [30276/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to the detailed reply which I gave to Questions Nos. 655 and 663 on Tuesday, 18 October concerning the procedures in place to deal with allegations that some solicitors have double charged in respect of applications to the Residential Institutions Redress Board. The Law Society has put special additional measures in place to facilitate the making of complaints in these cases, including the introduction of a helpline, and I understand that it has undertaken to fast-track any complaint received on the matter. I welcome these initiatives in so far as they are designed to assist persons who have complaints to make under the Law Society's complaints procedures. In my reply of 18 October, I also outlined the measures I intend to include in the Civil Law (Miscellaneous Provisions) Bill to strengthen existing procedures for dealing with complaints against the legal profession.

Deportation Orders.

485. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if persons (details supplied) will not be deported; and if they will be provided with the maximum support and assistance. [30309/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my reply to Question No. 441 on Tuesday, 4 October 2005 in which I set out the circumstances and background to this case and indicated that enforcement of the deportation orders made in this case was a matter for the Garda Síochána. It has not

been possible in the time provided to receive a comprehensive report from the Garda Commissioner on this matter and I will communicate directly with the Deputy in the next few days in response to his question.

Citizenship Applications.

486. **Mr. Cregan** asked the Minister for Justice, Equality and Law Reform when an application for citizenship for a person (details supplied) in County Limerick will be processed; and if he will make a statement on the matter. [30327/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by officials in the citizenship section of my Department that the case of the person referred to has already been examined and that it was necessary to seek clarification on a matter related to the completion of the statutory forms. This has now been resolved and I understand that the case will be finalised in the near future.

Residency Permits.

487. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform the reason original documents were not returned to a person (details supplied) in County Mayo in view of the fact that the documents returned to the person and referred to in Question No. 365 of 11 October 2005 were only photocopies; if they can have all their original documents returned, apart from the birth certificate of the Irish-born child. [30475/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer to Question No. 365 of 11 October 2005 regarding this matter. I have been advised by my officials that the documents which were attached to the application were returned to the applicants with the exception of the birth certificate of the Irish-born child which is retained for all applications. My officials also advise me that a thorough check is being made of all correspondence from the applicants to ensure that all original documents have been returned.

488. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform if the fact that a person (details supplied) in County Mayo is the parent of an Irish-born child will be taken into consideration when deciding the person's application for residency on the basis of marriage to an Irish national; and when a decision will be made on this application. [30476/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question made an application for permission to remain in the State based solely on marriage to an Irish national. This

application was considered and a notification of refusal issued on 18 October 2005.

With reference to the matter of the Irish-born child, it should be noted that following the decision of the Supreme Court in the cases of L and O, the separate procedure which then existed to enable persons to apply to reside in the State on the sole basis of parentage of an Irish-born child ended on 19 February 2003. A revised arrangement was introduced on 12 January 2005 to address the issue of parents of Irish-born children who continued to reside in the State after the child was born. Applications for residency were invited and the scheme was open from 12 January to 31 March 2005. There is no evidence that the person in question made an application under this scheme.

As the person in question does not have an alternative legal basis for remaining in this jurisdiction, the issue of permission to remain based on parentage of an Irish-born child will only be considered in the context of a ministerial proposal to deport him. In that context, the letter of 18 October 2005 referred to above contained a notification of a proposal to make a deportation order and the person has been given an opportunity to make representations concerning it. If, in the light of representations received and the range of factors set out in section 3(6) of the Immigration Act 1999, I decide not to make a deportation order, the person will be given leave to remain on a humanitarian basis.

Liquor Licensing Laws.

489. **Mr. Connaughton** asked the Minister for Justice, Equality and Law Reform when new licensing laws governing hotels will come into operation; and if he will make a statement on the matter. [30478/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Government legislation programme published on 27 September makes provision for publication of a Bill to codify the licensing laws in mid-2006. The Bill will contain provisions relating to the licensing of different categories of licensed premises, including hotels.

Garda Investigations.

490. **Mr. Sargent** asked the Minister for Justice, Equality and Law Reform when a potential crime such as a vehicle being driven without tax or insurance is brought to the attention of the Garda by citizens who provide registration numbers, the response the citizens may expect; and if he will make a statement on the matter. [30481/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The question raised by the Deputy is primarily an operational matter for the

[Mr. McDowell.]

Garda authorities. However, I have been informed by the Garda authorities that the Garda Síochána investigates all reported breaches of the criminal law. I am further informed that where a member of the Garda Síochána has reasonable grounds for believing that a mechanically propelled vehicle has been used in a public place on a particular occasion, including a case in which the garda has observed the use, he or she may at any time no later than one month after the occasion demand of the user or three months after the occasion demand of the owner of the vehicle the production of either a certificate of insurance or a certificate of exemption.

Departmental Reports.

491. **Mr. J. Breen** asked the Minister for Justice, Equality and Law Reform when the report on the regulations covering auctioneers' business here will be produced; and if he will make a statement on the matter. [30518/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I published the report of the auctioneers and estate agency review group on Tuesday, 18 October 2005. At the same time, I announced that the Government had approved the establishment of a national property services regulatory authority, one of the key recommendations in the report. The new authority is being established on an interim basis pending the enactment of the necessary statutory framework. It will be based in Navan and I anticipate that it will be operating by early 2006.

Crime Prevention.

492. **Mr. Cuffe** asked the Minister for Justice, Equality and Law Reform the action he will take to address the significant rise in bicycle theft; and the changes which are being put in place to tackle the issue. [30519/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that a detective superintendent in the Dublin metropolitan region was tasked with examining the situation with regard to thefts of pedal cycles with a view to putting in place structured arrangements for the investigations of possible organised bicycle thefts.

I am further informed that local Garda management is deploying adequate resources to areas of high prevalence of this type of crime. In addition, crime prevention officers are being utilised to advise the public on necessary crime prevention measures in order to reduce the number of these incidents.

Garda Operations.

493. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if he will work with the Garda on a major anti-social behaviour problem near an estate (details supplied) in Dublin 5. [30520/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that gardaí based at Raheny Garda station have policing responsibility for the Dublin 5 area. The personnel strength of Raheny Garda station on 24 October 2005 was 60, all ranks. Additional supporting patrols are provided by divisional units and the detective branch. There are also community police assigned to these areas which have an excellent rapport with the local community.

I am further informed that current policing plans in the area referred to by the Deputy are predicated on the prevention of anti-social and public order offences, the prevention of crime including crimes of violence against persons and property and the maintenance of an environment conducive to the improvement of quality of life of the residents. Garda patrols are directed to pay particular attention to areas where youths tend to congregate. This strategy is and will continue to be central to the delivery of a policing service to the area in question.

Departmental Expenditure.

494. **Mr. Deasy** asked the Minister for Justice, Equality and Law Reform the amount which has been spent by his Department in bringing into effect the provisions of the Official Languages Act 2003. [30534/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The costs of implementing the provisions of the Official Languages Act 2003 are met from my Department's administrative budget and cannot readily be distinguished from the cost of providing services generally.

Sexual Offences.

495. **Cecilia Keaveney** asked the Minister for Justice, Equality and Law Reform the position with regard to having a sex offenders register that covers the island of Ireland. [30545/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that the Sex Offenders Act 2001 does not create a sex offenders register nor is the term "register" mentioned or used in the legislation. The Act requires persons to be subject to notification requirements under Part 2 of the Sex Offenders Act 2001. The Garda Síochána

has responsibility for enforcement of the Sex Offenders Act 2001.

In the context of the Good Friday Agreement and the subsequent criminal justice review of Northern Ireland, an intergovernmental agreement on North-South co-operation on criminal justice matters was signed on behalf of the British and Irish Governments at Stormont Castle in July 2005. One of the items included in the work programme for the first year is the establishment of a working group to review the arrangements for exchanging information on registered sex offenders. The first meeting of the working group of officials to implement the agreement will take place in Dublin in November and it is expected that a working group on exchanging information on registered sex offenders will be established at that meeting. I am further informed that the Garda Síochána has a good working relationship with the PSNI and regularly exchanges intelligence and information on convicted sex offenders.

Legislative Programme.

496. **Mr. Cuffe** asked the Minister for Justice, Equality and Law Reform the sections of the Children Act 2001 that have been brought into force and his timetable for the introduction of the remaining sections. [30600/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Deputy will appreciate that the Children Act 2001 is complex and comprehensive legislation and, for those reasons, provisions under the Act are being implemented on a phased basis, as was envisaged at the time of enactment. Responsibility for implementing the Children Act 2001 lies with the Departments of Justice, Equality and Law Reform and Education and Science in respect of the juvenile offenders and the Department of Health and Children in respect of children who are not offending but are out of control.

The first commencement order under the Act in respect of my Department was signed by my predecessor on 23 April 2002. The order brought into operation on 1 May 2002 several sections of the Act with reference to particular purposes or provisions as well as the following Parts and sections in full: Part IV, diversion programmes including the Garda restorative justice provisions; most of Part VI, treatment of child suspects in Garda stations; Part VII, Children's Court; and Part XII, child protection measures. Among the other provisions which were brought into operation on 1 May 2002 were the payment of compensation by parents in respect of offences committed by their children, section 113 of the Act; a court order which would require parents to exercise proper and adequate control over their children, section 114 of the Act; and a restriction on

movement order. I signed the second commencement order under the Act on 29 July 2004. This order brought into operation the remaining restorative justice provisions of sections 78 to 87 of the Act.

A pilot mentor project has commenced in the north Dublin area. The programme will serve as a model for the development of the mentor — family support — order. A pilot parental supervision programme has also commenced. Other provisions under the Act require capital investment prior to commencement for buildings, equipment and expanding programmes. Work is already under way on certain provisions.

A new probation office which is due to open in Cork very shortly will have provision for meeting the requirements of the day centre order, Part IX, sections 118 to 123. The development of a similar provision for the Tallaght area has been incorporated into plans for the new Tallaght probation and welfare service office which is expected to be completed in 2006.

With regard to the probation — training or activities programme — order, Part IX, section 124, the probation and welfare service has identified programmes already being funded through the service that meet the service requirements under this sanction. In addition, the service is also working toward the development of additional facilities suitable for use.

With regard to the probation — intensive supervision — order, Part IX, section 125, preliminary meetings have taken place to explore the feasibility of establishing two pilot intensive supervision programmes in Cork and Dublin utilising existing intensive probation supervision projects. Preparatory work is ongoing in this regard.

In terms of the probation — residential supervision — order, Part IX, sections 126 and 127, a document has been prepared outlining standards for probation and welfare service funded hostels. In preparation for meeting these standards, staff of hostels will require training and development. Work is under way to identify suitable training which will meet these needs and training will be organised for staff over the coming months. Inspection of the hostels in accordance with Section 126(4) of the Act has commenced. In addition, Cork probation hostel has been extended and refurbished to meet the required standards and this hostel is expected to reopen very shortly.

The suitable person — care and supervision — order, Part IX, sections 129 and 130, will require the same rigorous recruitment, screening and training elements as outlined in the standards on practices and procedures in foster care. Suitable persons will have to be recruited and trained. Work on implementation of this order is expected to commence early next year. The dual order, Part IX, sections 137 to 139, sanction will be

[Mr. McDowell.]

developed on a phased basis as day centres become available.

Under the Children Act, I, as Minister for Justice, Equality and Law Reform will be obliged to provide separate detention facilities for 16 and 17 year old boys and girls who are committed to custody by the courts on remand or under sentence. The primary objective of these detention centres will be to provide a secure but supportive environment in which young offenders can develop the personal and social skills necessary to avoid future offending. The Minister of State at my Department, Deputy Brian Lenihan, who has responsibility for children, is examining the outcome of a recent review in my Department of the scope for rationalising and restructuring the delivery of the State's services in the area of youth justice in accordance with the Children Act 2001. The intention is to bring proposals arising from this examination to Government in the very near future, including proposals in the area of detention.

Deportation Orders.

497. **Mr. Cuffe** asked the Minister for Justice, Equality and Law Reform the number of persons who have been extradited or deported to Iran in recent years; if, in view of a recent report that two gay teens were hanged after being found guilty of homosexuality in that country, sufficient safeguards will be put in place to prevent persons here from being put at risk by being sent against their will to Iran. [30601/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In considering a case for deportation, I must have regard, *inter alia*, to section 5 of the Refugee Act 1996, prohibition of *refoulement*. This means that a person shall not be expelled from the State or returned in any manner whatsoever to a State where, in my opinion, the life or freedom of that person would be threatened on account of his or her race, religion, nationality, membership of a particular social group or political opinion. My Department uses extensive country of origin information drawn from different independent sources, including the UNHCR, when evaluating the safety of making returns to third countries. Only one person has been deported to Iran since the commencement of the Immigration Act 1999. The deportation took place on 6 June 2002. No persons have been extradited to Iran from Ireland and no extradition arrangement is in existence between the two countries.

Crime Prevention.

498. **Mr. Cuffe** asked the Minister for Justice, Equality and Law Reform the reason for the delays in the provision of bicycles, training, and consequent deployment of Garda mountain bike units in the Dún Laoghaire-Rathdown County Council area. [30602/05]

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 six mountain bikes are allocated within the Dún Laoghaire-Rathdown County Council area and three sergeants and 12 gardaí are trained and equipped to use them.

Mountain bike units are engaged in mainstream policing in conjunction with the community policing units, concentrate on areas, such as parks and laneways which are more easily accessed by such transport and supplement beat and other mobile patrols within the council area. The mountain bike units have been very successful in tackling anti-social and disorderly behaviour in local parks and estates and work well in conjunction with other units. Overall, the units have proven to be very successful owing to their ability to respond quickly and effectively and capacity to provide a high visibility presence. Mountain bike units have made a significant and positive contribution to a proactive approach in tackling crime. Garda management have received very positive feedback from the community on the work of these units.

Local management is very satisfied with the current allocation and deployment of these units and no delays have been experienced in the training of personnel or the provision of bicycles or equipment. Bicycles for the Garda mountain bike units are held in stock and are issued once the relevant training is completed.

With regard to Garda resources generally, the accelerated recruitment campaign to reach a record 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 attested gardaí and recruits in training of 14,000 by the end of 2006. The Garda Commissioner will draw up plans on how best to distribute and manage these additional resources and the needs of the Dun Laoghaire-Rathdown County Council area will be fully considered within the overall context of the needs of Garda areas throughout the country.

Garda Code.

499. **Mr. Cuffe** asked the Minister for Justice, Equality and Law Reform if he has satisfied him-

self that the Garda code is compatible with the European Convention on Human Rights and, if not, his plans to review the code to ensure that it is compatible with modern policing practice. [30603/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Garda Síochána code covers all areas of Garda duties including operational, security and administrative duties. All members of the Garda Síochána are issued with a personal copy of the code which is retained by the member for the duration of his or her service.

In accordance with section 3 of the European Convention on Human Rights Act 2003, every organ of the State is obliged to perform its functions in a manner compatible with the State's obligations under the European Convention on Human Rights. The Garda code is kept under review by the Garda authorities with a view to ensuring that it is compliant with the evolving jurisprudence of the European Convention on Human Rights. The Garda Síochána circulates guidelines and directives to take account of legislative changes and judicial decisions as they arise.

Garda Investigation.

500. **Mr. Cuffe** asked the Minister for Justice, Equality and Law Reform if he has received any report into the shooting dead of persons (details supplied) and his plans to publish a report or to commission an independent inquiry into the incident. [30604/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda Authorities that the Commissioner appointed a chief superintendent to examine the circumstances surrounding the incident referred to in the Deputy's question. The report of the examination has been submitted to the Law Offices for consideration. In the circumstances it would not be appropriate for me to comment further at this time.

Garda Strength.

501. **Mr. Cuffe** asked the Minister for Justice, Equality and Law Reform the number of gardaí in service at the end of each of the past ten years and his estimate of the number of gardaí that will be in service on 31 December 2005. [30605/05]

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 number of gardaí that were in service, all ranks, at the end of each of the past ten years was

as set out in the following table. The estimated number of gardaí, all ranks, that will be in service on 31 December 2005 is also set out.

Years	Numbers
1995	10,825
1996	10,818
1997	10,968
1998	11,235
1999	11,458
2000	11,640
2001	11,815
2002	11,895
2003	12,017
2004	12,209
31 December 2005	12,256

In terms of Garda resources generally, the accelerated recruitment campaign to reach a record 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 attested gardaí and recruits in training of 14,000 by the end of 2006. The Garda Commissioner will draw up plans on how best to distribute and manage these additional resources and in this context the overall needs of the Garda Síochána will be fully considered.

Proposed Legislation.

502. **Mr. Cuffe** asked the Minister for Justice, Equality and Law Reform his views on whether his proposals to reduce the age of criminal responsibility to ten years of age is compatible with the various international agreements to which Ireland is a party; and if he will make a statement on the matter. [30606/05]0

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Children Act 2001 proposed to raise the age of criminal responsibility from seven years to 12 years. In retrospect, such a raising of the age by five years in one go may have been overly ambitious. Accordingly, the Minister of State in my Department, Deputy Brian Lenihan, who has responsibility for children, is preparing proposals for submission to Government which will include a realistic raising of the age of criminal responsibility to ten to bring the age into line with many other common law jurisdictions.

Garda Equipment.

503. **Mr. J. O'Keeffe** asked the Minister for Justice, Equality and Law Reform the position with regard to anti-stab vests being individually available to members of the Garda Síochána; and if the New York Police Benevolent Association

[Mr. J. O’Keeffe.]

will provide second-hand vests to members of the Garda Síochána in view of the continuing need for the adequate supply for such equipment here. [30618/05]

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 a modern lightweight technical vest with anti-stab and anti-ballistic properties has been sourced and procured. I am further informed that it is envisaged that this particular vest will be piloted in an operational Garda district in the very near future. Garda management states that from a health and safety point of view, it would be totally inappropriate to issue second-hand vests to members and, accordingly, it is not proposed to provide such vests to members of the Garda Síochána.

Fireworks Regulation.

504. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the number of fireworks importation licences granted over the past ten years and to date in 2005. [30619/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Fireworks are deemed to be explosives under the provisions of the Explosives Act 1875. They may be imported into the State only under an importation licence granted by my Department. It is a long-standing policy that these licences are granted only for organised displays conducted by professional and experienced operators and in accordance with agreed safety procedures. The number of importation licences for fireworks granted by my Department in the ten-year period from 1996 to 2005 is set out as follows:

Year	Number of Importation Licenses
2005 (to date)	319
2004	356
2003	312
2002	246
2001	176
2000	192
1999	143
1998	143
1997	92
1996	91

Citizenship Applications.

505. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if he will review his decision in respect of residency and citizenship in

the case of a person (details supplied) in County Kildare; his views on the need to deal sympathetically with such an application; and if he will make a statement on the matter. [30620/05]

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 her application for residency. On receipt of all the documentation requested, a decision will be made on the case.

An application for a certificate of naturalisation was received from the person referred to by the Deputy in August 2002. The application was submitted to me for a decision in November 2004 and I decided not to grant a certificate of naturalisation in that instance. In arriving at my decision, I took account of all the information and documentation submitted by the applicant.

The applicant was informed of my decision in writing on 3 December 2004 and a copy of my officials’ submission, with my decision annotated thereon, was made available to her. The Irish Nationality and Citizenship Act does not provide for a process of review of my determination of an application for naturalisation.

506. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform the status of an application to remain in the State on the basis of an Irish-born child in the names of persons (details supplied) in Dublin 8; the timeframe for a decision; and if the application will be expedited. [30668/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am pleased to advise the Deputy that the persons concerned have been granted temporary permission to remain in the State for an initial period of two years, effective from 14 October 2005 in respect of the first named person and effective from 21 October 2005 in respect of the second named person. Some 18,000 applications for permission to remain were received under the revised arrangements and more than 15,000 have been processed to date.

Public Order Offences.

507. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform his views on incidents of public order offences in Kiltimagh, Charlestown and Ballyhaunis, County Mayo between 15 and 16 October 2005; the number of Garda personnel available to deal with such incidents; the number of arrests that were made; if a single squad car has to cover these towns at the weekends; the way in which he proposes to deal with this situation; and if he will make a statement on the matter. [30669/05]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): I am informed by the Garda authorities that between 2.30 a.m and 3.30 a.m. on 16 October 2005 five different incidents were reported to gardaí in Swinford Garda district. Three of these incidents were public order disturbances at Charlestown, Kiltimagh and Swinford. The other incidents concerned the sexual assault of a female in Kiltimagh and a wandering horse on a public road. The occurrence of the public order incidents were unique in that they happened almost simultaneously. Each reported incident was attended to by members of the Garda Síochána and Garda management is satisfied that there were sufficient resources available to deal with all incidents. I am further informed that the incidents are being thoroughly investigated with a view to preparing an investigation file for submission to the Director of Public Prosecutions for direction.

Garda Transport.

508. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform the number of squad cars available in each Garda district in County Mayo; the extent of ability to cover each district sufficiently with this level of service; if he is himself with the current situation; his proposals to improve the situation; and if he will make a statement on the matter. [30670/05]

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 number of squad cars available in each Garda district in County Mayo is as set out in the following table:

District	Number
Ballina	7
Belmullet	4
Castlebar	9
Claremorris	5
Swinford	7
Westport	5
Total	37

Transport resources are allocated by Garda management in a way that best meets operational requirements and the maintenance of law and order. The allocation of transport resources within Garda divisions is kept under constant review and additional resources are allocated to divisions to meet their policing needs as appropriate. Garda management states that the number of patrol cars allocated to Mayo Garda division is adequate to provide an efficient police service at this present time.

In relation to Garda resources generally, the accelerated recruitment campaign to reach a record 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. The Garda Commissioner will now be drawing up plans on how best to distribute and manage these additional resources and in this context the needs of the Mayo division will be fully considered within the overall context of the needs of Garda divisions throughout the country.

Citizenship Applications.

509. **Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform the number of applications per year that have been filed in the past five years for residency based upon marriage to an Irish citizen; the number per year that have been granted; and the number per year that have been denied on the basis that the marriage is fraudulent. [30671/05]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): The number of applications received, granted and refused in the past five years for residency based on marriage to an Irish national are set out in the table below. There are no separate figures kept on the number of applications that have been denied on the basis that the marriage is fraudulent. It should also be noted that a total of 99 applications have also been abandoned for various different reasons during the period in question.

Year	Received	Granted	Refused
2001	156	129	1
2002	191	109	24
2003	271	181	56
2004	326	255	37
2005 To end of Sept	198	140	31

510. **Mr. M. Moynihan** asked the Minister for Justice, Equality and Law Reform when a certificate of Irish citizenship will issue to a person (details supplied). [30673/05]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): I am pleased to inform the Deputy that a formal certificate confirming the Irish citizenship of the person concerned issued to him by registered post on 20 October 2005.

Garda Stations.

511. **Mr. Stagg** asked the Minister for Justice, Equality and Law Reform if he has sanctioned

[Mr. Stagg.]

the revised sketch scheme for the new Leixlip Garda station, Leixlip, County Kildare; and if he will make a statement on the matter. [30732/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my reply to Question No. 1067 of Wednesday, 28 September 2005. The current position is as set out in that reply.

Prison Service.

512. **Mr. Stanton** asked the Minister for Justice, Equality and Law Reform if a facility exists in the Prison Service for officers who sustain very minor injuries during the course of their work to transfer to light duties until they make a full recovery; the number of prison officers injured during the course of their work in 2001, 2002, 2003 and 2004; and if he will make a statement on the matter. [30735/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The existing arrangements applying to civil servants assaulted in the course of, or in connection with, carrying out their official duties are contained in Department of Finance circular 5/1986. These arrangements do not provide for assignment or transfer of staff to light duties pending their recovery from injury.

The Prison Service has, however, developed a critical incident protocol which seeks to ensure that any employee who has been exposed to assault, trauma, injury or fatality in the course of duty, receives appropriate and timely support. Under this protocol, a staff support officer should, in advance of a return to duty, establish if any short-term adjustments to duties are considered necessary for the employee involved and these should be communicated to the governor. Governors usually respond sympathetically and supportively to such requests. Each case is assessed individually, however, and the ability of governors to respond positively depends on the operational requirements existing at the time.

The numbers of prison officers injured on duty in 2001, 2002, 2003 and 2004 are 24, 52, 81 and 61, respectively. These figures are subject to ongoing revision, however, as injury-on-duty reports are submitted.

Multi-Denominational Schools.

513. **Mr. Penrose** asked the Minister for Education and Science if her attention has been drawn to the fact that Educate Together has over the past few years opened a significant number of new national schools despite a paltry level of State support; if, in this context, she will provide an additional €500,000 per annum to the organis-

ation in order for it to meet its targets and if she will make a statement on the matter [30197/05]

514. **Mr. M. Higgins** asked the Minister for Education and Science the financial support provided by the State to a non-governmental organisation Educate Together; if she will continue or increase such levels of support; and her views on whether its proposal that the development of multicultural education here should become an objective of the national development plan. [30274/05]

533. **Mr. Penrose** asked the Minister for Education and Science if she will confirm that her Department has received a proposal from the board of Educate Together seeking additional funding to enable it to meet the escalating demand for its schools; if, in this context, she will ensure that an additional €500,000 per annum is made available; and if she will make a statement on the matter. [30198/05]

538. **Mr. M. Higgins** asked the Minister for Education and Science the financial support provided by the State to a non-governmental organisation, Educate Together; if she will continue or increase such levels of support; and her views on whether its proposal that the development of multicultural education here should become an objective of the national development plan. [30275/05]

559. **Mr. Crowe** asked the Minister for Education and Science if her attention has been drawn to the fact that unless funding is found, Educate Together will be forced to let two of its five staff go; and if she will provide the €500,000 per annum required for it to carry on at current levels. [30564/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 513, 514, 533, 538 and 559 together.

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 it 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.

In accordance with the provisions of the Education Act 1998, I, as Minister, am obliged to have regard to the need to reflect the diversity of

educational services provided in the State. Applying this provision to the development of multi-denominational education, at primary level, my Department has supported the establishment of a significant number of new multi-denominational schools in recent years. Of the 24 new schools granted provisional recognition in the past three years alone, 12 are multi-denominational. At post-primary level, the requirement for multi-denominational education is met by the State sector through non-designated vocational education committee schools.

To underpin the establishment of new schools, my Department has made a number of changes in recent years which have assisted patron bodies in the provision of accommodation. One of these changes, which was strongly welcomed by the patron body for multi-denominational schools, was the abolition of the local contribution to the building costs for State-owned school buildings which had cost up to €63,000 per school. Other innovations include the development of the design and build model to provide permanent accommodation much more quickly — such as in the case of the new multi-denominational school in Griffeen Valley, Lucan, which was designed and built in less than 13 months.

Many multi-denominational primary schools are established in areas of rapidly expanding population growth. School building projects in these areas are assigned a band one rating under the published prioritisation criteria for large-scale building projects. This is the highest band rating possible which results in the delivery of permanent accommodation in the shortest time-frame achievable.

These measures are a strong indication of my Department's commitment to supporting an educational diversity agenda, including multi-denominational education provision. It will continue to do so as part of its own statutory obligations and in the context of the national development plan which is structured to support the development of all educational sectors regardless of ethos.

Departmental Properties.

515. **Mr. Cuffe** asked the Minister for Education and Science if a protected structure (details supplied) in Dublin 1 formed part of the Government settlement with the religious orders and the premises which will be used in the future. [30599/05]

Minister for Education and Science (Ms Hanafin): Number 23 Parnell Square, Dublin 1 — Coláiste Mhuire — was included as a property contribution under the terms of the indemnity agreement with the religious congregations dated 5 June 2002 as the Office of Public Works con-

firmed to my Department that it was prepared to accept title to the property.

In accepting this property the State will own numbers 22 to 28 Parnell Square. The Office of Public Works is examining proposals for the future use of these buildings.

Special Educational Needs.

516. **Ms C. Murphy** asked the Minister for Education and Science the court actions her department has been involved in during 2003, 2004 and to date in 2005 that related to the provision of school places for students with special needs and the provision of resources for students with special needs; the number of these which pertained to secondary school places and resources; the number of these which pertained to primary school places and resources; and if she will make a statement on the matter. [30764/05]

Minister for Education and Science (Ms Hanafin): The number of court actions initiated against the Minister for Education and Science regarding the provision of primary and post-primary school places and resources for students with special needs in the years referred to by the Deputy is as follows: in 2003, 14 primary and three post-primary, in 2004, 15 primary and two post-primary; and 2005 to date, five primary and one post-primary.

As the Deputy was previously advised, enormous progress has been made over recent years in relation to increasing the number of teachers and other supports in our schools which are specifically dedicated to providing education for children with special educational needs. At primary level there are now approximately 5,000 teachers in our schools working directly with children with special needs, including those requiring learning support. This compares with fewer than 1,500 in 1998. One out of every five primary school teachers is now working specifically with children with special needs. At second level, there are approximately 1,600 whole-time equivalent resource teachers in place to support pupils with special educational needs. This compares with approximately 200 teachers who were in place in the 1997-98 school year for such pupils. Furthermore, there are approximately 6,300 whole-time equivalent special needs assistants, SNAs, in our primary and second level schools supporting children with special needs.

In addition to the issue of resources at school level, the National Council for Special Education has also been established. This council has approximately 100 staff, the great majority of whom are special educational needs organisers, SENOs, who are locally based throughout the country. The role of the SENOs is to ensure that all special educational needs in their areas are addressed in an effective manner. In particular,

[Ms Hanafin.]

the SENOs are a focal point of contact for parents-guardians and schools, and process applications for resources for children with special educational needs. I am satisfied that the establishment of the council and the work of the SENOs is transforming the delivery of special educational services in this country.

Furthermore, the Education for Persons with Special Educational Needs Act was enacted in 2004. This Act provides a framework for future development of special educational needs services and provides a legislative basis for assessment, for individual educational plans and for the delivery of services on foot of those plans. It also ensures that parents have a right to be consulted and kept fully informed at all stages of the process. The Act also contains provisions regarding rights of appeal where parents are dissatisfied with decisions concerning the education of their children. I am satisfied that this Act provides a very comprehensive approach to the future delivery of services.

I am confident that as a State we have faced up to the issue of providing appropriate educational provision for all children with special needs and that much work has been done to ensure that the necessary resources and structures are in place. 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.

Departmental Agencies.

517. **Ms Enright** asked the Minister for Education and Science when the National Adult Learning Council issued its last report; the number of board members of the council; the number of staff employed by the council; the level of funding allocated to the council since it was established on an annual basis; and if she will make a statement on the matter. [30061/05]

530. **Ms Enright** asked the Minister for Education and Science when the National Adult Learning Council issued its last report; the number of board members of the council; the number of staff employed by the council; the level of funding allocated to the council since it was established, on an annual basis; and if she will make a statement on the matter. [30187/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 517 and 530 together.

The National Adult Learning Council was established on an *ad hoc* basis in March 2002. After the establishment of the *ad hoc* council, concerns emerged that its functions were too

wide-ranging and not sufficiently focused. Additionally, a number of developments had occurred which would impact on the work of the council, including the establishment of the National Qualifications Authority of Ireland and the Further and Higher Education Awards Councils. Accordingly, the Department undertook a strategic review of the role and functions of the council to address these concerns. The results of this review are being considered with a view to determining the most appropriate approach for the future.

The *ad hoc* council has a membership of 25, and published an annual report in August 2003. The NALC expenditure to date is €25,707 in 2002 and €59,490 in 2003.

Physical Education Facilities.

518. **Mr. Hayes** asked the Minister for Education and Science the position regarding an application for the provision of a sports hall at a school (details supplied) in County Tipperary. [30062/05]

Minister for Education and Science (Ms Hanafin): An application for a PE hall at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria for large-scale building projects. The project has been assigned a band four rating and its progress will be considered in the context of the school building and modernisation programme from 2006 onwards.

Schools Building Projects.

519. **Mr. Grealish** asked the Minister for Education and Science the position regarding a school (details supplied) in County Galway; when construction of this new school will proceed; and if she will make a statement on the matter. [30063/05]

Minister for Education and Science (Ms Hanafin): The new school building project for the school referred to by the Deputy is at an early stage of architectural planning.

My Department's planning section recently reviewed the long-term staffing requirements for the school and as a result has increased the brief from a new 12 classroom school to a new 16 classroom school. A site visit will be arranged shortly to determine the best way to meet the revised brief and further progression of the project through the design process can then be made. Progression of projects to construction will be considered in the context of the school building and modernisation programme 2005 to 2009.

Institutes of Technology.

520. **Mr. O'Shea** asked the Minister for Education and Science if she will review the need for university status for Waterford Institute of Technology (details supplied); and if she will make a statement on the matter. [30084/05]

Minister for Education and Science (Ms Hanafin): The OECD's review of higher education in Ireland published in 2004 has been accepted by the Government as the guide to future policy on third level. The Deputy will be aware that the review recommends that the differentiation of mission between the university and institute of technology sectors be maintained and that for the foreseeable future, there should be no institutional transfers to the university sector.

I accept this recommendation and have no plans to review the status of any 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.

School Transport.

521. **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 the service and customer satisfaction is monitored; if she is satisfied 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. [30085/05]

Minister for Education and Science (Ms Hanafin): The allocation for school transport in 2005 is €116.533 million. Additional funding is being provided to increase capacity on school transport services to provide one-for-one seating and seat belt equipped buses. While it is not possible at this stage to give exact figures, the total spend on school transport services in 2005 is likely to exceed €120 million. The acquisition of additional buses with seat belts and the fitment of seat belts to existing buses will result in additional and recurring costs from 2006. Bus Éireann is paid monthly on the basis of monthly accounts submitted to my Department.

The Bus Éireann network of school transport offices means they can be conveniently accessed by the public and they are in regular contact with the various transport liaison officers throughout the country. Bus Éireann representatives routinely attend meetings with the public and public representatives, when requested, to ensure that customer satisfaction is maintained. 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.

Essential tailor-made systems and procedures have been put in place over time to ensure that school transport services are administered and delivered in a consistently efficient and economic fashion, and to the highest standards. Bus Éireann negotiates with contractors annually.

School Staffing.

522. **Mr. F. McGrath** asked the Minister for Education and Science if she will re-examine the loss of a teacher at a school (details supplied) in Dublin 9; and if she will make a statement on the matter. [30086/05]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by reference to the enrolment of the school on 30 September of the previous school year. This is in accordance with guidelines agreed between my Department and the education partners. The staffing schedule is outlined in a circular which is issued annually to all primary schools.

In the current school year the staffing of the school referred to by the Deputy comprises a principal and 11 mainstream class teaching posts. This is based on an enrolment of 311 pupils at 30 September 2004. The school also has two permanent learning support-resource teaching posts and one temporary learning support-resource teaching post.

To ensure openness and transparency in the system an independent appeals board is now in place to decide on any appeals. The criteria under which an appeal can be made are set out in Department Primary Circular 19/02. The staffing of the school for the 2005-06 school year was considered by the appeals board on 21 July 2005. The appeals board did not uphold the appeal and the board of management was notified accordingly. I am sure the Deputy will appreciate that it would not be appropriate for me to intervene in the operation of the independent appeals board.

School Closures.

523. **Mr. Carey** asked the Minister for Education and Science, further to Question No. 787 of 14 June 2005, if she has initiated discussion with the trustees of a school (details supplied) with a view to discharging the leasehold on the property; and if she will make a statement on the matter. [30132/05]

Minister for Education and Science (Ms Hanafin): A decision was taken by the trustees of the school to which the Deputy refers that it will close in June 2007. Officials in the school planning section of my Department are reviewing the

[Ms Hanafin.]

educational infrastructure in the area and the educational requirements for the medium to long term. When this review is completed a decision will be taken on the discharge of the leasehold interest in this property.

Schools Amalgamation.

524. **Mr. Kehoe** asked the Minister for Education and Science the timeframe for the amalgamation of the primary school sector in New Ross, in the context of the general agreement locally that she has acknowledged in her reply to Questions Nos. 394 and 395 of 11 October 2005; and if she will make a statement on the matter. [30134/05]

525. **Mr. Kehoe** asked the Minister for Education and Science the timeframe for rationalisation of the primary school sector in New Ross, from consideration of architectural assessments to inclusion in the school building programme; when work will commence; and if she will make a statement on the matter. [30135/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 524 and 525 together.

As stated in my reply to the parliamentary questions to which the Deputy refers, architectural assessments have recently been carried out on all four primary schools to determine which, if any, would be suitable to act as hosts for the proposed rationalisation at primary level in New Ross. These assessments will enable my Department to take a view on how infrastructure can be developed to facilitate its proposals. In addition, the local authority has agreed to provide my Department with updated demographics on the area so that an informed decision can be taken on school sizes. When these matters have been resolved, my Department will move to address the issue of enrolment policies for the proposed school reconfiguration. It is not possible to be prescriptive in terms of a timeframe to finalise these matters. However, when they have been finalised, any required building works to give effect to the rationalisation will be considered for inclusion in the school building and modernisation programme. Any such projects will attract a high priority band 1.4 rating, which applies to projects to facilitate amalgamations.

School Closures.

526. **Mr. Ring** asked the Minister for Education and Science the reason a school (details supplied) in County Mayo will be closed down due to the fact that their roll numbers have not fallen below eight units for two consecutive years; if she will confirm that the ruling applies for two consecu-

tive years; the reason the school being closed after only one year of roll number falling below eight units. [30141/05]

Minister for Education and Science (Ms Hanafin): The future viability of the school referred to by the Deputy is a matter of concern to my Department in view of the low and declining enrolment. The school authorities have been issued notification, in accordance with section 11 of the Education Act 1998, that it is proposed to withdraw recognition from the school. My officials are in contact with the school authority on this matter.

Special Educational Needs.

527. **Mr. Bruton** asked the Minister for Education and Science the number of children being taught in each high support unit around the country since 1998 to date; the number of children that can be catered for in each unit since 1998; the ratio of teachers to pupils since 1998; the average cost of running each unit each year since 1998; and the capital investment involved in each unit. [30147/05]

Minister for Education and Science (Ms Hanafin): The information sought by the Deputy is being collated by officials in my Department and it will be forwarded directly to him as soon as possible.

Consultancy Contracts.

528. **Mr. Bruton** asked the Minister for Education and Science the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30164/05]

Minister for Education and Science (Ms Hanafin): Officials in my Department are guided by the Department of Finance 1999 Guidelines on Engaging Consultants in the Civil Service when commissioning outside consultants for specific projects. These guidelines have been reviewed and augmented in the light of the Quigley report recommendations. In addition, the Government has recently decided that Secretaries General-Accounting Officers will be required to certify compliance with the terms of the guidelines in respect of major projects.

While there is no requirement for ministerial approval in respect of specific projects, I will review the financial provisions for consultancy in the context of the formulation of the 2006 Estimates and I will satisfy myself that the guidelines are being applied in my Department and that proposed expenditure is necessary.

As the Deputy will be aware, consultancy projects, as with all other aspects of voted Government expenditure, are open to audit by the Office of the Comptroller and Auditor General.

529. **Mr. Bruton** asked the Minister for Education and Science the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted, in her Department from 1998 to date in 2005. [30179/05]

Minister for Education and Science (Ms Hanafin): The process for the engagement of consultants by Departments generally is regulated by guidelines issued by the Department of Finance. This document covers all elements from the establishment of need, through the procurement process to the monitoring of the project. The need to ensure value for money is paramount in the entire process.

Question No. 530 answered with Question No. 517.

Inquiry into Child Abuse.

531. **Dr. Upton** asked the Minister for Education and Science if her attention has been drawn to the statement which was made to the child abuse commission in July 2004 on behalf of the De La Salle Order; if she will confirm that a complaint was made in 1992 regarding physical abuse in a school (details supplied) in Dublin 11; the date on which her attention was drawn to the complaint; and if she will make a statement on the matter. [30188/05]

Minister for Education and Science (Ms Hanafin): I confirm that in 2004 the Commission to Inquire into Child Abuse held a series of public hearings into the emergence of child abuse in Ireland and that evidence was given by a representative of the De La Salle Order to the investigation committee at these public hearings on 14 July 2004 in which reference was made to allegations of abuse in the school mentioned by the Deputy in 1991, 1994 and 1995.

It has not been possible to identify a specific complaint in 1992 as referred to in the question, on the basis of the information supplied by the Deputy. However, I confirm that all relevant documentation held by my Department in relation to the sexual, physical, and emotional abuse or neglect of children in industrial and reformatory schools, including St. Laurence's school, Finglas, was forwarded to the Commission to Inquire into Child Abuse in compliance with a discovery order from the commission in June 2003.

532. **Dr. Upton** asked the Minister for Education and Science if the Cabinet sub-committee which was established in 1998 to deal with the abuse of children in care was made aware of instances where persons expressed concerns to Government Departments regarding the welfare of children in institutions; the number of such cases which were brought to the attention of the Cabinet sub-committee; the dates on which the concerns were expressed and the Government Department to which they were addressed, in each case; and if she will make a statement on the matter. [30189/05]

Minister for Education and Science (Ms Hanafin): In March 1998 the Government decided there was a need for a formal and comprehensive response to people who were abused as children while in institutional care. Arising from this the Government established a Cabinet sub-committee to advise the Government on measures it should introduce to fully address the matter. The Cabinet sub-committee considered best international practice and a range of different aspects to past and present instances of abuse. The committee brought forward a range of recommendations to address the concerns of victims. The recommendations were endorsed by the Government on 11 May 1999.

One of the recommendations of the committee was that the Government should establish a Commission to Inquire into Child Abuse to provide victims of abuse an opportunity to recount their experience and have their allegations investigated. The commission was established shortly after the committee reported to the Government. All relevant documentation held by my Department in relation to the sexual, physical, and emotional abuse or neglect of children in the industrial and reformatory schools was forwarded to the commission in compliance with a discovery order from the commission in June 2003.

I understand that the focus of the Cabinet sub-committee was on general policy issues rather than individual complaints or allegations and I am not aware of any specific instances of concerns raised being brought to the attention of the Cabinet sub-committee.

Question No. 533 answered with Question No. 513.

Higher Education Grants.

534. **Mr. Timmins** asked the Minister for Education and Science the position in relation to a third level grant applicant who had a change of circumstances since 2004; if the applicant is working part-time and their parents are also working part-time the documentation which is required for the application; the details on which the application is assessed on; the income limits for a grant

[Mr. Timmins.]

in 2005; and if she will make a statement on the matter. [30233/05]

Minister for Education and Science (Ms Hanafin): Under the terms of the higher education grants scheme which is administered by the local authorities, on behalf of my Department, the position is that generally, students who are entering approved courses for the first time are eligible for grants where they satisfy the relevant conditions as to residence, means, nationality and previous academic attainment. There are similar provisions in the other third level maintenance grant schemes administered by the VECs, namely, the vocational education committees' scholarship scheme and the third level maintenance grants scheme for trainees.

The candidate's reckonable income for the purposes of the means test is his or her gross income from all sources and the gross income of his or her parents or guardians, where applicable, with

certain specified social welfare and health board payments being exempt. Grant assistance may not be awarded in any case where the reckonable income exceeds the prescribed income limits for the award of a grant. However, the schemes contain a change in circumstances clause whereby the eligibility of a person may be assessed or reassessed by the grant awarding body, in the event of changes in circumstances relating to, *inter alia*, the candidate's reckonable income, which are likely to be permanent.

Eligibility for grant aid will be based on revised income. Current income details should be supplied regarding the individuals concerned. In certain circumstances further documentation-clarification may be required by the awarding body.

The following table outlines the current 2005-06 reckonable income limits for the maintenance grants schemes.

A candidate's reckonable income shall be the income for the period 1st January 2004 to 31st December 2004.

Reckonable Income Limits for the ordinary rates of grant for the period 1st January, 2004 to 31st December 2004 (the tax year 2004).

Number of Dependent Children	Full Maintenance and Full Fees	Part Maintenance (75%) and Full Fees	Part Maintenance (50%) and Full Fees	Part Maintenance (25%) and Full Fees	Part Tuition Fees (50%) only*
	€	€	€	€	€
Less than 4	35,485	37,695	39,915	42,130	44,350
4-7	38,990	41,430	43,865	46,305	48,740
8 or more	42,335	44,980	47,625	50,265	52,910

*Full Student Service Charge is paid where income is at or below this level.

In the 2005/2006 academic year where 2 or more children (or the candidate's parent) are pursuing a course of study listed below, the reckonable income limits may be increased by €4,295 where there are 2 such children, €8,590 where there are 3 such children and so on, by increments of €4,295:

- (i) attending full-time third-level education;
- (ii) attending a recognised PLC course, student nurse training or student garda training;
- (iii) participation in Fáilte Ireland (formerly CERT) course of at least one years duration;
- (iv) attending a full-time Teagasc course in an agricultural College;
- (v) attending a recognised full-time further education course, of at least one year's duration, in Northern Ireland.

Special Rate of Maintenance Grant

For the award of a special rate of maintenance grant in respect of the 2005/06 academic year, a candidates reckonable income (for the period 1 January, 2004 to 31 December 2004, the tax year 2004) shall not exceed:—

- €15,626
 - net of standard exclusions (as set out in Clause 1 of this Scheme)
- and
- net of Child Dependant Increase (C.D.I.) paid by the Department of Social and Family Affairs

As at 31 December 2004, this reckonable income must include one of the social welfare payments listed as follows.

LIST OF ELIGIBLE PAYMENTS

1. Social Assistance Payments

Blind Person's Pension

Carer's Allowance

Deserted Wife's Allowance

Disability Allowance

Farm Assist

Lone Parent's allowance

Unemployment Assistance (where held for 391 days or more)

Old Age (Non-Contributory) Pension

One parent family payment

Orphans (Non-Contributory) pension

Pre-retirement allowance

Prisoner's Wife's Allowance

Widow's/Widower's (Non-Contributory) Pension.

2. Social Insurance Payments

Carer's Benefit

Deserted Wife's Benefit

Invalidity pension

Unemployability Supplement

Occupational Injuries Death Benefit (Orphan's pension)

Occupational Injuries Death Benefit (pension for a widow or widower)

Old Age Contributory Pension

Orphan's (Contributory) Allowance

Unemployment Benefit (continuous for at least 12 months)

Widow's/Widower's (Contributory) Pension

Retirement Pension.

3. Family Income Supplement (FIS)

4. Designated Programmes

Back to Education Allowance

Back to Work Allowance (Employees)

Back to Work Enterprise Allowance

Community Employment Scheme

FÁS Training Programmes, including Apprenticeships

Job Start

Part time job incentive scheme

Vocational Training Opportunities Scheme (VTOS).

5. Others

a) In receipt of payments under the Fáilte Ireland Skills Programme equivalent to a social welfare payment;

b) In receipt of payments under the FIT (Fastrack to IT) initiative equivalent to a social welfare payment;

c) Participants on a training course approved by a Government Department, State Agency or Area Partnership and who

were in receipt of an eligible payment prior to progressing to the programme;

d) Grant aided employees in social economy enterprises;

e) In receipt of payments under the Senior Traveller Training Centre programmes.

Schools Amalgamation.

535. **Mr. Kirk** asked the Minister for Education and Science the position regarding a building project for a school (details supplied) in County Louth; and if she will make a statement on the matter. [30249/05]

Minister for Education and Science (Ms

Hanafin): The amalgamation of two national schools in Drogheda, Scoil Mhuire Fatima and St. Mary's Boys, was one of 43 projects authorised by me in March of this year to commence architectural planning. An advertisement seeking suitably qualified design team consultants was placed in the Official Journal of the European Union on 10 June. This competitive selection process will be completed shortly by the boards of management of both schools, at which point the architectural design of the new 32-classroom primary school will begin immediately.

Schools Refurbishment.

536. **Aengus Ó Snodaigh** asked the Minister for Education and Science when funding will be provided to allow a school (details supplied) in Dublin 12 to resurface the children's yard. [30260/05]

Minister for Education and Science (Ms

Hanafin): The scope of works to which the Deputy refers is appropriate for consideration under the summer works scheme. While the school in question has submitted an application under the 2006 summer works scheme, it has not applied for grant aid towards the resurfacing of its yard.

All primary schools receive an annual minor works grant from my Department. Each school gets a standard rate of €3,809 together with a per pupil rate of €12.70. It is open to the school management authority to use this devolved grant for resurfacing works provided it is not required for more urgent works.

Third Level Fees.

537. **Mr. O'Dowd** asked the Minister for Education and Science, further to Parliamentary Question No. 396 of 11 October 2005, the criteria required for the college in question to be approved for student support schemes; and if she will make a statement on the matter. [30261/05]

Minister for Education and Science (Ms Hanafin): The higher education grants scheme operates under the Local Authorities (Higher Education Grants) Acts 1968 to 1992. An approved institution is defined to mean a university, college or other institution of higher education in so far as it provides a course, or courses, of not less than two year's duration at undergraduate level and not less than one years duration at postgraduate level, being a course or courses of which the Minister for Education and Science approves for the time being for the purposes of the Acts.

The higher education grants scheme specifies a list of approved institutions for the purposes of the scheme. The approved institutions are mainly comprised of publicly funded third level institutions. In this regard, the college to which the Deputy refers is a private college and is not on the list of approved institutions for the purpose of the scheme.

Any general extension to the scope of the grants scheme to include private colleges such as the sound training college can be considered only in the light of available resources and in the context of competing demands and priorities within the education sector. There are no plans to extend the scope of the student support schemes to private colleges.

Question No. 538 answered with Question No. 513.

Residential Institutions Redress Board.

539. **Mr. M. Higgins** asked the Minister for Education and Science if she has satisfied herself that the decision by the Incorporated Law Society of Ireland to issue a notice to persons applying to the Residential Institutions Redress Board referencing the society's complaints procedure, is an adequate response to the matter of allegations of wrongdoing in connection with solicitors' fees for work before the redress board, in terms of ensuring compensation of victims and deterrence of such future practises. [30278/05]

Minister for Education and Science (Ms Hanafin): I welcome the steps being taken by the Law Society to investigate and deal with complaints in relation to some solicitors charging victims of abuse legal fees in respect of work carried out before the redress board. I will not be satisfied, however, as to the adequacy of the society's response in this regard until all persons who were wrongly charged fees are fully reimbursed and action is taken, including disciplinary measures where appropriate, to prevent a recurrence of this practice.

My immediate concern is that victims who were overcharged are refunded their money without delay and I understand that some people have

already been refunded. There is also the wider question of maintaining public confidence in the solicitor profession and its regulation by the society. It is most important, therefore, that this issue is addressed promptly and effectively by the Law Society. On the basis of its recent statements, it appears that there is a clear determination by the society to do so. If not, it will be necessary for the Government to consider what legislative changes are required in ensuring full reimbursement of victims and effective regulation of the profession. I have spoken with the Attorney General who is pursuing correspondence with the Law Society in relation to this matter. I expect that the results of the investigation undertaken by the society will be made known to the Government and the public as soon as possible.

Schools Refurbishment.

540. **Mr. McGuinness** asked the Minister for Education and Science if funding will be made available for the repairs required to the roof of a school (details supplied) in County Kilkenny; if an inspection of the building will be expedited and thereafter the funding required; and if she will make a statement on the matter. [30302/05]

Minister for Education and Science (Ms Hanafin): An inspection of the roof of the school referred to by the Deputy has taken place. Arrangements are being put in place to have the necessary repairs carried out as soon as possible.

School Curriculum.

541. **Ms Enright** asked the Minister for Education and Science the reason immersion education (details supplied) was not included when the present primary schools curriculum was being developed. [30333/05]

Minister for Education and Science (Ms Hanafin): The primary school curriculum, 1999, was developed by the National Council for Curriculum and Assessment, NCCA, whose function is to advise the Minister for Education and Science on curriculum review and assessment. It is an integrated, child-centred curriculum which aims to meet the needs of all children in all schools. The NCCA's work was assisted by committees, representing all the principal partners and interests in primary education, in each of the curriculum areas. The curricula for Gaeilge and English were developed by committees whose members represented a wide range of expertise, thus ensuring that the work was informed by prevailing educational thinking and the most innovative and effective pedagogical practice.

The primary school curriculum, 1999, offers a clear and structured national framework that pro-

vides for a broad and balanced education for all pupils. It recognises that each school is a unique organisation, with a distinctive character, tradition and culture and a particular set of values and priorities. Notwithstanding this, it is built on the right of all children, from the beginning of schooling, to experience language learning in both English and Gaeilge, our two official languages.

Within the curriculum for Irish, cognizance is taken of the particular requirements of Gaeltacht schools and scoileanna lán-Ghaeilge. This involves the provision of additional material for schools where Irish is the first language, that is, the medium of instruction and communication. Schools with different needs with regard to the Irish language are therefore facilitated within the framework. There is one curriculum for English for all schools. This defines the broad objectives to be achieved and outlines the content for each of the four levels: infant classes, first and second classes, third and fourth classes, and fifth and sixth classes. The curriculum provides suggested minimum weekly times for instruction in each curriculum area to afford schools flexibility in their planning. However, the achievement of the curriculum objectives in every curriculum area at each of the four levels of primary schooling is an over-riding requirement of all schools.

Within the framework of the curriculum as outlined, my Department fully recognises the value of immersion education and is committed to providing a range of supports for the increasing number of schools that are offering education through the medium of Irish.

Youth Services.

542. **Ms Enright** asked the Minister for Education and Science the reason the priority objectives (details supplied) of the national youth work development plan have not been progressed to date; the timeframe for implementation; and if she will make a statement on the matter. [30334/05]

Minister for Education and Science (Ms Hanafin): I refer the Deputy to my reply of 11 October 2005 on the priorities for the development of the youth work sector identified for 2005. The following is the up-to-date position. With regard to the Youth Work Act 2001, discussions are continuing between my Department and the Department of Finance on the resources being sought by VECs to fulfil their requirements under the Act. Following recent discussions with the Public Appointments Service regarding the recruitment process, it is now intended that this post will be advertised in the coming weeks. A sub-committee of the national work youth advisory committee, comprising representatives of both the voluntary and statutory sectors, has been

established recently to draw up criteria for the dispersal of the development fund. It is expected that the amount of €250,000 provided for this fund in 2005 will be expended this year.

As regards the youth work development unit recommended in the national youth work development plan, I am investigating a range of options for the implementation of a development unit structure and I would hope to be able to make an announcement on this in the near future.

Education Schemes.

543. **Ms Enright** asked the Minister for Education and Science if her attention has been drawn to the fact that there are no suitable courses in the Dublin area for the preparation of An Scrúdú le hAghaidh Cáilíochta sa Ghaeilge; if she will address this issue; and if she will make a statement on the matter. [30335/05]

544. **Ms Enright** asked the Minister for Education and Science her views on the costs involved in the preparation for An Scrúdú le hAghaidh Cáilíochta sa Ghaeilge; if the refund will be increased to take account of the real cost involved; and if she will make a statement on the matter. [30336/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 543 and 544 together.

Arrangements have been put in place enabling teachers qualified outside the State to be granted recognition to teach in primary schools provided that their qualifications meet the requirements set by my Department.

Two forms of recognition are granted to these teachers: provisional recognition to commence teaching in mainstream primary schools, or restricted recognition to teach only in special schools or classes where Irish is not a curricular requirement. Holders of provisional recognition have five years in which they must pass an examination in the Irish language referred to as “An Scrúdú le hAghaidh Cáilíochta sa Ghaeilge”, SCG, which qualifies them to full recognition to teach in a primary school. As an exceptional measure, this five-year period has been extended to seven years for those candidates who had provisional recognition in April 2004. If candidates do not pass the SCG examination within the specified period they lose their provisional recognition.

The SCG examination consists of four elements: two written papers with aural and oral components. In addition, candidates must provide certification that they have attended an approved Gaeltacht course for a specific time-period: three-week, or its aggregated equivalent either in one-week blocks or in a combination of one-week and two-week blocks.

[Ms Hanafin.]

Regarding course provision, a number of education centres throughout the country, which are directly funded by my Department, are providing preparation courses for the SCG examination at a reasonable cost that has been set by my Department. In the Dublin area, I understand that Blackrock Education Centre and Drumcondra Education Centre are delivering such courses for the 2005-06 year. These courses are based upon a forty-hour training programme, funded by my Department, which was developed by the Irish Department in Coláiste Mhuire Marino. The courses have been very successful with 400 of the 520 candidates who sat the examination in March 2005 passing — the best outcome to date.

I understand there are also other providers of courses for the SCG which charge rates to students different than those which apply in the courses run through education centres. As these providers include privately-owned institutions and individuals, I do not have any role in relation to these courses or their related fees.

In regard to the costs involved in the preparation for the SCG, I presume the Deputy is referring to the cost incurred by candidates to attend the Gaeltacht in accordance with the SCG requirements. In that context, since May 2000, on successful completion of the SCG by candidates and on receipt of certification that they have resided in the Gaeltacht while attending an approved Gaeltacht course, my Department refunds a proportion of the fees incurred by candidates. This refund is equivalent to the subsidy payable to the colleges of education students for analogous courses. At present, the subsidy is €471.71 per candidate. I do not intend to increase this subsidy for the coming year. There is no provision for making a refund to students for any other costs incurred in preparing for the SCG examination.

It should be noted that once a teacher has been granted full recognition to teach in a primary school he or she can progress along the teacher pay scales with a consequential increase in salary.

Schools Building Projects.

545. **Mr. Cuffe** asked the Minister for Education and Science the guidelines or advice that is provided by her to architects for the average cost per square metre of new school buildings; and if the financial allocation for school building programmes is sufficient to provide for sustainable and resilient buildings. [30450/05]

Minister for Education and Science (Ms Hanafin): My Department uses, as a basic yardstick to assist architects in assessing the value for money of designs for building projects, a basic building cost, BBC, per square metre. The current BBC for primary schools is €1,170 per square

metre. The Deputy should be aware that ultimately it is the market that determines the actual tender price for all projects and such prices fluctuate depending on the tightness or otherwise of the construction industry.

My Department monitors the cost limits for all school building projects on an on-going basis, taking into account factors such as current conditions in the construction industry, published cost indices for labour and materials and movements in tender levels. Account is also taken of historical data on tender prices and changes arising from adjustments to school planning guidelines. In addition, the standard guidelines relating to public procurement are followed and the competitive element involved in the tendering process also ensures value for money.

The current focus within my Department is to empower schools to resolve their accommodation needs, wherever possible, in a permanent manner rather than relying on temporary accommodation. 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 this pilot of the initiative was very positive and the initiative was expanded to include 44 additional primary schools in 2004. More than 70 schools have been invited to participate in this initiative in 2005.

Health Action Plan.

546. **Mr. Cuffe** asked the Minister for Education and Science her plans to prohibit the sale and advertisement of junk food in schools. [30458/05]

Minister for Education and Science (Ms Hanafin): Schools are privately owned, privately managed institutions which, although funded by the State, enjoy a large degree of autonomy. It is, therefore, primarily a matter for each school to decide on the types of food that are available on the school premises. I am not aware of any impediment that would prevent schools imposing a ban on the selling or advertising of certain foodstuffs on school premises, although any special dietary needs of students would have to be taken into account. Many schools have developed healthy eating policies in co-operation with their parents association, and I would encourage others to do so.

Higher Education Grants.

547. **Mr. Cuffe** asked the Minister for Education and Science her plans to reduce the treble fees that apply to non-EU nationals studying at

higher level in the State; and her further plans to reduce these fees to prospective students from developing countries. [30459/05]

Minister for Education and Science (Ms Hanafin): The main eligibility conditions of my Department's free fees initiative are that students must be first time undergraduates, hold EU nationality or official refugee status and have been ordinarily resident in an EU member state for three of the five years preceding entry to an approved course.

The third level institutions are autonomous bodies and, as such, may determine the level of fees to be charged in any case where the free fees initiative does not apply. The classification of a student for EU or a non EU fee levels is a matter for each institution to determine in such cases.

Schools Building Projects.

548. **Mr. Crowe** asked the Minister for Education and Science the situation in relation to a school (details supplied) in County Donegal; and when construction will begin on a new school. [30482/05]

Minister for Education and Science (Ms Hanafin): The property management section of the Office of Public Works, which acts on behalf of my Department in relation to site acquisitions generally, is continuing to explore a number of site options for the school referred to by the Deputy.

When the site issue is resolved, the architectural design and construction of the new school will be considered in the context of the school building and modernisation programme 2005-2009.

Teachers' Remuneration.

549. **Mr. Deasy** asked the Minister for Education and Science if she has made a decision regarding payment of the standard category two secondment allowance to a person (details supplied) in County Waterford; and if she will make a statement on the matter. [30500/05]

Minister for Education and Science (Ms Hanafin): The category two allowance is payable to teachers who are seconded to a range of positions under the various national education initiatives, in accordance with the findings of the teachers arbitration board in July, 2003. The person concerned is not a seconded teacher and therefore is not in receipt of the allowance. However, my Department is reviewing the arrangements applying under the various national education initiatives following the implementation of the seconded teachers' arbitration

award. I will advise the Deputy as to the outcome when the review is completed.

Pupil Teacher Ratio.

550. **Mr. Kehoe** asked the Minister for Education and Science the number of classes in 2005 in County Wexford that contain 30 or more pupils. [30508/05]

551. **Mr. Kehoe** asked the Minister for Education and Science the number of classes in County Wexford in 2004 that contained 30 pupils or more; and if she will make a statement on the matter. [30509/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 550 and 551 together.

In the 2004-05 school year a total of 117 primary school classes in Wexford had 30 or more pupils. The 2005-06 census of primary schools has commenced. As the census date is 30 September 2005 it will be some months before all school returns have been received and processed in my Department. When this process has been completed class details for 2005-06 will be available. The number of children in classes of over 30 nationally has halved since this Government took up office.

Major improvements in school staffing have been made in recent years with the hiring of more than 4,500 additional teachers. This represents the largest increase in teacher numbers since the expansion of free education. The annual estimated value of the additional expenditure on these posts is more than €200 million.

In 1996-97, the average class size in our primary schools was 27. It is now 24. In 1996-97 there was one teacher for every 22 children in our primary schools. Today there is one teacher for every 17 children, the lowest pupil:teacher ratio in the history of the State.

Aside from decreasing average class size, the unprecedented increase in school staffing in recent years has also greatly improved the services provided for children with special needs and those from disadvantaged areas. While there is more to be done to reduce class sizes further, it should be acknowledged how much progress has been made in this area in recent years.

While the average class size nationally has been brought down to 24, I am committed, in line with Government policy, to delivering further reductions in class sizes for the under-nines. In achieving the Government target in relation to smaller class sizes priority must, in the first instance, be given to children with special needs and those in disadvantaged areas.

Under the new action plan for tackling education disadvantage which I launched last May,

[Ms Hanafin.]

more children in disadvantaged schools will be in classes of 20 in the current school year.

In regard to the number of classes of more than 30 in our schools, the general rule is that schools are staffed on the basis of having a maximum class size across the school of 29. Where some classes in a school have class sizes of greater than 29, it is often because a decision has been taken at local level to use their teaching resources to have smaller numbers in other classes. I often find that when I look into why a particular school has a class of 35 in a particular grade, the answer is because there is another class in the same school with just 15 pupils or so. So figures on the number of children in classes over 30 should be interpreted with caution. What is more instructive is the average class size in a particular school.

Telecommunications Facilities.

552. **Ms F. O'Malley** asked the Minister for Education and Science if the new schools announced during September 2005 will be equipped for broadband; and if she will make a statement on the matter. [30510/05]

Minister for Education and Science (Ms Hanafin): On 29 of September last, I announced plans for the provision of 23 new post-primary and four new primary schools under a major extension of the Government's public private partnership programme from 2006 to 2009. My Department is currently engaged in the roll-out of broadband connectivity to all recognised primary and post-primary schools.

This project is being undertaken in partnership with industry, following the establishment of a three year €18 million joint Government-IBEC-TIF fund. Following a competitive tender process, my Department has signed contracts with a number of connectivity providers to supply broadband internet access to schools. I confirm that these contractual arrangements provide for the connection of new schools opening within the period of the contract.

Computerisation Programme.

553. **Ms F. O'Malley** asked the Minister for Education and Science the resources which are provided for teachers and the curriculum to maximise the use of broadband in the classroom. [30511/05]

Minister for Education and Science (Ms Hanafin): The provision of broadband connectivity is one of a number of facets of the Department's ICT initiative, the objective of which is to integrate information and communications technology into teaching and learning in first and second level schools. The key elements to achiev-

ing this objective are: access to the technologies; the development of skills in their usage; and the availability of high quality curricular relevant digital content. The Deputy will be aware that significant resources have been invested in ICT infrastructure in schools since 1998, initially in the acquisition of computers and peripherals and more recently in the development of computer networking facilities in schools.

In parallel, a range of teacher training courses have been developed by the National Centre for Technology in Education, NCTE, and made available to teachers via the regional education centres. The courses range from basic computer operation to higher order technical skills of network management, website design, Internet use, digital media and a number of general and subject-specific pedagogical ICT courses. In addition, an ICT advisory service has been developed to provide school authorities and teachers with advice and assistance in the range of technical and pedagogical needs.

High quality digital content is essential to ensuring effective use of ICT in the classroom. In this context, the Scoilnet portal has been developed to provide a focal point of reference and a resource for teachers, students and parents. This portal site provides significant amounts of curriculum-relevant content linking to more than 6,000 websites, the content of which is aligned directly to curricular and subject areas. Work is ongoing, in collaboration with teachers, in building relevant indigenous content on the site, much of it in partnership with other agencies such as RTE, subject teachers' associations and others. Example of such material are:

www.fis.ie, www.scoilnet.ie/french,

www.scoilnet.ie/geography,

www.scoilnet.ie/lookathistory,

www.scispy.ie,

www.iamanartist.ie,

www.scienceunleashed.ie,

www.scoilnet.ie/hist, www.teachnet.ie.

The NCTE is also working with the European Schoolnet, EUN, to implement a technological infrastructure to allow Irish schools to share access to a wide range of on-line educational databases located around Europe. An important aspect of this process is the development of an application profile for Irish curricular content to facilitate meta-tagging of content to international standards. The NCTE is collaborating with the NCCA in this regard and the acquisition of a range of on-line reference libraries is also being considered.

School Staffing.

554. **Mr. Neville** asked the Minister for Education and Science, further to Parliamentary Question No. 702 of 14 June 2005, the position regarding withdrawing a teacher from a school (details supplied) in County Limerick under the special needs allocation. [30512/05]

Minister for Education and Science (Ms Hanafin): As the Deputy was previously advised, the general allocation for the school in question is 20 part-time hours and the school was placed in a cluster arrangement with another school. The school submitted a proposal to retain the special education post. The proposal involved creating a second cluster arrangement with another local school by combining the resource teaching hours in both schools to create a teaching post. The Department of Education and Science has accepted the proposal and has given permission to the school to retain this post. The school authorities were notified accordingly.

Residential Institutions Redress Board.

555. **Mr. McGuinness** asked the Minister for Education and Science, further to Parliamentary Question No. 152 of 14 April 2005, if a decision has been made regarding a school (details supplied) in Dublin 4. [30513/05]

Minister for Education and Science (Ms Hanafin): The Residential Institutions Redress Act 2002 provides a statutory scheme of financial redress for persons who, as children, were abused while in residential institutional care. The scheme applies in respect of institutions specified in the Schedule to the Act. Section 4 of the Act 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 resident and in respect of which a public body had a regulatory or inspection function.

Since the enactment of the legislation, the Department of Education and Science has been contacted by individuals and/or solicitors regarding various institutions not specified in the Schedule, including the facility mentioned by the Deputy. 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 the Department of Education and Science in consultation with relevant Departments and it is not proposed to add any further institutions to the Schedule at this point.

Departmental Expenditure.

556. **Mr. Deasy** asked the Minister for Education and Science the amount which has been spent by her Department in bringing into effect the provisions of the Official Languages Act 2003. [30535/05]

Minister for Education and Science (Ms Hanafin): Because of our statutory obligations under the 1998 Education Act, the Department of Education and Science is very conscious of its Irish-speaking customer base. Documents such as circulars, application forms and reports have always been available in both languages. For this reason, it is not possible to identify precisely what translation costs have incurred because of the Official Languages Act, as these costs would have arisen anyway. To date in 2005, the Department of Education and Science has spent €70,292.33 on Irish translation services.

Under section 13 of the Official Languages Act, the Department of Education and Science has a legal obligation to ensure that an adequate number of its staff are competent in the Irish language. An intensive language training course is being piloted for administrative staff. The cost of this training is estimated at €40,000. This pilot will be carefully evaluated to ensure that it delivers on its objectives of increasing the number of staff who are able to provide a service through Irish.

Schools Building Projects.

557. **Ms Enright** asked the Minister for Education and Science the position regarding an application from a school (details supplied) in County Tipperary for a general purpose room; and if she will make a statement on the matter. [30558/05]

Minister for Education and Science (Ms Hanafin): The school planning section of the Department of Education and Science is in receipt of an application for a general purpose room from the school referred to by the Deputy. The application has been assessed in accordance with the published prioritisation criteria for large-scale building projects and has been assigned a band 4 rating. Its progress will be considered in the context of the school building and modernisation programme from 2006 onwards.

558. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science the position regarding an extension for a school (details supplied) in County Cork; and when work will commence on same. [30563/05]

Minister for Education and Science (Ms Hanafin): An application for an extension has been received from the management authorities of the school referred to by the Deputy and has

[Ms Hanafin.]

been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners.

An upward trend in enrolment in recent years necessitated a review of enrolment and demographic trends to ensure that any capital funding being provided is appropriate to meet the school's long-term accommodation needs. This review is under way and officials will be in contact with the school authority in this regard. A decision will then be made on how best to meet the school's accommodation needs.

The proposed project at the school referred to will be considered in the context of the school building and modernisation programme 2005-09.

Question No. 559 answered with Question No. 513.

560. **Mr. Ó Fearghail** asked the Minister for Education and Science if she is in a position to progress the case of a post-primary school (details supplied) in County Kildare to stage 6 of the schools building programme; and if she will make a statement on the matter. [30641/05]

Minister for Education and Science (Ms Hanafin): The refurbishment and extension project for the school referred to by the Deputy is at an advanced stage of architectural planning. Department of Education and Science officials recently wrote to the school authorities giving approval to proceed to stages 4/5, planning permission/fire certification, bill of quantities/tender documents of architectural planning. Progression of projects to construction will be considered in the context of the school building and modernisation programme 2005-09.

561. **Mr. Ó Fearghail** asked the Minister for Education and Science if the case of a primary school (details supplied) in County Kildare in the schools building programme will be expedited; and if she will make a statement on the matter. [30642/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria which were revised following consultation with the education partners. Progress on the project is being considered in the context of the school building programme from 2006 onwards.

School Staffing.

562. **Mr. Ó Fearghail** asked the Minister for Education and Science the enrolment figures for a post-primary school (details supplied) in County Kildare in the years 2000 to 2005; if there

is a discernible trend in its enrolment; and if she will make a statement on the matter. [30643/05]

Minister for Education and Science (Ms Hanafin): The enrolment figures for every post-primary school in the country are published each year in the Department's List of Post-Primary Schools. The enrolment figures for the school in question are

Year	Enrolment
2000-01	314
2001-02	302
2002-03	319
2003-04	256
2004-05	252

A building project for the school which is at an early stage of architectural planning was initially planned for a long-term projected enrolment of 400 pupils based on demographic information available at the time. In the event, the population did not increase as expected and enrolment in the school continued to decline as it has done for more than ten years. For example, in the 2004-05 school year, 187 mainstream students and 65 further education students were attending the school. This compares with 315 mainstream students and 48 further education students in 1995. In the past five years overall enrolment declined by some 22% alone. This was rightly a matter of concern to the Department of Education and Science given the level of investment it was being required to make. Accordingly, due to a continuing decline in enrolments and the level of investment which would be required to facilitate a relatively small number of pupils, it was decided not to allow the proposed project to progress through architectural planning until a complete review of the long-term viability of the school had been carried out.

It is common practice for the Department of Education and Science to review all projects before they are included in a capital programme. I expect the review being carried out on the particular project in question to be finalised shortly and contact will be made directly with the school authority on this matter at that time.

563. **Mr. Ó Fearghail** asked the Minister for Education and Science if, given that a post-primary school (details supplied) in County Kildare is moving towards amalgamation, it will be allowed to retain its existing staff numbers as a curricular concession; and if she will make a statement on the matter. [30644/05]

Minister for Education and Science (Ms Hanafin): Teacher allocations to second level schools are approved annually by the Department of Education and Science in accordance

with established rules based on recognised pupil enrolment. Each school management authority is required to organise its timetable and subject options having regard to pupils needs within the limit of its approved teacher allocation.

The rules for allocating teaching resources provide that where a school management authority is unable to meet its curricular commitments, the Department of Education and Science will consider applications for additional short-term support, that is, curricular concessions. An independent appeals mechanism is available to school authorities which wish to appeal the adequacy of their teacher allocation.

The school in question applied for a curricular concession allocation and was allocated one whole-time equivalent teaching post. The Department of Education and Science notified the school 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. The school did not avail of the appeals mechanism.

Schools Building Projects.

564. **Mr. Healy** asked the Minister for Education and Science the position regarding the application by a school (details supplied) in County Tipperary for approval to construct a three-classroom extension and ancillary rooms. [30649/05]

Minister for Education and Science (Ms Hanafin): The school planning section of the Department of Education and Science recently received an application for major capital funding from the school referred to by the Deputy. The Department of Education and Science is awaiting the local school inspector's report in support of the application. Once this is to hand, the application will be assessed in accordance with the published prioritisation criteria for large-scale projects and its progress will be considered in the context of the school building and modernisation programme from 2006 onwards.

School Staffing.

565. **Mr. Healy** asked the Minister for Education and Science if she will appoint a full-time caretaker to a school (details supplied) in County Tipperary. [30650/05]

Minister for Education and Science (Ms Hanafin): The Department of Education and Science provides funding towards the cost of secretarial and caretaking services in primary schools under two separate schemes. One scheme is the 1978-79 scheme for the employment of full-time secretaries and caretakers in primary schools, under which the Department of Edu-

cation and Science meets the full cost of salary. This scheme is being phased out as posts become vacant and no new posts are being created. This scheme has been superseded by a more extensive grants scheme now referred to as the ancillary services grant.

The ancillary services grant provides additional funding for primary schools towards the cost of secretarial and caretaking services. The scheme is flexible in nature, giving boards of management discretion as to the manner in which secretarial and caretaking services are provided. The school referred to by the Deputy receives secretarial and caretaking grant assistance under this scheme. The standard rate of grant per pupil under the scheme, which applies in the case of the school in question, was increased from €102 to €127 per pupil in 2004 and was further increased to €133 per pupil this year.

School Transport.

566. **Mr. Neville** asked the Minister for Education and Science the response or progress regarding the provision of a school bus service to a school (details supplied) in County Limerick, from the Mungret, Ballybrown and Raheen areas following a meeting between the parents of children of this school and officials of her Department on 7 October 2005. [30651/05]

Minister for Education and Science (Ms Hanafin): The report of the recent meeting between parent representatives and officials of the Department of Education and Science regarding school transport for first year pupils attending the school referred to by the Deputy has been presented to the Minister of State, Deputy de Valera, and me.

The key consideration in this matter was that the arrangements were contrary to the provisions of the post-primary school transport scheme. The Deputy will appreciate that the scheme is intended to be of general application throughout the country and any departure from its provisions damages its integrity. Therefore, while I note the strong views of parents on the matter, my concern is to ensure that such services are accessible by all eligible students on an equal basis.

Special Educational Needs.

567. **Ms C. Murphy** asked the Minister for Education and Science the location at which the children it was intended to accommodate in a purpose-built unit located at a school (details supplied) in County Kildare have been accommodated; and if she will make a statement on the matter. [30653/05]

568. **Ms C. Murphy** asked the Minister for Education and Science the reason the purpose-built

[Ms C. Murphy.]

building to cater for the needs of children with autistic spectrum disorders located at a school (details supplied) in County Kildare remains unused for the purpose for which it was constructed; and if she will make a statement on the matter. [30654/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 567 and 568 together.

As the Deputy may be aware, it is proposed that a two-classroom autism unit will be established at the school in question. In this regard, appropriate classroom accommodation has been provided in the school for this purpose. This proposed autism unit would be additional to autism provision already in place in the area. This existing provision takes the form of placement of children in mainstream classes with appropriate support, placement in special schools or special classes and placement in stand alone facilities which are funded by the Department of Education and Science.

Department officials have been liaising with the school authorities on to the resources to be made available to facilitate the operation of the classes. The Department of Education and Science 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 individually assessed needs of the pupils enrolled.

The school authorities submitted a request to the Department of Education and Science for resources over and above those generally provided to schools when establishing such classes. Department officials have had a series of meetings with the school authorities to discuss the request. The most recent meeting took place in June 2005. At that meeting it was agreed that the board of management would consider the proposals presented by Department officials and revert to the Department of Education and Science. The Department of Education and Science subsequently wrote to the board on 15 July 2005 clarifying the Department's position and requesting a response from the board. A response is awaited.

The Deputy will be aware that with effect from 1 January 2005, the National Council for Special Education, NCSE, has taken over responsibility for processing resource applications for children with disabilities who have special educational needs including children with autism.

Under the new arrangements, the council, through the local special educational needs organiser, SENO, will process the relevant application for resources and inform the school of the outcome. The SENO will outline the process to

the school and parents, where appropriate, and will at the end of the process outline the basis on which the decision was made. I understand the local SENO is liaising with the school authorities regarding the matter referred to by the Deputy.

The Department of Education and Science is anxious that this purpose built facility for children with autism would become operational as soon as possible.

569. D'fhiafraigh **Mr. McGinley** den Aire Oideachais agus Eolaíochta an bhfuil iarratas faighte ina Roinn le haghaidh méadú agus feabhsú i leith scoile (sonraí tugtha); an bhfuil an t-iarratas á mheas faoi láthair; cén staid ag bhfuil sé agus an ndéanfaidh sí ráiteas ina thaobh. [30729/05]

Minister for Education and Science (Ms Hanafin): Chuir an scoil dár thagair an Teachta iarratas isteach ar chóiríocht bhreise.

Tá an t-iarratas arna mheasúnú de réir na gcri-téar foilsithe um bheartú tosaíochta gur deineadh athbhreithniú orthu anuraidh de thoradh ar dul i gcomhairle leis na páirtnéirí san Oideachas.

Táthar ag breathnú ar an dtionscadal i gcomhthéacs an chlár um fhoirgnimh scoile agus athnuachaint 2005-2009.

Schools Building Projects.

570. **Mr. Connaughton** asked the Minister for Education and Science the position regarding the request by the board of management of a school (details supplied) in County Galway for an extension to its school; if her attention has been drawn to chronic overcrowding at the national school; if other funding streams are available to the board; and if she will make a statement on the matter. [30737/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has made an application for capital funding towards the provision of additional classroom and ancillary accommodation.

An upward trend in enrolment in recent years necessitated a review of enrolment and demographic trends to ensure that any capital funding being provided is appropriate to meet the school's long-term accommodation needs. This review is under way and officials will be in contact with the school authority in this regard. A decision will then be made on how best to meet the school's long-term accommodation needs. The project is being considered in the context of the school building and modernisation programme 2005 — 2009.

The school authority has recently submitted an application under the additional classroom accommodation scheme 2006. The purpose of this scheme is to provide an accommodation solution

to schools for the 2006-07 school year, where an absolute need is demonstrated.

Officials of the Department's school planning section are in the process of recording and assessing all applications received. On completion of the process, it is planned to publish the list of successful applicants in December 2005.

571. **Mr. Connaughton** asked the Minister for Education and Science when approval will be given for the new science room at a school (details supplied) in County Galway; and if she will make a statement on the matter. [30738/05]

Minister for Education and Science (Ms Hanafin): An application under the 2006 additional classroom accommodation scheme for a double science classroom has recently been received from the school referred to by the Deputy. The purpose of the scheme is to provide an accommodation solution to schools for the 2006-07 school year, where an absolute need is demonstrated.

Officials of the Department's school planning section are in the process of recording and assessing all applications received. On completion of the process, it is planned to publish the list of successful applicants in December 2005.

572. **Mr. Timmins** asked the Minister for Education and Science the status of an application for additional building facilities for a school (details supplied) in County Wicklow; and if she will make a statement on the matter. [30741/05]

Minister for Education and Science (Ms Hanafin): The project at the school to which the Deputy refers has been assessed in accordance with the published prioritisation criteria, which were revised following consultation with the education partners. Progress on the project is being considered in the context of the school building programme from 2006 onwards.

School Transport.

573. **Mr. Lowry** asked the Minister for Education and Science the position regarding primary school students (details supplied); and if she will make a statement on the matter. [30744/05]

Minister for Education and Science (Ms Hanafin): An application for an extension to the existing bus route to the school referred to in the details supplied, in order to facilitate the children in question, was received in the Department of Education and Science on 20 October, 2005. A report has been requested from Bus Éireann, which organises the school transport scheme on behalf of the Department of Education and Science. When this report has been received and

considered, the Department will be in a position to respond directly to the applicants.

Special Educational Needs.

574. **Ms C. Murphy** asked the Minister for Education and Science the measures she will take to ensure that children with autistic spectrum disorders progress from primary school education to suitable secondary school placements without experiencing a gap in their multi-disciplinary service provision and without experiencing a gap in their special educational service provision; and if she will make a statement on the matter. [30755/05]

575. **Ms C. Murphy** asked the Minister for Education and Science the measures she has taken to facilitate the transition by children with high functioning autistic spectrum disorders from primary level education to mainstream secondary education; and if she will make a statement on the matter. [30756/05]

576. **Ms C. Murphy** asked the Minister for Education and Science the measures she has taken to ensure that multi-disciplinary therapeutic service provision as well as suitable special needs educational provision is made available to children with high functioning autistic spectrum disorders in mainstream secondary schools; and if she will make a statement on the matter. [30757/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 574 to 576, inclusive, together.

The Department of Education and Science provides a range of supports to second level schools to enable them to cater for students with special educational needs transferring from primary level. The supports in question include remedial and resource teacher allocations, special needs assistant support and funding for the purchase of specialised equipment.

The Department of Education and Science supports the education of students with autistic spectrum disorders in various second level schools throughout the country. The precise model of provision made available will depend on the assessed needs of the pupils involved. Some students are capable of attending ordinary classes on an integrated basis with additional teacher and/or special needs assistant support. In other cases, placement in special dedicated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil-teacher ratios. Students attached to these special classes may be facilitated in attending ordinary subject classes on an integrated basis wherever possible.

The Deputy will be aware that with effect from 1 January 2005, the National Council for Special

[Ms Hanafin.]

Education, NCSE, has taken over key functions from the Department of Education and Science regarding special educational provision. The NCSE was formally established as an independent statutory body on 1 October 2005 under the Education for Persons with Special Educational Needs Act 2005. The council acts under the broad policy direction of the Department of Education and Science but has the resources and the remit to play the leading role in the delivery of education services to children with disabilities or special needs. It is the function of the NCSE to provide a range of services at local and national level so that the educational needs of children with disabilities or special needs are identified and appropriate provision put in place. The NCSE co-ordinates with the health services, schools and other relevant bodies regarding the provision of education and related support services to children with disabilities or special needs.

The responsibilities of the NCSE include the following: deciding on applications for additional teaching support in respect of children with disabilities or special educational needs at second level; deciding on applications for special needs assistant, SNA, hours; processing applications for school placement in respect of children with disabilities or special educational needs.

Under the new arrangements, the council, through the local special educational needs organiser, SENO, will process the relevant application for resources and inform the school of the outcome. In the case of decisions on additional teaching and SNA support, the SENO will outline the process to the school and parents, where appropriate, and at the end of the process will outline the basis on which the decision was made.

I am confident the advent of the NCSE will prove of major benefit in ensuring that all children with special educational needs receive the support they require, when and where they require it.

Second Level Education.

577. **Ms C. Murphy** asked the Minister for Education and Science if secondary level education is regarded by her as being of equal importance to primary level education where the continued development and advancement of students is concerned; and if she will make a statement on the matter. [30758/05]

Minister for Education and Science (Ms Hanafin): All levels of education, primary, second level, third level and beyond are equally important to society, the economy and the individual.

Our primary education system is based on the belief that a high quality education, supported by

an appropriate curriculum, enables children to realise their full potential as individuals. Building on this, second level education aims to provide a comprehensive and relevant educational experience for students in order to prepare them either for higher or continuing education or for direct entry into the world of work. I regard primary and second level education as a continuum providing our young citizens with the necessary foundation for further study and lifelong learning.

Special Educational Needs.

578. **Ms C. Murphy** asked the Minister for Education and Science the reason there is such a disparity in the number of teaching staff working directly with children with special needs between primary and secondary schools; and if she will make a statement on the matter. [30769/05]

579. **Ms C. Murphy** asked the Minister for Education and Science the number of whole-time equivalent special needs assistants employed in secondary schools here; and if she will make a statement on the matter. [30772/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 578 and 579 together.

Enormous progress has been made in recent years in 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. One out of every five primary school teachers is now working specifically with children with special needs. At second level, there are approximately 1,600 whole-time equivalent teachers in place to support pupils with special educational needs. This compares to the approximately 200 teachers who were in place in 1998 for such pupils. In addition, there are currently approximately 1000 whole-time equivalent special needs assistants, SNAs, in our second level schools.

The general allocation model at primary level is based on the premise that all primary schools have children with learning support or high incidence special educational needs. Early intervention support at primary level ensures that many children do not need additional support at second level.

The substantial growth in special education services at second level in recent years reflects the reality that significant numbers of pupils who had been in receipt of special support in the primary sector from 1999 onwards are now transferring to the second level system. The precise model of provision made available will depend on

the assessed needs of the pupils involved. Some students are capable of attending ordinary classes on an integrated basis with additional teacher and-or special needs assistant support. In other cases, placement in special dedicated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil-teacher ratios. My Department also supports arrangements whereby students attached to these special classes are facilitated in attending ordinary subject classes on an integrated basis wherever possible. In some cases, the level of special need involved can be such that the child's needs could not be adequately addressed within the second level system. In such cases, placement is arranged in one of the special schools which cater for students from 4 to 18 years of age. Each such facility is dedicated to a particular disability group.

The National Council for Special Education, NCSE, through its network of locally based special education needs organisers, is responsible for processing any applications for additional special educational needs resources. I am confident that the advent of the NCSE will prove of major benefit in ensuring that all children with special educational needs receive the support they require, when and where they require it.

Defence Forces Recruitment.

580. **Mr. Nolan** asked the Minister for Defence his proposals to reduce the height conditions for female entry in the Defence Forces in view of the ongoing difficulty in recruiting women; and if he will make a statement on the matter. [30072/05]

Minister for Defence (Mr. O'Dea): The Government is committed to a policy of equal opportunity for men and women in the Defence Forces, including the Army, Air Corps, Naval Service and the Reserve Defence Force and to the full participation by women in all aspects of Defence Forces activities. In effect, this means that women are eligible on the same basis as men for participation in operational and ceremonial activities, for assignment to all military appointments and educational and training courses and for promotion. All female personnel undergo the same training and receive the same military education as their male counterparts.

In order to encourage increased participation by women in the Defence Forces my predecessor decided in March 1998 to reduce the height requirement for all female recruits to 162.5 cm or 5 ft. 4 in. This height requirement also applies to male recruits.

The Defence Forces actively encourages female applicants in several ways. Where possible, all graphical advertisements and booklets produced for the Defence Forces show both male

and female personnel and emphasise that all applicants are assessed on an equal basis. At recruitment fairs the Defence Forces stands are generally staffed by male and female personnel. When the Defence Forces are invited to give talks at all-female or at mixed schools, every effort is made to have a female speaker.

Over the past eight years, the strength of female personnel in the Permanent Defence Force has grown from 244 at the end of 1997 to 524 at the end of August 2005. This constitutes an increase of over 100% in the number of females serving over this period. On 5 August 2005 I wrote to both the Department of Education and Science and Department of Justice, Equality and Law Reform as well as a number of outside organisations seeking their views and recommendations on how more women might be encouraged to enlist in the Defence Forces. When the submissions have been received and examined officials, both civil and military, of my Department will meet representatives of each of the organisations which made submissions along with the Representative Association of Commissioned Officers, RACO, and the Permanent Defence Force Other Ranks Representative Association, PDFORRA, to consider the ideas and suggestions to ascertain what, if any, improvements or changes can be made to the programme of recruitment so as to encourage more females to join the Defence Forces.

Overseas Missions.

581. **Mr. Gregory** asked the Minister for Defence if the members of the Defence Forces killed in action at Niemba in the Congo were the first Irish soldiers to die in battle serving on a UN mission; if this is the largest single loss of life of Irish soldiers on UN duty; if this group was ill-equipped and ill-prepared for the jungle warfare that resulted in their deaths; if the Congo-Niemba war tragedy therefore was unique for the above reasons; his response to the claims in the new publication of the Irish Army in the Congo 1960-1964, The Far Battalions, that the Defence Forces official account of the Niemba ambush, on 8 November 1960 is not accurate; if he will have these claims considered; and if he will make a statement on the matter. [30082/05]

582. **Mr. F. McGrath** asked the Minister for Defence the way in which a person (details supplied) is listed among those who died in Niemba massacre on 8 November 1960 while Army reports just published show that he died in a separate incident almost three miles away and some days later; and if he will make a statement on the matter. [30117/05]

Minister for Defence (Mr. O'Dea): I propose to take Questions Nos. 581 and 582 together.

[Mr. O'Dea.]

The nine members of the Defence Forces who were killed in the Niemba ambush were the first members of the Defence Forces to lose their lives in battle while serving on a UN mission. This was the largest single loss of life in any one incident in the history of the Defence Forces participation in UN service. The 33rd Battalion was equipped and trained in accordance with prevailing military doctrine at the time.

On 8 November 1960 an 11 man patrol was engaged by Baluba tribesmen and they retreated into the bush, where fighting continued for some time. Nine members of the patrol were killed that day. Two members survived and were found by Irish patrols on 9 and 10 November. Eight of the nine bodies were also recovered over these two days. The ninth body was not located at the time. In the autumn of 1962 the Defence Forces learned that the location of the ninth body was known. A team of officers was sent to meet the Niemba civil administration and, after lengthy discussions, was brought to where the body lay. The body was removed to Elizabethville and returned to Ireland for burial.

Neither my Department nor the Defence Forces has a copy of the publication referred to in the question and steps are being taken to obtain a copy.

Consultancy Contracts.

583. **Mr. Bruton** asked the Minister for Defence the guidelines in place for the commissioning of outside expertise in the consultancy and public relations fields; and if ministerial approval is required for approval of expenditure on such commissions. [30165/05]

Minister for Defence (Mr. O'Dea): When commissioning outside consultants, my Department adheres to the guidelines for the engagement of consultants in the Civil Service, as issued by the Department of Finance. Ministerial approval for the expenditure on such commissions has not been required.

584. **Mr. Bruton** asked the Minister for Defence the percentage of reports, consultancies and cases from external commissions where the issue of poor value for money was highlighted, in his Department from 1998 to date in 2005. [30180/05]

Minister for Defence (Mr. O'Dea): My Department has not experienced poor value for money in respect of reports, consultancies and cases from external commissions.

Departmental Expenditure.

585. **Mr. Deasy** asked the Minister for Defence the amount which has been spent by his Department in bringing into effect the provisions of the Official Languages Act 2003. [30536/05]

Minister for Defence (Mr. O'Dea): The amount spent by my Department in bringing into effect the provisions of the Official Languages Act 2003 is €34,316.

Housing Grants.

586. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government the funding he has provided for the provision of housing for persons with disabilities and persons leaving sheltered accommodation in Counties Sligo and Leitrim in 2002, 2003, 2004 and to date 2005; if this funding will be increased; and if he will make a statement on the matter. [30043/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Under my Department's voluntary housing capital assistance scheme, accommodation may be provided for persons with special needs such as the elderly, homeless or persons with disabilities. Funding of €238,642 was made available to Leitrim County Council in 2002 towards the provision of accommodation for persons with disabilities.

My Department also provides a combined allocation for local authorities for the administration of the disabled person's and the essential repairs grant schemes. The disabled person's grants scheme provides grant assistance for works necessary for the proper accommodation of disabled persons. The essential repairs grants scheme enables people in houses which cannot be made habitable in all respects at a reasonable costs, to have basic repairs carried out to them. The scheme is directed primarily at older persons living in poor housing conditions.

The funding provided for local authorities for the administration of these schemes is set out in the accompanying table:

Expenditure on Disabled Persons Grant Scheme 2002-2005 (position at 31/8/05).

Local Authority	2002	2003	2004	2005 at 31/8/05	Total
	€	€	€	€	€
Leitrim County Council	1,260,305	1,300,488	1,112,474	474,788	4,148,055
Sligo County Council	777,087	470,753	196,912	105,585	1,550,337
Sligo Borough Council	330,905	457,320	114,605	111,403	1,014,233

Expenditure on Essential Repairs Grant Scheme 2002-2005 (position at 31/8/05).

Local Authority	2002	2003	2004	2005 at 31/8/05	Total
	€	€	€	€	€
Leitrim County Council	554,140	690,514	929,561	330,964	2,505,179
Sligo County Council	334,580	149,852	44,537	40,392	569,361
Sligo Borough Council	29,498	27,273	1,106	17,205	75,082

Question No. 587 answered with Question No. 175.

Water and Sewerage Schemes.

588. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government when the Ballina sewage scheme will proceed in view of the development and building standstill in the town due to the lack of this scheme; his views on whether Mayo County Council has been waiting a long time for the polluter pays report; when this report will be completed; when Mayo County Council will commence works in Ballina; when this scheme will be completed; the reason this scheme has taken so long; and if he will make a statement on the matter. [30550/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Ballina main drainage scheme is approved for construction in my Department's water services investment programme, 2004 to 2006. In July 2005, I cleared Mayo County Council's tender recommendations for upgrading of the treatment plant and the expansion and improvement of the sewage collection system. It is now a matter for the council to make arrangements with the successful tenderers for the commencement of the works.

In common with all projects in the water services investment programme, this scheme is subject to water services pricing, polluter pays, policy. In broad terms, the policy provides for the capital costs associated with the provision of services to meet the requirements of the existing domestic population being funded by my Department, with an allowance for organic growth within the existing network. The additional marginal capital cost of servicing non-domestic consumers and providing for future development, is recovered by the local authority from all non-domestic consumers in its functional area, that is, on a county-wide basis, through a combination of water charges on commercial consumers and planning levies on future development.

Additional information requested by my Department from Mayo County Council with regard to the council's water services pricing policy report for the scheme was received last week. This information is being examined in my

Department and a response will issue to the council as quickly as possible.

In the normal way a local authority should secure departmental approval to the water services pricing policy report in the initial stages of a scheme in order that the respective liabilities of the authority and the Department are clarified as early as possible in the procurement process. My Department has approved Mayo County Council's tender recommendation in advance of the finalisation of the water services pricing policy report in this case in order to facilitate early commencement of the works.

Planning Issues.

589. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government if he will change planning laws in order that stand alone buildings cannot be demolished without proper planning permission; and if he will make a statement on the matter. [30049/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under the Planning and Development Act 2000, and regulations made under it, the demolition of a building is an exempt development unless it is a habitable house, a building which forms part of a terrace of buildings, or a building which abuts on another building in separate ownership, or under section 57, a protected structure or proposed protected structure. The latter section also provides that a planning authority or An Bord Pleanála shall not grant permission for the demolition of a protected structure or a proposed protected structure save in exceptional circumstances. I am satisfied that these provisions give adequate protection for buildings that should not be demolished without consent and do not propose to amend the legislation.

Water and Sewerage Schemes.

590. **Mr. Grealish** asked the Minister for the Environment, Heritage and Local Government the status of the sewerage scheme project in Oughterard; and if he will make a statement on the matter. [30064/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Oughterard sewerage scheme is approved for construction in my Department's water services investment programme 2004 to 2006.

Galway County Council's preliminary report for the scheme is being examined in my Department and is being dealt with as quickly as possible. Once the preliminary report has been approved, the council will be in a position to prepare contract documents.

Environment, Heritage and Local Government the total spending by his Department on non-national roads in each county council and city council area in the years 2000, 2001, 2002, 2003 and 2004. [30076/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Details of the total grant payment to each county council and city council in each of the years 2000 to 2004 are set out in the following table:

Regional Road Network.

591. **Mr. Deasy** asked the Minister for the

Non-national road grant payments to county and city councils 2000 to 2004.

	2000 payment	2001 payment	2002 payment	2003 payment	2004 payment
	€	€	€	€	€
<i>County Councils</i>					
Carlow County Council	3,401,306	3,753,962	4,052,642	4,930,298	4,253,800
Cavan County Council	13,513,992	14,716,354	15,726,977	16,089,931	16,269,470
Clare County Council	13,665,456	15,248,139	16,257,677	16,818,644	18,286,146
Cork County Council	29,882,063	33,838,550	36,930,125	37,547,815	38,647,405
Donegal County Council	21,141,447	24,448,105	27,005,447	27,492,094	29,252,663
DunLaoghaire/Rathdown County Council	6,119,942	16,126,282	13,866,580	7,599,881	7,874,491
Fingal County Council	5,379,767	5,071,011	5,070,326	8,905,853	9,785,217
Galway County Council	20,176,658	21,711,006	23,833,064	23,559,344	23,796,406
Kerry County Council	15,354,325	16,426,287	17,734,012	18,368,972	19,569,478
Kildare County Council	13,418,099	21,148,246	23,340,437	11,834,028	17,453,601
Kilkenny County Council	8,410,933	8,468,961	10,748,356	10,485,255	10,807,565
Laois County Council	6,042,924	6,640,637	7,911,799	7,832,569	7,690,369
Leitrim County Council	8,561,892	9,240,552	9,959,054	10,772,207	10,669,193
Limerick County Council	12,398,523	13,831,839	14,281,149	16,202,691	17,371,817
Longford County Council	5,839,894	6,366,863	7,082,204	6,730,199	7,307,965
Louth County Council	3,175,059	5,172,579	6,213,082	5,291,176	6,691,503
Mayo County Council	17,609,701	19,493,587	21,282,512	22,356,016	25,455,372
Meath County Council	11,660,584	18,777,219	20,786,462	16,439,703	22,077,737
Monaghan County Council	11,987,097	13,192,755	13,778,589	14,855,704	14,070,786
North Tipperary County Council	7,369,334	8,476,116	9,001,849	9,328,473	9,520,635
Offaly County Council	6,214,287	6,732,870	7,599,969	7,439,374	7,894,309
Roscommon County Council	11,334,271	12,610,070	12,957,430	13,100,999	13,103,545
Sligo County Council	8,695,813	8,976,616	9,695,551	10,436,085	10,685,853
South Dublin County Council	5,115,775	5,176,332	7,109,360	17,103,770	23,606,845
South Tipperary County Council	8,458,764	9,254,754	9,679,606	10,079,927	10,206,249
Waterford County Council	8,112,128	9,038,692	9,999,072	9,460,248	10,945,504
Westmeath County Council	5,602,212	6,101,014	6,856,446	7,292,144	7,209,630
Wexford County Council	10,276,554	11,248,648	12,239,796	12,592,418	12,819,963
Wicklow County Council	7,996,216	8,838,722	9,173,488	9,889,710	8,927,822
<i>City Councils</i>					
Cork City Council	4,256,162	4,427,577	5,206,408	6,238,128	9,494,478
Dublin City Council	9,563,884	14,863,623	11,382,205	11,253,012	8,074,323
Galway City Council	2,337,680	1,482,041	3,093,500	2,744,292	1,420,020
Limerick City Council	2,014,264	2,436,050	3,260,485	2,328,936	2,496,919
Waterford City Council	2,791,631	2,098,514	2,519,534	3,456,811	16,431,709

Question No. 592 answered with Question No. 121.

Sheltered Housing.

593. **Cecilia Keaveney** asked the Minister for the Environment, Heritage and Local Government the position in relation to an application for sheltered housing by an association (details supplied) in County Donegal; and if he will make a statement on the matter. [30083/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Following the receipt of documentation requested from Donegal County Council, which is responsible for the detailed administration of the voluntary housing scheme in its area, further clarification has been sought from the council and is awaited. When this is to hand the application will be considered by my Department and the council will be advised of the outcome as soon as possible.

Environmental Policy.

594. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if he will sign the Friends of the Earth climate pledge; his policy to prevent climate change having catastrophic consequences such as storms, floods, droughts and famines. [30087/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the replies to Questions Nos. 106, 126, 114, 152, 160, 138, 157, 171, 197, 622, 655 and 682 of 25 October 2005.

I understand the pledge referred to in the Question was an initiative for energy efficiency week and is now closed. Ireland has ratified and fully supports the Kyoto Protocol. Our commitment to meet our greenhouse gas emission limitation target for the purpose of the protocol represents a real and significant contribution to combating global climate change and is the most appropriate pledge to be made by a national Government.

Local Authority Members.

595. **Mr. Gogarty** asked the Minister for the Environment, Heritage and Local Government if the work of a local authority member is considered a part-time or a full-time job; and if he will make a statement on the matter. [30124/05]

596. **Mr. Gogarty** asked the Minister for the Environment, Heritage and Local Government the standard salary, allowances and benefits payable to councillors; and if he will make a statement on the matter. [30125/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 595 and 596 together. The financial support framework for councillors has been significantly improved in recent years. The representational payment, RP, was introduced with effect from 1 January 2002 and included a once-off payment to councillors in respect of the period 4 May 2000, which was the date of publication of the Local Government Bill 2000, to 31 December 2001. The RP is directly linked to a Senator's remuneration and increases are applied on a pro-rata basis. It is subject to PAYE in the normal way and PRSI as appropriate. The rates of RP payable to members of the different types of local authorities are set out in the following table.

	€
City/County Councils	15,330
Borough Councils	7,666
Town Councils	Ranging from €3,832 to €2,091

Membership of a local authority is not considered to be a form of employment. The RP gives practical recognition to the civic contribution local authority members make to their community and reflects the important voluntary community aspect of a councillor's role.

Councillors also receive an annual allowance designed to defray, in a structured way, reasonable expenses incurred by them in attending meetings associated with their council business. For members of city and county councils, the allowance is calculated using a formula based on the distance from their home to the council headquarters, including a modest subsistence element and reflecting a notional number of meetings which that local authority would be expected to hold in a year. It is supplemented by a fixed amount towards miscellaneous costs such as postage and telephone. This amount varies depending which of four indices, 30, 50, 70 or 80, applies to the local authority concerned. These indices have been assigned on the basis of the notional number of meetings which a particular county or city council might be expected to hold annually. The 34 city and county councils each come under one of those indexes. Members of borough and town councils receive a lump-sum annual allowance.

In addition to the annual allowance, councillors may receive *ad-hoc* travel and subsistence payments in respect of attendance at conferences, training courses, meetings in relation to twinning matters or participation in delegations to Ministers and so forth. Payments may also be received in respect of authorised foreign travel.

Regulations allow for the payment of a single service related retirement gratuity to councillors. This involves a lump sum calculated as 3/20 of RP, on retirement, for each year of service since

[Mr. Roche.]

May 2000, up to a maximum 20 years service and with a minimum three year service requirement. Subject to certain conditions, the gratuity is payable on a councillor's retirement whether voluntary, because of a failure to be elected, death or ill health.

Local authorities may pay an annual allowance to the Cathaoirleach and Leas Cathaoirleach. Such decisions are reserved functions. The taxation implications of these payments have been determined by the Revenue Commissioners as follows: 50% of the allowance, subject to a fixed minimum amount of €5,000 and a maximum of €10,000, may be paid tax-free with PAYE/PRSI deducted on the balance. Councillors who are chairs of strategic policy committees, SPCs, receive a tax-free allowance of approximately €5,079 per annum. Councillors may also receive expenses from VECs, harbour authorities, regional assemblies and regional authorities, or certain other bodies as a result of their membership of such bodies.

Environmental Policy.

597. **Ms Cooper-Flynn** asked the Minister for the Environment, Heritage and Local Government if compensation package on designated bog lands will apply to farmers who sold their bog in 1996; and if he will make a statement on the matter. [30137/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A cessation of turf cutting scheme was launched in March 1999 and provided standard rates for the purchase of raised bog and, in exceptional cases, blanket bog that had been statutorily proposed for designation as a special area of conservation or a natural heritage area. In July 2004, my Department concluded an agreement with the farming pillar, under Sustaining Progress, which involved increases in the standard rates of compensation payment. This agreement incorporates retrospective provisions benefiting landowners who participated in the original 1999 scheme.

Land sold voluntarily to the Department in 1996 does not qualify for any additional payment. Such lands were sold subject to individual valuations which were agreed at the time as final settlements by both parties to the contracts of sale.

Questions Nos. 598 and 599 answered with Question No. 139.

Water and Sewerage Schemes.

600. **Mr. McCormack** asked the Minister for the Environment, Heritage and Local Government the position regarding the provision of a sewage treatment plant for Clifden, in view of the

increased population of Clifden town, County Galway and the necessity for an up-to-dated sewage treatment plant for the town. [30150/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Clifden sewerage scheme is approved for construction in my Department's water services investment programme 2004 to 2006.

Galway County Council's preliminary report for the scheme is being examined in my Department in conjunction with a supplementary site location report and a hydrographic marine survey. The latter was received in the Department last month. Once the preliminary report has been approved, the Council will be in a position to prepare contract documents.

Questions Nos. 601 and 602 answered with Question No. 120.

Waste Management.

603. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government the number of businesses that have registered to date on the WEEE register; the percentage of all businesses applicable which this represents; his views on whether the administration of this directive here has been badly handled; and if many businesses and retailers have received no correspondence regarding the directive from the Government. [30182/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Some 646 producers of electrical and electronic equipment (EEE) were registered with the WEEE register by close of business Friday, 21 October 2005. My Department does not have a record of the total number of undertakings with producer obligations in accordance with the provisions of the EU Directive on Waste Electrical and Electronic Equipment (WEEE). However, I am advised that the WEEE register had an initial target of registering 300 producers.

Implementation of the WEEE directive has been achieved as a result of close co-operation between all stakeholders — producers, retailers and both central and local government. This process began with the establishment of a task force representative of all relevant sectors, including producers and retailers, in February 2003, to draw up proposals for implementing the directive and no less than two extensive public consultation processes. My Department has been and continues to be available to provide advice and assistance throughout this process. My Department has also taken out advertising in the national press to draw the attention of producers and retailers to their obligations under the WEEE directive. An area of my Department's website has been

devoted to WEEE and a number of guidance documents for stakeholders can be found at www.environ.ie.

My Department is monitoring the operation of the scheme closely and where barriers to effective implementation are identified these will be addressed. The core components of the scheme are working well; between retail outlets and local authority civic amenity sites household WEEE is being collected from over 100 collection points around the country.

604. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government the reason for the large application fee for the WEEE register and WEEE Ireland; and the breakdown of this fee; and if he will make a statement on the matter. [30183/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The EU Directive on Waste Electrical and Electronic Equipment (WEEE) 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. Implementation of the directive has been achieved as a result of close co-operation between all stakeholders — producers, retailers and both central and local government and involved the establishment of three new structures as follows: (i) an independent national producer registration body — WEEE register — whose function it is to register all producers of electronic and electrical equipment, determine market share, and approve visible environmental management costs, EMCs, where these are displayed by producers and (ii) two compliance schemes to facilitate producers in complying with their obligations under the Regulations and in particular to fund the recovery of the waste equipment — WEEE Ireland Limited and the European recycling platform, ERP.

These three new bodies must be self-financing. In the case of the collective compliance schemes there must also be a contingency reserve to safeguard operation of the WEEE regime should a collective compliance scheme cease to operate for whatever reason. In all three cases the bodies are required to operate on a not-for-profit basis.

To fulfil these requirements the current registration fee in the case of WEEE register and membership fees in the case of the compliance schemes were determined by those organisations. My Department has no function in determining the level of these fees. My Department is monitoring the operation of the scheme closely and where barriers to effective implementation are identified these will be addressed. All of the new structures are working effectively and I am confi-

dent that the EU WEEE collection target of 4 kg per inhabitant which Ireland has to meet by end 2008 will be met well before then.

Housing Projects.

605. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government the progress made to date by the Affordable Homes Partnership; if the 1999 affordable housing scheme, part V of the Planning and Development Acts 2000-2002 scheme and the affordable housing initiative scheme will be amalgamated in order that a person only has to make one application for affordable housing to a local authority; and if he will make a statement on the matter. [30227/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The Affordable Homes Partnership was established with effect from 1 August 2005 under the terms of the Affordable Homes Partnership (Establishment) Order 2005, copies of which have been placed in the Oireachtas library.

In the short period since its appointment, the board of the partnership has already met on two occasions. An interim chief executive officer has taken up duty, arrangements for the wider staffing of the organisation have been progressed significantly and a range of corporate governance issues have been addressed. The partnership's overall objective is to co-ordinate and add impetus to the delivery of affordable housing in the greater Dublin area and it has been assigned specific functions for this purpose in article 4(2) of the establishment order. In its work to-date, the partnership has focused particular attention on preparations for the call for proposals to issue to builders-developers with a view to bringing forward land for affordable housing. I understand this process, which will take account of guidelines issued by the Minister for the Environment, Heritage and Local Government, will be initiated shortly by way of public advertisement.

The partnership has also been undertaking preparatory work on a number of land swap projects similar to the successful Harcourt Terrace pilot project concluded earlier this year. I understand the procurement process in the first of these projects is to commence next month. As for the possible amalgamation of the various affordable housing schemes currently in operation, this was one of a number of issues highlighted in the NESC report, *Housing in Ireland: Performance and Policy*, for further consideration. The Government intend to address these issues shortly, taking account also of work under way by

[Mr. N. Ahern.]

the housing forum in reviewing the effectiveness of existing social and affordable housing schemes in the context of the Sustaining Progress agreement.

606. **Mr. Haughey** asked the Minister for the Environment, Heritage and Local Government if he funds voluntary organisations or housing bodies which aim to secure accommodation for returned emigrants; if he will provide contact details of these organisations and bodies; and if he will make a statement on the matter. [30228/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Under the amendment made to the terms of my Department's voluntary housing capital assistance scheme in November 2001, up to 25% of accommodation in new projects provided throughout the country by individual voluntary housing bodies with funding under the scheme may be allocated to elderly returning emigrants who satisfy eligibility criteria in relation to their present circumstances and are included in the Safe Home waiting list.

The Safe Home organisation carries out a co-ordinating role liaising with relevant individual voluntary housing bodies throughout the country in relation to accommodation for eligible elderly emigrants who are included in their waiting list. Safe Home assesses applications from elderly emigrants for accommodation under the scheme and compiles a list of eligible applicants. It liaises with relevant voluntary bodies throughout the country and with local authorities in relation to accommodation for eligible elderly emigrants on its waiting list and carries out a co-ordinating role generally in relation to the scheme. Elderly emigrants wishing to apply for accommodation may contact the Safe Home Programme, Saint Brendan's Village, Mulranny, County Mayo.

607. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government if an application has been submitted to his Department by Mayo County Council in respect of proposed works at a housing estate (details supplied) in County Mayo; if funding has been approved; when he will approve funding for the planned maintenance programme. [30235/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Preliminary documentation has been received from Mayo County Council in regard to the refurbishment of housing estates in the county including the estate in question. My

Department recently wrote to the council requesting that they submit a schedule of proposed remedial works over the next three years at various locations throughout the county to enable the council and the Department examine the detailed proposals and to assess funding requirements over the period. It is understood the county council are concentrating in the first instance on upgrading rural houses in the county as it is considered that they are in most in need of refurbishment.

Water Charges.

608. **Mr. Ferris** asked the Minister for the Environment, Heritage and Local Government if special consideration on water charges will be given to charitable organisations, such as homeless shelters, community centres, community creches and so on. [30243/05]

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 any special consideration or exemption of any classes of non-domestic users from the charging policy.

Regional Road Network.

609. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government if an application has been received from Louth County Council for funding under the EU co-financed specific improvement grants scheme in respect of the Drogheda Northern Cross Route; and if he will make a statement on the matter. [30244/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The provision and improvement of non-national roads in County Louth is a matter for Louth County Council to be funded from its own resources supplemented by State grants.

In August this year, my Department sought applications from road authorities for funding under the 2006 EU co-financed specific improvements grant scheme. The initial selection of pro-

jects to be submitted for consideration for funding under this scheme is a matter for road authorities. Louth County Council submitted a number of applications but these did not include an application for funding for the Drogheda Northern Cross Port Access route.

Local Authority Housing.

610. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government the legislation in relation to the formerly occupied houses being reallocated by the local authorities; the required condition of the property; if the new tenant is expected to paint, wash and clean the house to get it ready for occupation or if that is the responsibility of the local authority; and if he will provide a copy of the guidelines which specify the condition a property must be in for reallocation. [30254/05]

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. The Housing (Standards for Rented Houses) Regulations 1993 lay down minimum physical standards which the dwelling must meet.

The development of policy and procedures for re-lets is a matter for the individual housing authority. The housing unit has published a series of guidelines for local authorities on good practice in housing management. The series includes Managing Voids: Co-ordinating the Monitoring Repair and Allocation of Vacant Dwellings which is available on the unit's website www.housingunit.ie.

Housing Aid for the Elderly.

611. **Mr. Howlin** asked the Minister for the Environment, Heritage and Local Government if additional funding will be provided to the Health Service Executive south eastern area, under the housing aid for the elderly scheme to deal with the lengthy waiting lists that exist in this area; and if he will make a statement on the matter. [30259/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): A total of €2.66 million for the operation of the scheme was allocated to the Health Service Executive south eastern area for 2005.

The overall provision for the scheme in 2005 has been fully allocated by the task force, who administer the scheme under the aegis of my

Department, and no additional funding is available in the current year.

Local Authority Housing.

612. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government the number of successful applications for provisional loan approval under the shared ownership scheme which were made for each local authority in 2004; the further number which have been made to date; the number of loans which were issued for each year and by each local authority; his plans to extend the scheme or to increase publicity for it; the upper limit of house value for each local authority area; his further plans to increase the upper limit of house value; and if he will make a statement on the matter. [30311/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Information for 2004 and up to June 2005, on the number of loan approvals and loans paid under the shared ownership scheme, which were made by each local authority, is set out in the table as follows: The income eligibility and maximum loan limits applying to the shared ownership scheme were reviewed and increased substantially in July 2004 and these are kept under continuous review. Implementation of the terms of the scheme, including its promotion, are matters for individual local authorities. Notwithstanding this, my Department's website contains full details of the various affordable housing schemes available, including the shared ownership scheme, in an easy to follow format. In addition, there are simplified brochures available on the various schemes which are currently also being updated. Individual local authorities also provide publicity on the schemes through their own websites.

The information sought on upper limits of house values is not available to my Department. While the maximum loan which may be advanced by a local authority in respect of the share of the dwelling being purchased (minimum 40%) is €165,000 the cost of the dwelling may, of course, exceed this subject to the borrower's income being sufficient to meet the financial commitments involved.

I intend to continue support of the shared ownership scheme as an important instrument in the provision of affordable housing.

[Mr. N. Ahern.]

Shared Ownership

	2004		June, 2005	
	Loans Approved	Loans Paid	Loans Approved	Loans Paid
<i>County Councils</i>				
Carlow	11	3	8	9
Cavan	4	3	2	3
Clare	11	15	4	6
Cork (S) and Co.	30	40	27	9
Cork(N)	22	5	12	13
Cork(W)	1	59	0	0
Donegal	19	25	17	7
Dún Laoghaire/Rathdown	30	0	1	1
Fingal	0	4	1	1
Galway	16	15	5	9
Kerry	24	18	7	6
Kildare	147	70	92	25
Kilkenny	8	6	9	5
Laois	26	26	33	20
Leitrim	1	1	5	3
Limerick	17	10	8	16
Longford	6	10	3	3
Louth	1	1	1	1
Mayo	4	1	1	2
Meath	39	23	11	11
Monaghan	4	3	0	0
North Tipperary	13	13	3	3
Offaly	6	10	1	2
Roscommon	5	4	0	0
Sligo	15	15	3	5
South Dublin	11	18	10	13
South Tipperary	14	10	7	3
Waterford	0	1	2	0
Westmeath	26	19	12	2
Wexford	8	5	7	6
Wicklow	2	2	1	0
<i>City Councils</i>				
Cork	12	5	1	2
Dublin	448	329	341	192
Galway	2	2	0	0
Limerick	4	3	7	4
Waterford	54	27	10	16
<i>Borough Councils</i>				
Clonmel	0	0	0	0
Drogheda	3	0	0	0
Kilkenny	0	0	0	0
Sligo	7	3	2	1
Wexford	0	0	0	0
<i>Town Councils</i>				
Athlone	1	2	0	0
Bray	0	0	0	0
Dundalk	0	0	0	0

Town Councils.

613. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the number of persons employed by town councils in the years 2002, 2003 and 2004 by town; and if he will make a statement on the matter. [30312/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The number of persons employed directly by town councils, shown as whole time equivalent, WTE, in the years 2002, 2003 and 2004 by town, as provided by the local authorities, is set out in the following table:

Staffing Numbers (WTE)	2002	2003	2004
<i>Borough Councils</i>			
Clonmel Borough Council	92.0	93.0	98.0
Drogheda Borough Council	166.2	163.6	163.6
Kilkenny Borough Council	112.0	111.0	109.0
Sligo Borough Council	124.0	118.2	111.4
Wexford Borough Council	87.6	75.4	71.9
<i>Town Councils</i>			
Arklow Town Council	32.8	33.8	38.5
Athlone Town Council	91.8	71.8	84.6
Athy Town Council	30.5	29.5	29.0
Balbriggan Town Council	0.0	0.0	0.0
Ballina Town Council	45.0	46.0	45.0
Ballinasloe Town Council	37.4	37.4	36.4
Ballybay Town Council	0.0	0.0	0.0
Ballyshannon Town Council	0.5	0.5	0.5
Bandon Town Council	0.0	0.0	0.0
Bantry Town Council	0.0	0.0	0.0
Belturbet Town Council	0.0	0.0	0.0
Birr Town Council	17.3	14.3	13.5
Boyle Town Council	0.0	0.0	0.0
Bray Town Council	88.2	88.0	85.0
Buncrana Town Council	23.0	20.0	18.0
Bundoran Town Council	14.5	14.2	14.0
Carlow Town Council	54.0	54.0	54.0
Carrickmacross Town Council	19.1	23.0	21.0
Carrick-on-Suir Town Council	29.0	29.0	28.0
Cashel Town Council	19.0	18.0	17.5
Castlebar Town Council	41.4	43.4	42.4
Castleblaney Town Council	13.5	9.5	14.0
Cavan Town Council	24.4	21.4	21.4
Clonakilty Town Council	11.0	13.0	10.0
Clones Town Council	11.4	11.4	12.0
Cobh Town Council	24.0	25.0	21.7
Cootehill Town Council	0.0	0.0	0.0
Droichead Nua Town Council	0.0	0.0	0.0
Dundalk Town Council	194.0	201.0	203.7
Dungarvan Town Council	37.5	37.5	37.5
Ennis Town Council	89.5	86.0	86.0

Staffing Numbers (WTE)	2002	2003	2004
Enniscorthy Town Council	23.0	29.0	26.0
Fermoy Town Council	24.0	26.0	32.0
Gorey Town Council	0.0	0.0	0.0
Granard Town Council	0.2	0.2	0.2
Kells Town Council	11.0	14.0	15.0
Kilkee Town Council	2.0	2.0	2.0
Killarney Town Council	64.2	63.1	62.6
Kilrush Town Council	12.1	13.4	13.8
Kinsale Town Council	13.0	13.0	14.0
Leixlip Town Council	0.0	0.0	0.5
Letterkenny Town Council	53.0	45.0	58.0
Lismore Town Council	0.0	0.0	0.0
Listowel Town Council	26.0	26.6	25.6
Longford Town Council	33.6	36.0	40.1
Loughrea Town Council	0.0	0.0	0.0
Macroom Town Council	14.0	14.0	15.0
Mallow Town Council	30.0	30.0	35.0
Middleton Town Council	22.0	23.0	20.0
Monaghan Town Council	36.0	37.0	29.0
Mountmellick Town Council	0.0	0.0	0.0
Muine Bheag Town Council	0.0	0.0	0.0
Mullingar Town Council	0.0	0.0	0.0
Naas Town Council	45.6	43.8	43.8
Navan Town Council	24.0	27.5	34.5
Nenagh Town Council	25.7	29.0	35.0
New Ross Town Council	33.0	32.5	33.5
Passage West Town Council	0.0	0.0	0.0
Portlaoise Town Council	0.0	0.0	0.0
Shannon Town Council	0.0	0.0	0.0
Skibbereen Town Council	13.0	12.0	13.0
Templemore Town Council	13.8	12.3	13.0
Thurles Town Council	33.0	32.0	31.6
Tipperary Town Council	33.0	25.4	32.0
Tralee Town Council	122.5	136.0	136.5
Tramore Town Council	0.0	0.0	0.0
Trim Town Council	14.5	12.0	12.0
Tuam Town Council	0.0	0.0	0.0
Tullamore Town Council	52.2	55.0	55.5
Westport Town Council	35.6	34.9	37.2
Wicklow Town Council	31.5	33.1	32.0
Youghal Town Council	27.0	29.0	33.0

National Spatial Strategy.

614. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government his plans to provide for the non-housing elements of the National Spatial Strategy as identified in page 103 of that document; and if he will make a statement on the matter. [30313/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Page 103 of the National Spatial Strategy deals with housing

[Mr. Roche.]

location considerations. It sets out principles to be considered in ensuring the sustainable provision of housing and is an input to housing strategies and the development plans of planning authorities.

It is a matter for each planning authority to ensure that provision is made in its area for an adequate supply of land for residential development in line with the assessment of needs in the housing strategy. Ensuring such supply requires, *inter alia*, the strategic reservation of land by planning authorities through the development plan process, coupled with timely and sequential release of land. The identification of the location of such lands is a matter for the relevant planning authority.

It is best practice in identifying land for development and in deciding on the nature and scale of development envisaged under development plans to give careful consideration to the future availability of, or the capacity to provide the non-housing elements of such development, including infrastructural services and supporting infrastructure, such as the appropriate community facilities, health-care, schools, public open space, retail and other service provision and public transport. Account should be taken of the extent to which these are available or whether there is a reasonable expectation that they can be delivered in a timely manner to support residential development on lands identified for such development.

It is also important that in identifying lands for development planning authorities should take account of national and local investment programmes insofar as these may be relevant to the area concerned. To this end, planning authorities are required in drafting development plans to consult with the providers of energy, telecommunications, transport and any other relevant infrastructure and of education, health, policing and other services in order to ascertain any long-term plans for the provision of infrastructure and services in the area of the planning authority. Providers are required to furnish the necessary information to the planning authority.

Account should also be taken by planning authorities of the capacity of development contributions to recoup some of the costs to public funds of servicing land for private development. Development contributions collected by planning authorities are ring-fenced to pay for facilities benefitting new development, for example, roads, water, sewerage services and amenities. All planning authorities have adopted development contribution schemes which set out how the schemes apply in their areas and these schemes apply to all permissions granted after the adoption of the scheme.

Local Authority Housing.

615. **Mr. Kehoe** asked the Minister for the Environment, Heritage and Local Government if he will report on the restrictions on persons who have bought a house from a local authority from selling it on privately at a later date; if there are circumstances in which these restrictions can be lifted; and if he will make a statement on the matter. [30324/05]

Minister of State at the Department of the Environment, Heritage and Local Government

(Mr. N. Ahern): The first resale of houses sold under the tenant purchase scheme requires the consent of the local authority. This condition applies for a period of 20 years. This restriction does not apply to second or subsequent purchasers. Neither does the restriction apply to a lending agency, so that in the event of default on a mortgage taken out by the purchaser, the lending agency will be able to recover possession and, if necessary, sell the house without the consent of the housing authority.

Environmental Policy.

616. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the ESRI report, aspects of Irish energy policy, and its assertion that without a carbon tax it is unlikely that Ireland will meet its emission targets set under the Kyoto protocol; and if he will make a statement on the matter. [25017/05]

Minister for the Environment, Heritage and Local Government

(Mr. Roche): I am aware of the report to which the question refers. Following the Government decision that a carbon tax would not be an appropriate policy option for the purpose of achieving greenhouse gas emissions reductions, alternative policy options are being examined in the context of the review of the national climate change strategy.

Archaeological Sites.

617. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the position in relation to Government plans to purchase the Great Blasket Island; the exact cultural importance of the island; his plans to develop the island as a cultural centre or to maximise its cultural significance; and if he will make a statement on the matter. [28315/05]

Minister for the Environment, Heritage and Local Government

(Mr. Roche): On 6 July 2005, the Government approved the early purchase of the majority of land interests on An Blascaod Mór for €1.7 million to be provided from within the existing heritage capital allocation of my

Department. The Office of Public Works is currently engaged in ongoing negotiations for this purpose and it is expected these will be completed in 2006. The future promotion and management of the island will also be a matter for the OPW.

The cultural importance of An Blascaod Mór is well acknowledged and has been reaffirmed in a number of reports and documents and plans. These identify the Irish language, the richness of the Island's folk culture, the unique tradition of islanders writing about their lives in their native language while still living there, and the many books published about the Island, the islanders, their literary achievements and their lifestyle as contributing to its overall cultural significance. The island has also made a significant impact on Ireland's cultural heritage, and the islanders' published works are of great anthropological value.

In addition to its unique importance as a repository of a distinctive cultural tradition, An Blascaod Mór is a maritime habitat of international importance and contains important built heritage remains of historical, cultural and archaeological value. The continued use of the island for agriculture, for research and as a visitor attraction will be supported, subject to the requirements of conserving the Island's unique character for future generations.

The future plans for the island include (i) the conservation of the Island's built and natural heritage as the physical manifestation of a distinctive cultural and literacy legacy and habitat of international importance, in line with best international practice in conservation; (ii) the promotion of access to, and awareness of, the island's national and international cultural significance; (iii) the assurance that adequate facilities are in place on the Island to cater for the reasonable expectations of visitors having regard to health and safety considerations, in the context of the difficult terrain and sensitive environment of the island; (iv) the maintenance of the island as a living entity, bound to the mainland community of Dún Chaoin.

Waste Management.

618. **Ms O'Sullivan** asked the Minister for the Environment, Heritage and Local Government the actions he has taken to encourage and assist with reduction, recycling and reuse of waste in schools; and if he will make a statement on the matter. [27675/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department has supported the green schools programme for schools since 2000.

The green schools programme is the implementation in Ireland of an international environmental education programme known as eco-schools, a

programme of the foundation for environmental education, FEE. FEE is an organisation founded to raise awareness of environmental issues through education. In Ireland the programme is administered by An Taisce, the National Trust for Ireland.

Green schools was first launched in Ireland in 1997. At present 2,103 schools are participating in the programme with 651 schools having successfully raised the green flag. Green schools is a themed programme with schools initially working through the requisite steps for waste and litter. Subsequent themes include energy, water, transport, biodiversity and healthy living. An Taisce indicate that Irish schools that successfully implement the programme for waste and litter divert on average 60% of their waste from landfill.

My Department has given the following grant assistance to An Taisce specifically for the green schools programme: €10,158 in 2000 for production of a green schools video; €400 in 2002 towards the cost of attendance at an international conference on green schools; €25,000 in 2004 towards the cost of organising an international eco schools meeting; €25,000 in 2004 for computer equipment.

I have recently allocated a further €50,000 in support funding this year and will review the possibility of further funding in 2006 and future years.

In addition to my Department's support for the green schools programme, since 2003 ENFO, my Department's Environmental Information Service, has been improving the availability of ENFO services outside the greater Dublin area by means of the ENFO on tour initiative. Schools and community groups who cannot easily visit the ENFO premises in Saint Andrew Street for lectures and workshops, are now able to avail of visits from a group of young graduates who travel throughout the country to give ENFO environmental workshops. To-date, 950 primary and secondary schools covering about 150,000 students outside the Dublin area have participated in the ENFO on tour workshops. Workshop themes have covered ecosystems, waste management and global warming.

Water and Sewerage Schemes.

619. **Mr. J. O'Keeffe** asked the Minister for the Environment, Heritage and Local Government if he will sanction a request from Cork County Council for an upgrade to a waste water treatment plant (details supplied) in the next water services investment programme. [30466/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Macroom sewerage scheme was included as a proposal for the period 2007 to 2012 in the list of water and

[Mr. Roche.]

sewerage schemes submitted by Cork County Council for its southern division in response to my Department's request to all local authorities 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 2004-2006 published in May 2004. Having regard to the rating afforded to the scheme by the council, it was not possible to include it in the programme.

620. **Mr. S. Ryan** asked the Minister for the Environment, Heritage and Local Government if he has any record of an application from Fingal County Council in respect of the Jordantown-Brennan's Cross sewerage scheme, County Dublin; and if so, the position regarding same. [30469/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department has no application from Fingal County Council in this case nor was such a proposal included in most recent list of water and sewerage schemes submitted by the council in response to the Department's request to all local authorities 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 2004-2006 published in May 2004.

Question No. 621 answered with Question No. 142.

Question No. 622 answered with Question No. 138.

Local Government.

623. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government the steps he is taking to improve partnership between councils to improve services as promised in his address to AMAI in September 2005; and if he will make a statement on the matter. [30344/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Quality customer service delivered in an efficient and effective manner is a core principle of the local government modernisation programme. In this context, close links and a partnership approach between town and county councils, and local authorities generally, are important to facilitate integrated service delivery and better meet the needs of communities.

My Department has supported this partnership approach through, for example, the provision of funding for one-stop-shop facilities, and encouraging greater links, and the sharing of services, between county and town authorities. I will continue to support initiatives which seek to enhance efficiency and effectiveness in the delivery of integrated local authorities services.

Waste Management.

624. **Mr. McGinley** asked the Minister for the Environment, Heritage and Local Government if he has satisfied himself that the system under which Repak is constituted and waste producers pay a fee to join is the best way to deal with the ever worsening waste crisis; and if he will make a statement on the matter. [30348/05]

649. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that the fees of Repak have increased by more than 20% in the past two years. [30576/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 624 and 649 together.

Ireland has a successful record in meeting EU targets for recovery of packaging waste. Directive 94/62/EC on packaging and packaging waste is based on the principle of producer responsibility, which is intended to require producers to contribute to the waste management costs of products which they have placed on the market at end-of-life. Under the directive, Ireland was required to achieve a 25% recovery rate of packaging waste by 1 July 2001, increasing to a 50% recovery rate by 31 December 2005, with a minimum of 25% to be achieved by recycling, including a minimum 15% recycling rate for each type of packaging material. The directive is transposed into national legislation by the Waste Management (Packaging) Regulations 2003, as amended, which replaced earlier regulations introduced in 1997.

Under the regulations, major producers of packaging waste — i.e. manufacturers, importers, distributors, wholesalers and retailers, representing all participants in the packaging chain, who place more than 25 tonnes of packaging on the market each year and who have an annual turnover exceeding €1 million excluding VAT — are required to take steps individually to recover their packaging waste, i.e. self-compliance, or alternatively to contribute to, and participate in, compliance schemes set up to recover packaging waste.

Repak Limited was established by Irish industry in 1997 as a not-for-profit organisation to promote, co-ordinate and finance the collection and recovery of packaging waste with a view to achieving Ireland's packaging waste recovery and

recycling targets under the directive and is the only such approved compliance scheme in Ireland. Repak membership income is used to subsidise the collection of packaging waste from both the household and commercial sectors. In the household sector, subsidy is provided towards the collection of packaging waste from bring banks and civic amenity recycling centres, as well as segregated kerbside collection of packaging waste from households. More than 560,000 households, approximately 42% of all households nationally, are now served by segregated collection.

Repak has reported consistent progress since 1997 and in 2001 Ireland met the 25% packaging waste recovery target required by the directive. The EPA has reported in its National Waste Database Interim Report for 2003, published in December 2004, that packaging waste recovery has increased to an estimated 42% in that year, indicating that Ireland is on course to meet the higher recovery and recycling targets for end 2005.

The significant increase in packaging waste collected for recycling in recent years to meet the higher targets for 2005 required under the directive has resulted in increased subsidy payments by Repak to waste collectors. In light of this, Repak has increased its membership fees by an average of 7% in 2004 and an average of 19% in 2005. The setting of Repak membership rules and associated membership fees are a matter for the board of Repak and its senior management.

Tax Code.

625. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that the United Kingdom cited an increase in the purchase of plastic bin liners as a reason not to levy a plastic bag tax in that country; if his further attention has been drawn to the increase in the purchase of such plastic products since the introduction of the tax; and if he will make a statement on the matter. [30349/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The 15 cent levy on plastic bags, as provided for in the Waste Management (Environmental Levy) (Plastic Bag) Regulations 200, which took effect on 4 March 2002, applies to all plastic bags supplied to customers at the point of sale to them for the conveyance of goods or products. Prior to the introduction of the levy, an estimated 1.2 billion disposable plastic shopping bags, the majority of which were imported, were given away free by retailers. The levy has led to a dramatic reduction in their consumption with a consequent positive environmental benefit.

An Irish manufacturer of plastic bin liners has been quoted as stating that its sales have increased substantially since the introduction of the levy. This would have been expected, as plastic shopping bags would have had an obvious subsidiary use in the domestic bin. The point of the levy, however, was to change consumer behaviour which was contributing to a visible litter problem. This objective has been achieved. The most recent survey data available from the national litter pollution monitoring system shows that in 2004 plastic bags constituted approximately 0.22% of litter pollution nationally, compared to an estimated 5% prior to the introduction of the levy.

EU Directive.

626. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government the status of the implementation of the nitrates action programme; and if he will make a statement on the matter. [30350/05]

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. Earlier this month I issued a consultation paper together with the text of draft regulations to give legal effect to the action programme. Copies have been placed in the Oireachtas Library. Submissions and comments on the draft regulations have been requested by 4 November. Following consideration of any comments etc received, I envisage that the regulations will be made by end November 2005 and the programme will be implemented on a phased basis from 1 January 2006.

Library Projects.

627. **Mr. Hogan** asked the Minister for the Environment, Heritage and Local Government the extent of the roll-out of the Lifesteps programme; the number of public libraries in which it is available; the number in which it will eventually be available; the timescale for this roll-out; and if he will make a statement on the matter. [30353/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Lifesteps initiative, which I launched on 3 October 2005, enables people to use the Internet for major life events through on-line and paper-based guides. It will be promoted across the country through the 32 library authorities and their 374 information points — 345 branch libraries and 29 mobile libraries — between now and the end of the year. The 17 guides published so far have been deliv-

[Mr. Roche.]

ered to all 32 library authorities and each of their branches will have copies available to their library users before the end of October. Six more guides will be produced by the end of the year. The website, *www.lifesteps.ie*, has been live since the beginning of October and it is available in all public libraries and can be accessed by an Internet user. Marketing material such as bookmarks, mouse mats and posters will also be distributed to all library branches in the next couple of weeks by An Chomhairle Leabharlanna.

Local Authority Housing.

628. **Mr. McCormack** asked the Minister for the Environment, Heritage and Local Government the number of local authority dwellings that lack central heating facilities; and if he will make a statement on the matter. [30356/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Details of the number of local authority dwellings without a central heating system at 31 December 2004 have been requested from local authorities. On the basis of the returns received to date my Department estimates the number of such dwellings to be 36,000.

Environmental Policy.

629. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government the number of the 91 actions listed in the national biodiversity plan which have been implemented; and if he will make a statement on the matter. [30395/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department is finalising for publication an interim review of progress in implementing all actions under the national biodiversity plan. I expect to publish the review shortly.

Computerisation Programme.

630. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government the information technology initiatives undertaken by him since 1997; the consultants used in those initiatives; the projected cost; the actual cost; if the schemes are functional; and if he will make a statement on the matter. [30400/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The information requested is being compiled and will be communicated to the Deputy shortly.

Local Authority Structure.

631. **Mr. McEntee** asked the Minister for the Environment, Heritage and Local Government his views on whether the huge increases in the populations of counties close to Dublin necessitates the creation of new local authorities; and if he will make a statement on the matter. [30407/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Local Government Act 2001 modernises the legislative framework, supports community involvement with local authorities in a more participative local democracy and underpins generally the programme of local government renewal including the position of county and city councils as the primary units of local government. The Act takes account of the recommendations of the 1996 report of the reorganisation commission, *Towards Cohesive Local Government — Town and County*, regarding improved accessibility, interaction and links for all towns and communities with their local county council as the way forward.

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. I have met a number of vibrant community groups in the area mentioned, as well as initiating consultation with local government interests, in regard to the creation of new town councils and their prospective functional responsibilities under the Act.

Local authorities, as part of the local government modernisation programme, have extensive capacity to innovate and adapt to changing circumstances and local demands, including those of economic and population growth. I will keep the position under review with the aim of ensuring good accessible service delivery for all communities and population centres.

Waste Disposal.

632. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government if he will establish joint sludge management by a number of local authorities; and if he will make a statement on the matter. [30431/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The development of a regional approach to sludge management is supported by my Department, where appropriate. To date, five sanitary authorities

have been involved in the development of two joint sludge management plans.

Town Twinning.

633. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government his views on town and area twinning; the support he gives to such initiatives; his further plans for these initiatives; and if he will make a statement on the matter. [28340/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Section 75 of the Local Government Act 2001 provides that a local authority may enter into arrangements for the twinning of its administrative area or a part of it with any other area inside or outside the State. The decision to enter into such a twinning arrangement is a reserved function of the local authority concerned and my Department has no role in the process. I consider that appropriate twinning arrangements offer communities opportunities to promote tourism, industrial development and cultural exchanges with similar communities abroad. In addition it can foster understanding and co-operation between people in different countries and facilitate the implementation of joint projects in local government and other areas of mutual interest. The Institute of Public Administration, IPA, receives a budget each year from local authorities to keep them informed of new EU legislative developments and funding opportunities, which includes programmes such as twinning. In addition, the European Commission has funding available to assist local authorities and voluntary twinning committees relating to town-twinning activities as part of its programme to support active European citizenship. The IPA also provides advice and guidance to interested twinning applicants at home and abroad and has issued a comprehensive guide to town twinning in this regard.

Library Projects.

634. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government his proposals for a new library for Dunleer, County Louth; and if he will make a statement on the matter. [30470/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): On 14 October 2005, I approved capital funding, up to a maximum of 75% of approved costs, for a branch library at Dunleer, County Louth. Further progression of the project is a matter for Louth County Council.

Archaeological Site.

635. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government if he received the statutory two-month notice required from the developer concerned prior to the commencement of rock breaking and major excavation at Trim Castle. [30472/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department is not aware of a rock breaking or major excavation at Trim Castle. A planning application relating to the hotel development near Trim Castle was forwarded to my Department on 7 March 2003. It has been the practice in my Department to accept planning application referrals as the statutory notification required by section 12 of the National Monuments (Amendment) Act 1994.

636. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government if Trim Urban District Council sought his consent prior to its disposal to a developer of a site adjacent to Trim Castle for a hotel. [30473/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The site in question was disposed of in May 2002 in accordance with section 211(1) of the Planning and Development Act 2000. The question of ministerial consent under section 211(2) of the Act did not arise.

Architectural Heritage.

637. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government the response he has received from Dublin City Council to his request to protect and preserve 16 Moore Street, Dublin 1. [30474/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 413 of 12 October 2005.

On 25 August 2005, I recommended to Dublin City Council, in accordance with section 53 of the Planning and Development Act 2000, that 16 Moore Street should be added to their record of protected structures, RPS, because of its historical and architectural interest. The Dublin city manager subsequently informed me that the council had retained architectural and historical consultants to prepare a report to determine the significance of the building in both architectural and historical terms. This report will be crucial to the process of the council deciding to include the building on its RPS. The council has received a draft report and hopes to bring the proposal to add the building to the RPS to the council in December 2005 or January 2006. In the interim the city council has arranged for emergency works to be carried out by the building's owner

[Mr. Roche.]

to secure the building temporarily and make it watertight while its future is being decided. I am anxious that the necessary studies be finalised as soon as possible by the council so that an informed decision can be made about the building.

Water and Sewerage Schemes.

638. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government the position regarding the provision of upgrading of a sewerage scheme at Kilmallock, County Limerick. [30495/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 1398 of 28 September 2005.

639. **Dr. Cowley** asked the Minister for the Environment, Heritage and Local Government when the Ballina sewerage scheme will proceed in view of the development and building standstill in the town due to the lack of this scheme; his views on whether Mayo County Council is a long time waiting for the polluter pays report; when this report will be completed; when Mayo County Council will commence works in Ballina; when this scheme will be completed; the reason this scheme has taken so long; and if he will make a statement on the matter. [30499/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to my earlier reply to Question No. 588.

EU Directives.

640. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government if he has advised emanations of the State as to whether Directive 2003/4/EC has direct effect, notwithstanding the failure of the Government to transpose the directive within the prescribed timeframe. [30502/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The extent to which Directive 2003/4/EC in relation to access to information on the environment might be said to have direct effect is not clear, especially since transposition of certain significant provisions is discretionary. Work is continuing in my Department with a view to transposing the directive as soon as possible.

Departmental Expenditure.

641. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government the amount spent by his Department in bringing

into effect the provisions of the Official Languages Act 2003. [30537/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The total amount spent by my Department in bringing into effect the provisions of the Official Languages Act 2003 is €11,277 in respect of the publication of notices under section 13 of the Act. Notices were placed in six publications viz. the *Irish Independent*, *The Irish Times*, *Irish Examiner*, *Irish Daily Star*, *Foinse* and *Lá*. My Department has been included in the first tranche of public bodies required to produce an Irish language scheme under the Official Languages Act 2003. Our scheme took effect in August 2005. Prior to the enactment of the legislation, my Department was already making available Irish versions of publications such as the Department's statement of strategy and annual report, and providing replies to correspondence in the language in which it was received. Accordingly, the Act in these areas involves no extra costs for my Department.

Local Authority Housing.

642. **Mr. McGuinness** asked the Minister for the Environment, Heritage and Local Government the funding drawn down to date by Kilkenny Borough Council for the regeneration and refurbishment scheme (details supplied) in County Kilkenny; if work on the 26 houses which was to commence under the scheme in April 2005 had started and the cost of same; if he has been given a timeframe for completion of the scheme; if Kilkenny Borough Council has breached the minimum standard set by his Department to which local authority accommodation will be maintained; if a progress report on the overall costs is available; and if he will make a statement on the matter. [30553/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): A total of €1.1 million in capital funding has been provided to date to Kilkenny Borough Council for refurbishment work to houses in Ossory Park. My Department understands that work to 15 houses has been completed with work to a further four houses due for completion shortly. The next phase of the refurbishment involves the redevelopment of part of Ossory Park known as Lower Street. It is understood that the borough council is finalising its proposals for this phase following consultation with the residents. According to the borough council, the proposed works will include external works to a number of houses, environmental works and the demolition of some houses coupled with the construction of a number of new houses. The borough council intends to seek the necessary planning approval for this next phase before

the end of 2005. It is not possible at this stage to indicate when construction work would commence on this phase of refurbishment. The borough council is also considering outline proposals for the redevelopment of the Top Street area but no details are available in the Department of the extent of proposed works. The management and maintenance of local authority rented dwellings is a matter for individual local authorities.

Question No. 643 answered with Question No. 151.

644. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the number of expected house completions on a county basis in 2005; the number which will be directly built by local authorities; the number which will be delivered by the voluntary sector; and if he will make a statement on the matter. [30565/05]

673. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the number of local authority houses built and allocated to tenants in County Kildare to date in 2005; and if he will make a statement on the matter. [30627/05]

678. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the number of houses built and allocated by each local authority in the past 12 months; and if he will make a statement on the matter. [30632/05]

679. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he is disappointed at the poor performance in respect of the public housing programme, in view of the number of applicants on local authority housing lists which have not diminished; and if he will make a statement on the matter. [30633/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O'Keeffe): I propose to take Questions Nos. 644, 673, 678 and 679 together.

Detailed information on the number of local authority houses completed or acquired in 2004 and for the first six months of 2005 is available in the quarterly and annual housing statistics bulletins published by my Department, copies of which are available in the Oireachtas Library and on the Department's website at www.environ.ie. It is anticipated local authorities will complete or acquire approximately 5,500 units in 2005 including completions under various regeneration programmes. It is also expected the voluntary sector will complete 1,600 units in 2005. Detailed information on an individual local authority basis will be available in due course in the 2005 annual housing statistics bulletin.

The number of houses completed or acquired by the three local authorities in County Kildare for the first six months of 2005 is set out in the following table:

Local Authority	Houses completed/ acquired to end June, 2005
Kildare County Council	23
Athy Town Council	7
Naas Town Council	0

These figures for Kildare local authorities do not include casual vacancies which arise from time to time and are let to households on the waiting lists. In addition, 357 housing units were under construction by both the Kildare local authorities and voluntary bodies at the end of June.

I am confident the Government has put in place a number of new arrangements to facilitate the delivery of strong programmes of social and affordable housing. In consultation with my Department, local authorities have developed five-year action plans for their social and affordable housing programmes covering the period to 2008. The preparation of these plans has improved the identification of priority needs and will help to ensure a more coherent and co-ordinated response across all housing services. They also provided an overview of delivery by a range of providers — local authorities, voluntary and co-operative housing bodies and the private sector, through Part V and public private partnership arrangements.

A total of €2 billion is being made available for housing programmes in 2005 to further increase the output of social and affordable housing. It is anticipated that total social housing provision in 2005, including new local authority housing, vacancies arising in existing houses and output under other social housing measures, will meet the needs of in excess of 13,000 households.

Register of Electors.

645. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government his plans to extend the voting franchise for election to Dáil Éireann to citizens living abroad for a period of up to five years. [30570/05]

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.

[Mr. Roche.]

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 in respect of certain categories of person as specified in electoral law. The Electoral Act 1992 provides for postal voting for members of the Garda, whole-time 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 under 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 under the Electoral Act 1997; full-time students registered at their home who are living elsewhere while attending an educational institution in the State under the Electoral Act 1997; and election staff employed at the poll outside the constituency where they reside under the Electoral (Amendment) Act 2001.

The question of voting rights for Irish citizens living abroad has been considered in detail on a number of occasions, most recently by the All-Party Oireachtas Committee on the Constitution in its examination of Parliament. With regard to emigrant participation in political life, 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, there are no proposals to alter the existing arrangements along the lines referred to in the question.

Environmental Policy.

646. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he will identify the source of the figures that he used to claim (details supplied) that Ireland's insulation standards for new dwellings are among the highest in the European Union; and if he will make a statement on the matter. [30573/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Data cited in my press statement of 6 April 2005 were contained in a report on insulation levels and elemental heat energy loss, produced by the European Insulation Manufacturers Association, EURIMA.

Waste Management.

647. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government the number of companies or organisations which have applied to become approved bodies under sections 16 and 17 of Part IV of the Waste Management Act 1996 (Packaging) Regulations 1997-2003. [30574/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Directive 94/62/EC on packaging and packaging waste is premised on the principle of producer responsibility which requires waste producers to contribute to the waste management costs of products which they have placed on the market at end-of-life. Practical implementation of the directive in Ireland is by way of a producer responsibility initiative, underpinned by the Waste Management (Packaging) Regulations 2003, as amended, which replaced earlier regulations introduced in 1997. These regulations provide the necessary legal framework to facilitate the recovery and recycling of packaging waste in Ireland.

Under the 2003 packaging regulations, all producers participating in the placing of packaging on the Irish market must segregate the packaging waste arising on their own premises into specified waste streams and have it collected for recycling by authorised recovery operators. In addition, major producers, that is, those who have an annual turnover in excess of €1 million and who place more than 25 tonnes of packaging on the Irish market have additional responsibilities with regard to the recovery of packaging waste from their customers.

Major producers have the option of either complying directly with their producer responsibility obligations, that is, self-compliance, or alternatively, getting an exemption from those requirements by becoming a member of a packaging waste compliance scheme. Repak Limited, established by domestic industry in 1997 to promote, co-ordinate and finance the collection and recovery of packaging waste with a view to achieving Ireland's packaging waste recovery and recycling targets under Directive 94/62/EC on packaging and packaging waste, is the sole approved compliance scheme for the recovery of packaging waste in Ireland. Approval issued to Repak Limited under article 15 of the Waste Management (Packaging) Regulations 1997. No formal applications were received under article 14 of the Waste Management (Packaging) Regulations 1997 from companies seeking approved body status to operate a packaging waste recovery scheme nor have formal applications been received under the article 16 of the current Waste Management (Packaging) Regulations 2003, as amended.

Ministerial Appointments.

648. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government when he intends to fill the vacancy of the chair of Comhar, the National Sustainable Development Partnership. [30575/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Preparations for the appointment of new council members and a chair for Comhar, the National Sustainable Development Partnership, are well advanced and I expect to complete the process in the near future.

Question No. 649 answered with Question No. 624.

Recycling Policy.

650. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government his views on whether subsidising recycled packaging material might create a financial incentive for proactive companies to use recycled packaging instead of one-trip packaging. [30577/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Prevention and minimisation of packaging waste is an increasingly important objective of waste management strategy. Directive 2004/12/EC amending the original Directive 94/62/EC on packaging and packaging waste introduces a new increased packaging waste recovery target of 60%, with 55% by way of recycling, including material specific recycling targets for glass 60%, paper or board 60%, metals 50%, plastics 22.5% and wood 15% which in the case of Ireland have to be achieved by 2011. In October 2004, I established the National Strategy Group on Packaging Waste Recycling, involving the key public-private stakeholders such as Repak, IBEC, producers, waste collectors, reproducers, local authorities and my Department to develop an appropriate strategy to facilitate the achievement of the challenging 2011 packaging waste recovery or recycling targets required under the amending directive on packaging and packaging waste.

In accordance with the waste hierarchy, I am of the view that the proposed six year strategy should address the fundamental issues of waste prevention, minimisation and reuse. I have asked that the draft strategy address this issue. In particular, I have indicated that I will consider making a contribution from the environment fund towards trials to develop innovative packaging systems designed to reduce the amount of packaging and food waste arising in the household waste stream. These trials will be aimed at innovative improvements which will not only target a reduction in the amount of packaging on speci-

fied products but will examine the feasibility of increasing the amount of recycled material used in the manufacture of new packaging.

Waste Management.

651. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the end destination of all packaging collected under a scheme (details supplied). [30578/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Repak Limited was established by Irish industry in 1997 to promote, co-ordinate and finance the collection and recovery of packaging waste with a view to achieving Ireland's packaging waste recovery and recycling targets under the directive and is the only such approved compliance scheme in Ireland. Repak membership income is used to subsidise the collection of packaging waste from both the household and commercial sectors for the purposes of recycling.

The export of waste is regulated by local authorities in accordance with Council Regulation (EEC) No. 259/93, as amended, which provides for a system of supervision and control to apply to shipments of waste within, into and out of the territory of the European Union. Under Regulation 259/93 a distinction is made between waste which is destined for final disposal, such as landfill, or for recovery or recycling. For waste which is specifically destined for recovery, a further distinction is made between: green list waste, Annex II of the regulation; amber list waste, Annex III of the regulation; and red list waste, Annex IV of the regulation.

Waste on each of these lists is connected to a particular control procedure. Shipments of all waste destined for disposal, and shipments of hazardous and semi-hazardous waste destined for recovery, are subject to the requirement of prior written notification and consent. Shipments of non-hazardous waste, namely green list waste, typically clean segregated recyclable waste fractions destined for recovery are not subject to the procedure of prior written notification. Such shipments enjoy unhindered movement within the EU and are only subject to the general information requirement that they be accompanied by certain information and documentation.

Recycled packaging waste material is an internationally traded commodity. Purchasers acquire tonnes of material at a price, which is dependent on market conditions; the material may be for their own direct use or traded a number of times before it reaches the end recycler. I understand that Repak operates a comprehensive internal control programme whereby all claims for packaging waste recovery subsidy are accompanied by source and destination documentation. At least

[Mr. Roche.]

50% of tonnes subsidised are independently audited by firms of registered auditors. I understand further that according to Repak's records, which are subject to annual scrutiny by the Environmental Protection Agency, an estimated 479,000 tonnes of packaging waste were subsidised and collected for recovery during 2004.

652. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government his views on whether the European Court of Justice ruling in the Texaco versus Van De Walle case has implications for waste enforcement legislation here. [30579/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department is currently considering, in consultation with the EPA, the implications of this European Court of Justice ruling for our waste management policies and legislation. The advice of the Office of the Attorney General in the matter has also been sought.

653. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government his plans to curtail the use of food macerators or grinders in domestic kitchens. [30580/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under Article 5 of Directive 1999/31/EC on the landfill of waste, member states of the European Union are required to prepare and oversee the implementation of a national strategy on biodegradable waste which will set out measures to progressively divert biodegradable municipal waste away from landfill in accordance with specified targets over a fifteen year period.

In April 2004, Ireland's first draft national strategy on biodegradable waste, which was published for public consultation, set out a range of integrated measures designed to facilitate the achievement of these ambitious diversion targets. While the issue of food macerators or grinders, and the restriction of their use in domestic kitchens, is under consideration in the context of the draft national strategy on biodegradable waste, no final decisions have been taken in the matter. It is envisaged that the draft strategy will be finalised by end 2005.

Planning Issues.

654. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that large furniture outlets (details supplied) have been forced by London local authorities to reduce their store size and provide residential accommodation on the same site; and his views on whether this

might have relevance for the development of sites in Ballymun or elsewhere. [30581/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): While my Department monitors trends in planning policies, and their implementation, in the UK and elsewhere, I have no specific information about this particular case. I am aware from media reports that the company referred to has applied for planning permission for what it terms a smaller store of about 20,000 square metres laid out over three levels in London, which the company says will be first in a series of smaller stores in town centres across Britain. The company already operates a network of some 13 stores in the UK. Eight of these 13 stores are in excess of 20,000 square metres and all of them are in excess of 15,000 square metres, more than double the size of the floorspace cap of 6,000 square metres which applied to retail warehouses in Ireland. Planning policies and their implementation in Ireland must be responsive to the circumstances here rather than the entirely different circumstances that may apply in another jurisdiction.

As regards the development of sites in Ballymun or elsewhere, I am aware that the draft north Ballymun local area plan was put on display by Fingal County Council on 14 September. The closing date for comments and submissions is 26 October. Adoption of the local area plan will be a matter in due course for Fingal County Council and any proposed subsequent development would be subject to the statutory process for deciding planning applications.

Question No. 655 answered with Question No. 138.

Coastal Protection.

656. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he has allocated or intends to allocate funding to halt coastal erosion and remediate the old landfill site north of Bray Harbour; the works already undertaken to address this issue; and if he will make a statement on the matter. [30583/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I understand that a report has been prepared on the results of trial pit excavations on this site by Wicklow County Council. This has now been sent to Dun Laoghaire Rathdown County Council for its consideration also, as the facility affects both functional areas. Both authorities are then expected to meet to consider possible options in relation to the site. Generally, the costs associated with remedial measures in respect of closed landfills are a matter for the former operators of the facilities concerned.

Question No. 657 answered with Question No. 121.

Social and Affordable Housing.

658. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if his views, in keeping with the National Anti Poverty Strategy, coincide with those of local authorities with regard to the setting of targets for the maximum time that households can expect to spend on the waiting lists for social housing; and if he will make a statement on the matter. [30586/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): It is anticipated that the results of the most recent assessment of need for social housing which was carried out in March 2005 will be published shortly. In the light of the results of the assessment my Department will be examining the extent and nature of need and how the needs of households can best be met from the range of targeted social and affordable housing measures that are available.

In consultation with my Department, local authorities have developed five-year action plans for their social and affordable housing programmes covering the period to 2008. The preparation of these plans has improved the identification of priority needs and will help to ensure a more coherent and co-ordinated response across all housing services. They have also provided an overview of delivery by a range of providers local authorities, voluntary and co-operative housing bodies and the private sector, through Part V and public private partnership arrangements. Some €2 billion is being made available for housing programmes in 2005 to further increase the output of social and affordable housing.

Overall, in 2005, it is anticipated that total social housing provision including new local authority housing, vacancies arising in existing houses and output under other social housing measures will meet the needs of in excess of 13,000 households.

Wildlife Conservation.

659. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he will report on the efforts his Department is taking to bring an end to the slaughter of whale; and if he will make a statement on the matter. [30587/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): There are a number of measures in place to protect whales in Irish waters. Under the Whale Fisheries Act 1937, the catching or treating of whales by any ship

within the exclusive fishery limits of the State is prohibited. In 1991 Ireland declared all our seas a whale and dolphin sanctuary as a further indication of our commitment to conserve and protect these species.

At the international level, Ireland has adhered to the International Convention on the Regulation of Whaling since 1985 and is a member of the International Whaling Commission, which oversees this Convention. At the 57th Meeting of the International Whaling Commission in June 2005, Ireland supported a number of decisions that clearly demonstrate my Department's views and the Government's views on hunting of whales. These decisions include rejection of a proposal to remove the ban on commercial whaling; rejection of a proposal for a new scientific research programme by Japan in the Antarctic, which intends to double the take of minke whales to over 5,000, and also to take 220 fin and 200 humpback whales, over the next six years; rejection of a proposal to abolish the Southern Ocean Sanctuary, which was established by the International Whaling Commission in 1994; and support for the creation of a south Atlantic sanctuary for whales.

Archaeological Sites.

660. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he is satisfied with his Department's role in the archaeological investigation of the Woodstown site in County Waterford; the steps he is taking to preserve and display the site; and if he will make a statement on the matter. [30588/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): On 11 May 2005, I issued directions requiring the protection of the Viking site at Woodstown and announced the establishment of a working group to advise on the long-term strategy to preserve and manage the site. Security arrangements are in place to preserve the integrity of the site.

Subsequently nominees for the working group were sought and received from the National Museum of Ireland, the National Roads Authority, Waterford City Council and the Heritage Council. Mr Maurice Hurley, Cork City Archaeologist has agreed to participate and senior staff in my Department will also be represented.

The preliminary report on the archaeological investigations carried out from March to October 2004 was received in my Department only last week. A copy of the report will be forwarded to the nominees shortly with a view to scheduling the first meeting shortly.

EU Directives.

661. **Mr. Cuffe** asked the Minister for the

[Mr. Cuffe.]

Environment, Heritage and Local Government if he will report on all actions taken by the European Court of Justice against the Government with regard to European directives that fall under his Department's remit; and if he will make a statement on the matter. [30589/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): There have been nine judgments against Ireland delivered by the European Court of Justice, which relate to areas for which my Department has responsibility. The Commission has indicated that another five cases are being referred to the court and four cases are before the court for a hearing. The Community legislation involved in these cases includes directives on environmental impact assessment, habitats, waste, waste water treatment, nitrates, drinking water quality, ground water, wild birds, dangerous substances and end-of-life vehicles; and a regulation on ozone depleting substances.

On foot of any judgement against it by the European Court of Justice, the member state concerned must take the necessary steps to satisfy the judgement. Failing this, it is open to the European Commission to apply to the court for the imposition of financial penalties on the member state concerned. No such penalties have been imposed in relation to cases involving Ireland and my Department is working intensively, in conjunction with the local authorities and other relevant agencies, to ensure that all outstanding judgements are satisfied so as to avoid the possibility of penalties in the future.

Nuclear Safety.

662. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he will report on the action he has taken in view of the rupture in the sea discharge pipe on 15 September 2005 at the Sellafield nuclear complex; when the Radiological Protection Institute of Ireland was informed of the incident; when he was informed of the incident; and the statements he made on the matter and when. [30590/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): On 15 September 2005, British Nuclear Group discovered a small leak in one of the marine discharge pipelines at Sellafield. This particular pipeline is 2.5 kilometres in length and the leak occurred 500 metres out to sea.

My Department was advised of this incident on 16 September in accordance with the established procedures for the exchange of information in relation to such incidents, which were agreed between Ireland and the United Kingdom in December 2004. The Radiological Protection Institute of Ireland was also advised by its UK

regulatory counterpart on that date. The UK Environment Agency and BNG carried out an immediate investigation into this incident during which use of the pipeline was suspended. Ultimately, no radiation abnormalities were detected and the incident was deemed minor with negligible impact. These findings were confirmed by the Institute and there were no adverse implications for Ireland.

While this incident was clearly minor in nature, when viewed in conjunction with the major incident at the THORP plant last April, it presents continuing evidence of a facility where safety is being compromised on a regular basis. During my meeting with Mr Alan Johnson MP, UK Secretary of State at the Department of Trade and Industry in London last week, I reiterated that this trend is completely untenable from the Irish Government's perspective and provides further justification for Irish concerns regarding the threat posed by Sellafield. I remain firmly resolved to continue to pursue every diplomatic and legal route available to me to press for the safe closure of the plant.

Environment Fund.

663. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he will give details of the amounts raised in each year from the environment fund; the detailed breakdown of the projects financed by the fund; and if he will make a statement on the matter. [30591/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The environment fund is used to support a wide range of waste management, litter and other environmental initiatives as provided for in section 74(9) of the Waste Management Act 1996, as inserted by section 12 of the Waste Management (Amendment) Act 2001 and the Waste Management (Environment Fund) (Prescribed Payments) Regulations 2003. Total receipts on a cash basis in each year into the environment fund since its establishment are set out in the following table:

	€m
2002	19.940
2003	41.917
2004	39.092
2005 to date	35.145
Total	136.094

To date a total of €87.058 million has been spent from the environment fund on a wide range of activities, detailed as follows:

	€m
Waste Management Infrastructure and the subvention of Local Authority Recycling Operational Costs	42.356
Management Infrastructure and the subvention of Local Authority Recycling Operational Costs; Bottom of Form Environment Awareness, including the Race Against Waste campaign, and various litter initiatives	10.677
Enhanced waste management enforcement initiatives currently being taken by local authorities and the Office of Environmental Enforcement (OEE)	11.936
National Waste Prevention and Market Development Programmes	0.283
North-South matters including the Scheme for the Management of Waste Fridges and Freezers	0.754
Research & Development in the Environmental Protection Agency	9.250
Contributions to International Environment FundsContributions to International Environment Funds. Contributions to International Environment Funds. Bottom of Form	6.982
Activities relating to Air Quality and Climate Change	0.548
Environmental levy operational costs	2.643
Miscellaneous — Printing, Publishing Etc.	0.312
Producer Responsibility Initiatives	0.533
Activities relating to Sustainable Development	0.413
Activities relating to Water Quality	0.371
Total	87.058

Further commitments totalling some €53 million will arise under the above activities.

Environmental Policy.

664. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he intends to introduce any regulations or a guidance manual for planning authorities to ensure that hedgerows are protected in development plans; and if he will make a statement on the matter. [30592/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): It is Government policy to enhance biodiversity throughout the countryside and to maintain and enhance the populations of flora and wild fauna in Ireland. In this context, it is an offence under section 40 of the Wildlife Act 1976, as amended by section 46 of the Wildlife (Amendment) Act 2000, to cut, grub, burn or otherwise destroy any vegetation growing in any hedge or ditch during the period beginning on 1 March and ending 31 August. There are certain exemptions from the restrictions, including exemptions for works carried out by a statutory body for reasons of public health or safety. Under the REPS scheme, hedgerow maintenance is not allowed from late February to the end of August.

Section 10(2)(c) of the Planning and Development Act 2000 provides that a development plan shall include objectives for the conservation and protection of the environment including, in particular, the archaeological and natural heritage. Under Part IV of the First Schedule to the Act, a development plan may also include objectives relating to protecting features of the landscape

which are of major importance for wild fauna and flora, preserving and protecting flora, fauna and ecological diversity and preserving and protecting trees, shrubs, plants and flowers.

It is my intention to publish shortly for consultation draft guidelines for planning authorities to assist them in the preparation of development plans. The guidelines will indicate that the objectives and policies incorporated in development plans should seek to minimise the loss of features such as hedgerows and provide where possible for their replacement. On 13 April this year under section 28 of the Planning and Development Act 2000 I issued guidelines for planning authorities on sustainable rural housing. The guidelines, which local authorities must have regard to in making or review their development plans and deciding planning applications, provide that the removal of existing road side boundaries, including hedgerows, should be avoided if at all possible, except to the extent necessary to provide a new entrance, with safe access to and from the adjoining road.

Departmental Records.

665. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he has any meaningful breakdown of the data obtained from inspections for compliance with building regulations and fire safety certification and he has satisfied himself that adequate enforcement is occurring. [30593/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Responsibility for the enforcement of the building regulations is a matter for the 37 local building control authorities. Statistics furnished by local building con-

[Mr. Roche.]

trol authorities for 2004 show that 56 enforcement notices were served by building control authorities for non-compliance with the building regulations; and 41 prosecutions were initiated. The relevant statistics do not give a breakdown of the outcome of inspections in terms of non-compliance with specific parts — A to M — of the regulations.

The agreed national target for building control inspections is that each building control authority should inspect a minimum of 12% to 15% of buildings for which valid commencement notices are served on the authority. In 2004, 31 out of 37 authorities — 84% — achieved this target and I would hope that all authorities would achieve it by the end of 2005.

Greenhouse Gas Emissions.

666. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government if he will give Ireland's greenhouse gas emissions in percentage figures for comparison with 1990 for each year for which figures are available since 1990; the action the Government intends to take to ensure compliance with the Kyoto Protocol by the period 2008 to 2012, and other commitments made at European level for the years 2030 and 2050. [30594/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Ireland's greenhouse gas emissions in millions of tonnes of CO₂ equivalent and in percentage increases on 1990 values for each year to 2003 are set out below. These figures are taken from the latest available EPA annual national inventory report detailing greenhouse gas emissions across all sectors of the economy.

Year	Mt CO ₂	% Increase on 1990
		%
1990	53.974	
1991	54.853	1.6
1992	55.694	3.2
1993	55.392	2.6
1994	57.125	5.8
1995	58.181	7.8
1996	59.856	10.9
1997	62.652	16.1
1998	64.768	20.0
1999	66.889	23.9
2000	68.968	27.8
2001	70.742	31.1
2002	69.385	28.6
2003	67.554	25.2

As to action envisaged by the Government to ensure compliance with the Kyoto Protocol and other commitments made at European level, I refer to the reply to Question Nos. 138, 157, 171, 197, 622, 655 and 682 of today.

Social and Affordable Housing.

667. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government when the social housing investment targets set out in the national development plan will be achieved; and if he will make a statement on the matter. [30595/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Investment on housing under the national development plan in the period 2000 to 2004, at €6.86 billion, was almost 8% ahead of NDP estimates. While output levels for social housing by the local authority and voluntary sector have been less than anticipated, record levels of completions have been achieved and the needs of 60,000 households have been met under a range of social and affordable housing measures. The shortfall in achieving output targets can be attributed to higher than anticipated unit costs.

The introduction of multi-annual capital investment programmes and the adoption of five-year action plans for social and affordable housing by local authorities provide a structured basis for the planning and delivery of all social and affordable housing programmes. It is planned to build up a programme of about 5,500 starts under the main local authority housing measure each year over the period of the local authority plans and substantial investment will continue to be made in regeneration projects. In addition, the voluntary and co-operative sector will continue to be supported as it increases and consolidates its contribution to the delivery of social rented accommodation.

668. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government his plans to improve the quality and timeliness of his Department's information on the extent and nature of housing need, including homelessness, for example, by tracking flows of persons in and out of homelessness and by reporting age, family status and other characteristics of persons who are homeless, to be a priority for his Department. [30596/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The most recent assessment of need for local authority housing took place at end March 2005. My Department is finalising the analysis of returns furnished by local authorities. I anticipate publishing the results shortly.

The 2005 assessment of need is more detailed than previously and requires local authorities to submit data in electronic format to the Local Government Computer Services Board, LGCSB, for input into a data warehouse. This will enable my Department to improve its analysis of aggregate data in respect of all households, including homeless households. It is also envisaged that a new IT system being developed for housing authorities will provide the Department with information on housing needs on a more regular and up to date basis in the future.

It is recognised that a comprehensive data system is essential to monitor progress in addressing homelessness. In response to this the Homeless Agency, in conjunction with homeless service providers in Dublin, developed the LINK system, with funding provided by my Department. The purpose of the system is to improve and develop services and service delivery to homeless persons to ensure they receive a continuum of care based on an accurate and up to date assessment of their needs.

The LINK system is intended to help the local authorities to formulate appropriate responses to the accommodation needs of homeless households and individuals. It also facilitates the identification of their non-accommodation requirements and provides a basis for the formulation of responses to their case and support needs by the statutory and voluntary agencies involved.

669. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government the progress of the integrated information technology package for local authority housing departments being developed by the computer services board. [30597/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Following initial work on business process mapping and standard coding methods, a two-phase approach has been adopted for the integrated housing project. Consequently, an interim package to meet some of the housing needs of local authorities is being rolled out to all authorities, with the exception of Dublin City Council, which owing to the scale of its operations, has appointed a company to implement a system to meet its needs. A tender for a system to meet the complete housing needs of all other local authorities was issued earlier this year and is being evaluated. Following the evaluation of this tender, my Department will be consulting with the Department of Finance and decisions will then be taken on progressing the project.

Question No. 670 answered with Question No. 195.

Community Warden Scheme.

671. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he will extend the community warden scheme operated by a number of local authorities and due to conclude on 31 January 2006; his views on the ongoing and increased need for the continuation of this scheme; and if he will make a statement on the matter. [30621/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): There are five pilot local authorities operating the community warden service, Naas Town Council, 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 that grant assistance of the pilots should continue for one more year. The question of the continuation and-or extension of the scheme will be definitively addressed following further examination of relevant staffing and other issues.

Regional Road Network.

672. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he has provided funding directly or indirectly for the purpose of road re-alignment, improvement or replacement in respect of the route from Enfield to Edenderry; the full extent of public funding involved to date; and if he will make a statement on the matter. [30625/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The provision and improvement of non-national roads in County Kildare is a matter for Kildare County Council to be funded from its own resources supplemented by State grants. Kildare County Council is responsible for carrying out road improvements on the R402 road known as the Enfield to Edenderry road and, accordingly, the advancement of works on this road is a matter for the council. My Department is, however, providing grant assistance to the council towards the cost of road improvements on the R402 from Johnstownbridge to Kishawanny under the grant category strategic non-national roads. Under this grant category grant assistance is capped at a maximum of 75% of the estimated cost or 75% of the final cost of the scheme, whichever is the lesser. The balance of the cost is to be met by the local authority from its own resources. A maximum grant of €18,671,331 has been approved for road improvements on the R402 from Johnstownbridge to Kishawanny. My Department has provided grants totalling €836,277 to the end of 2004 to Kildare County Council for these works and the 2005 allocation

[Mr. Roche.]

to the council is €200,000, of which the council has, to date, claimed €63,165.

Question No. 673 answered with Question No. 644.

Water and Sewerage Schemes.

674. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the extent to which water treatment plans funded by his Department through the local authorities have become a source of methane gas leakage; the areas of most serious leakage; his plans to address same; and if he will make a statement on the matter. [30628/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I understand that methane gas is not generated in the treatment of public water supplies.

Pollution Levels.

675. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the levels of dioxins or other pollutants on a county basis arising from recent reports in relation to dioxins; and if he will make a statement on the matter. [30629/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The most recent report, Dioxin Levels in the Irish Environment — Third Assessment (Summer 2004), based on levels in cows' milk, was issued by the Environmental Protection Agency on 18 October 2005. A 2004 national survey on which the report is based was carried out between late May and early July, during the peak outdoor grazing season. A series of milk samples was taken from representative regional dairies, 24 samples, including the north Kildare-west Dublin area, with additional samples taken from regions of more intensive industrial activities, 13 samples. The survey found that dioxin levels in Ireland in 2004 were 33% lower than in 1995 and 20% lower than in 2000, and confirmed that dioxin levels in Ireland remain among the lowest in Europe. A copy of the report is available in the Oireachtas Library.

Question No. 676 answered with Question No. 121.

Local Authority Housing.

677. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the steps he will take to provide housing for persons living in private rented accommodation and in receipt of rent supplement; and if he will make a statement on the matter. [30631/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Under the rental accommodation scheme, RAS, announced by the Government in July 2004, local authorities will, over a four-year period, progressively assume responsibility for accommodating supplementary welfare allowance, SWA, rent supplement recipients of eighteen months or more continuous duration with a long-term housing need.

The RAS is a collaborative project between my Department, local authorities, the Department of Social and Family Affairs and the community welfare service. All local authorities are due to implement the new arrangements during 2005. Roll-out commenced in an initial group of lead authorities, namely, Dublin, Galway and Limerick City Councils, South Dublin, Donegal, Offaly-Westmeath County Councils and Drogheda Borough Council. Cork City and County Councils and South Tipperary County Council are now implementing the RAS.

The main actions to date have been to put in place the structures necessary to commence the project, identify and resolve issues arising and to engage resources needed to support implementation.

Work is ongoing in the lead authorities towards identifying persons on rent supplement in need of long-term housing support. Starting with persons who have been in receipt of rent supplement for 18 months or more, community welfare officers in Health Service Executive areas are continuing to review cases which, subject to meeting eligibility criteria, are in the process of being transferred to the relevant housing authority for the purposes of establishing long-term housing need.

Where a long-term housing need is identified by the local authority, it will set about sourcing suitable accommodation for the household under the rental accommodation scheme as quickly as possible. The first 31 households transferred to the RAS in September 2005 and the pilot local authorities are currently negotiating with accommodation providers in their areas. Pilot projects to secure long-term contracts for the supply of rented accommodation are also being advanced.

The RAS is an additional housing option and eligible persons can indicate their preference to be accommodated by local authorities under the RAS or social housing, or to be considered under both.

Questions Nos. 678 and 679 answered with Question No. 644.

Question No. 680 answered with Question No. 121.

Environmental Policy.

681. **Mr. Durkan** asked the Minister for the

Environment, Heritage and Local Government the number of air pollution monitoring points located throughout County Kildare; the extent to which modern technology is being used; if readings have given specific information of interest to his Department; and if he will make a statement on the matter. [30636/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Air quality assessment is the responsibility of the Environmental Protection Agency and air quality management a matter for local authorities informed by air quality measurement data. The extent of local air quality monitoring and the adequacy of monitoring equipment is a matter for the relevant local authority in the first instance and in consultation with the agency in the overall national context.

The Environmental Protection Agency Act (Ambient Air Quality Assessment and Management) Regulations 1999 designate the EPA as the competent body for assessing air quality in Ireland. This includes responsibility for ensuring, or causing to be ensured, that air quality monitoring equipment is accurate and checking, or causing to be checked, the maintenance of equipment accuracy, in particular by internal quality controls carried out in accordance with the requirements of European quality assurance standards, the analysis of assessment methods and co-ordination within the State of Community-wide quality assurance programmes organised by the Commission of the European Communities.

The EPA's Air Quality and Emissions to Air Report 2003 contains details of the monitoring and assessment of national air quality, and incorporates data from all air quality monitoring stations operated by the EPA and local authorities, including details for County Kildare. The report states that air quality in Ireland complied with the 2003 air quality standards then in force for all pollutants. The report is available in the Oireachtas Library, as is Kildare County Council's annual report on ambient air quality for 2003-04.

Neither Kildare County Council nor the EPA has drawn my attention to any particular issue in regard to air quality in County Kildare on the basis of the most recent data available to these bodies.

Question No. 682 answered with Question No. 138.

National Development Plan.

683. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the extent to which the targets set by and for his Department in the national development plan are

achievable on time; and if he will make a statement on the matter. [30638/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Questions Nos. 78, 81, 119, 131 and 268 of 9 February 2005.

In summary, I am satisfied my Department is making good progress overall in meeting the budgetary and output targets in the implementation of measures under the national development plan. While certain measures were slow to show progress initially, expenditure on, and output rates of, such measures have accelerated. I am confident this trend will continue for the remaining period of the national development plan.

All the NDP measures for which my Department is responsible are contained within the economic and social infrastructure operational programme, the regional operational programme for the southern and eastern region, and the regional operational programme for the BMW region. Progress under these programmes to end June 2005 will be reported shortly. The substance of these updated reviews of progress on the programmes will also be available shortly on the relevant websites — www.transport.ie, www.seregassembly.ie, and www.bmwassembly.ie.

Waste Management.

684. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he has laid down criteria in respect of the location of landfill sites; and if he will make a statement on the matter. [30639/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The selection of locations for landfill sites is a matter for local authorities as part of their waste management planning role. All local authorities have made local and regional waste management plans which evaluate and identify the need for specific waste management infrastructure, and address considerations relevant to the location of facilities.

Landfills, and other significant waste management facilities, are subject to stringent physical planning and environmental licensing regimes which are the statutory responsibility of local planning authorities and/or An Bord Pleanála and, in the case of waste licences, the Environmental Protection Agency. The waste licensing system is intended to ensure the application of high environmental standards in relation to the development, operation, closure and aftercare of such facilities. There is a very high degree of transparency and public involvement in both the planning and licensing processes, and all relevant information, including any environmental impact assessment, is available to the public. The EPA

[Mr. Roche.]

has also published a series of manuals on the preparation, operation and aftercare of landfills.

Water and Sewerage Schemes.

685. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the position in relation to drainage requirements (details supplied) in County Kildare; if he has been in touch with Kildare County Council in this regard; and if he will make a statement on the matter. [30640/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The lower Liffey Valley sewerage scheme has been approved for construction in my Department's water services investment programme 2004-2006 at an estimated cost of €30 million. The scheme provides for sewer rehabilitation works at Mill Lane, Leixlip.

Kildare County Council's contract documents for the scheme are under examination in my Department and are being dealt with as quickly as possible. Approval of the contract documents will enable Kildare County Council to seek tenders for the scheme.

686. **Mr. Ó Fearghaíl** asked the Minister for the Environment, Heritage and Local Government if he is in receipt of submissions from Kildare County Council in respect of the provision of a new sewage treatment plant for Milltown, Newbridge, County Kildare; if he proposes to provide funding for the project; and if he will make a statement on the matter. [30645/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Milltown sewerage scheme was 15th in the list of water and sewerage schemes submitted by Kildare County Council in response to my Department's request to all local authorities 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 2004-2006 published in May 2004. Having regard to the ranking afforded to the scheme in the council's priority list, it has not been possible to include it in the programme.

Social and Affordable Housing.

687. **Mr. Walsh** asked the Minister for the Environment, Heritage and Local Government when work will commence on an affordable housing scheme (details supplied) in County Cork. [30646/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): A comprehensive feasibility assessment on the site at Darrara, Clonakilty, was carried out in terms of strategic land use planning, financial viability, affordability and suitable infrastructural solutions. The feasibility study was approved by Cork County Council on 30 September 2005. Following this, public consultation took place during October 2005 culminating in a council decision to initiate the process to amend the local area plan in order to facilitate the construction of the affordable housing units.

Commencement of construction on this site now depends on the outcome of the planning process. As with all of the projects under the Sustaining Progress affordable housing initiative, my Department will continue to ensure that this project is progressed as speedily as possible to ensure the earliest possible delivery of affordable housing units.

Water and Sewerage Schemes.

688. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government the position regarding the provision of a sewerage scheme at Creggs, County Galway; and if he will make a statement on the matter. [30739/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 1386 of 28 September 2005.

Animal Diseases.

689. **Mr. Timmins** asked the Minister for the Environment, Heritage and Local Government his views on the banning of wild fowling for the 2005-06 season owing to concerns surrounding the spread of the avian flu pandemic; and if he will make a statement on the matter. [30742/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I do not consider such a prohibition to be warranted at present. However, the position is being kept under review. My Department, in consultation with the Department of Agriculture and Food, is considering possible additional measures that may need to be taken should the virus reach western Europe, including limiting or stopping the hunting of wild birds. The timing and scale of any such measures will depend on ongoing assessment of the level of risk to be addressed.

Social and Affordable Housing.

690. **Mr. Grealish** asked the Minister for the

Environment, Heritage and Local Government the steps he has taken to address the practise of stage payments, which can make it more difficult or more expensive to purchase a home, especially outside the Dublin region; the status of the formal and structured consultation process on this issue announced in 2004; and if he will make a statement on the matter. [30759/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I am concerned to ensure that house purchasers are not adversely affected by any practices that might make it more difficult or expensive to access a home in certain circumstances. My Department has been considering the practice of stage payments with a view to clarifying the issues involved and identifying likely implications of possible options, including potential legislative action, and has been in communication with a number of interests in that context.

The land and conveyancing Bill 2005 being considered by Government contains a provision that would enable certain consumer protection issues, including stage payments, relating to conveyancing practice, to be the subject of regulations by the Minister for Justice, Equality and Law Reform. This provides a possible mechanism for implementation of any options that arise out of the consultation process on which I have embarked.

Natural Heritage Areas.

691. **Mr. Grealish** asked the Minister for the Environment, Heritage and Local Government if he will make a statement on the statistics from the EU as of March 2005, indicating a designated

Unit Rate	Rural	Urban*	Certain offshore Islands
	€	€	€
Category 1 (1/2 person units)	88,900	120,700	114,300
Category 2 (3 or more person units)	108,000	139,700	120,700
Category 3 (Traveller Bays)	108,000	139,700	120,700

*Urban — (5 County Boroughs & Fingal, Dún Laoghaire-Rathdown & South Dublin Councils).

693. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government if he is on target in supporting the voluntary housing sector to build up to 4,000 new homes per annum by 2006 as stated in the 2002 programme for Government; and if he will make a statement on the matter. [30766/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The Government is fully committed to developing and expanding the volun-

Irish terrestrial area of 717,450 hectares (details supplied). [30760/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I assume that the question refers to the publication in March 2005 by the European Commission of details of the contribution of each member state towards a network of ecologically important areas, the Natura 2000 network, within the European Union. In December 2004, the Commission adopted national lists of candidate special areas of conservation as sites of Community importance in accordance with the provisions of the habitats directive. The Irish list so adopted comprises 413 sites. The habitats in the Irish list of sites include raised bog, blanket bog, turloughs, sand dunes, machair, rivers, lakes, woodlands and estuaries. I am satisfied that Ireland is contributing in a proportionate manner to conserving the natural heritage of Ireland and of Europe for future generations.

Social and Affordable Housing.

692. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government the income limits for the capital assistance scheme for social housing; when these limits were last revised; and if he will make a statement on the matter. [30765/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I assume the question refers to the unit cost limits under the voluntary housing capital assistance scheme, which were last revised in 2001. The information requested is set out in the following table:

Unit Rate	Rural	Urban*	Certain offshore Islands
	€	€	€
Category 1 (1/2 person units)	88,900	120,700	114,300
Category 2 (3 or more person units)	108,000	139,700	120,700
Category 3 (Traveller Bays)	108,000	139,700	120,700

tary and co-operative housing sector by supplying the necessary financial resources and support to enable it to become an important and significant force and provider in the housing area. Provision of funding for the schemes has been increased significantly from €44 million in 1999 to €237 million in 2005. As a result, there has been a steady increase in output by the sector from a level of 580 units in 1999 and 950 in 2000 to reach a record output of over 1,600 units in 2004.

In conjunction with the increased funding, my Department has also initiated the development by local authorities of five-year action plans, com-

[Mr. N. Ahern.]

mencing in 2004, for the delivery of social and affordable housing, including the voluntary programme, to ensure a systematic and integrated approach to the effective use of these resources.

It is anticipated that the output by the sector will reach the targets contained in the action plans.

Question No. 694 answered with Question No. 182.