

DÁIL ÉIREANN

*Dé Céadaoin, 7 Nollaig 2005.
Wednesday, 7 December 2005.*

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

*Paidir.
Prayer.*

Business of Dáil.

An Ceann Comhairle: Before proceeding with today's business I am pleased to announce that the joint committee on broadcasting and parliamentary information has arranged for the proceedings of Dáil Éireann and Seanad Éireann to be broadcast live on personal computers on a pilot basis. Debates are accessible live every sitting day on the Internet—

Mr. Hayes: The Taoiseach need not come in anymore.

An Ceann Comhairle: —throughout Ireland and in almost every part of the world on www.oireachtas.ie.

Mr. Kenny: Does this mean the Taoiseach will not attend?

Mr. Durkan: He can make his contributions by e-mail.

Mr. Kitt: Deputy Kenny can stay down in Mayo.

Leaders' Questions.

Mr. Kenny: The first torpedo has been fired in respect of this budget day. Some time ago the Taoiseach said in the House:

Deputy Kenny and I have been Members of the House for long enough to know that there is a code of ethics whereby those who have been elected to the House try to remain elected. That is the code of ethics in this House.

This morning brought news of another indiscretion by the Minister of State, Deputy Callely. This is not just an isolated incident. The Taoiseach appointed the Minister of State, Deputy Callely and, in his judgment, he deemed him to be a fit person to hold down a substantial public brief. When he had responsibility for the elderly, Paul Murray of Age Action Ireland said:

We never found him to be totally engaged or to fully understand the issues in an Irish or international context. He was difficult to deal with. Overall his performance was disappointing. The real losers were the elderly.

The Travers report stated that the Minister of State, Deputy Callely, was so worried and concerned about the illegality of nursing home charges that he decided to personally talk to the Taoiseach and to the then Minister for Health and Children, Deputy Martin. That was the last we saw of that. Perhaps he was too busy choosing the colour scheme for his house.

The Taoiseach was obviously so impressed with the Minister of State, Deputy Callely, that he gave him responsibility for Dublin transport and traffic. The website of the Department of Transport states: "An Taoiseach, Bertie Ahern TD, paid tribute to Minister Callely for his tremendous work and the solid base he put in place in health and asked him to apply his talents to the challenging transport issues." What did the commuters in Dublin do to deserve to have this great honour bestowed upon them? His tenure in the Department of Transport has been characterised by regular high profile announcements about preventing toll increases, double-decker trains and crash barriers on the M50. As the senior Minister commented, some of his recent pronouncements are just guesswork and not based on fact.

The latest revelation is that the Minister of State, Deputy Callely, had work carried out on his house by a major contractor, for which he did not need to pay. This is another incident which causes very serious and grave doubts among the public about the capacity of this Minister of State to carry on. In his discussions yesterday with the Minister of State, Deputy Callely, did the Taoiseach raise this matter? What did the Taoiseach say to the Minister of State about what he should do?

The Taoiseach: I will start at the end. I will not get into what the Minister of State did when he had responsibility for the elderly, where he worked hard, and for transport, I am more concerned about the issues that have come to light in recent days. I discussed these issues on Monday morning with the Minister of State, Deputy Callely. There were issues centring on his attitude to the staff in his Department, a number of private secretaries and some of the issues that have arisen from his dealing with staff. I told him that he would have to change his attitude and behaviour towards the staff who work for him. The Government works closely with public servants and obviously at times there are difficulties, but people must be dealt with in a proper fashion.

From 7.30 this morning I chaired the Cabinet meeting on the budget. I heard these reports, which were referred to me last night, that an issue was raised. I tried to contact the Minister of State,

[The Taoiseach.]

Deputy Callely, last night and my office tried to contact him very early this morning. I have not been able to talk to him about these serious issues. They come on top of light about issues that I have had to deal with in the past few days about carpets, photographs and other issues. I hope to speak to the Minister of State, Deputy Callely, later today.

Mr. Kenny: I believe the signs are ominous from the Taoiseach's remarks here. In December 1996, the Taoiseach said:

My party and my front bench are determined that financial scrupulousness will be strictly observed by all our elected members without fear or favour. The public are entitled to have an absolute guarantee of the financial probity and integrity of their elected representatives, their officials and above all of ministers. They need to know they are under financial obligations to nobody other than public lending institutions, except to the extent that they are publicly declared . . . We must draw a line under bad habits that may have grown up over the past 30 years and return to the ethos and public spirit that prevailed under the founders of this State, Eamon de Valera and WT Cosgrave.

Does the Taoiseach's comment this morning mean that the Minister of State, Deputy Callely, will not be a Minister of State by the end of today's proceedings? As the Taoiseach rightly pointed out, there has been the issue of a civil servant apparently being harassed to attend a political function and then deciding to leave the job. There has been a case of an appointee of the Minister of State, Deputy Callely, being offered a car to stay in office. There have been other indiscretions regarding the Minister of State and his conduct. What are the Taoiseach's standards? Is the Taoiseach prepared to make a decision that ensures the Minister of State, Deputy Callely, no longer holds office tomorrow? Does he not feel a little like Michael Corleone in *The Godfather* when he said, "Just when I thought I was out they pull me back in again"? On this day of all days that a political missile has been fired from within his own ranks speaks of the standards that have crept into the Government. If the Taoiseach wants to live up to the words he uttered in this House in 1996 my understanding, from what he has said, is that he will speak with the Minister of State, Deputy Callely, this morning and that he will not be a Minister of State at the end of today's proceedings.

The Taoiseach: Deputy Kenny knows my standards are the highest standards. Anybody who holds the position of Taoiseach would like to keep to the highest standards. I am glad that is the standard I have operated for my party for 11 years. We are proud of those standards.

Mr. J. O'Keefe: Another line in the sand.

The Taoiseach: The Minister of State, Deputy Callely, has worked hard in his job but he is surrounded by a number of controversies. Part of my standard is that I have a sense of fair play to listen to the Deputy but I am not impressed.

Mr. Rabbitte: I am not sure that I understand what the Taoiseach is saying. Is he saying he will fire this incompetent, accident-prone Minister of State? Is that what he is telling the House? I am not clear from what the Taoiseach has said what exactly transpired at St. Luke's last Monday morning. What issues were discussed with the Minister of State, Deputy Callely? Is it the case, as it appears to be, that the Taoiseach was satisfied with whatever explanations he gave him in respect of a series of incidents relating to the rate of turnover of staff in his office, the use of a private secretary to take up a politically partisan role, the offer of a car to an employee as an inducement to stay and so on? It appears the Taoiseach was satisfied with those assurances. Do I understand the Taoiseach to say that he has been trying since last night to contact the Minister of State, Deputy Callely, and that he has been unable to do so? Is that what he is telling the House?

Does the Taoiseach recognise the following quotation: "The resignation of the former Minister, Deputy Lowry, in the absence of any proper explanations about personal payments received from Dunnes Stores for work done on his home, was correct and inevitable"? If that was the Taoiseach's view on Deputy Lowry what is the difference in this case where a contractor carried out work in the private home of the Minister of State, Deputy Callely, while he was engaged in a major contract for the State at Dr. Steeven's Hospital? What is the difference of principle involved here? Why are we dragging this out, if the Taoiseach is going to fire him, as the Minister of State, Deputy Noel Ahern, said on television on Sunday night he presumed he was safe unless he was involved in another incident? On the face of it this seems such another incident. Is the Taoiseach going to act today or will he drag it out until he sees which way the wind is blowing and ultimately he ends up retiring?

The Taoiseach: I met the Minister of State, Deputy Callely, on Monday morning and I discussed the two central issues which were the staff issues with which he clearly has had a difficulty in his Department. He gave me a written statement of his position on that matter. I discussed the issue of the inducement to a staff member to which he gave me an explanation. I think I made it clear on Monday that giving an inducement to a staff member, regardless of how one does it, in that kind of a case is not a good practice.

In regard to the second issue, I heard last night that there was some issue about work being done

on his home by a contractor. When I returned home last night I tried to contact the Minister of State, Deputy Callely, late last night-early this morning and again very early this morning because I was in work at approximately 6.30 a.m. We started a Cabinet meeting at 7.30 a.m. so I have not been in a position to speak with him. The Chief Whip and one of my advisers have spoken to him this morning. In the interests of fairness I want to speak with him. Other than having been handed a short note from a contractor I do not know the details of the case. The Deputy will appreciate that I will not make a judgment on a report I did not hear. I understand Mr. Charlie Bird has made a detailed report on the matter and I am going to listen to it. I will speak to the Minister of State, Deputy Callely, later in the day.

The issues which the Deputy referred to on the public record regarding probity and political judgment are all matters I stand over.

Mr. Rabbitte: Do I understand the Taoiseach will not require the Minister of State, Deputy Callely, to come into the House and make a statement explaining his case or will the Taoiseach deal with it directly in the discussions today? Can the Taoiseach tell the House that no other benefits have been conferred on the Minister of State at any stage during his political career by any other private interests? In terms of his ability to discharge his functions, given the list of accidents which have confronted him since he became Minister of State, is the Taoiseach saying there is even the most tenuous prospect that he will be retained in office? While the Taoiseach is anxious to tell the House about his high standards in the matter he does not have a particularly strong record when it comes to dealing with Ministers who have been guilty of wasting taxpayers' money at a profligate level that we have never seen before. In his first couple of months in office the Taoiseach is on record as accusing this side of the House of hounding a decent man out of office. The Taoiseach should not look across here with doe eyes and assert that he has always observed the highest standards in the matter of disciplining his colleagues.

Mr. J. O'Keefe: It is a line in the sand.

The Taoiseach: If the highest standards equals putting a head on a plate and carrying it down the corridor I would not be into that because that is from old times.

A Deputy: John the Baptist.

The Taoiseach: In terms of giving somebody a chance to give his or her point of view I would follow that line. This Government has followed extremely high standards in everything it does, instead of using people's money in the wrong way. Deputy Rabbitte will appreciate that if I was

to give an outline of the meeting with the Minister of State, Deputy Callely, there would not be much point in having a meeting.

Mr. Sargent: I wish to continue on the theme of the Taoiseach's standards but in regard to the director of the Irish Centre of Human Rights, speaking at NUI in Galway last night, Professor William Schabas who said the Government should stop CIA flights landing at Shannon. How will the Taoiseach respond to that issue? He said yesterday it was ludicrous to have the Garda search airplanes. The US Secretary of State has admitted that rendition flights are taking place. The Taoiseach said yesterday he would not facilitate torture by any state but under international law — I have a couple of examples here — unless Ireland can verify that planes are not used for rendition in effect we are facilitating whatever might come out of any investigation. There is circumstantial evidence pointing to the fact that torture has taken place and may still be taking place. The United States own New York University School of Law has said the refuelling of planes used for rendition is illegal if that is what is happening. I put it to the Taoiseach that effectively Ireland is an accomplice. That law dates back to the Nazi trials at Nuremburg. The law is already in place. It is not about diplomatic relations with the United States or goodwill gestures. It is about being found guilty in an international court of law. Is the Taoiseach looking out for the airplanes suspected of being used for rendition? Will he take note of the laws in place? If necessary, I will read from the Convention on International Civil Aviation, known as the Chicago convention, from 1944, whereby any State is expected to, and quite understandably will, search a plane when there is any suspicion of untoward action as the US Secretary of State said.

The Taoiseach: I dealt with this issue yesterday and I repeat that Ireland cannot and will not allow any aircraft engaged in what are known as "extraordinary renditions" to land or refuel at Irish airports. That is the legal advice we received from the Attorney General. Ireland has not and will not facilitate any use of torture. We have used internationally understood terms and definition for torture for many years and there is no need for doubt about that terminology. It has been used by the Council of Europe, in European human rights issues, and by international fora since the Hague Convention. Wherever torture occurs it is wrong and deeply reprehensible. All Government powers are exercised to preclude any use of our facilities where, in the language of the European Court of Human Rights, substantial grounds exist for believing there is a risk to a prisoner under any of the definitions used. As far as we are concerned, the only definition is that recognised and found in international law.

We have been assured repeatedly by the US authorities, including the Secretary of State,

[The Taoiseach.]

Condoleezza Rice, on several occasions during the past few years, that no prisoners have been or will be transferred through this country in owned or operated aircraft. Yesterday, I made reference to the fact that the Secretary of State would give a press conference to international journalists last night. I heard her repeat that statement emphatically so it has not just been said at an official meeting with the Minister for Foreign Affairs. We have accepted these repeated assurances. The Deputy is aware of the international law on this and on inspections. That is the position. The issue has been raised correctly by European countries because of matters that arose during the past few months. However, the Secretary of State has given her assurances to this country.

Mr. Sargent: I am aware those assurances were given. However, assurances were also given to the Spanish Government, which were subsequently found not to be true. In a court of law, assurances given by the US would not stand up. The Irish Government must take that point into account before it follows the US down the road of illegal practices or falsehoods that could put Ireland in the position of being an accomplice in an international illegal event.

Article 16 of the Chicago Convention is quite clear:

Search of aircraft

The appropriate authorities of each of the contracting States shall have the right, without unreasonable delay, to search aircraft of the other contracting States on landing or departure, to inspect the certificates and other documents prescribed by this Convention.

It is international law to which it is possible and expected we have recourse to in these circumstances. Under the Air Navigation and Transport Act it does not have to be carried out by members of the Garda Síochána. Authorised officers from the Department of Transport or the airport authority are also empowered to do so.

Does the Taoiseach regard it as being somewhat suspicious to hear of 50 landings and 35 departures at Shannon of CIA hired planes? Is there a need for a much closer inspection to ensure full transparency so the Irish Government can stand up in a court, which may be the case in the future, and state it can verify the evidence, and is not merely taking the word of another country?

The Taoiseach: The Hague Convention, the air services administration order, the protocols used since 1959 are all in place. How we deal with these issues is a well built up practice. As controversial as these issue are, and as much concern as there is, everybody in this House and all members of the public would be deeply concerned, regard-

less of what countries were gone through, that any measures outside international definitions of normal investigation would be used. Everyone abhors torture and there is no argument about that. I would condemn it in the strongest terms, as would Deputy Sargent and every Deputy that raised the issue yesterday.

The facts are that we received repeated assurances by the US authorities, including the Secretary of State as late as last week, when we raised these issues and asked whether various protocols, understandings and commitments were totally adhered to. The US Secretary of State, whom we all agree is one of the most senior people in the administration, after the President and Vice-President, has given us that assurance. In the position I hold, I must accept that.

Ceisteanna — Questions.

Irish Language.

1. **Mr. Sargent** asked the Taoiseach the progress his Department has made in meeting the bilingual demands of the Official Languages Act 2003; and if he will make a statement on the matter. [30217/05]

2. **D'fhiafraigh Caoimhghín Ó Caoláin** den Taoiseach an dtabharfaidh sé tuairisc ar chur i bhfeidhm Acht na dTeangacha Oifigiúla ina Roinn. [31432/05]

3. **Mr. J. Higgins** asked the Taoiseach if he will report on progress made by his Department in implementing the bilingual requirements of the Official Languages Act 2003. [36867/05]

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

Is cúis áthais dom, deis a bheith agam, an Teach a thabhairt cothrom le dáta maidir le scéim mo Roinne faoi Acht na dTeangacha Oifigiúla. I am happy to have this opportunity of bringing the House up to date on my Department's scheme under the Official Languages Act. The scheme was confirmed by the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, in July, and came into effect on 1 September 2005.

During the lifetime of the scheme, until September 2008, we made the following undertakings: on the Department of the Taoiseach websites, the text and graphics on the main pages will be available in both English and Irish; the existing range of documents published in both languages will be expanded; Saturday tours of Government Buildings will be provided in Irish on request; building on our current arrangements whereby a number of staff with proficiency in Irish handle queries for the whole Department, we will seek to ensure that at least one staff member in each division has proficiency in Irish;

we will provide ongoing training and development opportunities to improve the Department's Irish language capability; and we will set up an Irish language network of officers interested in Irish, who will share information and advise on, and participate in, implementation of the scheme.

We have already put in place a number of measures to implement these commitments. We carried out an evaluation of Irish language proficiency among staff and commissioned in-house training to meet their specific needs. A glossary of technical terms relating to the work of the Department is being prepared, to assist staff in writing official documents and to ensure consistency of language use. The Irish language network had its first meeting and opportunities for staff to meet informally to speak Irish are being arranged. A module on customer service in Irish and the implications of the Official Languages Act has been included in our induction training for new staff and we provided advice to all staff members on the implications of the Act and on the provisions of our scheme.

I am happy my Department's scheme enables us to improve the service we provide to the public in Irish and to develop a positive culture that encourages the use of Irish both within the Department and with our customers.

Mr. Sargent: Tá alt 7 d'Acht na dTeangacha Oifigiúla ag teacht i bhfeidhm mí Iúil. Deir sé a luaithe agus is féidir tar éis aon Acht den Oireachtas a achtú, déanfar an téacs a chló agus a fhoilsiú comhuaineach i ngach ceann de na teangacha oifigiúla. Beidh Achtanna nua ar fáil as Béarla agus as Gaeilge. Cad iad na socrúithe atá déanta ag a Roinn le cur i bhfeidhm an sin? An bhfuil sé sásta go mbeidh an obair sin i dTithe an Oireachtais? Tá an t-airgead curtha ar fáil ag an Roinn Airgeadais lena dhéanamh ach tá leisce i measc roinnt daoine an t-airgead sin a thabhairt don Oireachtas. Tá daoine taobh amuigh de na Tithe ar lorg an airgid sin. An aontaíonn an Taoiseach gur ceart, nuair atá Bille ar fáil, obair a thosú ar an aistriúchán go mbeidh sé ar fáil nuair a bheidh an tAcht i bhfeidhm? Déanfar sin níos fearr má dhéanfar san Oireachtas é.

The Taoiseach: I will do my best to follow the Deputy's question. I understand Deputy Sargent is asking about the delay between the publication of the Irish version of Bills and other documents. I am disappointed if that is the case and the Deputy correctly stated the Department of Finance has provided the resources to the Houses of the Oireachtas and to Departments to provide a translation service. A number of companies are providing a service used by Departments for translation purposes. Within the service, a number of individuals are providing the staff to do so.

I readily admit it will take us some time to build up sufficient staff across all functional areas

to provide a comprehensive service. I speak with reference to my Department. A core group of staff exists to translate and deal with memoranda and letters but we do not have them in every area. In the normal course we would segregate correspondence to the section but we must use the core group of staff to improve the service. Based on what the Coimisinéir Teanga stated, my Department has sought to increase staff training at an advanced and junior level. We have built up a dossier of translations to try to create uniformity of reply in Departments. While there have been some delays, we have tried hard and over the period of the programme will continue to try to get proficiency in handling queries for each division. That will take work and time but over the period of the plan we should be able to do so.

Mr. Sargent: Ní bhfuair mé freagra ar an gceist. I regret the Taoiseach was unable to pick up what I said. The Ceann Comhairle has no problem using the headphones to access the interpreting service and it is quite straightforward. The translation department would have interpreted what I said into English. I must now say it in English as it was not clear enough.

I referred to Acts, not to correspondence or documentation that may have to be translated under the Act. I referred to section 7, the English version of which states: "As soon as may be after the enactment of any Act of the Oireachtas, the text thereof shall be printed and published in each of the official languages simultaneously". That section is to come into force in July and the Department of Finance has provided funding, which I acknowledge.

Will Tithe an Oireachtais be allowed to carry out work that it is capable of doing, given that it has the Bill from the earliest point of publication and the translation work is almost finished by the time the Bill is passed? An effort is being made to take that work from Tithe an Oireachtais and outsource it. This would be grossly inefficient as well as underusing the resources at our disposal in Tithe an Oireachtais. I appreciate outside companies may need to do work on documentation and end-of-year publications. In respect of legislation, can the Taoiseach state he will support Tithe an Oireachtais carrying out this work, as opposed to outsourcing it, given the availability of expertise and experience in the Houses, the staff of which have worked with Bills from publication? It is on this issue I sought the opinion of the Taoiseach.

The Taoiseach: I did understand the Deputy although I am not brilliant. Tithe an Oireachtais is a matter for the Houses but I stated there are five companies available to do work. How the Houses of the Oireachtas and the Department of Finance have deployed resources is a matter for the Houses of the Oireachtas. I stated what my Department is trying to do.

[The Taoiseach.]

A person who was previously in this position stated that the best translators in the land were in the Houses of the Oireachtas. Former Taoiseach Charles Haughey and I always sought the opinion of the Houses of the Oireachtas on the Irish name when we were setting up an organisation.

I referred to companies that we are using to comply with other areas of the Act and the measures undertaken in my Department. I have nothing other than the greatest confidence in the Houses of the Oireachtas.

Caoimhghín Ó Caoláin: Tá brón orm ach níl mé cinnte ón bhfreagra. An gcuireann Roinn an Taoisigh ranganna Gaeilge ar fáil don fhoireann? Cad iad na céimeanna atá glactha go dtí seo ag Roinn an Taoisigh le scéim faoi Acht na dTeangacha Oifigiúla a chur i bhfeidhm? I wish to know if Irish language classes are being made available within the Department of the Taoiseach. As well as according the public the right to deal with the Department and its agencies in Irish, does the Taoiseach accept it is important to encourage the use of Irish within the Department and the Civil Service? What steps have been taken by the Department of the Taoiseach and the agencies under its aegis to put in place a scheme under the Act?

The Taoiseach: The Secretary General conducted an internal staff survey on how best to implement the scheme. While we had a core group of staff who were extremely proficient in writing, speaking and communicating in Irish, many staff members who were fairly good at Irish did not feel proficient enough to deal with it in everyday situations. Others identified themselves as moderately to very proficient.

The decision was to organise a series of courses for those who are very proficient and those who are less so. The courses are run by Gaeleagras and other outside providers, based on the different levels of proficiency in Irish of the staff. We have also organised in-house language training. The uptake on that has been good, with one class attended by 11 or 12 members of staff. The more advanced work is being done by Gaeleagras.

As I said to Deputy Sargent, it will take us some time to be able to build up the proficiency levels based on these courses and to have somebody in each section of the Department who is proficient in Irish. My Department, unlike others, does not have a high level of engagement with the public, but it deals with other Departments and we want to be able to do that through Irish, if necessary. It is confidently felt that over the period up to 2008, we will be able to do what Coimisinéir na Teanga has asked us to do and honour the commitments I gave in my earlier reply. A great effort is being made by the management, the management advisory committee and staff in the Department. There is no difficulty

in getting people to take part in courses and build up their proficiency, but it will take some time.

Mr. Kenny: I am glad to note that classes are being held in the Department of the Taoiseach. I do not know if he has attended any classes himself.

Mr. C. Lenihan: The Deputy should not even go there.

Mr. Kenny: I hope the emphasis is on oral Irish and that the Department is in a position to stimulate people to want to participate in speaking the language. When the Taoiseach's Department receives correspondence as Gaeilge, that is, letters in Irish, are the personnel in his Department competent enough to respond in Irish?

That brings me to another issue which perhaps the Ceann Comhairle might deal with. I have received several hundred letters in Irish recently because of my comments regarding the standard of the Irish language. There is no facility for Deputies in the House to respond in Irish to letters they receive in Irish. I can speak the language but I cannot write it competently. When I made inquiries of the translation service in the House, I discovered that the staff there are prohibited from undertaking such work. Perhaps the Ceann Comhairle and the Houses of the Oireachtas Commission might consider making appropriate arrangements so that any Deputy who receives a letter as Gaeilge and who wants to reply as Gaeilge can write the answer in English and have it translated into Irish by staff in the Houses. It would be beneficial for Deputies to be able to reply accurately to letters received in Irish.

An Ceann Comhairle: As the Deputy rightly said, the second question is a matter for the Commission of the Houses of the Oireachtas. While referring to it on the floor of the House is an unorthodox way of raising the matter with the Commission, I will be glad to raise the issue.

Mr. Kenny: I will send the Ceann Comhairle a detailed note.

The Taoiseach: In reply to the first question regarding correspondence in Irish received in my Department, several members of staff can deal with such correspondence. However, we do not have people in every section in the Department who can do so. Such correspondence is dealt with on a departmental basis, which is not perfect. We would like to get to a situation — we include the Secretary General and most of the senior staff who have very good Irish, both oral and written — over the period up to 2008 where we would have a competent person in each section so that people who do not normally deal with correspondence in, for example, the EU division, the economic division or the Northern Ireland division, no longer have to do so. That is the challenge. We

are not in that position today but the challenge is to get there. It will probably take approximately three years to achieve that.

Mr. Rabbitte: Is it intended at any stage to review the efficacy of the Act, how it is functioning and so forth? Does the Taoiseach think, for example, the requirement that every official document be published in both languages is the best use of public money to stimulate greater use of the Irish language? Apart from the cost for every organisation producing a bilingual report, the amount of hours that goes into doing so is considerable. Is that the best use of money or would a similar bequest to TG4 produce a better response from the public? How many Members of this House read the English or Irish version of the documents that land on our desks? If we do not read them in this House, how many people outside read them? I wonder if there is any consideration——

An Ceann Comhairle: The Act is the responsibility of another Minister. This question should refer specifically to the Taoiseach's Department.

The Taoiseach: With regard to my Department, implementation of the Act must be kept under review. Deputy Rabbitte makes a fair point about the number of people who will even read the English version of many of the documents, not to mind the Irish version, although that is not to be disrespectful in any way. Another factor that we must watch closely is the overall cost because if it comes to the point where everything must be translated, the cost could be enormous. I have noticed in some written parliamentary questions I have answered on this matter that this has been the case. It is good that there are outside companies to provide the translation service but they can charge a great deal and will do very well.

The initial Supreme Court case referred to a translation requirement for legislation and statutory instruments, if I recall correctly. We will have to keep it under review in the period and that is a fair point to make. After a certain period, we will have to see what the reaction has been. While not wanting to give the wrong impression — I really wish I could speak fluent Irish — the level of engagement in my Department with correspondence in Irish is approximately 1%. Therefore, we would have to justify spending in that context. There are central documents, issues and data that should be translated, but the overall process will have to be kept under review.

Mr. Sargent: Ó thaobh conas a chuirfear i bhfeidhm an Acht, cad a cheapann an Taoiseach faoi thuairiscí atá foilsithe leis an Ghaeilge agus an Béarla bun os cionn óna chéile? Ní mar sin a bhíonn an saol.

I know the Taoiseach has an interest in Irish but I imagine he would like to see the Irish and the English side by side, as I would because I do

not have all of the Irish terminology that is required. Does the Taoiseach think there is a need for his Department to give a lead in that by doing what the Welsh do, whereby the Welsh and English are on the same page and illustrations have both a Welsh and English subtitle? This involves the same amount of work ó thaobh aistriúchán de but would make documents much more practical and accessible to the majority of people on this island who have a certain amount of Irish but would not be as proficient as they are in English or would need some help while reading one or other language. Does the Taoiseach think his Department should give a lead in ensuring that the Welsh model or the model used in Canada or anywhere else where there is a serious effort to facilitate a bilingual community is also followed here?

The Taoiseach: Subject to correction, the strategy statements of my Department were published in that way. I am not sure what document the Deputy has in front of him, but it is probably the Government mid-term review, which went to an outside company to be translated. I accept that for ease of reading, especially for people without particularly good Irish, it makes sense to have both languages on the same page. As far as I know if strategy statements are prepared in-house they follow the Deputy's preferred method but if done by outside companies they follow that method. I will raise it with officials in my Department.

Caoimhghín Ó Caoláin: I will be brief. Does the Taoiseach accept there will be a degree of nervousness within the Irish speaking community and those of goodwill towards the language throughout the country at the response he gave to Deputy Rabbitte to the effect that he was keeping an open mind on the exercise of measures in the Act?

An Ceann Comhairle: This question refers specifically to the Taoiseach's Department. I suggest the Deputy submits a question directly to the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív.

Caoimhghín Ó Caoláin: Does the Taoiseach accept it is important to reassure the House that cost factor is not always the priority consideration?

The Taoiseach: I accept that cost is not always the priority especially with important documents. Deputy Rabbitte made the point that some documents were widely read but others are not. In response to a question here recently I said the cost of preparing a particular document in English was €685 but the cost of the Irish translation was just short of €17,000. In terms of some documents we should not change things, but for others I must consider if that expenditure can be

[The Taoiseach.]

justified in the longer term. Whether a document is important and in demand from Irish speakers should be a consideration.

Caoimhghín Ó Caoláin: Is the Taoiseach reviewing how to have documents translated or whether there is a need for them to be translated?

The Taoiseach: The sheer volume of work involved in translating everything must be kept under review. If a document is important, for example those connected with education, then it must be translated into Irish regardless of cost but the costs over a period of time are substantial and must be taken into account. We will translate everything until 2008 but we have to keep it under review.

Commemorative Events.

4. **Mr. Kenny** asked the Taoiseach his plans to commemorate the Easter Rising of 1916; and if he will make a statement on the matter. [31337/05]

5. **Caoimhghín Ó Caoláin** asked the Taoiseach the commemorative events it is planned to undertake in 2006 to mark the 90th anniversary of the 1916 Easter Rising; and if he will make a statement on the matter. [31429/05]

6. **Mr. F. McGrath** asked the Taoiseach the position regarding plans to commemorate the 1916 Rising; and if he will make a statement on the matter. [32456/05]

7. **Mr. Rabbitte** asked the Taoiseach the proposals which he has to commemorate the 1916 Easter Rising; and if he will make a statement on the matter. [32736/05]

8. **Mr. F. McGrath** asked the Taoiseach if Independent Deputies will be involved in discussions to progress the 90th anniversary of the 1916 Rising. [33756/05]

9. **Mr. Sargent** asked the Taoiseach his plans for commemorating the 1916 Easter Rising; and if he will make a statement on the matter. [34054/05]

10. **Mr. Rabbitte** asked the Taoiseach if, arising from his recent announcement regarding commemoration of the 1916 Rising, he has plans for an annual ceremony to mark the first meeting of Dáil Éireann in January 1919; and if he will make a statement on the matter. [35327/05]

11. **Mr. J. Higgins** asked the Taoiseach his proposals for marking the 90th anniversary of the 1916 Easter Rising in 2006. [36868/05]

The Taoiseach: I propose to take Questions Nos. 4 to 11, inclusive, together.

Mindful of the fundamental importance of the Rising to the establishment of the State, I believe it is appropriate that commemorative events should be organised to respectfully acknowledge the achievements and sacrifices of past generations and to inculcate an awareness and appreciation in modern Ireland of the events and issues of those times.

As a first initiative, the commemorative parade by the Defence Forces, Óglaigh na hÉireann, traditionally organised to take place each Easter at the GPO but in abeyance since 1971, will be restored to the annual calendar. I expect that this parade will reflect the evolved role of the Defence Forces and include significant representation of their service abroad with the United Nations.

The commemorative effort next year and in the following years will be an important part of preparations for the centenary celebrations in 2016. I have established an official working group, chaired by my Department, to consider arrangements for 2006 and 2016. They will address all proposals and suggestions received from Deputies in that consideration.

As history has unfolded, the Rising has become a defining event of modern Ireland. Despite different positions, then and since, on the Rising, it is the legacy of all the people of Ireland at home and abroad. I hope that stimulating consideration of the Rising, its origins and its consequences, will contribute to improved awareness and understanding between all our traditions.

Finally, I do not propose to introduce an annual ceremony in recognition of the first meeting of Dáil Éireann. I believe this would be a matter in the first instance for the House.

Mr. Kenny: Any centenary commemoration of 1916 should be a State event. All parties in this House have members with forefathers who were in the GPO in 1916. Would the Taoiseach accept it was inappropriate to announce a commemoration at the Fianna Fáil Ard-Fheis rather on a national platform?

I thank the Taoiseach for his correspondence and have appointed Deputy Timmins, a former member of the Defence Forces, to participate in his group.

How does the Taoiseach see the ceremony unfolding? Will it be confined to O'Connell Street or will there be a military parade from two specified points?

What is the future for the national day of commemoration in the Royal Hospital which the Taoiseach has attended over the years, or the Fianna Fáil commemoration at Bodenstown?

The Taoiseach could have insisted on this parade many years ago when others claimed to be the true Óglaigh na hÉireann and he had to affirm in the House on many occasions that there was only one Irish Army.

Will it be a State ceremony in its entirety? What proposals have been made thus far? Will

consideration be given to the fact that it might clash with St Patrick's Day, depending on the fall of Easter?

The Taoiseach: It is enormously important that it be an inclusive national commemoration. Everybody, from all parties and none, should be involved in it, as happens in other countries. The Rising was a major event, regardless of the different views people may have on it. Those differences existed then as now but people from all sides of the House have forebears who were deeply involved.

At one time circumstances dictated that the parade be discontinued but it is now appropriate, as we move to an end of violence in the North, confirmed by the announcements that have been made this year which make that crystal clear, to celebrate the event. The arrangements should be as for any State occasion with the appropriate protocols for all parties. It will, however, be based primarily on the organisation of the Defence Forces who have expertise in this area.

St. Patrick's Day coincides with Easter in some years and the committee needs to look at that but the parade should show our respect for what the military do at home and abroad. There was a well worked out agreement here on the national day of commemoration, which superseded a range of other events. This was developed in the 1980s, long after the Easter Sunday parade had stopped and it covered a number of events. All the new traditions, religions and groupings are co-ordinating their activities around the national day of commemoration. That will continue. This year 126 different nationalities have entered the State, representing more than 40 religious faiths, and they want to play a part in the national day of commemoration. We must also show respect for Irish people who fought in wars under different flags. Increasingly Irish people have become more inclusive and that is good. The new military museum should help to build such events.

Already there are many ideas and suggestions for the 100th anniversary of the Easter Rising. Some people might say that ten years is a long time for the planning of such an event but to make meaningful decisions it is necessary. Seven years was spent planning for the 50th anniversary of the Easter Rising in 1966 so it is not that long. The House will look at how we can best commemorate this event in a meaningful way for our young people. These events must be planned and financed. Any project worth its salt takes five or six years from beginning to end so we must start work now.

There have been many suggestions as to how we should commemorate this event. It has been discussed at Cabinet in recent years, particularly earlier this summer, but we did not want to move until we had seen the statements of this year. Otherwise we would not have been able to get into this.

Caoimhghín Ó Caoláin: Has the exact format of the State's 1916 commemoration been decided? Will it be held on Easter Sunday or Easter Monday? Will it be in Dublin only or will ceremonies take place in different locations throughout the country? We are anxious to know what the Taoiseach has to say on these questions.

With ceremonies, what other initiatives, if any, is the Taoiseach considering to mark the continuing legacy of all the various strands of Irish activism of the day that took part in the Easter Rising — republicans, socialists, trade unionists, feminists and Irish language activists, to name but a few? Are there ideas arising from those various strands of participants for the commemoration of the legacy of 1916?

An Ceann Comhairle: A question, please.

Caoimhghín Ó Caoláin: Will the Taoiseach indicate if there could be liaison with the trade union movement or other groups to establish scholarships for education in the ideas of James Connolly or the Irish language?

An Ceann Comhairle: Other Deputies are offering so the Deputy should be brief.

Caoimhghín Ó Caoláin: I would appreciate the Taoiseach's detailed reply. I concur with Deputy Rabbitte's question on the first Dáil. I look forward to that event being recorded and commemorated. Would it not be a worthy response if both Deputy Rabbitte and Deputy Kenny would agree to the Taoiseach's proposal for the participation of MPs from the North in a committee of the entire Dáil? Would that not be an appropriate way to mark the event?

An Ceann Comhairle: We are going way beyond the question and I suggest that the Deputy reads the Standing Order on questions. Making a Second Stage speech in the form of a question is not appropriate.

The Taoiseach: I will not anticipate the recommendations of the working group on commemoration. It will prepare a plan for next year and for a centenary programme that takes account of all the suggestion made. We will leave that to the group.

A number of events are planned. UCD will hold a conference on the issue over Christmas and UCC will hold a conference early in the new year. A commemorative stamp will be issued and there will be commemorations of other military traditions. The Irish dimension in the US, Northern Ireland engagements and commemorations of other traditions are being explored but it is best to leave them to the committee.

Mr. F. McGrath: Will the Taoiseach ensure maximum support among all Oireachtas Members for the 1916 celebrations? Will he ensure that the voluntary and community sectors

[Mr. F. McGrath.]

are invited to take part? Will he include Independent Deputies in the planning process? In line with the 1916 vision and its core democratic principles, will he implement the recommendations of the Oireachtas joint committee on the inclusion of political representatives from the North in debates in the Oireachtas?

In accordance with the democratic principles outlined in the 1916 proclamation and the need for equality, fair play and justice, will the Taoiseach distance himself from the Minister for Justice, Equality and Law Reform's disgraceful attack and comments on the Centre for Public Inquiry and his bandying allegations in a manner totally inappropriate for a Minister in that Department? The Minister's comments on individuals and the Centre for Public Inquiry were a national disgrace and completely at odds with the democratic principles expressed in the 1916 proclamation.

An Ceann Comhairle: That does not arise. The Deputy must find another way to raise the issue. As I pointed out to Deputy Ó Caoláin, other Deputies are offering and Deputy McGrath should consider them.

The Taoiseach: We will, of course, try to ensure the process is as inclusive as possible. It is important that everyone is involved not just in the restarting of the 1916 commemorative parade but in the events that will take place in the period ahead and that they are organised in a thoughtful and useful way.

I should have mentioned that educational scholarships in the names of the leaders of the 1916 Easter Rising exist already.

Mr. Rabbitte: Is the Taoiseach not concerned that the initiative to commemorate the 1916 Rising in this fashion has been undermined by his decision to announce it in a partisan way at the Fianna Fáil Ard-Fheis?

The Labour Party is happy to nominate someone to the committee suggested by the Taoiseach but there are other events that might equally be commemorated, upon which we bestow no thought. We in this House are the successors of those who met in the Mansion House in 1919. That act of self-determination is largely ignored while we have various versions of commemoration of 1916. Should that not be taken into consideration?

Does the Taoiseach not agree that it is remarkable that there is no list of those who died in the War of Independence and the Civil War? Would that not be an appropriate method of commemoration, taking action to research such a list of those who lost their lives between 1916 and 1923?

Mr. Sargent: I agree with what the Taoiseach said about 126 nationalities and 40 different faiths. Would he take a leaf from the books of

other countries, where independence days are celebrations of where they have arrived and where they are going as well as where they have come from? Will the Taoiseach ensure all political viewpoints are represented on any organising committee as well as other elements of diversity? I will not go into this in detail. Will the Taoiseach set a date by which all parties and Independents will be consulted on this matter?

The Taoiseach: I do not want to anticipate the group's recommendations. We had a commemoration of the First Dáil and it is a matter for the House if Members wish to do more. We have also examined commemorations of other traditions this year and next year. A number of commemorative events have taken place. A stamp commemorating the 90th anniversary of the Battle of the Somme was printed and colours of Irish regiments disbanded in 1922 were returned to the military museum exhibition at Collins Barracks, which included special recognition of Irish soldiers awarded the Victoria Cross. Everything cannot be commemorated in one year but these matters can be examined and brought forward in the upcoming period, beginning next year.

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. P. Breen: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: that the Minister for Enterprise, Trade and Employment immediately reviews his policy on seizing the enterprise functions of Shannon Free Airport Development Company in view of the recent reports that it expects to create 1,000 jobs in the Shannon region over the next six months while IDA Ireland only created seven jobs in new companies in County Clare over the past five years.

Mr. M. Higgins: Is main liom fógra a thabhairt don Cheann Comhairle faoi Bhuan-Ordú 31 go bhfuil sé ar m'intinn iarraidh air an Dáil a chur ar athló maidin inniu chun an cheist phráinneach seo a phlé: cáilliúint 89 post ag Maysteel Teo. in Indreabhán, Contae na Gaillimhe, agus an gá le cruinnithe a eagrú idir na hAirí atá freagrach, is é sin, an tAire Fiontair, Trádála agus Fostaíochta, an Teachta Martin, agus an tAire Pobail, Tuaithe agus Gaeltachta, an Teachta Ó Cuív, agus ionadaithe na n-oibrithe agus Údarás na Gaeltachta.

Mr. Morgan: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the necessity for the Minister for the Environment, Heritage and Local Government to make a statement to the House regarding the fact that an inspection on Sunday last at a sampling location in one of Sellafield

nuclear plant's high activity storage tanks uncovered high dose rates resulting in temporary evacuation of the plant; the fact that this incident is further evidence of the atrocious safety record at Sellafield; and the necessity for the Government to redouble its efforts to bring about the closure of this death plant.

Dr. Cowley: I seek the adjournment of the Dáil under Standing Order 31 to debate the following urgent matter: the loss of 100 jobs at the Department of Agriculture and Food, Davitt House, Castlebar, County Mayo, resulting in Mayo people being forced to move to Portlaoise or accept shift work in alternative employment on the Garda PULSE system for which they are not primarily trained; and the need for the Minister for Agriculture and Food and the Government to intervene.

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

Order of Business.

The Taoiseach: The Order of Business is No. 22a — Budget Statement and the financial motions by the Minister for Finance 2005, to be taken on the conclusion of questions to members of the Government.

It is proposed, notwithstanding anything in Standing Orders, that: (1) the Dáil shall sit later than 8.30 p.m. and the motion for the General Financial Resolution shall be moved not later than 12 midnight whereupon business shall then be interrupted and the Dáil shall adjourn forthwith; (2) following the Budget Statement of the Minister for Finance, the following arrangements shall apply in regard to the proceedings on No. 22a: (i) the statements of the main spokespersons for the Fine Gael Party and the Labour Party shall not exceed 75 minutes in each case; the statements of the main spokespersons for the Green Party, Sinn Féin and the Independent Members of the Technical Group shall not exceed 25 minutes in each case; and the statements shall be confined to the main spokespersons in each case; following the statements the sitting shall be suspended for 30 minutes; and all divisions demanded on No. 22a shall be taken manually. Private Members' business shall be No. 33, Good Samaritan Bill 2005 — Second Stage (resumed) to be taken at 12 noon and to conclude after 90 minutes, if not previously concluded.

An Ceann Comhairle: There are three proposals to put to the House. Is the proposal for the late sitting agreed to? Agreed. Is the proposal for dealing with No. 22a agreed to?

Mr. Boyle: I am concerned about the time being given to the opening contributions for the Minister of Finance, which is indeterminate, and the balancing statements of subsequent speakers.

The Budget Statement took 45 minutes in each of the past three years. Live television coverage on RTE of this set piece occasion in the life of the House, which gives Opposition Members one of the few opportunities they have to articulate an alternative view to the Government, concludes at 6.30 p.m. Members of the Technical Group who do not have access to party political broadcasts and whose party conferences are not covered by the State broadcasters think this is a cynical gesture. The time available is being reduced accordingly.

An Ceann Comhairle: Perhaps I will ask the Taoiseach to again read out the arrangements.

Mr. Boyle: The Taoiseach stated 75 minutes for each of the speakers

An Ceann Comhairle: There is no sos at 6.30 p.m.

Mr. Boyle: No, but the television coverage of the budget debate concludes at 6.30 p.m. This is the sole opportunity for many of us to articulate an alternative vision to the Government.

Mr. C. Lenihan: Surely, the Deputy's contribution is not driven by television coverage. The substance of what one says is important in Parliament.

Mr. Sargent: The Minister of State knows a little about the media.

Mr. Boyle: The Minister of State should make a contribution after 6 p.m. in the House and examine the media coverage of it.

An Ceann Comhairle: That is a matter between the Deputy and the broadcasting authority.

Mr. Boyle: It is also about the workings of the House on the basis——

An Ceann Comhairle: It is not. It is important that this House does its business in the way it feels it should. The House cannot be influenced by what arrangements the broadcasting authority makes.

Mr. Boyle: I am trying to articulate that the House has taken this business in a different way in previous years and we have managed to get through it quite efficiently.

Mr. C. Lenihan: Television appearances are more important than policies for the Deputy's party.

Mr. Boyle: If the speaking slots are taken as proposed, the spokespersons will conclude at 8.45 p.m. and a 30 minutes sos will follow. Past experience in the Twenty-Ninth Dáil has been——

An Ceann Comhairle: The Deputy has made his point.

Mr. C. Lenihan: This is vanity.

Mr. Stagg: I will try to be helpful. Our party spokesperson is prepared to use only 45 minutes if that is generally agreed. I understand from the Government Whip's office that the Minister for Finance requires 75 minutes to deliver his statement. Similar time must be offered to the other spokespersons as a result. A total of 45 minutes will be sufficient for my party spokesperson if others are agreeable.

An Ceann Comhairle: I will put the proposal to the House and it is a matter for the parties if they want to make arrangements in regard to the allocation of time. Is that acceptable to the Taoiseach?

The Taoiseach: That is acceptable.

Mr. Howlin: The order is flexible.

Mr. Kenny: I do not know that Deputy Bruton wishes to speak for 75 minutes.

The Taoiseach: The Minister for Finance thought he should inform the Opposition his statement will be longer than last year's and it will take 75 minutes.

Mr. Kenny: He has more to give out.

Mr. N. Dempsey: It takes longer to deliver good news.

Mr. Rabbitte: The Minister must allow time for applause.

An Ceann Comhairle: Is the proposal for dealing with No. 22a agreed to?

Deputies: No.

Question, "That the proposal for dealing with No. 22a be agreed to" put and declared carried.

An Ceann Comhairle: Is the proposal for dealing with divisions demanded on No. 22a agreed? Agreed.

Mr. Kenny: When are we likely to see the University College Galway (amendment) Bill? It is No. 6 on the list. Will it be introduced before the recess or before the return of the Dáil on 25 January 2006? Are we likely to see an amendment to the ministerial appointments Bill later?

The Taoiseach: The terms "this session" is always used but this session runs to the start of the next session in January and, therefore, it will be published this session.

Mr. Rabbitte: Does the Taoiseach intend to let the issue relating to the Minister of State, Deputy Callely, drag on all day?

An Ceann Comhairle: That does not arise on the Order of Business. That has been the subject of two Leaders' Questions.

Mr. Rabbitte: Will time be made available for the Minister of State to make a statement to the House?

An Ceann Comhairle: It is a matter for the Minister of State to make a submission to the office of the Ceann Comhairle. That is the way it has always been done.

Mr. Rabbitte: Has such a submission been made?

An Ceann Comhairle: I am unaware of one. It does not arise on the Order of Business.

Mr. Rabbitte: It is unwise to let the matter drag on all day.

An Ceann Comhairle: The Deputy had an opportunity to raise the issue on Leaders' Questions, which he did.

Mr. Sargent: I am interested in getting an answer to that question but I wish to ask about a matter on the Order of Business as well. Perhaps the Taoiseach will indicate whether a statement from the Minister of State is envisaged today.

There is no indication as to the date of publication of the third level student support Bill yet the Teachers' Union of Ireland has told us the McIver report is not being funded and we have the lowest level of on-campus student accommodation in Europe. When will that legislation be published?

The Taoiseach: It will be published next year.

Mr. Kehoe: Many charities fund raise at this time of the year, yet we are still waiting for the Charities regulation Bill. Will the Taoiseach assure me it will be put on the priority list for next year? It has been raised in the House on a number of occasions this year and it is important the legislation is brought before the House as soon as possible.

An Ceann Comhairle: It was raised yesterday.

The Taoiseach: The Bill is a priority. As I said yesterday, it is a large Bill going back over very old regulations, Acts and practices. It will be ready next year.

Mr. Costello: Last week I asked the Taoiseach if he had any idea when the Minister for Justice, Equality and Law Reform would produce his raft of amendments to his great crime-busting legis-

lation, the Criminal Justice Bill, which has been around for two years. Perhaps he has found out when we will get the amendments and when we can proceed with the Bill.

Since the Minister has stated his hands are tied in regard to the CIA flights landing at Shannon Airport——

An Ceann Comhairle: Does the Deputy have a question on legislation?

Mr. Costello: Given the number of amendments the Minister proposes to make to the Bill, will he add an amendment to enable him to search aircraft——

An Ceann Comhairle: Is legislation promised?

The Taoiseach: No. The other amendments are being prepared.

Mr. Costello: Amnesty International and other organisations have said there is a *prima facie* case to be answered.

An Ceann Comhairle: That does not arise on the Order of Business. I suggest the Deputy submit a question to the appropriate Minister.

Caoimhghín Ó Caoláin: In previous responses in respect of the Health (Nursing Homes) (Amendment) Bill and the Hepatitis C and HIV Compensation Tribunal (Amendment) Bill, the Taoiseach indicated they would be ready before Christmas. With one week remaining in which to take these very important Bills under the aegis of the Department of Health and Children, will the Taoiseach indicate if we will have sight of them in the coming week at the latest?

The Taoiseach: As I said, this session runs to the start of the next one and both Bills will be published this session.

Caoimhghín Ó Caoláin: That is not what the Taoiseach said previously.

Mr. Crawford: In light of the number of serious car accidents and deaths, when will the Sale of Alcohol Bill be brought before the House so we can discuss this issue? Given the extraordinary decision of the jury at the inquest into the death of the late Frances Sheridan, when will the coroners Bill be introduced so we can discuss how juries are set up and how this situation——

An Ceann Comhairle: Is legislation promised?

The Taoiseach: The heads of the sale of alcohol Bill have been approved, the Bill is being drafted and it is hoped to have it by the middle of next year. The coroners Bill will be ready next year.

Ms McManus: We were promised the regional fora to replace health boards' accountability in the health service would be in place by now.

An Ceann Comhairle: That is a matter for the Minister——

Ms McManus: It involves secondary legislation. When will these health fora be up and running?

An Ceann Comhairle: Is legislation promised?

The Taoiseach: As the Deputy said, I think it involves secondary legislation but I will have to check.

Ms McManus: Secondary legislation has been promised for quite some time. Frankly, it seems the Government has no interest in providing any accountability in the health service.

An Ceann Comhairle: Under Standing Order 26, a question on the making of secondary legislation need not be answered on the day it is asked.

Mr. Howlin: The Minister for Enterprise, Trade and Employment announced the abolition of the groceries order with some fanfare. The Taoiseach informed the House it would require an amendment to the Competition Act. When will the amendment be introduced in the House? Will it go further than the abolition of the groceries order?

The Taoiseach: With the co-operation of the Opposition, the Government would like to get that Bill through the House next week if possible.

Mr. Howlin: Most of the spokespeople will be at the World Trade Organisation talks next week.

The Taoiseach: I suppose we cannot get it through next week. We could initiate it in the Seanad. The Bill is ready to proceed.

Mr. Durkan: I understand Ministers and some backbenchers have received the 'flu jab. Will the Taoiseach apply another jab to the Minister for Communications, Marine and Natural Resources with a view to reminding him of the need to bring forward the Postal (Miscellaneous Services) Bill in order to have a discussion on that important issue——

Mr. N. Dempsey: It was taken off the agenda six months ago.

Mr. Durkan: ——and of the need to introduce the equally important broadcasting authority Bill to enable members of the Government have unimpeded access to the airwaves?

The Taoiseach: No legislation is promised in respect of the first issue. The second Bill will be brought forward next year.

Mr. M. Higgins: At what stage is the national monuments consolidation legislation? Have the heads of the Bill been agreed and when will it be introduced? Have consultations with the Attorney General's office been concluded?

The Taoiseach: The revisions and the new round of consultations required in light of the reorganisation and enactment of the national monuments (amendment) Bill and the reorganisation of heritage responsibilities is under way. The heads of the Bill were approved some time ago but we are awaiting finalisation of these consultations. It is listed for next year.

Mr. Howlin: When will the competition Bill be published if it is to be debated next week?

The Taoiseach: I have pressed the Minister because it has been raised by Deputy Rabbitte. I understood the only issue was whether to print the Bill in yellow or green. The Minister is anxious to get it through both Houses. If it is not possible to introduce it in the Dáil, he could do so in the Seanad.

Mr. Howlin: The Minister might circulate a white copy of the Bill to us until he decides where to introduce it.

Private Members' Business.

Good Samaritan Bill: Second Stage (Resumed).

Question again proposed: "That the Bill be now read a Second Time."

Mr. O'Connor: I wish to share time with Deputies Ardagh, Nolan, Hctor and Kirk.

I welcome my good friend and colleague, the Minister of State, Deputy Conor Lenihan. It is good the leader of the Opposition has stayed for the contributions. I welcome the

12 o'clock opportunity to speak on this Bill.

This will be an exciting day in the Dáil and I look forward to being part of it. I hope we all enjoy the day and get home early enough. I admire colleagues who introduce Private Members' Bills. It provides us with an opportunity to discuss issues of concern to us. I am very happy to do that. December is a time when we think and talk about being good samaritans and looking after our neighbours and the elderly. I make that remark as a preface to what I say about the Bill.

The Bill purports to protect from liability those who go to the assistance of others who may be ill or injured as a result of an accident. It seeks to ensure that those who offer assistance in good

faith cannot be penalised or held liable as a result of their intervention, provided they are not grossly negligent. Health care professionals acting in the course of their employment are exempt from the terms of the proposed legislation.

I note the Government opposes the Bill on a number of grounds. The Government policy of reform in tackling the compensation culture is reflected in the Civil Liability and Courts Act 2004 and the Personal Injuries Assessment Board Act 2003. Both these Acts brought about fundamental changes in the handling of personal injuries cases. The issue of the law on rescuers or good samaritans was considered in the context of the preparation of the Bill which led to the Civil Liability and Courts Act 2004, which is as it should be. However, a decision was made not to proceed with reform with respect to rescuers but to keep the matter under review in the context of the operation of the two Acts.

There is an absence of law on rescuers or good samaritans and any change would clearly need careful consideration. I expect the Minister will take note in that regard. The subject has not come under examination, for example, by the Law Reform Commission. No reform of the common law position on rescuers has been carried out in our jurisdiction or in the United Kingdom. The United States and Canada have introduced reforms that differ widely from state to state and province to province.

I note the presence of my colleague, Deputy Ardagh, the Chairman of the Oireachtas Joint Committee on Justice, Equality, Defence and Women's Rights. I commend him on his work. In consultation and co-operation with the Minister, this committee does an enormous amount of work. Not a week goes by without several meetings of this committee taking place. I expect the committee will be as busy as ever in the context of this proposed legislation. I look forward to further discussion of the matter in the committee.

In dealing with the issues raised by the Bill, we should not undermine or downgrade the customary acts of kindness towards neighbours and being good samaritans in general. This approach has been with us since biblical times and is traditionally part of Irish life. I hope that will continue to be the case. Deputy Timmins may not have heard me compliment him on his efforts in regard to the Bill as he was consulting his party leader.

Mr. Timmins: I heard Deputy O'Connor.

Mr. O'Connor: It is a good exercise and I hope it will lead to progress in this area. However, I will do what I have to do when the House divides at the end of the debate. That is the way it is.

Mr. Ardagh: I thank Deputy Timmins for bringing forward this Bill. The sentiments are excellent. The Good Samaritan Bill sounds like apple pie, motherhood or the flag. In theory, no

one is against the Bill but in its present form it has been drafted deplorably. There are a number of very basic elements within the Bill that demonstrate the difficulties that present to people in drafting Bills. In addition, it contains errors and items we would not intend to include in legislation.

In particular, I am opposed to section 2(1), whereby a person working in the health care sector who fails to act at the site of an accident or other emergency would be liable for failing to act. I understand that in coming to the aid of a person, he or she would have to show gross negligence before being subject to liability. The other aspect of the proposed Bill to which I object is that doctors who are paid for services at the scene of an accident would have a different level of liability to doctors who are not paid. I know of many doctors who are called to the scenes of accidents, or to where people are ill, who do not charge a fee. They give their services for free out of the goodness of their own hearts.

The Bill, as proposed, could give rise to situations where doctors would be compromised in charging for their services. In many cases, the last thing on the mind of a doctor coming to the scene of an accident or emergency is whether he or she would charge a fee. The doctor's aim is to look after the victim or patient. However, in the event of something happening, a doctor may consider, in view of the good samaritan legislation, that he or she would be obliged to offer his or her services for free. Doctors may be put in a position that they would forgo payment or reward because of the potential liability of being sued under good samaritan legislation.

The Bill contains definite deficiencies in terms of making failure to act an offence and also the differentiation between—

Mr. Timmins: That is the same misinterpretation as was made by the Minister for Justice, Equality and Law Reform.

Mr. Ardagh: The trouble with Bills is that one must take their contents into account.

Mr. Timmins: The liability only comes into effect while services are being provided.

Mr. Ardagh: The Bill states that a person, other than a health care professional, acting in the course of employment who is liable for damages that result from his or her negligence in acting or failing to act—

Mr. Timmins: While providing services.

Mr. Ardagh: The problem is that the wording is deficient. There is no clarity. Having said that, there is a need for some form of liability for good samaritans, particularly for the purpose for which Deputy Timmins originally intended the Bill, that defibrillators would be widely dispersed around

GAA clubs and sport clubs and that people would use them on a voluntary basis. Again, one questions the need for a Bill at all because, as Deputy Timmins stated, there has not been a case in regard to this matter. One wonders if the introduction of legislation would invite litigation.

The Bill would be desirable in a workable form. There are a number of doctors in the House, one of whom is in the Chair, Deputy Cowley. Other doctors include Deputy Twomey, the Ceann Comhairle, Deputy O'Hanlon, Deputy Devins and Deputy Fitzpatrick.

Deputy Cowley may go to an accident, as may Deputy Fitzpatrick. If Deputy Cowley, as a doctor, takes action for the good of the patient, he is covered, but even though Deputy Fitzpatrick's medical expertise is equally competent, he is not covered if he receives reward for his intervention. An inequity therefore exists between the treatment of two equally competent and professional people in terms of the assistance they provide in emergencies.

It is welcome that Deputy Timmins introduced this matter for discussion and various parties within the House should address the matter on a less adversarial basis to ascertain whether some way exists to legislate for the sentiments expressed in the Bill.

Mr. Nolan: Like previous speakers from the Government benches, I commend Fine Gael, particularly Deputy Timmins, on bringing forward this Bill. After examining it, experts in the parliamentary draftsman's office acknowledged that some deficiencies and faults exist in the Bill as drafted. The sentiments expressed on all sides of the House are that the legislation is worthy of consideration and it is proper to debate it. With some changes and, possibly, after consultation with the Minister responsible for this area, legislation which could address all the shortcomings identified in the preamble to this Bill could be accommodated. That matter might be considered by this or future Governments.

The Bill purports to protect from liability those who go to the assistance of others suffering illness or injuries as a result of an accident or other emergency. Under the law as it stands for personal injury cases, due weight is given by the courts to the social utility of the defendant's conduct. The courts fashion the duty of care and specifies its scope with the aim of accomplishing social goals. A common sense approach is taken in determining the standards of care and all circumstances are considered. However, that is not to say that a person may be foolhardy or reckless. There is no general duty to rescue a person in need and no evidence exists at present to suggest a compelling need for changes to the law or that concerns over liability discourage or prevent people from coming to the aid of others in medical emergencies. Research undertaken by the State Claims Agency suggests that there has never been a case where a person responding to a

[Mr. Nolan.]

medical emergency as a good samaritan has been sued. Staff at agencies covered by the State's clinical indemnity scheme whose actions arise from bona fide emergencies are protected in cases of personal injury. This applies whether the staff member is on or off duty when rendering such assistance.

We must acknowledge the steps taken by the Government to deal with the out of control claims culture through the introduction of the Personal Injuries Assessment Board and the relevant Act, which was passed in 2003. I commend the Government on bringing forward that legislation because, even at this early stage, we have received reports of its success. While the legal profession may not be pleased with the effect it has had on its business, the public in general are happy that the cost of insurance, whether personal, commercial or for motors, has decreased, and it will continue to decrease due to the reduction in claims.

The Joint Committee on Enterprise and Small Business recently met the executive and officials from PIAB, who were positive with regard to the implementation and operation of this legislation. PIAB provides independent assessments of personal injuries and compensation for victims of workplace, motor and public liability accidents. Its assessments are provided without the need for the majority of current litigation costs. During the course of our investigations into the insurance industry, evidence was brought before the committee of serious cases in which particular firms of solicitors charged exorbitant fees. These fees were additional to the settlements that were agreed and impacted on the costs of motor insurance. We heard one case in which a settlement of €10,000 was made but the legal costs involved were in the order of €50,000. This was unsustainable and reached the point where some Government had to act. I am pleased that this Government did the business by bringing in the Personal Injuries Assessment Board Act 2003.

Among the statistics presented to us was that 75% of PIAB awards have been accepted by claimants, which is an extraordinary figure. PIAB has delivered the same level of awards as the litigation system without the huge costs of associated legal fees. Delivery time for PIAB awards is approximately three times faster than the former system. Obviously, that frees up some of the courts' time.

I commend Fine Gael on bringing forward this legislation. While the faults that have been identified are unfortunately such that we cannot support it, these may be addressed in the future.

Ms Hoctor: Táim buíoch díot as ucht an t-am a thabhairt dom chun an tairiscint seo a phlé. I am unsure why exactly the Opposition brought this Bill before us today. While we can give it the benefit of the doubt by acknowledging that good intentions were involved, it is clear from the short

summary of the Good Samaritan Bill that a lot more information must be gathered if this is to be taken seriously.

I draw Members' attention to section 2 which states:

(1) Notwithstanding the rules of common law, a person other than a health care professional acting in the course of employment who—

(a) provides emergency first aid assistance to a person who is ill, injured or unconscious as a result of an accident or other emergency,

(b) provides the assistance at the immediate scene of the accident or emergency, and

(c) has acted voluntarily and without reasonable expectation of compensation or reward for providing the services described,

is not liable for damages that result from his or her negligence in acting or failing to act while providing the services, unless it is established that the damages were caused by the gross negligence of the person.

This seems to imply that people who witness an emergency of somebody suffering from cardiac arrest could be deemed liable if they do not act at the scene. I will not pretend to be a medical expert but the bystander theory suggests that where a small group gathers around such incidents, a far greater expectation exists that one member of the group will act in time to intervene, hopefully in the better interests of the victim. However, the larger the number of bystanders at such a scene, the higher the likelihood that nobody will intervene. If this is to be carried through, the people who gather at such a scene could all be deemed negligent if they do not act appropriately. I ask the Opposition to define gross negligence. How bad must the negligence be before it becomes gross negligence? That is a dangerous road to take. It could be dangerous to the health and safety of a victim to be aided by someone untrained, even someone with the best of intentions. Serious spinal and nerve injuries, for example, are often features of accidents — the Acting Chairman, Deputy Cowley, would know more about this than I would. It is the opinion of most medical doctors that samaritan assistance in terms of moving a victim from the scene of an accident could do much more damage than the good samaritan may ever realise. For example, when a car accident occurs and the car is possibly in danger of going up in flames, and a person in the back may have potentially permanent spinal damage, what is a person to do? We must rely on people who are medically trained rather than the ordinary Joe or Josephine Soap in the street feeling obliged to act or otherwise perhaps be seen to be negligent. Such an occurrence worries me.

Reference has been made to the use of defibrillators in GAA clubs, golf clubs and other areas where people are often gathered in large

numbers and where the danger of cardiac arrest might be increased. We are still awaiting the report on sudden cardiac arrest syndrome which is due to be published shortly and which, I understand, will address the issues in greater detail. It is of the greatest importance that people who are trained in the use of defibrillators are the people to act, whether on the side of the street or in GAA clubs, for example, because the use of such equipment can pose great dangers to the victims or patients if those using it are not trained in its use.

I have great reservations in this area. I accept the Opposition brought this Bill to the House in good faith but it has not been sufficiently thought through. We are talking of human life in an emergency, where the swiftest action at the time must be the correct action. We cannot have people hesitating and then perhaps diving in to assist, feeling that they could be seen to be liable or negligent in not acting. Using the words "voluntarily" and "gross negligence" in the manner the Opposition does in its proposed legislation is dangerous. I am concerned about that. I also share the concerns of my colleagues and of the Minister for Justice, Equality and Law Reform, Deputy McDowell, who clearly outlined in the House last night his concerns. His legal expertise must be respected.

This issue should be given more time and thought, with more detail provided. We may have an opportunity to discuss it on another occasion and give it the time it deserves.

Mr. Kirk: I am grateful for the opportunity to make a brief contribution on this Bill, on which a discussion is timely. We all accept that society is changing in this country, with significant attitudinal change. On both sides of the House we lament the diminution if not the demise of volunteerism. From time to time it might be useful to ask ourselves why fewer people participate in community work and general voluntary work. A cursory examination of social and economic change in Ireland shows that the voluntary sector has made very significant input down the years at a time when we were less prosperous than we now are.

While the issue under debate is not directly related to a recent court case, we need to consider for example a situation where an assault is mounted on family members in their own setting. The question arises of whether people may take defensive action in those circumstances, as does the definition of just, adequate force being used to deal with intruders, or those prepared to assault people in the course of robbery or other undesirable activity. We must ask where the threshold lies in such circumstances. The law of the land must provide a clearer definition.

This debate may allow us to dwell on the issues for a short time. At the end of the day, those defending the integrity of their homes and families need some protection in the eyes of the

law. I accept that it will be difficult for any Minister for Justice, Equality and Law Reform to get a clear, standard definition for the circumstances involved. As we have seen, the levels and degree of brutality that can be visited on people vary and to adopt a broad brush approach would be difficult. The question of having a uniform position right across the EU is clearly desirable. There could be one set of standards in Ireland and another in the UK or in other EU member states, but the standards of the European Court of Human Rights in this area would be a reasonable reference point.

The role of the good samaritan is also relevant in sport. I have some personal experience of sports injury. The various sporting organisations need to have available to them qualified personnel to deal with emergencies at every level, not just for example at the intensive inter-county Gaelic football or hurling, League of Ireland soccer or provincial rugby. That is obvious. I have seen matches where tongue-swallowing has occurred in a clash between individuals, and the Acting Chairman, Deputy Cowley, will know that this is a dangerous type of injury or condition, with only a limited amount of time to recover the situation. It is vitally important that there are people available who can deal with such circumstances. It worries me that the day will come when individuals who might suffer in such circumstances might feel there was an obligation on the club or sporting organisation involved to have qualified personnel available at matches to cover those circumstances.

Another issue is the operation of the protocols for ambulance personnel. In my area in the north east of the country, those who man our ambulance services must make rapid decisions as to where a patient should go, whether to Louth County Hospital or Lady of Lourdes Hospital in Drogheda, or perhaps further afield to Beaumont or the Mater Hospital in Dublin. Those ambulance personnel take decisions on the roadside perhaps at 3 a.m. or 4 a.m. and deal with what may very often be life and death.

Those are the types of circumstances where there are obligations for the State and the personnel involved to the individuals who unfortunately find themselves vulnerable and injured. We need a clear position on that. Some of the briefing notes indicate that the State Claims Agency has not yet identified any claims coming through the system to suggest that someone responding in a medical emergency, such as a good samaritan, has been sued. However, we must be entirely realistic in this area, as such a situation will inevitably arise.

Mr. Gogarty: I propose to share time with Deputies Ó Caoláin, Connolly, McHugh and Catherine Murphy.

Acting Chairman (Dr. Cowley): Is that agreed? Agreed.

Mr. Gogarty: I pay tribute to Deputy Timmins for bringing forward this draft legislation. I understand his primary motivation relates to the issue of sudden cardiac arrest. I am very much aware of his work in trying to provide defibrillators in the community. My mother is trying to set up a charity in the Lucan area and has spoken to a number of individuals who praise Deputy Timmins's contribution in this area. Whatever happens to this Bill, and it seems the Government is intent on voting it down rather than amending it, there is a need for some form of State funding to enable sports clubs and community groups throughout the State to provide defibrillators. It should not be the case that people must organise charitable events to ensure the issue of sudden cardiac arrest is dealt with to some degree.

The Tánaiste and Minister for Health and Children, Deputy Harney, should examine this issue carefully. As Deputy Timmins mentioned, sudden cardiac arrest can happen to anybody, including young and elderly people, those who may have a genetic predisposition, persons who suffer a blow while playing sport, or as a consequence of many other environmental conditions. This is the original motivation for the Bill. However, it includes a number of other pertinent issues.

In the context of my education portfolio, for example, it has come to my attention that even those qualified in first aid skills within schools are now advised not to come to the aid of children for insurance reasons. The example is often given of little Johnny who cuts his knee while at school. Most teachers in the majority of schools will apply some cotton wool and water and that usually suffices. If the wound is a little deeper, however, but not so much as requires stitches, the average teacher will not apply a plaster because of the risk of being sued by parents and others. This is a dangerous situation.

Whatever happens to this legislation, something must be done to ensure teachers qualified in first aid are able to come to the assistance of pupils without the fear of being sued. Another example is where a child is choking. If a teacher performs the Heimlich manoeuvre on a child and gets him or her to eject the offending object, the child's teeth may break or he or she may suffer strain or crack a rib. We can bet our bottom dollar that certain unscrupulous parents would take advantage of that and try to sue the teacher for what he or she has done to save their child's life. A Bill such as this is necessary to ensure that the good samaritans in society, those who try to help out of the kindness of their hearts rather than the other good people, such as doctors, who work for fees, do not suffer any liability.

I wish to speak about the comments made by the Minister for Justice, Equality and Law Reform, Deputy McDowell. Amid the pedantic buffoonery of his contribution, he gave four or five examples of one doctor having a particular responsibility and another who is off-duty and

comes onto the case having a separate responsibility. He created quite a few fatuous and — I would contend, although I am not a legal expert — possibly inaccurate statements. He said that the Bill in effect creates an obligation to act to save somebody unless it would be grossly negligent not to do so. I cannot see where that comes from or upon what advice it may be based. Has he consulted the Attorney General on the Bill or is he merely talking about previous conversations?

The Minister said he had considered introducing differential negligence tests in the past but, following consultation with the Attorney General, had decided the issue was so complicated it might be better to leave matters as they are. This is a fair comment. However, arguments about a doctor on duty in a hospital who encounters an injured person who has been brought to the hospital in the back of a car and a doctor who is off duty and on the way home when he or she encounters a different scene blur the waters to some degree. If the Minister is serious about tackling the legal issues involved, why will he not amend the Bill, bring it through the various Stages and put forward what he considers a correct wording?

The sentiments of the Bill relate chiefly to the importance of ensuring that people in the community who operate defibrillators and teachers who try to ensure children are not left with lasting scars have protection in doing what they believe is best to save a person's life or prevent him or her developing a serious illness. I commend the Bill and urge the Minister and his colleagues to bring it forward at least and deal with any inaccuracies that may be contained therein.

Caoimhghín Ó Caoláin: I welcome this Bill and the opportunity it affords to address a number of issues. It is right that there should be legal protection for those who, in good faith, try to assist people in danger or in the wake of accidents. In proposing the legislation, Deputy Timmins stated that the primary motivation is to assist in encouraging the availability of defibrillators in the community through sporting clubs, commercial outlets, schools and any location where large crowds are likely to gather. He also referred to mountain rescue services and voluntary searchers for missing persons.

The Bill is clearly designed to protect people from litigation that may arise from such situations. It is often remarked that this country has a very high level of civil litigation in terms of what is often known as the claim culture. This culture has a damaging effect on other aspects of life. Community and sporting groups have been forced to curtail or even cease many activities because they cannot afford the exorbitant insurance costs. This claim culture is driven by the insurance industry and the legal profession which take no account of the wider damaging effects. The area must be revisited and we should

consider what legislation or other measures are needed.

It is often people in more disadvantaged communities who lose out because of high insurance costs. Already meagre sporting and leisure opportunities are curtailed. The Government must examine how sporting and community organisations can be assisted with the cost of insurance, both through price control of that industry and any financial assistance that can be afforded.

On the insurance issue, the Minister for Justice, Equality and Law Reform stated last night that he had consulted the Attorney General about possible legislation but “decided it was such a complicated point and the way in which it was phrased would have to be so carefully done that I could do more damage than good by altering the common law position that exists now”. This is most unconvincing. When was complexity and the need for careful wording a barrier to legislation? If such were the case, we would have no legislation. Has the Minister published the Attorney General’s advice? If not, I encourage him to do so. The matter should be teased out. Many people, and I count myself among them, would not agree that this matter cannot be dealt with through legislation.

This Bill also raises the issue of the inadequacy of our emergency services. As a Border Deputy, I recently observed in the House that many parts of the Border region are blind spots as far as ambulance and other emergency services are concerned. I have recent experience in this regard, having come upon an accident scene just across the Border in County Fermanagh and rendered assistance. It was almost two hours before an ambulance arrived at the scene and, in this instance, only by chance. We do not have enough ambulances and emergency crews, even here in the capital city. The situation is much worse in rural areas. I also raise again the need for helicopter ambulance service, something the Acting Chairman, Deputy Cowley, has championed. I commend him on doing so. It is an issue I and other Deputies have also raised repeatedly. There is a clear need for such a service and I urge the Government to act on it.

The Minister for Justice, Equality and Law Reform, in his usual way, was dismissive and contemptuous of this Bill when he spoke. I have no doubt it has flaws, as Deputy Timmins would acknowledge, possibly even basic flaws. However, it deserves consideration on Committee Stage.

It is a pity the Minister did not exercise his alleged concern for legal exactitude and due process yesterday when he used a reply to a written question to make a scurrilous, malicious and unsubstantiated allegation against a private citizen. The Minister abused all privilege to pursue a personal and political grudge against the Centre for Public Inquiry and those who work for it. He should be ashamed of himself and should expunge his allegations from the Dáil record.

Mr. Connolly: I heartily welcome and endorse the Good Samaritan Bill 2005, which seeks to give some protection from litigation to those who intervene to assist in cases of accidents or emergencies. I assure those who question the need for this legislation on the basis that no claims have been made to date that it is a matter of time before such claims are made. I assume that Deputy Kirk’s reference to the need to protect ambulance staff was inspired by the recent case of an ambulance driver whose decision on whether to take a patient to Louth County Hospital in Dundalk was a matter of life or death. The life of the patient in question was saved as a result of the decision that was made by the emergency medical technician, but what would have been the consequences if the life had been lost? People who make decisions in such circumstances should be commended.

This legislation will protect members of the public and off-duty health care professionals who may witness an accident or come across an accident victim and intervene to give assistance. It will remove the liability of emergency medical staff, such as ambulance drivers, doctors and nurses, in any medical malpractice or personal injury actions which occur.

There are numerous instances of good samaritan legislation in the United States, protecting not only health care professionals but also volunteers who distribute food donations, for example. Such legislation ensures that citizens who volunteer their time and resources to feed hungry people are not placed at legal risk or liability arising from the nature, age, packaging or condition of the apparently wholesome food they distribute. It is hard to believe that such a case could be brought in the first instance. In such circumstances, citizens are protected from civil or criminal liability other than in cases of gross negligence, as is the case under section 2 of this Bill. Volunteers will be liable only if their actions are clearly unreasonable and aggravate the plight of sufferers.

It has already been mentioned that teachers in our schools are afraid to assist students, for example by taking children to hospital when it is obviously the correct thing to do. It is clearly wrong that people who wish to act in the best interests of children are not allowed to use common sense. It is ridiculous that legislation of this nature is needed in such circumstances, but that is how things have gone. Parents with certain religious beliefs may not want their children to be given blood transfusions, for example. Such a case was reported in the media last week.

The basic principle that should be followed should be that any person who renders emergency medical care or assistance in good faith to an injured person at the scene of an accident, or in the case of some other emergency, without expecting or intending to receive compensation from the injured person for providing such a service, should not be liable in civil damages for

[Mr. Connolly.]

any act or omission not constituting gross negligence in the course of such care or assistance. That is how it should be. The case of a person who had a knife stuck in his chest, and then pulled the knife out and tried to attack those who came to his assistance, was highlighted by Joe Duffy on "Liveline" last week. Such events are taking place to an increasing extent. The US Congress had to pass the Katrina Volunteer Protection Act 2005, following the recent Hurricane Katrina disaster in that country, to ensure that volunteers and professionals were able to focus on providing aid to the victims of the hurricane, rather than worrying about the threat of litigation.

Mr. McHugh: I thank Deputy Timmins for introducing the Good Samaritan Bill 2005. When I first became aware of the legislation, I thought it was a good idea. Having listened to the Minister's speech yesterday evening, however, I am of the view that the Bill needs serious consideration and analysis as it progresses if it is to proceed further. That a Bill of this nature has seen the light of day is an indication of the changes in Irish society. I note the Minister's statement yesterday evening that the circumstances which this legislation sets out to prevent have not yet been encountered in this jurisdiction, but there is no point in waiting for the horse to bolt before closing the door.

This Bill has its genesis in occurrences in parts of the world other than Ireland. The claims-conscious society in the United States is so daft at times that it is to be hoped that the development of Irish society does not replicate what is happening there. I recently heard of a case in the US of a person who became entangled in a window as he attempted to gain access to a house with the intention of burgling it. He was awarded damages of \$1.3 million because he was stuck in the window for 11 days, while the house was unoccupied. Such a nonsensical form of justice has no basis in reality.

In his speech yesterday evening, the Minister, Deputy McDowell, said: "Volunteerism is under stress and I contemplated introducing a differential negligence test for those who provided facilities such as children's playgrounds" and those who run sports events. It is regrettable that the Minister, in consultation with the Attorney General, concluded that the idea should be dropped because the issues involved were too complicated. The Minister, who is an eminent lawyer, benefits from the full resources of the State's legal machinery. Surely it is not beyond the might of those combined legal brains to reach a solution to this problem, which affects the community and voluntary sectors. Volunteerism is under threat in Ireland for a variety of reasons. Those who are suffering as a result are the young and the old, unfortunately. I urge the Minister to reconsider the extent of the liability of volunteers, to address the high cost of insurance for volun-

tary, sporting and community groups and to solve a problem that is faced by many people who are acting for the good of society, without greed or seeking any personal good.

Ms C. Murphy: While the Good Samaritan Bill 2005, which I welcome, seems to have some technical flaws, the motivation for it is good. It is difficult to see how this issue can be raised in a serious manner without the introduction of legislation. If our common law in this regard does not reflect natural justice, we should intervene by producing such legislation. The Bill is refreshing because it appeals to the highest common denominator. I try to live my life while seeing the glass as half full. We should always try to bring the best out in people, rather than focusing on sanctions to curb or modify behaviour.

I was impressed by the response to the appeal of Mr. Niall Mellon for assistance with the construction of homes in South Africa. Many Irish citizens, including film stars who gave up their time and prisoners who made flags for the Croke Park event, made voluntary contributions as part of the enormous community involvement in the Special Olympics World Summer Games in 2003. The Irish soccer supporters, who act as a unit, are another example of a particular genus that can be called on if we appeal to the highest common denominator. We should strive to remove impediments to that motivation. There have been times in the past when good people have decided not to volunteer because things like insurance have stood in their way, as Deputies mentioned earlier. A significant opportunity has been lost in that regard.

The sorrow of individuals and families when their loved ones are involved in accidents or are injured is compounded when they do not receive assistance. The failure of people to help is often the aspect that is focused on when the media pay attention to particular incidents. In recent weeks, a teenage girl was sexually assaulted on the No. 39 bus in broad daylight while people sat nearby without intervening. It is important that we approach this matter in a way that reverses many people's attitudes to ensure that they are confident they will not be penalised if they intervene. While there may be flaws in this Bill, the Minister should accept its principle and amend it, if necessary, on Committee and Report Stages. It is interesting that the Minister introduced the Criminal Justice Bill 2004 without many of its most serious and controversial sections, relating to anti-social behaviour orders, for example. Given that he plans to deal with such matters on Committee Stage of that Bill, what is wrong with making changes to this legislation on Committee Stage, if he feels it needs to be amended? I welcome the Bill because it reinforces the positive rather than governs by sanction.

When I was canvassing in County Kildare, which I do not imagine to be very different from any other place, during last year's local elections

and this year's by-election, I sensed that people were thinking much more collectively than they had done in the recent past. That is something we can use. Many people are frustrated that our healthy economy has not delivered a better society. We have to intervene if we are to build such a society. This type of legislation is the kind of intervention we need.

Dr. Twomey: I propose to share time with Deputies McCormack, Ring and Naughten.

Acting Chairman: Is that agreed? Agreed.

Dr. Twomey: The speech of the Minister for Justice, Equality and Law Reform last night reflected a number of attitudes which highlight why the people of Ireland are growing tired of the Government. It is amazing the Progressive Democrats Party, which represents 4% of this country's electorate, is dictating Government policy. The Minister's obsession with reward and money when it comes to providing a duty of care to sick patients in an emergency was sickening to say the least. His speech last night was peppered with references to money and reward. He missed the point of this legislation and his views mirror the ongoing privatisation of the health care service, which in its present form will only benefit consultants and investors. It will not benefit the patients or taxpayers. Fianna Fáil has long lost interest in what happens to patients and what happens with taxpayers' money. The Progressive Democrats Minister for Justice, Equality and Law Reform in some regards mirrors the attitude of the Progressive Democrats Minister for Health and Children in how we treat the people, for whom Fianna Fáil have given up all respect.

The Minister's attempt to portray himself as having some sort of "Kavanagh QC" like intellect was laughable. His nit picking was unbelievable. Most doctors do not need this legislation because they have separate good samaritan cover from their medical insurance providers. This legislation would only come into play for doctors after they retire. The Government has acknowledged that Deputy Timmins is correct, as it has forwarded the legislation to the Law Reform Commission to have it brought into play. The Government is finally waking up to the realisation that things need to be done here. I am sure Ireland is the only jurisdiction in the world not to have good samaritan cover to protect those who come to the assistance of people in an emergency. We need good samaritan cover and do not need a sneering Minister for Justice, Equality and Law Reform cocking his nose in the air, laughing at everybody who wants to help people in an emergency.

It is more in the Government's interest to wake up to what it should do to protect sick people. This is not to protect doctors or paramedics, who are covered already, even when they are off-duty. This legislation is to cover people who want to come to the assistance of people at the scene of

an accident. However, society has changed and people have the perception that they might be sued after coming to the assistance of someone in an accident. This legislation is not to protect the person from being sued, but to encourage people to get involved in helping out.

The attitude in the country, in some respects driven by Government policy, is to isolate and individualise people and give up on communities. All the fine words about volunteerism and helping voluntary groups are nonsense unless legislation or actions by Ministers shows the Government believes in it. This legislation is about showing that we are interested in our communities and that people can get protection from the State if the person they assisted later feels that assistance provider did some harm and wishes to sue. This legislation would protect those people who offer assistance.

The Bill is not about the silly nonsense the Minister came out with regarding people being stuck up in a tree or hanging off the edge of a cliff. How many times has anybody in this House pulled somebody from the edge of a cliff? People hanging over the edge of a cliff or up in a tree are perfectly healthy and just want someone to pull them up. That has nothing to do with good samaritan acts. They apply when some form of medical assistance is brought to somebody in a serious situation. That is the basis of this very short legislation. If the Minister has a difficulty with it he should let it proceed to Committee Stage. We would then not need to worry about the fine mind of the Minister for Justice, Equality and Law Reform, Deputy McDowell, being tested to come up with a solution. The Law Reform Commission would do that for him by making proposals. On Committee Stage we can amend the Bill and bring it back to the House for Report Stage. We might for once show ourselves to have a progressive system of government that can introduce legislation that matters to people. Instead, however, we will see the same old nonsense coming from the Government side focusing on what might be wrong with the legislation. The Government has the opportunity and the resources. The Cabinet can refer this legislation directly to the Law Reform Commission. The Government should agree to allow the Bill to go to Committee Stage, where we can deal with the details.

Mr. McCormack: I compliment Deputy Timmins on introducing the legislation at this time. Very few Members ever introduce a Bill. What better time to introduce such a Bill than in the Christmas season when many of our citizens will be involved in good samaritan work, for example looking after neighbours living alone or visiting the sick. Many organisations are involved in voluntary work like meals on wheels. The Rotary Club, the Society of St. Vincent de Paul and several other voluntary organisations will operate as good samaritans during Christmas. In

[Mr. McCormack.]

the past all of us were good samaritans. It might have been as simple as giving someone a lift in a car or looking after a neighbour if the slates had blown off his roof or if he was injured in some other manner. That was all good samaritan work and that was how we lived at that time.

At one time in rural areas when there might have been only one car in a district the owner drove his or her neighbours to Mass and often made two runs in doing so. That was all good samaritan work which has now disappeared because of the fear people have. When I first got a car I would never pass anybody on the road. It might have been a young person hitching home at the weekend, or an old man or woman going to the village or town to do shopping. However, I now pass people on the road because, like everybody else, I fear that if the person received an injury in my car, I might be liable for that injury. The nature of our society has changed now.

I was very taken aback by the response of the Minister to the Bill last night. He does not seem to know what the parable of the good Samaritan was about. That parable was about a traveller who fell among thieves, was beaten up, robbed and thrown on the wayside. After his own people passed him by, along came a Samaritan, who was a man from a different race and culture. He helped the poor man, washed him, cleaned his cuts, put him in an inn and paid the innkeeper to keep him for a number of days in the inn. That is what a good samaritan does. Last night the Minister for Justice, Equality and Law Reform, Deputy McDowell, had a golden opportunity to act as a good samaritan, as a Minister from a different party and a different culture from us. However, he did not act as the good samaritan. He failed miserably in his attempt and acted more like the robbers who beat up poor Deputy Timmins and threw him on the wayside and said his Bill was useless.

Mr. Ring: He wanted to get paid for it.

Mr. McCormack: He spoke for 30 minutes in a very arrogant, agitated and ignorant manner. He could have spoken for 30 seconds and been a good samaritan by thanking Deputy Timmins for introducing his Bill. He could have pointed out some mistakes and invited Deputy Timmins to his office to work through the details with Department of Justice, Equality and Law Reform officials. This would allow them to ensure that the legislation could be corrected to suit everybody. Although the Minister had a script he did not speak to it but instead lacerated Deputy Timmins and the good work he was trying to do.

We are now in such a state through not having this kind of legislation that if a young boy is hurt in the school yard the teacher is afraid to put him in the car and take him to a doctor. In the event

of an accident at sea, if one puts an arm around a person's neck to try to bring him or her ashore and the person is hurt, one is liable instead of being thanked for saving that person. That is the issue Deputy Timmins is trying to resolve. The Minister was not a good enough samaritan to see that and I am ashamed of him.

Mr. Ring: I am delighted to speak on this Bill, the contents of which are good. It is a pity there are so many gods in Ireland. The Minister for Justice, Equality and Law Reform, Deputy McDowell, thinks he is God because he never does anything wrong, knows everything and is such a wonderful man. He should never have left the Four Courts because he would be right in every single case he would bring before the courts. When he was Attorney General he made mistakes that in all probability will eventually cost taxpayers large amounts of money. While it might be wonderful to be God, the Minister is not a good samaritan.

Mr. McCormack: No.

Mr. Ring: I watched the Fianna Fáil members speaking on this debate come in to the Chamber with their scripts. They are like vultures. They are doing everything they possibly can to impress the Taoiseach and the Government because they think there may be a vacancy soon.

I should not really be surprised by the actions of Fianna Fáil members because their party has been polluted by the Progressive Democrats. The latter know nothing about good samaritans. The party members' policy and philosophy is to ensure they make as much money as possible because they can bring it to Heaven with them — the first people to do so. Although not many of them will go to Heaven, they think they can take their money with them in the coffin. The problem is they think there is no other world and that they should not help people. Their attitude in this life is to get paid and to get as much as possible out of the country because they will take it all with them.

The Minister for Justice, Equality and Law Reform, Deputy McDowell, should have accepted the principle of the Bill. Last Christmas the Government brought a Bill to the House in the name of the Minister for Health and Children, Deputy Harney, and shortly after Christmas it had to bring forward further legislation to address the mistake. The Minister could have accepted the Bill and whatever amendments were necessary could have been made on Committee Stage.

Deputy Timmins was correct in what he said on the Bill. We are in a position where it is difficult to get people to work in a voluntary capacity in communities. We would have been better off had the Minister for Justice, Equality and Law Reform, Deputy McDowell, who was once Attorney General, not lectured us in his speech.

If a robber cuts or hurts himself in a person's home, he can sue the householder and the insurance company. That is the type of legislation that is in operation. Many who work in a voluntary capacity are concerned that some day something will go wrong, they will be sued and there will be nobody to pick up the tab but themselves. It is hard enough to get people involved in the community sector because they are busier. That arises from the Fianna Fáil-Progressive Democrats policy which ensures both partners must work.

We will listen later to the budget contributions and hear about our wonderful economy and country. People were never as unhappy. They would prefer to be able to spend more time at home to look after their loved ones. Instead, they depend on good samaritans to keep an eye on them because if they want something done by the State, it cannot do it for them. In my county one cannot get a nursing home bed in the Sacred Heart Home or public hospital. When a person goes into hospital, he or she is given a form for subvention with a view to getting him or her into a private nursing home, far away from home if needs be. I am sure many Progressive Democrats and Fianna Fáil supporters have been placed in nursing homes. There is nothing wrong with it but the State would be better off if more was done for the elderly and to assist people.

There are some very good points in Deputy Timmins's Bill. The Minister got carried away in his speech but that is not the first time that has happened. I am surprised by the way in which the Fianna Fáil Members, one after the other, are lecturing us on the Fine Gael benches. The people are sick and tired of the lecturing of the Minister for Justice, Equality and Law Reform, Deputy McDowell, and of Fianna Fáil and they are waiting for them. The people have had enough of their arrogance and of Fianna Fáil and the Progressive Democrats telling them they are better than everybody else. The Government thinks it knows better than the people.

That was the approach of the Minister in his speech. He is the Lord and one must heed the Lord because whatever he says is right because he is the greatest. He reminded me of Muhammad Ali in his prime but he is not a Muhammad Ali. The problem is he is being followed by the Fianna Fáil Party which is afraid to take him on. However, the people will not be afraid to do so in a few months' time. They are waiting for the Progressive Democrats and Fianna Fáil. The message I have for them is that we in Fine Gael do not want them either because we will not need them.

Mr. Naughten: The purpose of the Good Samaritan Bill is to protect from liability those who go to the assistance of others who may be ill or injured as a result of an accident or other emergency. The reality is that we have a litigation culture and people are afraid to get involved in day-to-day situations. This is a simple practical Bill

which affords protection to all citizens who wish to render assistance to their neighbour in danger.

I wanted to speak on this Bill because I was involved in an incident where my father was killed in a road traffic accident. The driver of that car would not have made the six miles to the Portiuncula Hospital on the evening of that accident had it not been for the fact that a general practitioner came on the scene who happened to have a drip and gave it to the driver of that car. That driver would not be alive today had it not been for that good samaritan. I acknowledge the role of that individual, and every other individual who does that type of work daily without any recognition. That said, there is an issue of liability that needs to be addressed.

I listened to the Minister's comments which were deliberately misleading. He focused on one phrase, "failing to act", which was taken out of context and used it to misrepresent the principle of the Bill. If the Minister has a difficulty with any particular wording in the legislation, he has the opportunity to amend it on Committee Stage and should do so rather than reject the proposal.

Every year 6,000 to 7,000 people die in Ireland as a result of sudden cardiac arrest, for which there are many causes, such as genetic illness and so on. For a person who has a heart attack, time is critical. The survival rates drop by 10% for every minute they do not get emergency treatment. In rural areas, such as County Roscommon where ambulances must travel great distances, portable defibrillators could be used to administer medical assistance by trained persons while awaiting the arrival of an ambulance.

The first responder scheme where trained local volunteers assist with the ambulance services where a person suffers a heart attack or a threatened heart attack has been successfully run by Deputy Timmins in County Wicklow. This scheme should be expanded to isolated rural communities. Such a scheme would be of particular benefit to the people of County Roscommon who must wait for an ambulance to come from either Roscommon town, Boyle or Ballinasloe or in some cases from Castlebar, depending on the particular location. In many cases it takes more than an hour to get to a patient. That is unacceptable.

More than 8% of accidents in County Roscommon are road traffic accidents and more than 12% are cardiac emergencies. The scientific evidence clearly states that critical patients who fail to receive accident and emergency treatment within one hour run a 30% greater probability of death. The use of defibrillators and this legislation which would facilitate their use would help reduce the response times.

UK research shows that in respect of dead on arrival rates, when comparing rural and urban areas, 24% in rural areas survive compared with 78% in urban areas. It clearly shows that the distance to hospital has a direct impact on the survival rates in communities in rural areas.

[Mr. Naughten.]

One night recently in County Roscommon, both the Boyle and Ballinasloe ambulances were in Ballinasloe with patients and the Roscommon ambulance was involved in a call in the Ballinasloe area. No ambulance was covering County Roscommon, the main national primary routes, the N4, N5, N6 and N17, Knock Airport and all the other national secondary roads in the county. It is critically important that we take three immediate steps in County Roscommon, one being the development of a network of defibrillators across the county. This legislation is key to facilitating that. We need an ambulance base in west Roscommon. It has been promised for the past five years. A report has been gathering dust on Deputy Brian Lenihan's desk, in his capacity as Minister of State at the Department of Health and Children, for five years. We also need a dedicated emergency helicopter service in this country, another report on which is lying on a desk in the Department of Health and Children for the past number of years. It could help to address the issues, particularly regarding road traffic accidents.

It is critically important that we provide proper cover for rural communities throughout the country. It is not provided at the moment. The Government wants to get rid of accident and emergency units yet it is not prepared to provide emergency services. The least that could be done is to support local communities by putting in place this legislation so they can act in their own interests. The Government does not even allow that to happen. I commend the Bill to the House.

Minister of State at the Department of Justice, Equality and Law Reform (Mr. B. Lenihan): I congratulate Deputy Timmins for introducing this Bill. It raises important issues of principle. My colleague, the Minister for Justice, Equality and Law Reform, Deputy McDowell, explained last night that the Government is not in a position to support this Bill. The introduction of the Bill has given an opportunity to examine the issue of what is known in legal and popular discourse as "the good samaritan" and voluntary work afresh.

I want to reiterate the stated intention of the Minister to arrange for the Law Reform Commission to be asked to examine the issue of voluntarism in its widest context. Any such examination must encompass an examination of the issues raised by Deputy Timmins's Bill. Deputy Timmins explained last night that the underlying reason for the introduction of the Bill was to ensure that those who intervene to give help to others and who offer the assistance in good faith could not then be penalised or held liable for personal injuries suffered as a result of their intervention. In particular, he referred to the use of defibrillators by community and voluntary groups, such as the first responder scheme.

I acknowledge the efforts made by schemes such as first responder, which provide training and emergency equipment to residents in remote

areas. The policy of the Government regarding tackling the compensation culture is well reflected in the Civil Liability and Courts Act 2004 and the Personal Injuries Assessment Board Act 2003. Both Acts brought about fundamental changes in the handling of personal injuries cases. It is wise to wait to see the full effects of the introduction of these Acts before considering further amendments to our civil liability code.

The question of the law on rescuers and good samaritans was considered in the context of the preparation of the Bill leading to the Civil Liability and Courts Act 2004. A decision was made not to proceed with any reform in respect to this question in the Bill, but to keep the matter under review in the context of the operation of the legislation.

The law of negligence encompasses a number of matters, including a duty of care, a breach of that standard of care and consequential actual loss or damage to the plaintiff. A close causal connection must be demonstrated between the conduct of the defendant and the injuries sustained by the plaintiff. These matters have been elaborated by judges in court decisions through the centuries. Each case must be considered on its merits by the courts. The courts must examine each case, and the circumstances of each case, to establish whether a legal duty of care exists and whether, on the facts disclosed in that case, a breach of the standard of care has been established.

Under the law as it stands on personal injury litigation, our courts give due weight to the social utility of the conduct of any particular defendant. They take a common sense approach in determining the standard of care, taking into account all of the circumstances. That is not to say a person can be foolhardy or reckless. It must be remembered there is no general duty in our law to go to the assistance of a person in need. We never imposed that duty, and that is why, of course, the subject was debated in this House yesterday and this morning in the context of the good samaritan. The good samaritan or rescuer, which is the other phrase often used in legal discourse, is a person not under any legal duty to do as they do but views himself or herself as being under a moral duty to so behave.

No Irish judicial decision exists on rescuers and good samaritans in the context of them being sued for the conduct in which they engage. A number of Irish legal decisions have been made on the question of whether the good samaritan or rescuer can sue where people suffer injuries in the course of their rescue mission, if I can characterise their conduct in that way. A number of established Irish authorities on that exist, and the authoritative Irish textbook in this area suggests that once upon a time the law treated the rescuer or good samaritan as a "Cinderella plaintiff" but now takes a far more sympathetic view to such a party. No Irish judicial authority exists on the position of the good samaritan who is sued in respect of his or her conduct. No reform on the

common law position on rescuers has been carried out in our neighbouring jurisdiction. It is true that some jurisdictions in the United States and Canada have introduced legal and legislative changes in this area. These laws differ widely from state to state and province to province.

From the information available to the Department, it appears evidence does not exist to show a compelling need to change the law as it stands. Research undertaken by the State claims agency found a case has never been taken in the Irish courts wherein a person acting as a good samaritan has been sued for personal injuries. I acknowledge that Deputy Lynch was aware of one such case which was unsuccessful. There is no firm evidence to suggest that concerns about the possibility of liability has discouraged or prevented persons from coming to the aid of others in an emergency.

Mr. G. Murphy: I wish to share time with Deputies Neville and Timmins.

Acting Chairman: Is that agreed? Agreed.

Mr. G. Murphy: The concept of this Bill is to give some comfort and security to people whose natural instinct is to help a fellow human being in trouble. Nobody doubts that as a society, we are prone to litigation. An increasing minority see litigation as a way of making a fast buck. Unfortunately, a growing number of people involved in the legal profession stand to make a great deal of money by encouraging this approach.

I wish to deal with one specific issue, the perception, or in some cases the reality, whereby people feel that getting involved in a humanitarian situation may leave them vulnerable to claims by the person they are trying to help. Doctors and nurses are in the front line of this dilemma. If they decide to help someone taken ill at a match, on the side of the street, on a plane or on a train they run the risk of being sued by that person. The conditions in which they might have to work or the equipment available may not be ideal. In these circumstance they are vulnerable to being sued. It boils down to the fact that while there may not be cases at this time, there are situations whereby people might not get involved because of the fear of being taken to court.

Apart from this, another situation is evolving throughout rural Ireland. In my constituency, the South Doc and Shannon Doc systems were introduced. For a large part of the weekend many people in the area do not have emergency doctor cover. Crises have occurred at weekends since the introduction of these systems. Now that volunteers are prepared to take part in schemes such as the one which Deputy Timmins initiated in County Wicklow, we should make it clear that legislation protects them and they can participate without fear of putting their own careers in jeopardy.

The litigation system and the cost of insurance for professional people such as doctors and

nurses mean they might hesitate in circumstances where they could be of help to a person in trouble. I am aware of a recent case where a person in Charleville suffered a heart attack and the only person available during that weekend was a doctor who was at least an hour and a half away in Fermoy. On the other side of the border in Kerry, a person collapsed at a wedding. The nearest doctor to him was at the far end of the Dingle Peninsula. The situation is changing and we must examine the possibility of off duty nurses, chemists, first aid fire officers and ambulance drivers having the equipment, authority and protection to intervene in a crisis. There is no point in stating that litigation has not been taken in the past. The fact that it has not been taken does not indicate people avoided getting involved because of fear of litigation.

Mr. Timmins: I thank the Members who spoke in favour of the Bill. I also thank Members from the opposite side of the House who made positive comments. This Bill is a matter of life and death and I regret the Government side does not accept it. For a former Attorney General and a serving Minister in Cabinet to be so ill-prepared, to engage in a futile frolic in the words of his colleagues and to pose hypothetical questions without dealing with the substantive question demonstrates a lack of understanding of and empathy with the substantive issue in this Bill. I am amazed so many Government patsies followed the same line as the Minister.

The Minister's pronouncements on what is right or wrong are not always correct. As Deputy Catherine Murphy stated, he tabled some 200 amendments to the Criminal Justice Bill. This does not indicate he is competent in the field in which he purports to be an expert.

The Minister focussed on a number of areas of the Bill, with which I will deal presently. There are three main areas of the legal concept of the good samaritan open to consideration: there is the legal duty of a citizen to assist someone in need, the compensation for loss or injury on the rights of a good samaritan, and the liability or risk assumed by a good samaritan. This Bill deals with the last one of these but the Minister knowingly misrepresented the Bill. He focussed on section 2(c) which states a person: "is not liable for damages that result from his or her negligence in acting or failing to act while providing the services".

Extrapolating from the phrase "failing to act", the Minister superimposed it on the scenario of someone driving by the scene of an accident and refusing to act and suggested such a person would be liable for compensation. He clearly took this out of context because the full context refers to "acting or failing to act while providing the services". I am surprised the Minister did that and that so many Fianna Fáil backbenchers followed him down that road. I am surprised *The Irish Times* and other media outlets take the Minister's statements at face value and I suggest they analyse what he states in future.

[Mr. Timmins.]

The Minister also referred to the differential level of liability between two doctors, or between a specialist and an ambulance driver, suggesting the specialist would know much more than the ambulance driver and that accordingly the legislation was unfair to the ambulance driver. This legislation does not deal with ambulance staff, whose duty of care is not diminished or increased, and whose protection is not increased or decreased. Rather, the legislation deals with the volunteer, whether it is a medical professional or a member of the public.

I referred to the *Pamberton v. Dharmani* case in the United States in 1994, which found that a physician in a hospital called in to assist during a procedure had less of a duty of care than the doctor dealing with the patient full-time. I also referred to the difference between the French and American systems. In France there is an obligation to intervene and I provided an example of this, stating that photographers at the fatal car crash of Princess Diana were investigated and questioned on their failure to act. I contrasted this with the *Kitty Genovese* case in America, where people stood by and did not act. I stated we had a long way to go before arriving at either system.

I know there is a need for this Bill because I interact with the community and I am involved in the first responder scheme. First responders are covered by clinical indemnity insurance and the Department of Health and Children. Encouraging targeted defibrillation in clubs and societies is hindered by the lack of legislation. The issue of insurance is raised consistently. I understand no case has been taken although Deputy Lynch referred to a case where gardaí in a patrol car intervened and one garda was sued but not found liable. I am not aware of this case and I must follow it up with Deputy Lynch.

The Minister is aware that no authority can state that a previously unknown tort cannot take place. I used the example of the breach of duty of contract in the mid-nineteenth century, negligence in the *Donoghue v. Stevenson* case in the 1930s in England and the tort of intimidation, which took root in law in England in the 1960s. The fact it has not happened in the past has no bearing on the future. This is simple legislation that costs nothing but the Government intends to vote against it.

The concept of encouraging the use of defibrillators is one aspect of this Bill and the Minister is correct in characterising this as broad brush legislation. Unlike the Minister's response, much time, energy and research was devoted to this Bill. A Fianna Fáil Deputy referred to a report that has been prepared for the Government into sudden cardiac death. I am reasonably confident the report will recommend good samaritan laws. The people who wrote the report meet the same communities I meet, understand what is happening and understand the barriers to volun-

teering, unlike our Minister for Justice, Equality and Law Reform. I do not wish to be personal but I am surprised so many Fianna Fáil backbenchers followed his lead.

I take some consolation from the decision of the Cabinet to refer the issue to the Law Reform Commission. Perhaps some members of Cabinet have more sense than the Minister for Justice, Equality and Law Reform although I cannot figure out who they may be. Perhaps the Minister of State at the Department of Justice, Equality and Law Reform, Deputy Brian Lenihan, was acting Whip for the day.

In May 2004 I tabled a parliamentary question to the Minister for Justice about local communities putting defibrillators in Garda stations and gardaí assisting the process. I received the standard Pontius Pilate reply from the Minister, stating it had nothing to do with him. He stated it was a public health matter and possibly one with which his colleague, the Minister of Health and Children, should deal. On 21 October 2005, one and a half years later, the Minister for Justice, Equality and Law Reform is on the front page of the *Kilkenny People*, launching a pilot scheme of defibrillators in Garda cars in Kilkenny. In May 2004 it had nothing to do with him but he was happy to turn up at the launch of a pilot scheme in Kilkenny and sanction the launch of a pilot scheme in Blanchardstown. Within a couple of years defibrillators will be in every Garda patrol car and the Minister for Justice, Equality and Law Reform will look for kudos.

I am confident a Bill similar to this will be introduced in the near future. I hope it will not be the current Minister for Justice, Equality and Law Reform introducing the Bill but someone from this side of the House. Perhaps he is not as enlightened as I gave him credit for but I believe the measures in this Bill will be introduced.

Last night the Minister asked how the IMO might look at such legislation. I challenge him now to send the legislation and the scripts of the debate to the various medical organisations to see their response. I believe their response will be very strongly in favour of this Bill.

In a few hours' time the benches on the Government side will be full. We will have the hurrahs and the claps. It is easy to spend the public's money but it is not so easy to be innovative. What was the slogan — radical or redundant? The Government is very clearly redundant. It is easy for it to spend money but not so easy for it to take on board a progressive idea that is not its own.

I commend this Bill to the House and deeply regret that the Government, in its wisdom, has chosen not to accept it. It is not flawed and even if the Bill did need amendments, for a Government to reject it on that basis while supporting legislation on Second Stage, with more than 200 amendments signalled, is a little hypocritical.

Question put.

The Dáil divided: Tá, 62; Níl, 72

Tá

Allen, Bernard.
Boyle, Dan.
Breen, James.
Breen, Pat.
Broughan, Thomas P.
Burton, Joan.
Connaughton, Paul.
Connolly, Paudge.
Costello, Joe.
Coveney, Simon.
Cowley, Jerry.
Crawford, Seymour.
Crowe, Seán.
Deenihan, Jimmy.
Durkan, Bernard J.
Enright, Olwyn.
Ferris, Martin.
Fox, Mildred.
Gilmore, Eamon.
Gogarty, Paul.
Gormley, John.
Gregory, Tony.
Hayes, Tom.
Healy, Seamus.
Higgins, Joe.
Higgins, Michael D.
Hogan, Phil.
Kehoe, Paul.
Kenny, Enda.
McCormack, Pádraic.
McEntee, Shane.

McGinley, Dinny.
McGrath, Finian.
McHugh, Paddy.
McManus, Liz.
Mitchell, Olivia.
Morgan, Arthur.
Murphy, Catherine.
Murphy, Gerard.
Naughten, Denis.
Neville, Dan.
Noonan, Michael.
Ó Snodaigh, Aengus.
O'Dowd, Fergus.
O'Keeffe, Jim.
O'Shea, Brian.
O'Sullivan, Jan.
Pattison, Seamus.
Penrose, Willie.
Perry, John.
Quinn, Ruairí.
Rabbitte, Pat.
Ryan, Eamon.
Ryan, Seán.
Sargent, Trevor.
Sherlock, Joe.
Stagg, Emmet.
Stanton, David.
Timmins, Billy.
Twomey, Liam.
Upton, Mary.
Wall, Jack.

Níl

Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Blaney, Niall.
Brady, Johnny.
Brady, Martin.
Brennan, Seamus.
Browne, John.
Callanan, Joe.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Collins, Michael.
Coughlan, Mary.
Cregan, John.
Cullen, Martin.
Curran, John.
Davern, Noel.
de Valera, Síle.
Dempsey, Noel.
Dennehy, John.
Devins, Jimmy.
Ellis, John.
Fahey, Frank.
Finneran, Michael.
Fitzpatrick, Dermot.
Fleming, Seán.
Gallagher, Pat The Cope.
Glennon, Jim.
Grealish, Noel.
Hanafin, Mary.
Haughey, Seán.
Hector, Máire.
Jacob, Joe.
Keaveney, Cecilia.

Kelly, Peter.
Killeen, Tony.
Kirk, Seamus.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
McDaid, James.
McEllistrim, Thomas.
McGuinness, John.
Martin, Micheál.
Moloney, John.
Moynihan, Donal.
Moynihan, Michael.
Mulcahy, Michael.
Nolan, M. J.
Ó Cuív, Éamon.
Ó Fearghail, Seán.
O'Connor, Charlie.
O'Dea, Willie.
O'Donnell, Liz.
O'Donoghue, John.
O'Flynn, Noel.
O'Malley, Fiona.
O'Malley, Tim.
Parlon, Tom.
Power, Peter.
Roche, Dick.
Sexton, Mae.
Smith, Brendan.
Smith, Michael.
Wallace, Dan.
Wallace, Mary.
Walsh, Joe.
Wilkinson, Ollie.
Woods, Michael.
Wright, G. V.

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

Question declared lost.

Sitting suspended at 1.45 p.m. and resumed at 2.30 p.m.

Ceisteanna — Questions (Resumed).

Priority Questions.

EU Battle Groups.

51. **Mr. Timmins** asked the Minister for Defence if he has received the interdepartmental reports of possible Irish involvement in EU battle groups; the recommendations of same; and if he will make a statement on the matter. [38254/05]

Minister of State at the Department of Defence (Mr. Kitt): I apologise for the absence of the Minister for Defence, Deputy O’Dea, who is in RTE at the moment on budget matters. The background to the rapid response element concept, sometimes referred to as battle groups, is that at the European Council in Helsinki in 1999, member states set themselves a headline goal that by 2003, co-operating together and voluntarily, they will be able to deploy rapidly and then sustain forces capable of the full range of Petersberg Tasks as set out in the Amsterdam treaty. In short, these are humanitarian, rescue, peace-keeping and crisis management operations, including peacemaking. This included, *inter alia*, a capability to provide rapid response elements available and deployable at very high readiness. The ambition of the EU to be able to respond rapidly to emerging crises has and continues to be a key objective of the development of the European security and defence policy, ESDP.

Ireland supports the development of the EU’s rapid response capability in support of UN authorised missions and is positively disposed towards participation in the rapid response elements in this regard. However, it is important that the full implications of our participation are assessed and, to this end, the Minister for Defence established an interdepartmental group which includes representatives of his Department, the Defence Forces, the Taoiseach’s Department, the Department of Foreign Affairs and the Attorney General’s office to consider the policy, legislative and operational issues arising from participation.

The Minister received the report from the interdepartmental group last week and is reviewing it. The report deals comprehensively with a range of issues related to rapid response elements-battle groups and issues arising in the context of overseas service by the Defence Forces generally. Once the Minister has had an opportunity to consider the matter he plans to consult his colleague, the Minister for Foreign Affairs, with a view to bringing proposals to Government as to how we then proceed. In advance of the

Government having had the opportunity to consider the issue, it would be inappropriate to comment on the relevant actions which may be taken pursuant to the group’s report.

Mr. Timmins: It is a welcome change to have the Minister of State at the Department of Defence, Deputy Kitt, standing in for the Minister. I look forward to eliciting much more information than we are accustomed to from the Minister.

I thank the Minister of State for his reply. However, the Minister for Defence stated earlier in the summer he hoped to bring proposals to Cabinet by the end of September and to make an announcement on the situation. It is important there is movement on Ireland’s commitment to participate in EU battle groups because we will otherwise be left behind. Fine Gael supports the concept. Will the Minister of State indicate when these reports or their recommendations will be made public and what the Minister’s view is on the matter?

The Minister said the report would review the involvement of personnel overseas in general. The Minister stated at the RACO conference that we may have to cut back on the number of officers serving overseas, but that would be a retrograde step. If there is a difficulty — I do not believe there is — we should consider restructuring our home commitments. It is important we maintain our overseas commitment.

Mr. Kitt: I agree with the Deputy that the work being undertaken by the Minister in consultation with his colleagues is important. The Minister is anxious to report back as soon as possible, but that is all I am able to say today. He has just received it but will not delay in bringing forward his proposals to Cabinet.

The Deputy will be aware there is another parliamentary question today on the subject of RACO, which I am confident we will get to. I will be glad to share with the House my and the Minister’s views on that issue. It is important we proceed as quickly as possible but that we get it right. The Minister has said in the House it is a complex issue and that he would prefer to get it right than rush headlong into it.

The interdepartmental group he established has completed the comprehensive review on all issues relating to the rapid response element-battle groups. There has been a discussion on the term “battle groups” and the consensus, with which I agree, seems to be that it is not ideal, but we all know what is involved. There are wider issues to be dealt with.

The report is detailed and will be given the consideration it deserves. The Minister will report back without delay.

Defence Forces Equipment.

52. **Mr. Sherlock** asked the Minister for

Defence the protocol and regulations in place for the use of Defence Forces weapons at public or publicity events; the safety guidelines that govern the use of such weapons by non-Defence Forces personnel at such events; and if he will make a statement on the matter. [38253/05]

Mr. Kitt: The items usually displayed by the Defence Forces at public or publicity events such as charity events, recruitment drives etc. include vehicles, armoured vehicles or aircraft, technical equipment such as radios and engineering equipment, and clothing or personal kit items. Defence Forces weapons are not displayed at public or publicity events.

From time to time events arise which are organised, controlled and secured by Defence Forces personnel, such as visits by VIPs, where non-Defence Forces personnel are permitted to handle weapons. These types of events are normally conducted within the confines of military establishments and all weapons are handled under the supervision of suitably qualified Defence Forces personnel and are, of course, not loaded.

Mr. Sherlock: I recognise the Minister did not mean to cause offence by posing for these photographs but does the Minister of State accept that the portrayal of him handling weapons in this manner sends an inappropriate message to the public? Does he agree that the playful style of the image can glamorise the use of weapons at a time when we were in the midst of gangland killings involving illegally held weapons?

Mr. Kitt: I accept what Deputy Sherlock is saying. I will repeat what my colleague, the Minister for Defence, said. He visited the Defence Forces training centre in the Curragh on 16 November to attend a display by the Army Ranger Wing to mark its 25th anniversary and to open a new stores facility at the ARW headquarters. The display consisted of a number of training exercises and simulated rescues, including two practical demonstrations of static room assaults and fast rope hostage extraction, and static demonstrations of weapons, equipment and vehicles. He was invited to inspect the weapons on display and this was done under constant military supervision. It was an open media event with those present being given the maximum access possible subject to safety and security considerations.

The Minister has asked me to reiterate his deep regret if people's sensitivities were offended by the pictures of him widely published in the media handling the weapons on display. The photographs used were selected by the media, not by the Minister. He has made it clear that he regrets what happened and has apologised to those who were offended by it.

Mr. Sherlock: Can the Minister of State assure us that the Minister will not take part in such events in the future?

Mr. Kitt: I can say that most definitely on behalf of my colleague. The Minister also regrets if an impression was given in the media that his participation at the event was an attempt to glamorise gun crime. He would not wish that to be the case. His intention on the day was to highlight the professionalism of the ARW, the excellence of its training and the sophistication of the equipment provided to it. I recall when I was Minister of State with responsibility for overseas development visiting the Army in Liberia where I saw at first hand the quality of its equipment and professionalism of its personnel. The Minister was anxious to portray that and I assure the House it will not happen again.

Overseas Missions.

53. **Mr. Gormley** asked the Minister for Defence if his attention has been drawn to the concerns expressed by RACO about his proposal for officer reductions abroad; his views on these concerns; and if he will make a statement on the matter. [38458/05]

Mr. Kitt: Ireland subscribes to the United Nations stand-by arrangements system, UNSAS, under which the State offers to provide up to 850 personnel on overseas service at any given time. Ireland's commitment under the UNSAS represents 10% of the total Army strength. This is the maximum sustainable commitment that Ireland can make to overseas peacekeeping operations. This overall commitment is not being reviewed.

Ireland's peacekeeping activity has now grown to the point where more than 140 officers are serving overseas. While this is a laudable contribution on the international stage, the Minister has stated that the long-term sustainability of such a level of commitment is open to question. The Minister, in addressing the conference, indicated that the proportion of officers within the overall UNSAS commitment of 850 would be reviewed to ensure that we balance our obligations to Ireland's foreign policy with our obligation to the other roles of a well-managed Defence Forces.

I assure the Deputy that any re-balancing of ranks within the overall 850 will not reduce the effectiveness of the Defence Force's contribution to Ireland's foreign policy or international peacekeeping.

Mr. Gormley: The Minister of State has repeated what the Minister said at the conference instead of answering my question. Why is the number of officers serving overseas in various missions not sustainable? Where has the Minister found a shortfall in our Defence Forces? Where does he want these officers to serve? Are they

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needed to serve in various EU military commitments or for duties in Ireland, as Chief of Staff, General Jim Sreenan, seemed to indicate at the RACO conference? He said that Ireland must remain vigilant against possible terrorist attacks. Would these potential terrorist attacks mean we need more officers at home? Will the Minister of State spell out in detail why we need to rebalance the number of officers and where they are supposed to go?

Mr. Kitt: I mentioned earlier that I was privileged to serve as Minister of State with responsibility for overseas development. When I met Army personnel abroad, I have always been proud of their work and, having visited Liberia twice, I am aware of their commitment.

The involvement of 850 personnel in overseas missions will not be changed. The issue under discussion relates solely to the number of officers. The Minister has simply outlined the need to look at that officer involvement. The Deputy rightly described the role of the Defence Forces as multifaceted. They defend the State against armed aggression, aid the civil power, participate in multinational peace support, provide a fishery protection service in accordance with State obligations as a member of the EU and carry out such other duties as may be assigned to them. The key point, however, is that the Minister is simply reviewing the involvement of officers in this approach. It is the normal thing to do and Deputies will hear from the Minister when the review has been carried out. The involvement of Irish Army personnel abroad will be maintained.

Mr. Gormley: The general secretary of RACO has expressed concern about what the Minister said. When this review is being carried out, I assume discussions will take place with RACO to see if it is appropriate to reduce the number of officers serving abroad because that seems to be at odds with what the Defence Forces want.

Mr. Kitt: I am aware of the views of RACO on this issue and those views will be taken on board by the Minister. The Chief of Staff agrees that the high number of officers serving overseas may adversely impact on commitments at home. This issue arises in the context of the Liberian mission coming to an end. That mission has been extended but the Defence Forces requires a rest period of several months to re-organise, bring equipment up to scratch and alleviate the pressure on personnel. These comments are being made in a timely way when our involvement in Liberia, in particular, is on such a large scale. I take on board the comments made by Deputy Gormley.

Overseas Missions.

54. **Mr. Timmins** asked the Minister for Defence the discussions he has had with the chief

of staff with respect to the Defence Forces involvement in the proposed humanitarian assistance groups as announced; and if he will make a statement on the matter. [38255/05]

Mr. Kitt: In the course of a speech on 18 November 2005 at the Royal Irish Academy, at an event to mark 50 years of UN participation, my colleague, the Minister for Foreign Affairs, outlined his plans to set up a volunteer corps unit within his Department to harness the strong volunteer spirit in the country. The Department of Defence and the Defence Forces will provide advice, as required, to this unit. Also, in the course of the speech, the Minister for Foreign Affairs mentioned his intention to pre-position humanitarian supplies, including tents and ready-to-eat meals, deployable at short notice, which will contribute to the immediate saving of lives.

Prior to this event, the Department of Foreign Affairs sought assistance from the Minister of Defence on the development of this concept and a meeting to discuss these issues took place between civil and military personnel from the Department of Defence and officials from the Department of Foreign Affairs on 11 November 2005. Arising from that meeting, an inter-departmental committee, which will include representation from the Defence Forces, is being established to proceed with this task. The first meeting of this committee will take place on 16 December 2005 and the Minister has instructed that every support possible should be provided for this initiative.

Mr. Timmins: I support this initiative. We have been calling for it since the start of the year. When did the Minister for Foreign Affairs first discuss the issue with Minister for Defence? Which Department will control this body? If it is under the control of the Department of Defence, why did the Minister for Defence not outline what would happen? Will the Minister of State elaborate on the composition of the body?

Mr. Kitt: There will be ongoing discussions between both Ministers on such initiatives. I was involved as Minister of State with responsibility for overseas development in pushing the voluntarism agenda. I warmly welcome the Deputy's interest in this area and his support for this initiative. Communication is ongoing between both Ministers. The Department of Foreign Affairs was anxious to push this. The Minister for Foreign Affairs announced the initiative, which relates to the establishment of an Irish rapid response roster. It is intended this will comprise individuals with relevant and specialist skills and experience in niche areas who will be available to travel at short notice to areas of great need. The initiative also provides for the establishment of a volunteer corps unit within the Department of Foreign Affairs to harness the strong volunteer spirit that exists throughout the State.

With regard to the first element, there is a need for strong co-operation between both Departments. On many occasions, members of the Defence Forces were seconded to non-governmental organisations and I recall this happened in Rwanda. Concern and GOAL often call on the Government to deploy Army personnel on a voluntary basis to carry out important humanitarian work. Close co-ordination between both Departments is needed but the initiative is very much with the Department of Foreign Affairs.

Mr. Timmins: Will the Department of Foreign Affairs control this body?

Mr. Kitt: Yes, that is my understanding. A Department must lead in this area and my colleague, the Minister for Foreign Affairs, will lead the initiative. His officials and my officials will meet on 11 December to progress this issue.

Mr. Timmins: The Department of Defence should be the lead Department in this regard. It has the expertise and, while the Minister for Foreign Affairs and the Government may have a policy, it should be implemented by the Department of Defence.

Will this humanitarian body address internal humanitarian crises? I hope that would be the case. Will the funding of overseas missions come from the overseas development aid budget or will additional funding be provided?

Mr. Kitt: If I need to come back to the Deputy on this, I will. Voluntarism should embrace needs at home and abroad. As we witnessed when the Special Olympics were held in Dublin, there is a desire among the population for us to give leadership on voluntarism. This initiative should be co-ordinated with the push on voluntarism in local communities. It would be wise to develop this concept along those lines but that is primarily a matter for the Department of Foreign Affairs. I presume it will develop that way. The Minister for Foreign Affairs and my Department are keen to pursue the humanitarian need abroad.

The overseas development aid budget will be the primary source of funding for the volunteer corps. The people would be happy for the ODA budget, which, thankfully, was increased substantially in the Estimates, to be used to provide funding for voluntarism. I will convey the Deputy's views to the Minister.

Defence Forces Training.

55. **Aengus Ó Snodaigh** asked the Minister for Defence the application or recruitment procedure for the training courses delivered to foreign soldiers at the Defence Forces training centre, Curragh Camp, County Kildare; and if he will make a statement on the criteria taken into consideration when deciding whether to include soldiers from the countries in question in this training. [38432/05]

Mr. Kitt: A prospectus of courses is prepared each year in a brochure format that is distributed to embassies. Candidates are then considered on the basis of applications received through the respective embassies. To date, it has been possible to accept all applications from foreign states for places on the courses for which they applied. The extensive body of experience gained by the Permanent Defence Force during its involvement in various United Nations peacekeeping operations over many years is well reflected in the training courses provided by constituent colleges of the Defence Forces training centre, namely, the military college, the combat support college and the combat service support college. The United Nations Training School Ireland, UNTSI, is itself a constituent school of the military college. The courses of training reflect the latest international military standards and doctrine. The quality of training programmes devised and provided by the Defence Forces is clearly evidenced by international interest shown as regards participation.

Aengus Ó Snodaigh: The Minister for Defence does not like answering my questions. He is hiding to avoid discussing the political and moral—

Mr. Kitt: The Minister is in RTE.

Aengus Ó Snodaigh: He is definitely hiding. Is the Minister of State aware that more than 460 foreign soldiers have received military training in the Curragh over the past ten years? I presume the majority were trained within the parameters of our neutrality and at the behest of the UN, which is laudable. However, the list the Department supplied in response to a number of valid parliamentary questions highlighted that the countries of origin of these soldiers include Israel, Russia and many NATO countries. Outwardly, it appears no safeguards are in place to ensure complicity in human rights abuses or to prevent breaches of neutrality. Are safeguards in place? If so, what are they? Is the Minister aware UN resolutions are regularly ignored by Israel and Russia and their forces have been involved in arbitrary detention, torture, disappearance and extrajudicial execution? For example, the Russian federal forces were responsible for approximately 450 abductions last year in Chechnya.

Even if the numbers from these countries who are trained is low, does the Minister of State agree any part played by this State in these atrocities is too big a part? Does he further agree that instead of lending these countries legitimacy or meeting their needs, we should boycott their military organisations, particularly those of Israel and Russia?

Mr. Kitt: All the countries involved have diplomatic relations with Ireland and they are all

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members of the UN. The participation of the members of the military forces of other nations has the marked advantage of building useful international links as regards the potential interoperability and familiarity between our Defence Forces and the military of other states with whom they may well undertake international peace-keeping duties in future. It involves technical and academic military training arranged on an *ad hoc* basis and it has no implications for our policy of military neutrality.

Taking a different perspective, this gives us an opportunity to get know to military people in other countries. I met, for example, a member of the Zambian army who had been trained in the Curragh during my tenure in the Department of Foreign Affairs. He very much appreciated the quality of training he received. That training stayed with him and he brought it back to his own country to help build capacity there. It is a normal procedure. We interact with military personnel from other countries with whom we could undertake joint international peacekeeping operations. It is nothing more complicated than that.

Aengus Ó Snodaigh: Much of the training is laudable and welcome and it probably falls within the parameters of neutrality. However, will the Minister of State offer a guarantee that no country whose military is involved in breaches of international law will receive training in the Curragh Camp or elsewhere in this jurisdiction? Does he agree the participation of NATO members in training at the Curragh compromises our neutrality? The list mainly comprises NATO countries but the military of Zambia and other non-NATO countries have received training, which is welcome. However, I do not see us partaking in peace-keeping missions with Israel in the near future until it addresses its human rights record and its abuse of the Palestinian people.

Mr. Kitt: Obviously, we have a very strong position on protecting human rights and these issues have been raised in the House in recent days in regard to Shannon, etc. We have accepted all applications from foreign states for places on the courses actually applied for. It involves military training arranged on an *ad hoc* basis, so it is not that rigidly structured. Suffice it to say, I will ask the Minister to take on board the Deputy's views on torture, human rights, and so on.

Other Questions.

Decentralisation Programme.

56. **Mr. Hayes** asked the Minister for Defence the situation regarding the decentralisation of the civilian staff at the Department of Defence; the

number of persons who will move; the number who have indicated that they wish to move; if a suitable site has been obtained; and if so, the location and cost of same; and if he will make a statement on the matter. [38130/05]

Mr. Kitt: The Government decision on decentralisation announced by the Minister for Finance in his Budget Statement on 3 December 2003 provides for the transfer of my Department's Dublin-based Civil Service staff to Newbridge, County Kildare. The number of staff to be relocated to Newbridge is 202.

While the Office of Public Works has identified a suitable site in Newbridge for the Department's new headquarters, negotiations on the acquisition of the site have not yet been completed. For this reason, it is not possible to give a firm date or cost for the move. Every effort is being made to expedite the process. Some 385 personnel, 60 of whom are currently serving in the Department, have volunteered to relocate to Newbridge.

Mr. Timmins: How many Dublin-based civil servants wish to relocate to Newbridge? I fundamentally disagree with the principle of moving Department headquarters around the country. The Department of Defence is not moving too far but if it is looking for a site in Newbridge, it will prove quite expensive. Recently someone told me of a small property in Newbridge which sold for an outrageous sum. A few miles from Newbridge, there are thousands of acres in the Curragh. The Minister for Finance is moving the Army headquarters to the Curragh, yet he is moving the Department of Defence to Newbridge. Regardless of whether one agrees or disagrees with the move, I do not understand the logic of this. If the Minister wants to undertake this move in a practical, pragmatic and cost effective manner, the Department should move from Newbridge to the Curragh along with the Army headquarters.

Mr. Kitt: Some 385 personnel, of whom 60 are currently serving in the Department, have volunteered to relocate to Newbridge. The acquisition of a site is the constraint most likely to delay the relocation of the Department. The Office of Public Works is making every effort on behalf of the Minister to achieve a successful outcome. Discussions are ongoing between the Office of Public Works and Kildare County Council regarding the site. The move of Coiste An Asgard will coincide with the Department's move to Newbridge and the Defence Forces headquarters will be relocated to the Curragh. As relocation to Newbridge is very much oversubscribed in comparison with other Departments, there will be no difficulty getting people to transfer and I hope it will be a successful move.

Mr. Timmins: Does the Minister agree the purchase of a site in Newbridge is holding back the

move? The site will cost a phenomenal sum of money yet literally two miles down the road is the Curragh training camp where the Department has thousands of acres and fantastic access. I do not understand the logic of the move to Newbridge, irrespective of whether one agrees or disagrees with decentralisation. If the Department locates in Newbridge, a site will have to be sourced at a huge fee but if it locates down the road in the Curragh camp, thousands of acres are available. Will the Minister of State ask the Minister to consider this suggestion?

Mr. Kitt: I will be happy to raise the Deputy's views with the Minister. However, the Office of Public Works has shown considerable expertise in trying to identify sites for headquarters. There is a logical explanation for proceeding with this site. However, I will ask the Minister to keep the Deputy informed in this regard.

Mr. Gormley: The Minister of State may not be able to respond to the following question but if he could, I would appreciate it. As regards members of the Defence Forces living in married quarters in barracks, there is a serious case in my constituency where people have been put on to the side of the road. They have been asked to vacate—

An Leas-Cheann Comhairle: That is a separate question.

Mr. Gormley: If we are asking large numbers of people to move, is the wrong signal being sent if those who have served us so well, as the Minister of State rightly said in a previous reply to me, are being dumped on to the side of the road in this way?

Mr. Kitt: I will be happy to pursue the point the Deputy just made. I agree this must be done in a co-ordinated way. Some 20 members of staff from the Department's Dublin offices wish to decentralise to other locations. These staff will be facilitated as soon as possible when requested for transfers by other Departments. Over the next six months, vacancies arising in this way will be filled. The Department will proceed to transfer staff and fill vacancies according to protocols in a phased way taking account of our business priorities and service delivery needs.

Ms C. Murphy: There is another aspect to the numbers the Minister of State gave us, that is, who wishes to decentralise. I received a reply to a parliamentary question on 2 November on the risk assessment done by the Department and in which it was very forthcoming on issues such as loss of corporate memory, loss of key staff to execute tasks contained in the plan, corporate isolation and possible loss of high performance culture. Is the Minister satisfied the people who

are to decentralise will satisfy the risk analysis done?

There is a big difference between the Curragh and Newbridge. One difference is that there is a train line to Newbridge which may well be an attractive proposition to people relocating. We should not lose sight of those aspects of decentralisation.

Mr. Kitt: I agree with the Deputy that corporate memory and experience and personnel family matters are vital issues in the context of the relocation of people. The approach of this process of decentralisation is that it is done on a voluntary basis. I agree with the Deputy in regard to the train line. We have seen the plans under Transport 21 and it is a very attractive incentive for people to move to places like Newbridge. Good transport facilities are vital and will be a great incentive for people to move to some of the locations. Given the problems on the M50, people would be glad to move to places to which there is greater access transport-wise for all members of the family. This must be done on a voluntary basis and in consultation with those involved. Consideration must also be taken of people's family situations.

Ministerial Meetings.

57. **Mr. Boyle** asked the Minister for Defence if he will report on his attendance at the EU's General Affairs and External Relations Council meeting in November 2005; his views on the agreement reached between all 25 EU Defence Ministers at the GAERC on the completion of the EU's military requirements catalogue; the 18 battle groups involving 26 nations which have been formed and were discussed at the meeting; and if he will make a statement on the matter. [38199/05]

84. **Mr. Eamon Ryan** asked the Minister for Defence if the completion of the EU's military requirements catalogue will result in increased armaments expenditure by Ireland; and if he will make a statement on the matter. [38206/05]

113. **Mr. Boyle** asked the Minister for Defence if the completion of the EU's military requirements catalogue will result in increased armaments expenditure by Ireland; and if he will make a statement on the matter. [38200/05]

Mr. Kitt: I propose to take Question Nos. 57, 84 and 113 together.

The Minister for Defence attended the General Affairs and External Relations Council, GAERC, meeting in Defence Ministers formation on 21 November 2005. Ministers discussed progress in developing military capabilities, current issues relating to civil-military co-operation, and the situation in Bosnia and Herzegovina.

Under military capabilities, the discussions focused on the requirements catalogue 05, the

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single progress report and the headline goal questionnaire. Comprehensive planning and security sector reform were discussed under civil-military co-operation.

The requirements catalogue 05 is the first step in the delivery of headline goal 2010. It identifies the forces and capabilities needed against which member states will be invited to make offers through the headline goal questionnaire. It is a planning document and, therefore, it imposes no obligations on member states in terms of capability development or the provision of specific capabilities.

At the battle group co-ordination conference in November 2005, member states gave commitments for up to 18 rapid response elements-battle groups. Each rapid response element-battle group will be on stand-by for a six month period and with the exception of one slot on 2009, all slots out to 2010 are now filled. Currently, there is one rapid response element-battle group on stand-by and from January 2007 there will be two on stand-by.

Mr. Gormley: I have a number of specific questions in regard to this important matter. The reports from the November meeting state that 18 battle groups involving 26 nations were announced and discussed at the meeting. Can the Minister of State indicate whether Ireland is considered to be one of the 26 nations involved in battle groups? If that is not the case and Ireland does decide to join an EU battle group, will we be joining one of the 18 that have been formed or will we form an additional battle group?

Can the Minister of State inform the House what capabilities have been identified that we will make available? What exactly will be our military capabilities contribution and what additional costs will arise from this?

Mr. Kitt: I dealt earlier with the issue of battle groups. I stated we are committed in principle to becoming involved, subject to finding the right way of doing so. The Minister is currently reviewing the report produced last week by the interdepartmental group. Some work remains to be done on that area. We will obviously revert back to the Deputies who have referred to this issue.

Mr. Gormley: Is the Minister stating categorically that we are not yet part of a battle group?

Mr. Kitt: Currently, Malta is not involved either and Denmark has opted out. All the other EU states are involved. We are committed in principle to joining, but we must get it right. That is a matter for discussion between my colleague, the Minister for Defence, and the Minister for Foreign Affairs. The issue will be discussed at Cabinet. There are many ways in which one can become involved. The headline goal involves

everything from humanitarian assistance and Petersberg Tasks chapter 7 to peacemaking. Involvement is based on voluntarism. Each operation is examined separately. The system is based on the triple lock principle. My colleague, the Minister, has made that very clear. We will make up our mind at the time about the kind of involvement we choose. It is a very open agenda. This is the kind of discussion that has taken place. We are at the very early stages. Any involvement will require the triple lock — the UN mandate, a Government decision and the issue would have to come before the Dáil. There is still much work to be done on this. We are committed in principle, subject to finding the right way to get involved.

Mr. Gormley: If we are committed in principle, will we join one of the existing 18 battle groups or will we be forming a new one?

Mr. Kitt: As I stated, Malta is not currently involved and Denmark has opted out. It would be wrong of me to make any particular commitments as to how we would become involved. I ask the Deputy to bear with us on that. We are now near to making a decision and as soon as a decision is made we will go to Cabinet. There will have to be some co-ordination between my Department and the Department of Foreign Affairs. We will revert back to the Deputy very shortly.

Aengus Ó Snodaigh: The General Affairs and External Relations Council, which is also part of this process, approved the final requirements catalogue for the battle groups. Is the Minister of State aware this was validated using computer assisted operational analysis provided by NATO? Does he agree that interoperability with NATO principles underpins the entire capabilities improvement programme and that such interoperability compromises the State's neutrality? It was strange that in the Department's report on the General Affairs and External Relations Council meeting it did not mention this whereas the British report on the same issue stated the information was provided by NATO. Is there something to hide?

What peace functions does the Minister envisage will be provided by the equipment and weapons included in the capability improvement charts? These refer to attack helicopter battalions, field artillery battalions, cruise missiles and precision guided munitions. Can the requirements catalogue be forwarded to the defence spokespersons, as previously requested? I thought the Minister had agreed to do this.

Mr. Kitt: With regard to the requirements catalogue, it would not be appropriate for me to go into this in detail, as it is a restricted document. However, the catalogue includes a wide range of equipment to support all types of operations,

from humanitarian relief, up to and including peacemaking, which of its nature may involve combat with opposing forces. Deputies will recall the situation in the Balkans where the opposing forces were effectively standing armies. In any similar scenario, the full range of combat resources and combat support elements would need to be available to a rapid response element-battle group which might be deployed in any such situation.

We can discuss the minutiae of all that is involved in these issues but the reality is that there are needs out there and, much and all as we would like it, this world is not peaceful. There are many troubled regions. I make no apology for reverting back to the situation in Liberia where the UN mission is a robust chapter 7 mandate. In some of these situations we will have to work side by side with people who have bigger and more robust equipment and are more powerful than us. In my experience, our involvement in Liberia ensured humanitarian workers and NGOs were able to go into the countryside, inoculate people and save lives. It is a very exciting prospect for the nation.

I assure the House we will get it right in regard to the triple lock. At some of these meetings, I accept we will have to work side by side with people who have an involvement with NATO. We will make sure we get it right. We will go through the process of the UN, the Government and the Dáil. That is a very important safeguard as regards the sovereignty of the nation.

Defence Forces Property.

58. **Mr. Kehoe** asked the Minister for Defence the amount of revenue obtained from the sale of property in his Department; the percentage of same which was re-invested in the Defence Forces; and if he will make a statement on the matter. [38126/05]

Mr. Kitt: The Government, on 15 July 1998, approved a programme of evacuation and sale of six barracks considered surplus to military requirements. The barracks in question were located at Ballincollig, Fermoy, Castleblayney, Naas, Kildare and Islandbridge, Dublin. The value of sales-disposals completed to date in respect of the six barracks, the subject of the July 1998 Government decision, together with additional military property which was surplus to military requirements, is in the region of €90 million.

The increased level of expenditure on equipment for the Army, Air Corps and Naval Service was made possible by the Government's decision that pay savings arising from the reorganisation of the Defence Forces set out in the White Paper of 2000, along with proceeds from the sale of surplus properties, would be reallocated for investment in modern facilities and equipment.

Investment in new equipment for the Defence Forces is provided for under various subheads of the Defence Vote relating to defensive equipment, mechanical transport, aircraft, ships and naval stores, engineering, communications and information technology equipment etc. All elements of the Defence Forces, the Army, Air Corps, Naval Service and the Reserve have benefited from the investment in new equipment. Over the past six years, over €200 million has been expended on the purchase of 65 armoured personnel carriers and the Javelin missile system for the Army, new patrol vessels for the Naval Service and new trainer aircraft for the Air Corps.

The programme of investment is continuing apace. Last January, my colleague, the Minister for Defence, Deputy O'Dea, signed contracts for six new helicopters for the Air Corps costing over €60 million. Planning is well under way on the replacement programme for the next Naval Service ships to reach the end of their economic life and a further 15 armoured personnel carriers will be added to the current fleet. It is expected the contract for the additional 15 APCs will be signed by the end of this year.

There are also ongoing acquisitions of modern equipment for use by soldiers on operational duties. The individual soldier is now required to carry an array of equipment while engaged on such duties. In that regard, one of the essential ongoing equipment acquisition projects concerns the provision of a modern integrated protection and load carrying system for members of the Defence Forces. This involves, *inter alia*, the personal protective equipment consisting of body armour and helmet. The aim is to have a new, lighter protective system which is compatible with all current and future systems required for each soldier.

Additional information not given on the floor of the House.

A tender competition was held for the provision of body armour for individual soldiers. An order has been placed for 6,000 units for delivery in 2006. In addition, a separate tender competition for helmets was also held for the acquisition of 12,000 helmets. An order has been placed for the helmets, which will also be delivered in 2006.

A tender competition for the replacement of the existing FN 9 mm Browning automatic pistol is now in train. It is expected that an order will be placed in the first quarter of 2006. In addition, an order has been placed for the provision of 400 general purpose machine guns for delivery in 2006.

The equipment issued to the Defence Forces is in keeping with the most modern requirements and the highest international standards. Alongside the investment in equipment, there has been an unprecedented level of expenditure on infrastructure in the Defence Forces in recent years, also made possible by the Government's decision.

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Over €178 million has been spent between 1999 and 2004 on the capital investment programme for the upgrade of barracks to provide the Defence Forces with modern accommodation, operational, training and recreational facilities. This year's Estimate for my Department includes €19.4 million for such capital works with a proposal to allocate €21.8 million in 2006. I have included, in tabular form, a list of the major pro-

jects carried out between 1999 and 2005 which I will circulate in the Official Report.

The programmes to which I have referred reflect that massive steps have been taken in recent years to modernise Defence Forces equipment and infrastructure and that substantial efforts are continuing on both fronts. The continuation of investment in infrastructure and equipment for the Defence Forces remains a top priority for the Minister for Defence.

Major Defence Forces Building and Refurbishment Projects undertaken from January 1999 to December 2004.

Barracks	Project	Date Contract placed	Project Cost
			€ million
Collins, Cork	Men's Dining Hall	22 January 1999	2.19
Curragh Camp	Ammo Depot Upgrade services	12 April 1999	5.96
Casement	New Hangar 5	22 July 1999	6.33
Collins, Cork	New NCO's Mess	30 March 2000	1.71
Curragh Camp	New Pool and Gym Upgrade	23 May 2000	8.20
Cathal Brugha	CIS / Engineering Building	29 May 2000	2.94
Curragh Camp	Clarke Bks. — A and B Blocks	24 August 2000	1.59
Curragh Camp	Stores 1, 2, 3 and 4	1 September 2000	6.92
Casement	Const. of Transport W/Shops	12 September 2000	1.06
Curragh Camp	New Transport Technical Stores	31 October 2000	2.30
Collins Cork	Storage Facility — Armoury	30 November 2000	3.32
Curragh Camp	Refurbish Block 3 Connolly and Block 8 Plunkett	30 November 2000	3.70
Collins Cork	New Gymnasium	6 December 2000	2.70
Curragh Camp	Connolly Bks. Accom. Upgrade	6 December 2000	3.18
Curragh Camp	Ordnance Transport Schools	6 December 2000	3.46
Curragh Camp	New NCOs' Mess East	11 January 2001	2.66
Curragh Camp	Combat Support College — Main	23 January 2001	6.67
Cathal Brugha	P and Q Accommodation Blocks	31 January 2001	.96
Curragh Camp	NCOs' Mess West	31 January 2001	4.44
Curragh Camp	Vehicle Garaging, Curragh Camp	8 August 2001	4.62
Curragh Camp	Refurbish Kitchen — Officers' Mess — Ceannt Bks	20 September 2001	1.08
Casement	No. 3 Support Wing HQ	26 November 2001	3.00
Curragh Camp	Combined Vehicle Workshops	2 January 2002	9.03
Casement	Resurfacing of Runways	26 June 2002	6.40
Cathal Brugha	Upgrade Accommodation Block	30 August 2002	1.88
Curragh Camp	Container Storage Yard	9 September 2002	.99
Coolmoney Camp	Upgrade Works Waste	24 September 2002	1.02
Renmore, Galway	New Cookhouse and Dining Hall	25 September 2002	3.35
McKee Bks.	Upgrading of G Block	9 October 2002	1.92
Coolmoney Camp	Upgrade Huts and Ablutions	15 November 2002	1.21
Costume Bks.	New Storage Facility	21 November 2002	1.98
Curragh Camp	Special Storage Building	18 September 2003	2.11
Custume Bks.	New NCOs' Mess	26 September 2003	1.24
Naval Base	New Technical Stores	26 September 2003	2.57
Naval Base	Upgrade Billet Blocks	4 November 2003	1.53
Curragh Camp	Workshop and Office Facilities, Plunkett Bks.	31 August 2004	1.74
Cathal Brugha	Upgrade Battalion HQ	17 September 2004	1.37
Casement	Upgrade Other Ranks Accommodation	21 September 2004	1.30
Sarsfield, Limerick	Upgrade Accommodation Block	21 September 2004	1.03
Renmore Galway	Refurbish Storage Facility	22 October 2004	2.12
Custume Bks.	Refurbish Brigade Headquarters	10 November 2004	2.42

Major Projects commenced in 2005.

Barracks	Project	Date Contract placed	Project Cost
			€ million
Sarsfield Bks., Limerick	Refurbish and Extension of Dining Hall	22 June 2005	2.05
Curragh Camp Connolly Bks.	Refurbish Accommodation Block 7,	18 August 2005	1.54
Finner Camp, Donegal	Refurbish Accommodation Blocks	7 September 2005	1.04
Cathal Brugha Bks., Dublin	Refurbish Accommodation Blocks L and M	7 September 2005	1.54
Custume Bks., Athlone	Refurbish Main Accommodation Block	3 November 2005	4.22
Collins Bks., Cork	Upgrade of Brigade Headquarters and Medical Facility	24 November 2005	2.71
Renmore Bks., Galway	Refurbish Accommodation Blocks 1 and 2	1 December 2005	1.59

Mr. Timmins: I want to reconfirm that all the money obtained for sales of properties has been used for the purchase of equipment or the upgrade or replacement of facilities. Will the Minister of State tell me whether the Minister of Defence has any other plans to sell property in order to finance the equipment programme he outlined or will the money come from normal Estimates?

Mr. Kitt: My understanding is that all the money has been used but I will revert to the Deputy if any further information needs to be shared with him on the issue. On the second question, there are no plans to sell any other barracks.

Military Investigations.

59. **Mr. M. Higgins** asked the Minister for Defence the efforts being made by his Department to bring to justice the prime suspect for the brutal murder of two Irish soldiers in Lebanon in April 1980; if he has held discussions with US authorities regarding the extradition of the main suspect, who is a naturalised US citizen; his views on whether Ireland may be able to pursue a prosecution under the Geneva Conventions; if the family and relatives of the two soldiers are being kept informed of the situation; and if he will make a statement on the matter. [38163/05]

Mr. Kitt: The case to which the Deputy refers concerns the killing of Privates Thomas Barrett and Derek Smallhorne while serving with the United Nations Interim Force in Lebanon, UNIFIL, in 1980. The question of the measures open to Irish authorities to bring the alleged perpetrator of this crime to justice has been examined in detail in the Department of Defence in conjunction with the Department of Foreign Affairs and the Attorney General's office.

The Attorney General has advised that there are no provisions in Irish law which provide a basis for Ireland to pursue a prosecution against the alleged perpetrator. The Attorney General indicated, however, that, while untested and potentially difficult, it might be possible for Ireland to pursue a prosecution under the provisions of the Geneva Conventions. While this

appears an outside possibility, the Minister for Defence nevertheless asked the DPP, who would be responsible for pursuing any prosecution, to review the matter. The DPP is examining all the available evidence in the case with a view to determining whether any case can be mounted against the alleged perpetrator. The country with primary jurisdiction in this case is Lebanon. At the request of the Minister for Defence, the Minister for Foreign Affairs through the Embassy of Ireland in Cairo, which is accredited to Beirut, has conveyed to the Lebanese authorities our earnest desire and determination to see the alleged perpetrator brought to justice and to advise them that we will assist in whatever manner we can, should the Lebanese authorities be able to bring him to justice. As recently as 10 November 2005, the Irish Ambassador to Lebanon met the Prime Minister of Lebanon and discussed the matter with him.

The Department of Defence and the Department of Foreign Affairs are also in contact with the US authorities, where the alleged perpetrator resides as a naturalised US citizen. The US authorities have been kept apprised of developments in the case. The Minister for Defence will continue to explore such avenues as may be open to him to seek justice in respect of Privates Barrett and Smallhorne. However, it will be appreciated that the long passage of time since the tragic incident will create its own difficulties in terms of mounting a prosecution, even if we can make the alleged perpetrator amenable to justice.

The Defence Forces continue to maintain contact with the Barrett and Smallhorne families through annual ceremonies commemorating deceased members of the Defence Forces. This year, to mark the 25th anniversary of the death of Private Derek Smallhorne, a wreath-laying ceremony organised by the Fifth Infantry Battalion was held at his graveside in Palmerstown Cemetery, Dublin, followed by mass at the garrison church in McKee Barracks. The ceremony was attended by Private Smallhorne's daughters, sisters and brother.

Mr. Sherlock: The reply is most disappointing. When the Minister for Defence spoke on this

[Mr. Sherlock.]

matter in the Dáil, he gave a commitment that no stone would be left unturned in the quest for justice for these men. I am sure the Minister of State has seen the correspondence I received from representatives of the families in which they asked again whether this matter could be raised on Question Time. That was on 15 November, 25 years after the deaths.

It is an awful state of affairs that the Government does not have the power to pursue this matter. A person who came to this country claimed that the murderer had not been brought to justice, despite the fact that the authorities here have known for a number of years where he was residing. If that is the case, why has no action been taken? It is disappointing that the Minister of State has given a long-winded reply to the question.

Mr. Kitt: As I indicated in my reply, the Attorney General has fully explored the case and there are no provisions in Irish law which would provide a basis for Ireland to pursue a prosecution against the alleged perpetrator. He also indicated, as I said, that, while it is untested and potentially difficult, it might be possible for Ireland to pursue a prosecution under provisions of the Geneva Convention. While this appears an outside possibility, the Minister for Defence has asked the DPP, who would be responsible for pursuing any prosecution, to review the matter. Certainly, we share the Deputy's concern on this matter but have to await the DPP's legal opinion. The issues of factual evidence and jurisdiction arise. I will convey the Deputy's views to the Minister and we will do all we can but there are legal complexities. We appreciate the trauma involved for the families.

Mr. Gormley: One of the alleged killers is a naturalised American citizen. Does the Minister of State know whether the Minister for Foreign Affairs, Deputy Dermot Ahern, raised this with Condoleezza Rice? It would seem appropriate to do so, given that the American authorities and the Bush administration in particular seem to have no difficulties in asking for the extradition of citizens, even Irish ones, for undermining, for example, the American economy in the case of Seán Garland. We now know that the United States has not only sought extradition but has bundled people into planes, which, we believe, passed through Shannon Airport and other European airports with no repercussions. Does the Minister of State not accept that there is an inconsistency between what the United States demands from others and what we can get from them?

Mr. Kitt: The case can be made that this issue should be raised with the US authorities. I am uncertain whether my colleague, the Minister for Foreign Affairs, raised it with Condoleezza Rice but I did say that both my Department and the

Department of Foreign Affairs are in contact with authorities in the US, where the alleged perpetrator resides as a naturalised US citizen, and have kept them apprised of developments in the case. I concur with the Deputy that this is another avenue of communication and we will do anything we can in that regard. We will maintain contact with US authorities over the coming weeks.

Mr. Timmins: I would like to approach this matter from a different angle to Deputy Gormley. Does the Minister agree that this is somewhat hypocritical? We are not willing to extradite some people for whom the United States has *prima facie* evidence that they should stand trial there.

I agree with the policy of attempting to find the people responsible for the murder of Privates Barrett and Smallhorne, which happened in 1980 in Lebanon. However, in December 1983, a member of the Army and a garda were murdered in Ballinamore, County Leitrim, yet we are now contemplating an amnesty for the perpetrators. How can we reconcile going to America to bring back somebody alleged to have committed a murder in 1980 with considering an amnesty for someone who may have committed a murder in County Leitrim in 1983?

Mr. Kitt: It is not appropriate to make that type of comparison in this situation. Issues have arisen which must be pursued. I appreciate the strong feelings expressed by a number of Deputies on this issue. We must follow due process and await the DPP's legal opinion and there are complex issues with regard to jurisdictions which are not entirely within our control. We will do everything possible and I will remain in contact with the Deputies.

Mr. Sherlock: The Minister of State has acknowledged that he will remain in contact and I will be obliged if he will let us know when progress has been made.

Mr. Kitt: I will do that.

Emergency Planning.

60. **Mr. S. Ryan** asked the Minister for Defence if the Government task force on emergency planning has met since the 7 July 2005 bombings in London to consider the way in which Ireland will deal with such a terrorist attack; and if he will make a statement on the matter. [38173/05]

Mr. Kitt: The Government task force on emergency planning continues to meet on a regular basis, most recently on Wednesday, 9 November 2005. A special meeting of the task force was convened on Wednesday, 13 July 2005 at short notice in the aftermath of the London bombings of 7 July. The next meeting of the task force is scheduled for tomorrow morning. In addition, the interdepartmental working group on emergency planning, which is chaired by the Office of Emer-

gency Planning, also continues to meet on a regular basis. Potential threats to the State arising from international terrorism are continuously monitored and preparedness is reviewed by those involved, principally the Garda Síochána and the Defence Forces. The current advice available is that while the Garda authorities recognise that the terrorist threat to Europe may currently be high, in regard to Ireland it is low.

International links have also been important as a means of sharing expertise and resources. The European Union continues to develop programmes to improve co-operation within the EU to prevent and limit any consequences of threats. This was given new impetus by the EU declaration on combating terrorism, agreed under the Irish Presidency in 2004, which, among other aspects emphasises the benefits of co-operation and coordination.

Arrangements regarding national security issues that may arise are primarily a matter for the Garda Síochána. Emergency planning preparations are designed to ensure that as far as possible, the necessary advance planning is in place to deal with the consequences of any incident that may arise.

The Minister for Defence will continue to report regularly on a confidential basis to Government on emergency planning and to promote collaborative approaches at Government task force and interdepartmental working group levels so as to enhance coordinated emergency planning and the corresponding response and management capacities of the State.

Mr. Sherlock: Can the Minister of State estimate the current level of threat to Ireland? Is there a need to update the national emergency plan in the light of the attacks on London on 7 July last? I read in a newspaper on 7 November that a meeting of senior security officials had emergency talks, while a separate group responsible for detailed planning to deal with major terrorist incidents, the Government task force on emergency planning, is to meet. Will the Minister of State tell us the up to date position?

Mr. Kitt: The potential threats to the State arising from international terrorism are continuously monitored, principally by the Garda and the Defence Forces. The advice available to me is that while the Garda authorities recognise that the terrorist threat to Europe may currently be high, with regard to Ireland it is low. The awareness of the situation could change rapidly and that warning ensures that vigilance is maintained. In so far as possible the objective has been to confine and control threats before they translate to destructive action. Those principally charged with the precautionary activities, the Garda and the Defence Forces, are key to the process and they analyse information to assess potential vulnerability so as to facilitate resources being deployed in the most effective way.

With regard to emergency plans, the Garda, the Defence Forces, local emergency services and other bodies such as Civil Defence regularly take part in simulated exercises both within their own structures and collectively as part of their ongoing training policies. The Garda has primary responsibility for law and order, including the protection of the internal security of the State. The potential threats to the State arising from international terrorism are continuously monitored by them in co-operation with the Defence Forces. Accordingly there are strong structures in place and the planning is comprehensive.

Mr. Timmins: Will the Minister of State agree that the group set up post 9/11 has no legislation to underpin it despite the fact that it meets every month, that no additional funding has been allocated to it since then, that this is a clear indication that the Government does not take any threat seriously and that this group, if ever called on, will not be able to do what it is supposed to do?

Mr. Kitt: There is not necessarily a need for legislation with regard to the management of crises. In this area, the situation can change rapidly overnight. The key point is that we have co-operation between Departments and that a committee is in place. We have that. Resources are available within Departments and in a crisis they are made available. I am therefore satisfied there is no need for legislation. We have many areas of co-operation, many interdepartmental groups working at Government level on all sorts of issues. In this area the key point is to have the right kind of co-ordination among the right people, and with the Garda, Defence Forces and Civil Defence involved, the right approach is being pursued.

Mr. Gormley: Is the Minister of State aware that the Defence Forces Chief of Staff, Lieutenant General Jim Sreenan, said at the Representative Association of Commissioned Officers or RACO conference that the best way to deal with terrorist threat is to invest in the intelligence services? Can the Minister of State say if the Government has plans to invest more money in the intelligence services?

Mr. Kitt: The most important defence against any terrorist attack is detection and prevention by the security forces. The advice available to me suggests there is no reason to believe at this time that Ireland or Irish air space is a direct target.

It is important that we are clear on our capabilities with regard to defending ourselves from terrorist atrocities and that people are not misled. As we know from experience, from the light of the tragic events of 9/11 and more recently those in Madrid and London, there is no 100% protection against terrorist attacks. The important issue is that we make appropriate arrangements and take such precautionary measures as are neces-

[Mr. Kitt.]

sary on the basis of information available to us. Vigilance, effective intelligence-gathering and analysis are essential and must be the primary means of protection. No country can protect itself fully. Even those with large defence budgets and possessing air defence establishments have difficulties in meeting these and other challenges.

Ireland's defence capabilities are relatively limited. However, the assets available to the Defence Forces are related to the level of threat and are considered appropriate and adequate in this regard. I agree with the Deputy that intelligence and co-operation with our colleagues, in particular our EU colleagues, is crucial in this regard.

RACO Biennial Conference.

61. **Mr. Gormley** asked the Minister for Defence if he will report on his speech to the biennial conference of the Representative Association of Commissioned Officers; and if he will make a statement on the matter. [38197/05]

Mr. Kitt: On 29 November 2005, the Minister for Defence addressed the biennial delegate conference of the Representative Association of Commissioned Officers, RACO, in Cavan. The Minister sought to make his address relevant, informative and positive and discussed topics of interest to military delegates, their colleagues and to the wider community. Those topics included the representative process, partnership, Defence Forces Arbitration Board, Defence spending, the White Paper on Defence, EU battle groups, Volunteer Corps Unit, overseas numbers, bullying and harassment, future pay policy, equal opportunity and the review of measures with a view to maximising the number of women applicants into the Irish Defence Forces. The Minister is satisfied that his speech was well received by the assembled delegates and is grateful to the Deputies for their interest in his address which can be accessed from the Department's website, www.defence.ie.

Among the issues raised by RACO were the White Paper on Defence, partnership, modernisation agenda, promotion system, child care, public service pay system, benchmarking, arbitration, medical review, retirement age, disaster relief and military representation in the Portuguese Defence Forces. It is clear that the Minister covered a very wide and comprehensive agenda in his address to RACO.

Mr. Gormley: Does the Minister of State intend to invest more in military hardware because of our peacekeeping and peace enforcement obligations? The Minister of State did not respond to my earlier point. Following on from what Lieutenant General Jim Sreenan said at the RACO conference, are there plans to invest more money in the intelligence services? Can the Minister of State give me a direct answer?

Mr. Kitt: That would be a matter for the inter-departmental committee and the steering group. It is an important area in which we should invest. Intelligence is critical in terms of prevention. I share the Deputy's views on this matter and will report them to the Department.

With regard to military hardware, the Government continues to review its investment in such equipment. Clearly there will be more investment in the years ahead because of the increase in budget and the sale of property which gives us an opportunity to invest more in equipment.

Mr. Timmins: At the RACO conference the Minister raised the serious issue of the percentage of officers serving overseas. I note that the Minister for Defence has today tabled a motion to the House seeking to redeploy troops to Sierra Leone. In his capacity as Government Whip, will the Minister of State agree to bring that motion before the House rather than a committee? The tradition was for such motions to come before the House but in recent years it has been brought to committee. In view of the comments made by the Minister at that conference, will the Minister of State agree to bring it to the Dáil?

Mr. Kitt: As I said earlier, the Minister has stated that he is simply reviewing the role of officers serving abroad. He is not in any way reviewing the number of personnel, which is set at 850. That will remain constant.

On the remit of the Liberia contingent, I warmly welcome the extension of its involvement to Sierra Leone. As Minister of State with responsibility for overseas development I visited Sierra Leone and witnessed the major need for our personnel. It is important that we extend our remit to meet that need.

On the Deputy's last point, I will, if at all possible, bring that particular motion before the House. He would prefer it to be raised in the House rather than at committee level and I will endeavour to do so.

Mr. Sherlock: The Minister of State is very positive in his replies and has made important points. I hope there will be action on the matters raised. The Minister for Defence, Deputy O'Dea, is participating in RTE's television coverage of the budget. Is this a legitimate reason for him to miss Question Time?

Deputies: Hear, hear.

Mr. Durkan: I hope the Minister is not wearing a gun.

Mr. McCormack: He is having his photograph taken.

Mr. Kitt: It is rare that there is such a fantastic audience for Question Time. I mentioned at the outset that the Minister is in the RTE studio. I

assume Members from other parties are also there.

Mr. J. O'Keeffe: Has the Minister got his weapon with him?

Mr. Durkan: I hope he has left his bazooka behind.

Mr. Kitt: It is important that representatives of the Government should communicate the issues under discussion today in the public domain. It is quite normal that the Minister should be at the studio. I will convey Deputy Sherlock's good wishes to him.

Mr. McCormack: Will the Minister be paid for his appearance on RTE?

Mr. Timmins: He should stay there.

Mr. Kitt: Deputies are aware that the Minister will not be paid for his appearance on RTE television.

Defence Forces Medical Staff.

62. **Mr. Allen** asked the Minister for Defence the establishment for medical doctors in the Defence Forces; the number of doctors serving; and if he will make a statement on the matter. [38136/05]

Mr. Kitt: The establishment for medical officers — doctors — in the Permanent Defence Force is 47. The current strength of medical officers is 23. Of these, two are on leave of absence without pay and five are serving on a short service commission, of which two are serving in Liberia. The services of civilian general practitioners are regularly engaged to provide primary care when medical officers are not available. The Defence Forces are dependent, in the normal course, on civilian health care facilities for secondary and tertiary hospital services.

Mr. Timmins: I am not sure I heard the Minister of State correctly. Is it the case that the establishment is 47 and 23 are serving?

Mr. Kitt: Yes. We are short of numbers.

Mr. Timmins: I consistently hear the Minister talking about the reorganised and well established Defence Forces and the amount of funding he allocates to this end. In this instance, however, only 50% of the required personnel are in place. What plans does the Minister have to increase this number?

Mr. Kitt: This matter is being resolved through partnership. In particular, we work closely with the Department of Finance on this issue.

Written Answers follow Adjournment Debate.

Message from Seanad.

An Ceann Comhairle: Seanad Éireann has passed the Transfer of Execution of Sentences Bill 2003, without amendment.

Message from Select Committee.

An Ceann Comhairle: The Select Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht has completed its consideration of the following Estimates for Public Services for the service of the year ending 31 December 2005: Votes 27 and 35.

Financial Resolutions 2005.

Budget Statement 2005.

An Ceann Comhairle: Before calling on the Minister for Finance, I remind Members that the budget documents being circulated remain confidential until the Minister has made his statement. They should not be taken from the House before its conclusion.

Minister for Finance (Mr. Cowen): I am honoured to be in the House again to present the 2006 budget. This budget reflects the priorities of the Government, and I believe it reflects the needs and hopes of the Irish people also.

Introduction

We are living in the midst of the longest and strongest era of sustained prosperity in our history. This did not happen by chance. It involved careful planning. It involved investment in infrastructure development where we had considerable ground to make up. It involved a commitment to educate our children so they could be a match for their peers across every discipline. It involved careful fiscal management and the creation of an economic environment that attracts investment. Furthermore, it represents the hard work of the Irish people themselves.

As a nation, we now enjoy a much enhanced quality of life. We are a more prosperous country. More of our citizens are in work than at any time in our history. More enjoy a decent quality of life than ever before. We are welcoming more and more new people to our shores — citizens of the new Europe — and we are providing for them also.

It is a new Ireland — prosperous but not without challenges. This budget is largely about two key objectives: the facilitation of sustained economic growth and improved equality and opportunity for all in society. We have made our choices in the light of a simple, but powerful principle: we cannot take prosperity for granted. We will not put at risk the prosperity the Irish people have achieved.

[Mr. Cowen.]

In last year's budget, I made one simple statement that is often taken for granted and perhaps fails to get the right resonance as a result. Let me restate it now. Economic prosperity is a means to an end and not an end in itself. We must strive for economic success but we must also insist on prudent fiscal management to achieve the establishment of a better society for all.

Supporting our economic success

We are right to focus on our economic success. It is correct, not to congratulate ourselves but because the better we understand it, the more we are likely to know how we can sustain it. The deeper our economic success and the longer it is sustained, the greater the challenge to keep the forward momentum. While we work to maintain it, we must carry out reforms that will introduce greater opportunity for even more people to become involved in our economy and to benefit from its success. This budget brings the Government closer to fulfilling the public promises we offered when the people gave us their mandate. We had first to build safeguards and act to sustain the economic growth and stability long into the future, and we had to work to find ways of sharing more evenly the benefits of our economic success.

My aims for this budget are straightforward. I want to improve equality and opportunity for all in our society. I want to help those on lower incomes and to support families at all levels. I want to develop our infrastructure so our firms and industries can compete better while helping to secure our environment and our heritage. I am also determined to pursue value for money for consumers and taxpayers. This budget is rooted in the belief that Irish people can continue to achieve extraordinary things provided Government creates the right environment for them to do so. It is rooted in the need to make that environment more inclusive so that fewer of our people feel excluded.

Education

Education is critical to this ambition. It is accepted that the quality of our educated young people has been at the heart of the economic success of the past 15 years. The world has not stood still in the meantime. We face new challenges in the education sphere. This is about access and about the strength of an offer to the young people coming through the system. I will be announcing a major new initiative in this budget to address that challenge.

Infrastructure

Infrastructure continues to be a priority and while we have made considerable advances in recent years, there is still much to be done. The Transport 21 initiative is a major plank of our budgetary policy and correctly so.

Supporting the family

We are committed to supporting the family as the cornerstone of our society. The place of the child, mother and father within the family unit needs protection and support. The balance to be achieved between the need to work outside the home and the costs associated with the care of the youngest of our citizens needs attention by Government. Budget measures alone cannot achieve this balance but I have taken steps to deal with the issue.

Reaching full equality

We are committed to achieving fuller equality and opening the doors of opportunity for every citizen in Ireland. We want as many of them as possible to be within the workforce. That relates to respecting the minimum wage and to taxation. For those on social welfare, it relates to increased payments which can improve their quality of life. We are deeply committed to ensuring value for the hard earned money that millions of our citizens pay in taxes. Taxpayers have a right to a Government that spends their money for the right reasons and in the right way, which is wisely and efficiently. The choices we have made at every point in this budget and the protocols we have put in place reflect the deep responsibility that my colleagues and I feel when it comes to getting value for every euro that is spent.

Budget measures

I plan to achieve my aims in this budget by means of a series of measures, which involve investing much more in our future through enhanced capital spending, helping to care for older people through a package of measures, increasing social welfare rates well ahead of inflation, developing a five-year child care package to support families with young children, keeping those on the minimum wage out of the tax net, keeping those on the average industrial wage out of the higher tax rate, reforming tax reliefs so tax payments more fairly reflect one's ability to pay, freezing indirect taxes and reducing some others, introducing special reliefs designed to improve our environment, and relieving the tax and administrative burden on business, particularly on small business.

Budget and economic outlook

We have the resources to do these things because our economy is healthy. We have to ensure it remains healthy by pursuing the right policies. That will be a challenge in light of major external factors such as oil prices, higher interest rates and shifting exchange rates and trade patterns. We will be best placed to meet the challenge if we work to secure the competitiveness of the economy. We have additional resources available to us now because we have followed the correct tax path of lower rates yielding more revenue. It is the tax take that counts, not the tax

rate, as this year's record capital gains tax yield shows.

Economic growth this year is projected by the Department of Finance at 4.6% in GDP terms, that is the value of all goods and services produced in the State. Growth of 4.8% is predicted in GNP terms, that is the income we earn from producing goods and services. The success story of 2005 has been the very strong growth in employment, which has resulted from the correct policies which have been followed by the Government. The latest labour force data show that employment grew by 96,200, or 5%, in the past 12 months. Almost 71,000 of that increase represents additional full-time jobs. The number of people on the live register — 150,000 — is 14,500 lower than two years ago. Ireland's employment record, which is far ahead of the rest of the EU, is a testimony to the enterprise and effort of our workforce.

The Department of Finance is forecasting that next year the economy will grow by between 4.5% and 5%, unemployment will remain very low at approximately 4.3%, employment will grow by a further 60,000 and inflation will average 2.7%. This is a continued strong performance, especially in respect of employment. In money terms, it means a GDP of over €172 billion in 2006 and a GNP of just under €145 billion. If we are to maintain our levels of employment, it is particularly important that we play our part in securing the competitiveness of the economy.

As regards the Government's finances, we have set a target for a general government deficit next year of 0.6%, as measured by the EU, together with a debt ratio of 28% of GDP. This debt ratio is one of the lowest in the EU. Next year, total gross voted public spending will rise by over €5 billion, or just over 11%, to €50.6 billion, of which €43.8 billion is current day-to-day spending. Day-to-day spending next year will be 9.9% above the projected outturn for 2005, excluding the exceptional provision of €400 million to meet the cost of repaying nursing home charges. Spending on capital to provide roads, public transport, housing, hospitals and other major projects will come close to 5% of GNP, which is the highest rate of public investment in the EU.

Overall gross voted current public spending

Of the €43.8 billion in gross voted current spending, more than one in every four euro, or €12.2 billion, is spent on health. Expenditure on health amounts to €3,000 for every citizen in the State, or over €9,000 for every taxpayer. The other major current spending Departments are the Departments of Education and Science and Social and Family Affairs. Education expenditure accounts for one in every six euro spent. Expenditure on social and family affairs accounts for one in every three euro spent. Taken together, the Departments of Health and Children, Education and Science and Social and Family Affairs

account for three in every four euro required to fund total day-to-day voted spending next year. It is a question not only of the quantity of spending, but also of the quality of expenditure. We need to consider whether expenditure meets current needs and provides for the future. We should determine whether we are getting full value for it and whether we could achieve the same for less. Such issues are rightly to the fore in the debate on public spending. The processes we use to secure value for money at all levels are vital elements in addressing these issues. I am determined to pursue the issue of the quality of public spending. I recently put in place a series of specific measures to that end, on which I intend to build. In particular, I plan to roll out new forms of construction contracts next year, aimed at providing greater cost certainty, better value in spending and more cost-effective delivery of capital works projects.

Building the nation's capital stock

In seeking value for money, we must build this country's capital stock to make the economy more competitive and to help it to develop and expand. This is vital if we want to lay the platform for future growth and jobs and good quality employment. I am providing €43.5 billion for capital investment over the 2006-10 period, of which €38 billion is Exchequer-funded and €5.5 billion is PPP-funded. This money will support strategic improvements in our education sector to deepen and widen our store of human capital, major improvements in health facilities, a very significant programme of social and affordable housing and important new initiatives in the arts, culture and leisure areas, reflecting our development as a mature economy and society.

Third level investment

I mentioned earlier that any budget represents a moment in time on where we stand economically and where our priorities should lie in light of the prevailing fiscal conditions. I referred to the particular focus I want to give to education. Many of those in Ireland and, particularly, externally who have commented on this country's economic success tend to attribute a disproportionate amount of the cause to our taxation policy, which is important and will be maintained. It is clear that such policies have been beneficial in attracting inward investment, but I believe the single biggest contributor to our economic success has been the exceptional wealth of intellectual capital available to native and overseas investors. Ireland has become synonymous with the quality of its graduates.

The investment in and reform of primary and post-primary education during the 1960s and 1970s, with the support of the third level sector, has been pivotal to what has been achieved in Ireland over the past 15 years. That job is continuing and we will continue to deal with the real

[Mr. Cowen.]

needs at primary and post-primary levels. The basis for future growth in prosperity and jobs is investment in the knowledge, skills and innovation capacity that will drive economic and social development in an increasingly competitive global environment. The higher education system must deliver people who will expand knowledge-based business in Ireland. That will require substantial change and quality improvement in universities and centres of higher learning and the promotion of system-wide collaboration that can draw on the collective strengths of the institutions.

A major initiative in this budget is a commitment to the establishment of a new PhD level — a fourth level — of education. Earlier this year, the Minister for Education and Science, Deputy Hanafin, signalled the Government's intention to create a multi-annual strategic innovation fund for higher education. To achieve what we have to achieve will require a commitment to substantial change in our third level institutions. We must remove unnecessary duplication. There must be an appetite within the sector for greater collaboration. As Ireland is a small country, it is not sensible for its third level institutions to be pitched against each other across all key disciplines. We need to promote a system-wide form of collaboration that draws on the collective strengths of all our third level institutions.

I am confident that such a commitment will be forthcoming as it must be if we are to deliver the required complement of people with PhD level qualifications, in what I would like to call "fourth level Ireland". If we are to compete in a globalised world and to retain the strength of what we offer, we have to invest in the knowledge, skills and innovation capacity of this nation. Our edge in education is being challenged not only by the established sources of excellence but also by emerging economies throughout the world. The Government believes that the programme I have outlined is fundamental to our economic and social development. As it is a major plank of the Government's policy, I am announcing the allocation of €300 million to the strategic innovation fund for higher education over the next five years.

Deputies: Hear, hear.

Mr. Cowen: Competition for the new funds will stimulate excellence through collaboration and change. Details of the administration of the fund will be announced by the Minister
4 o'clock for Education and Science over the coming days. In addition, it is essential that investment in modern facilities is maintained in university and institute of technology campuses around the country. As a result, we are committing €900 million to the third level sector over the next five years as part of the Department of Education and Science capital envelope. Of

this, €630 million will be Exchequer capital funding and €270 million PPP funding. The physical development will need to reflect the changed approach where there must be greater co-operation between the institutions involved to give maximum benefit for the taxpayer.

This brings planned investment in capital spend and the strategic innovation fund for third level education to €1.2 billion over the period 2006 to 2010. These strands of planned investment in higher education form a core element of the Government's strategy for developing skills and competencies. They will form an important element of the investment strategy for the new National Development Plan 2007-2013 where third level and fourth level education——

Ms O'Sullivan: What about the PLC sector?

Mr. Cowen: ——will form an intrinsic part of our central planning mechanism.

National Development Plan 2000-2006

Under the current national development plan ending next year there have been unprecedented levels of investment in our economic and social infrastructure. This investment is delivering real outputs improving the quality of life for our citizens. Investment in roads will see the completion of more than 70 major schemes by the end of the plan with a major focus on new motorway and dual carriageway roads linking key population centres. We have significantly enhanced public transport in the greater Dublin area through investment in suburban rail, DART, quality bus corridors and the Luas, a totally new fixed line system with a capacity of 20 million passengers per year. We have reversed years of neglect of our national rail system by investing €655 million in making our national network safe. Investment in social and affordable housing by the end of the plan will have delivered some 56,000 new units. Investment in child care under the plan will have created about 30,000 new places by end 2006. There have been other major enhancements in the quality of infrastructure in areas such as water services, broadband, education and health.

Transport 21 was launched a month ago with a ten-year roll-out horizon and a €34.4 billion investment cost, which I indicated I was prepared to consider when I delivered my first Budget Statement last year. This is an unprecedented commitment on the part of the Government and recognises the importance of a world-class public infrastructure in securing the competitiveness of the economy and enhancing the economic and social gains made here since we took office.

Today's budget underpins that commitment and sets out the capital funds allocated to transport over each of the next five years. Next year's allocation will get Transport 21 off to an excellent start. We will see the continued roll-out of the motorway programme and construction of more bypasses across the country. Work will begin on

the building of a new docklands railway station and the Kildare rail route upgrade. New rolling stock will be delivered and there will be further investment in regional airports. Work will also commence on the Luas extension to Cherrywood. Planning and design work on the western rail corridor will get under way as the start of the process leading to its reopening. Planning of other major transport infrastructure projects will also be advanced. The new transport authority will be established to implement Transport 21 in the greater Dublin area and critically—

Mr. Eamon Ryan: Will we have a Minister of State in the Department of Transport?

Mr. Cowen: —to ensure joined up thinking and the delivery of projects on time and on budget.

National Development Plan 2007-2013

The next national development plan, which will cover the period 2007 to 2013, will set out a coherent and integrated strategy for investment in economic and social infrastructure. It will be done within a framework of budget sustainability and will be informed by key objectives of enhancing national competitiveness and promoting better balance in regional development. The Department of Finance will shortly commence a major consultation process on the next plan in the coming months.

Public service pay

To support this level of activity we need a professional and well-motivated public service. The numbers employed reflect that many of these services are labour intensive, particularly in areas such as health, education and the security forces. Some 40% of public spending goes in the form of pay. We have an obligation to ensure that value for money is central to how we reward our public officials. The provision for 2006 to fund public service pay and pensions is €16.4 billion, an increase of €1.1 billion or 7%. It makes full provision for the final phase of Sustaining Progress and includes €430 million for improvements in services and extra staff to deliver those services. I do not intend to prejudge the outcome of negotiations on a further public service pay agreement so I am not making any special provisions in the Estimates for public service pay in 2006 other than what is provided for in the current agreement.

Total employment in the public service this year is just over 290,000. We will continue to control and regulate numbers in the public service within agreed ceilings. We are allowing limited increases in staff in some key non-administrative areas particularly in health, education and the Garda to improve the delivery of important front line services to the public. This is the correct strategy to follow.

Helping families and those on low incomes — social welfare

A primary function of Government is to protect and support the weaker sections of our society. The sustained economic growth over recent years has led to a welcome increase in employment and general income levels. However, many people are not in a position to avail fully of the increased employment potential that now exists. At present, 970,000 people are in receipt of a weekly social welfare payment and many of these are on old-age or related pensions. A further 490,000 people also benefit from these weekly payments.

The opportunity now exists to make substantial further progress in this area. Last year, I provided for significant increases in social welfare rates and I will build on that progress in this budget. I intend to target the following groups for particular improvement this year: the elderly, in particular those in receipt of a social assistance old-age pension; people on the lowest rate of social welfare; people affected by child and family poverty; and carers. At the same time, recognising the value to individuals of being employed, in terms of not only income but also self-worth, the Government wishes to enhance the employment opportunities open to social welfare recipients in general. These themes form the basis for the improvements in the social welfare system I am announcing today, which will cost €1,120 million in a full year.

Old age pensions

The Government has a proud record of improving income support for pensioners. I am increasing the full personal rate of old-age and related pensions by €14 per week, an increase of almost 8%.

Deputies: Hear, hear.

Mr. Cowen: This will bring the old-age contributory pension to €193.30 per week, which means we will be well on the way to achieving the programme for government commitment to increase the State pension to €200 per week by 2007. We are increasing non-contributory pensions by €16 per week, an increase of 9.6% bringing the maximum rate to €182 per week. We recognise that many non-contributory pensioners want to work beyond retirement age but the means test system stops them doing so. We intend changing the non-contributory pension system so that earnings from employment up to €100 per week—

Deputies: Hear, hear.

Mr. Cowen: —will be disregarded for means test purposes.

[Mr. Cowen.]

Other weekly welfare payments

All other personal weekly social welfare rates will be increased by €17 per week. This will bring the lowest full personal social welfare rate from €148.80 to €165.80 per week, an increase of 11%.

Mr. Stagg: Imagine trying to live on that.

Mr. Durkan: A lot more to do then.
(Interruptions).

Mr. Stagg: The Deputies opposite would not live on €165 for a day.

An Ceann Comhairle: Deputies should allow the Minister to speak without interruption.

Mr. Cowen: The increase also represents substantial progress towards the implementation of our commitments in the programme for government and in Sustaining Progress.

Child benefit

In 2006, the monthly rate for the first and second child will increase to €150 and the rate for third and subsequent children will increase to €185.

Mr. J. O’Keeffe: An increase of €2 per week.

Mr. Cowen: The amounts are €7.10 and €8.40. The Deputy should try to learn the rates before coming in here.

(Interruptions).

Mr. J. O’Keeffe: An increase of €2 per week. Is that the best the Minister can do?

An Ceann Comhairle: Deputies should allow the Minister to continue.

Mr. Cowen: This completes the transition to a higher rate of child benefit as promised last year. The monthly rate for the first and second child in 1997, when Deputy Jim O’Keeffe’s party was in Government was €38.

(Interruptions).

Mr. J. O’Keeffe: The Minister will not quote the figure for the increase.

An Ceann Comhairle: Deputies should allow the Minister to continue.

Mr. Cowen: The rate is now four times higher.

Mr. Durkan: The price of houses is four times higher.

Other social welfare measures

Mr. Cowen: The budget summary contains a wide range of other social welfare improvements.

Mr. J. O’Keeffe: The Minister is so ashamed of it that he does not quote it. It is an increase of €2 per week.

Mr. Cowen: Social welfare recipients would like to hear the details of the budget and we should respect that. The budget summary contains a wide range of other social welfare improvements the full details of which will be announced by the Minister for Social and Family Affairs. In the light of my opening remarks on the social welfare package, I would like to highlight the following planned improvements: an increase in the rate of the national fuel scheme from €9 to €14 per week—

Deputies: Hear, hear.

Mr. S. Ryan: Shame. It would not buy a bag of coal.

Mr. Cowen: —and I will also announce cuts in home heating oil taxes later in my statement to address fuel deficits on a broader basis; an increase in the rate of respite care grant to €1,200; an enhanced carer’s allowance rate of €200 per week for people aged 66 or over and €180 for those under the age of 66—

Deputies: Hear, hear.

Mr. Stagg: They will be rich.

Mr. Cowen: —and improvements in the terms of the disability allowance, back to work allowance and back to education allowance schemes to assist participation in the labour force. In addition, in line with commitments under Sustaining Progress, the rate of maternity benefit will be increased from 75% to 80% of reckonable earnings.

Caring for older people

This Government has always given high priority to supporting older people. Respect for older people and the dignity of older people are at the heart of our policies. That is as it should be. Many older people have active and fulfilled lives. Others have increasing needs for health care and support. Most older people and their families want to live and be cared for at home for as long as possible.

Ms Lynch: They have no choice.

Mr. Cowen: While previous Governments have aimed to support this desire, this Government has decided to make a step-change in the level of care and support service for older people in their home or community. The Tánaiste has discussed

with me the need to take an important initiative in this area. The Government has decided to fund an additional package of measures at the level of €150 million in a full year to kick-start this programme.

Mr. Stagg: That means the Tánaiste can restore the home help she cut.

Mr. Cowen: This will include new home care packages, substantially more home help, more day care support and additional palliative care for the terminally ill. This will help people avoid unnecessary residential care and prolonged stays in acute hospitals. For people who need residential care in nursing homes, we are also improving nursing home subventions.

Mr. McCormack: There are no good homes here.

Mr. Cowen: The Tánaiste and Minister for Health and Children will set out the full details of the new services tomorrow.

Mr. Stagg: She has already cut home help care in Kildare by 40%.

An Ceann Comhairle: Allow the Minister speak without interruption. Parties will have an opportunity to comment on the budget when the Minister concludes.

Mr. Cowen: In passing, I might mention that I will also be examining issues relating to certain limited circumstances where adult individuals may require to be cared for outside their own homes because of particular care needs.

A new five-year child care strategy

The Government is very conscious of the difficulties faced by many parents and families in securing affordable child care. Our task is to assist all parents in the early years of child rearing by widening the options they have. Some parents like to use family care or informal arrangements while others prefer the formal child care setting. In addressing this issue, I have tried to take account of the following considerations. Where are the greatest pressure points for parents? How can I be fair to everyone, to both lower and middle income groups and to working parents, to those who are in the tax net and those who are not, to working parents as well as those who make their contribution to society through their work in the home? What is the administratively simplest and most user-friendly system? What is sustainable for the Exchequer?

Having carefully considered all the complex issues involved, the Government has developed a five-year strategy to tackle the problem.

A Deputy: It will not be in office in five years' time.

Mr. Cowen: We can only do so much in one budget. A complete solution will take time but the structured medium-term approach I am announcing will, I believe, increase the options for parents in a balanced way.

Ms Lynch: A total of €20 per week.

Mr. Cowen: I hope it will be recognised as a constructive step forward in this area. In devising the strategy the Government was particularly anxious to develop further supply side measures to increase the number of child care places.

(Interruptions).

An Ceann Comhairle: The Minister to continue without interruption.

Mr. Cowen: The Government is also very conscious of the importance of the first year in the life of a child and the strategy provides for a significant extension of maternity leave. The strategy also seeks to address the immediate cost pressures facing parents of young children by providing a new child care supplement for all children under the age of six years.

Mr. Quinn: Chicken feed.

Mr. Cowen: I am making a significant start in implementing the programme today by providing €317 million in the 2006 budget for this purpose. The cost will increase to more than €600 million a year by 2008.

Supply measures

I am providing for a number of measures which will increase the supply of child care places. As part of the overall child care strategy I am today announcing a major new five-year national child care investment programme which will run from 2006 to 2010 and will support the creation of an extra 50,000 child care places. This will be achieved through enhanced capital grant aid to private providers, the limit for which will double to €100,000—

Mr. Stagg: Is that all that is in it?

Mr. Cowen: —and continued support to community providers of up to €1 million per facility subject to a maximum grant per place of €20,000.

Mr. Stagg: A total of €1,000 per month.

An Ceann Comhairle: Please allow the Minister speak.

Mr. Cowen: This new investment programme will build on the success of the €500 million equal opportunities child care programme which has already been provided under the National Development Plan 2000-2006. I thank the Mini-

[Mr. Cowen.]

ster for Justice, Equality and Law Reform and the officials in the relevant areas for the roll-out of these programmes. So far this funding has generated more than 26,000 new places with a further 15,000 places due to come on stream before it ends in 2007. This means that, between now and 2010, some 65,000 additional places will be funded, including early childhood, pre-school and school-age places. Furthermore, we will continue to support the Department of Education and Science in targeting early childhood education in disadvantaged areas.

For the new programme, I am now providing a total allocation of €575 million over the next five years. This comprises additional capital spending of €357 million as well as increased funding for the continuation of staffing grants to community settings with a social inclusion focus. Added to the funding already committed to the final two years of the existing equal opportunities child care programme, this will bring total direct expenditure on supply creation to some €790 million for the period 2006 to 2010.

This planned roll-out of new places will be complemented by an intensification of training arrangements to support quality child care delivery. It is expected that 17,000 child care workers will be trained in the period. To help to improve the supply side further, I propose to exempt from income tax, PRSI and levies all income up to €10,000 per year from childminding where an individual minds up to three children who are not his or her own in his or her home. This will recognise the contribution of this sector to supporting supply. Such individuals will be required to notify their local county child care committee so that information on availability of child care places can be more readily co-ordinated. The county child care committees provide support, information and small grants to the sector.

Maternity leave

The Government is particularly conscious of the importance of the first year of life to a child's development. This is also the time during which pressure on parents can be at its greatest, not least because the cost of caring for infants is higher than for older children. I have given careful consideration to the various calls for improved parental leave and I am now announcing significant extensions to the periods of paid and unpaid maternity leave over the next two years. From March next, mothers of new-born children will have an additional four weeks' paid maternity leave, extending the duration of such leave to 22 weeks.

Deputies: Hear, hear.

Mr. Cowen: This will cost a total of €35 million in 2006. I will be following this up with a further four weeks of paid maternity leave in 2007. Thus, by 2007, mothers of new-born children will be

entitled to a full six months of paid maternity leave. Furthermore, unpaid maternity leave will be increased by four weeks in 2006 and a further four weeks in 2007, bringing total unpaid maternity leave to 16 weeks by 2007.

Mr. Quinn: Who will pay the mortgage?

Mr. Cowen: This is in addition to the existing 14 weeks' unpaid parental leave. In total, parents will be entitled to 56 weeks between paid and unpaid leave by 2007.

Early child care supplement

The increase in maternity leave and the additional measures I have just announced to improve supply will take time to have their full impact. In the meantime, working parents continue to need additional support to meet the cost of child care. It is only fair at this point to recall the huge investment which this Government has made over recent years in terms of direct financial support for families. This year, we will spend almost €2 billion on child benefit alone. This compares with a quarter of that amount five years ago. During that time child benefit rates have increased substantially to the point where, as I mentioned earlier, more than 1 million children in more than half a million families will next year receive monthly payments of €150 or €185.

There has also been a radical change in the personal tax system which has seen the tax burden on families significantly reduced across the board. To take just one example, a married two earner couple with a combined income of €60,000 per annum will pay, on average, just 11%, or €1 in €9, of their gross income in tax in 2005, which is down from more than €1 in €4 on the same amount in 1999. That is an annual saving of more than €10,000.

However, notwithstanding these very significant improvements in income, the Government acknowledges the continuing cost pressures on parents, especially those with young children, for whom I am today providing some additional financial support. I have had the benefit of examining a wide range of different views and proposals but it is clear that a broad consensus is hard to find.

Having looked in depth at all the issues, I have decided that the most effective response lies in introducing a new early child care supplement. This will be a direct payment of €1,000 per year available equally to all parents regardless of their labour force status for each child up to his or her sixth birthday.

Mr. J. O'Keeffe: For 22 hours per week.

Mr. Cowen: These payments, which will be exempt from income tax and levies, will be made on a quarterly basis in respect of more than 350,000 children who are less than six years of age. The first payment will be made in mid-2006

and will cover the second quarter of 2006. This scheme will cost €265 million in 2006 and €353 million in a full year.

Ms Lynch: I hope no one is waiting on it.

Mr. Cowen: This will be an additional new payment separate from the existing child benefit scheme. This new early child care supplement and the existing child benefit will bring the amount a family will receive next year, for each of the first two children under six years, to €2,800 per year, equivalent to over €50 per week in direct financial support.

Deputies: Hear, hear.

Mr. Cowen: This will be even higher where a family has more than two children under six. By any standards, this is a significant contribution from the taxpayer towards the cost of child care in such circumstances.

New child care arrangements

Funding for the national child care strategy will be allocated in the Revised Estimates Volume. In that context, the Government will introduce new administrative arrangements—

Mr. Stagg: Is that all that is in it?

Mr. Cowen: —to streamline the functions relating to child care.

Helping those on the minimum wage and on average pay — Taxation

Tax revenue provides us with the resources to develop a fairer and more productive society.

Mr. Stagg: There will be no election next year.

Mr. Cowen: Additional revenue affords us the opportunity to return some of this to those who earn it. The Government has radically restructured the tax system in the past eight years to ensure that much more income tax relief goes to the lower paid. As a result, more than one third of the workforce is completely outside the tax net in 2005. That represents 720,000 earners compared to 380,000 in 1997.

Deputies: Hear, hear.

Basic tax package

Mr. Cowen: I intend to take more earners out of the tax net today. I am increasing the employee tax credit by €220 per year and the basic personal tax credit by €50 per year single and €100 per year for married couples. This will ensure that all those on the current minimum wage will remain completely outside the tax net in 2006. This will remove from the tax net nearly 52,000 low-income taxpayers who would otherwise be in the tax net next year.

Deputies: Hear, hear.

Mr. Cowen: I am also increasing the annual income tax exemption limit for persons aged 65 and over by €500 single and €1,000 married. This will remove a further 1,700 taxpayers from the tax net. These age exemption limits have approximately trebled since the Government came into office.

I am increasing the standard rate income tax band by €2,600 or approximately 9% per year, removing more than 90,000 taxpayers from the higher tax rate. This increase is aimed at ensuring that all those taxpayers earning around the projected average industrial wage in 2006 will pay tax at the lower rate of income tax. This is worth €11 per week in increased take-home pay for those on average incomes.

Mr. Durkan: That is €1.57 per day.

Mr. Cowen: I am increasing the threshold for the payment of the 2% health levy from €400 per week to €440 per week. This will benefit 72,300 lower paid workers by an extra €8 per week on top of the other reliefs I have mentioned.

Mr. Durkan: That is €1.14 per day.

Mr. Cowen: All these increases mean that a single person on €22,000 per year will benefit by €13.65 per week in net income in 2006 and a married one-earner couple on €40,000 per year will see their net income rise by €12.92 per week.

Mr. Durkan: That is approximately €2 per day.

Other personal tax reliefs

Mr. Cowen: I am happy to tell the House that the tax credits for widowed persons, blind persons, incapacitated children, dependent relatives and those aged 65 and over are being further increased this year, by amounts ranging from more than 20% to 50%.

The tax relief for persons living in private rented accommodation is being increased by 10% to assist those faced with increased rental costs.

The tax allowance for those paying trade union subscriptions, which was introduced by the Government, is being increased from €200 per year to €300 per year. This allowance is available at the standard rate of income tax.

The total cost of all these increases in income tax credits, bands and reliefs is approximately €900 million in a full year.

A fairer tax system

Last year I announced a major review of tax reliefs in order to achieve a greater degree of equity in our tax system. This involved both internal reviews and the employment of outside consultants. It also included an extensive public consultation in which approximately 90 sub-

[Mr. Cowen.]

missions were received from a wide range of persons. These submissions were reviewed by the Oireachtas Joint Committee on Finance and the Public Service and I had the benefit of that committee's discussions. At the end of the day, the decision on what to do rests with the Government, for which we can be held accountable by this House.

What we are seeking to achieve

My basic aim is to see that everybody pays an appropriate amount of income tax relative to their ability to do so. This is a cornerstone of tax equity. We must balance this with the need for effective tax reliefs to incentivise work, effort and enterprise so as to stimulate economic and social development. To achieve this balance I am announcing a range of specific measures. These reflect the recommendations of the reviews, a synopsis of which is set out in the Summary of Budget Measures. I propose to publish all the relevant reports reviewing these various tax reliefs in time for the Finance Bill.

First, the following reliefs either have achieved the objectives set for them or are no longer considered to be cost effective in terms of the objectives set for them and are therefore being terminated subject to certain transitional provisions: the urban renewal, town renewal and rural renewal schemes; and the special reliefs for hotels, holiday cottages, student accommodation, multi-storey car parks, third level educational buildings, sports injuries clinics, developments associated with park and ride facilities and the general rental refurbishment scheme.

The transitional measures take cognisance of the fact that there are more than 250,000 jobs in the construction sector and the building industry accounts for approximately 20% of the economy. We should not do anything that disrupts unnecessarily an industry that is such an important driver of jobs.

For this reason, for projects that are already in the pipeline, I am extending the date for which 100% relief for expenditure will apply by five months from end July 2006 to 31 December 2006. Thereafter, where 15% of the relevant expenditure on the project has been incurred by that date, the relief will apply to only 75% of the expenditure incurred in 2007 and to 50% for expenditure incurred up to the end of July 2008. The relief will then reduce to zero, and thus end, after 31 July 2008. Full details of these transitional arrangements are set out in the Summary of Budget Measures.

Both sets of external consultants dealt with the transitional issue and both recommended an extension of relief for such pipeline cases. One recommended a simple extension of 100% relief for 17 months beyond 31 July 2006. The other recommended an extension of five years but at only 50% relief. I have chosen a middle course.

This winding down of property based tax reliefs is consistent with the greater capacity of particular economic sectors nowadays to fund such investment from their own resources, and the sizable capital investment which the Government itself is making through the major new investments I referred to earlier.

In line with the recommendations of the consultants, I propose to continue the tax reliefs for nursing homes, child care facilities and private hospitals. Special arrangements will apply for park and ride facilities and the living-over-the-shop scheme as indicated in the Summary of Budget Measures.

The reviews also proposed that any new reliefs should be time-limited and should, where relevant, be subject to an assessment of costs and benefits prior to their introduction. They also proposed that recipients of these kinds of tax reliefs be required to supply full data to Revenue to assist in the costing and assessment of reliefs. I will be following this advice as far as appropriate.

A minimum and fair tax

It is necessary not only to eliminate some incentive reliefs but also to regulate the use that can be made of those that remain. We cannot stand over a situation in which some high-earning tax residents, through the use of incentive reliefs, can reduce their taxable income to nil.

Mr. Stagg: Hear, hear.

Mr. Cowen: This is simply not fair, although I should point out that high-earning non-payers are in a very small minority. Accordingly, I propose now to place an annual overall cap on the extent to which specific incentive reliefs can be availed of. The cap will apply to those with income over €250,000 per year.

Mr. F. McGrath: Hats off to the artists.

Mr. Cowen: It will operate by reducing by half the amount of income that can be relieved from tax by certain specified tax reliefs. This measure will help eliminate the phenomenon of tax free millionaires and increase the effective rate of tax on those with high income towards a minimum of 20%.

Mr. Gilmore: Well done.

Mr. Cowen: Further details of how this will work are set out in the Summary of Budget Measures. This will require some complex new legislative provisions and I propose accordingly that the new system will apply for all tax years from 1 January 2007.

Mr. Quinn: Well done.

Mr. Cowen: This annual cap system will also apply to artist's relief from the same date. There

is no change in the tax treatment of income now exempt under the artist's relief scheme where that income is less than €250,000 per year. The vast majority of people are under that bracket.

Pensions

Tax equity applies not only to taxpayers' current income but also to how taxpayers provide for their income needs in retirement. Recent budgets and Finance Acts have made significant and innovative improvements in the nature and scope of tax reliefs for pension provision. This was done so as to encourage earlier and more substantive saving by the generality of individuals to meet the cost of providing themselves with a reasonable and affordable pension.

The Government is putting aside 1% of GNP each year to help fund future pensions. The National Pensions Reserve Fund is expected to amount to €15 billion or 11% of national output at the end of 2005. In addition, substantial tax costs in the order of €3 billion or more are incurred to incentivise pension saving through tax reliefs each year.

The cost of providing such reliefs is that high because the funds which a pension scheme must build up have to be a multiple of the annual pension to be provided. Thus, a fund of about €1 million is required to generate even a relatively moderate annual pension as a result.

We must continue to incentivise pension contributions if we are to meet the challenge of supporting an ageing population. To achieve this objective, I will be considering measures in the Finance Bill to assist those towards the lower end of the income scale and those who are not using their current full entitlements to provide themselves with reasonable retirement arrangements. The policy objective is to provide reasonable tax relief subject to limiting the amount the general taxpayer is required to finance. People will, of course, continue to be free to provide higher amounts for their retirement but without a subsidy from the general taxpayer.

To help contain this subsidy, the current maximum amount of an individual's pension contributions that can be tax-relieved each year is already limited to a specified percentage of income, subject to an earnings limit of €254,000. This earnings limit affects less than 1% of income earners. It broadly translates into an accumulated pension fund of the order of €5 million, depending on a number of factors. There is currently no overall maximum limit, however, on the amount of the pension fund that can be tax-relieved.

It is reasonable to set such a cap at €5 million, or the existing value of a person's pension fund as of today, if that is greater. Under current rules the maximum tax free lump sum that can be taken by a person is one quarter of the fund. Therefore, a fund cap at €5 million means a €1.25

million cap on all tax-free lump sums. This cap will apply on and from today.

I am also proposing that for those with funds in an approved retirement fund, these funds will be subject to income tax as if not less than 3% of the fund were distributed each year. This should ensure that such funds are used to provide a retirement income and not as a device for tax deferral. As a transitional arrangement one third of this rate will apply in 2007, two thirds in 2008 and the full 3% in 2009 and following years. Further details are set out in the summary of budget measures.

Other reliefs

I have examined a number of other tax reliefs such as the reliefs for expenditure on significant heritage houses and gardens, woodlands and donations and the tonnage tax and I have decided to make no significant changes in their operations for the present. In the case of horse and greyhound stud fee income this exemption will end on 31 July 2008.

Deputies: Hear, hear.

Mr. Cowen: A new regime appropriate to the industry will be discussed with the European Commission.

I also propose to disallow interest on personal loans taken out to acquire shares in, or provide loans to, rental income companies.

Keeping consumer prices down

Regarding indirect taxation, I am proposing, like last year, to leave the main excises and VAT rates as they are. This is a significant Government contribution to keeping inflation down and securing further value for money for the consumer. On top of this the consumer can look forward to lower retail prices for basic grocery items due to the forthcoming removal of the grocery prices order already announced by the Government. Our efforts to increase competition generally also help keep price increases to a minimum.

Home heating fuel

There is a sizable gap in the cost of certain heating oils between here and Northern Ireland. I plan to eliminate the excise difference between the two jurisdictions in the next two years, starting today.

Deputies: Hear, hear.

Mr. Cowen: I am beginning by halving the excise rate on kerosene and LPG used for home heating from midnight tonight. This measure will cost €46 million in a full year.

Betting tax

Earlier this year I initiated a review of betting duty. One of my prime concerns is how to protect the revenue base on a fair basis in view of the

[Mr. Cowen.]

prevalence of effective tax-free betting on the Internet. With this in view, I am announcing today a reduction of betting duty from 2% to 1% from 1 July next with the intention that this duty will be borne by the industry and not the customer. This should ensure that tax-free betting is available in all betting offices and prevent betting offices competing on the basis of tax, sometimes to the detriment of small, locally-owned concerns. This reduction will cost up to €25 million in a full year but it is my intention to examine the potential for widening the tax base on which this 1% applies in the future.

In making this reduction, I am seeking to protect the betting tax base in the State and to secure at least some revenue by levying the duty on the bookmaker and not on the customer.

Securing our environment and our heritage

Farming tax

Farming is an integral part of this country's heritage. However it faces a significant challenge over the next few years for a variety of reasons. On the world scene, in the context of the ongoing WTO talks, there are pressures to reduce certain supports for agriculture and to throw open markets for agricultural produce to a greater extent, particularly those of the EU and the US.

On the other hand, there are opportunities too, particularly where land can be used in a sustainable and environmentally-friendly way. I will be giving details in a moment of new incentives for the promotion of biofuels which offer not only a new opportunity for farmers, but environmental and economic benefits for the whole community.

Farming will continue to be one of the lynchpins of the economic, social and cultural life of this country, and I will ensure that policies that support farmer enterprise and good business practice will be maintained. The five year investment framework I am announcing today includes over €1 billion to support on-farm investment, including forestry.

The Minister for Agriculture and Food and I agree there is a clear need for us to provide additional assistance to farmers, and particularly younger farmers, to help them adjust to the major changes that will take place. With this in view, I am proposing a package of significant tax reliefs for the farming community. These include the continuation of the stamp duty exemption for young trained farmers for a further three years, a significant increase in the tax exemption limits for income from farm leasing for over five years, an improvement in the farm pollution control relief and an extension of certain existing capital acquisitions tax, capital gains tax and stamp duty reliefs to cover the EU single farm payment entitlement in appropriate circumstances. Full details are set out in the summary of budget measures.

Alternative energy sources

Government concerns about the environment, our obligations under the Kyoto Protocol, the present level of oil prices and concerns about security of energy supplies over the medium to long term all suggest that Ireland should take further measures to support the provision of environmentally friendly energy alternatives and put in place structures to support this policy.

My budget today builds on the measures already in place to support the provision of alternative sources of energy, through the establishment of a carbon fund, further support for bio-fuels, flexible-fuel cars and renewable energy.

Carbon emissions

The Government is conscious that climate change is one of the most challenging environmental issues facing this and future generations.

Mr. Gormley: The Minister should do something about it.

Mr. Cowen: To meet this challenge further, I am announcing today the establishment of a carbon fund to enable the State to purchase carbon credits. This fund will be financed on a multi-annual basis and I am providing €20 million in respect of 2006. The National Treasury Management Agency will be the carbon credit purchasing agency for the State.

Mr. Durkan: That is a considerable sum of money to buy smoke. This is a major breakthrough.

Mr. Cowen: More details on this initiative will be provided by the Minister for the Environment, Heritage and Local Government.

Biofuels

I have agreed with my colleague, the Minister for Communications, Marine and Natural Resources, that Ireland should set an initial target of 2% of the fuel market to be taken up by bio-fuels by 2008 and that we should achieve this through targeted excise relief measures. The level of excise relief will start at €20 million in 2006 and will be increased to €35 million in 2007 and to €50 million in each of the following three years. This relief, when fully operational, is expected to support the use and production in Ireland of some 163 million litres of biofuels per year. This is 20 times the current level of biofuels that is excise-relieved.

Mr. Gormley: This measure is 11 years too late.

Mr. Durkan: The country will run out of fuel before that.

Mr. Cowen: There are clear benefits to all from this initiative. The environment will benefit in terms of a reduction in CO₂ emissions. It will

enhance security of supply of fuels, and create jobs and outlets for agriculture production. It is estimated that the programme I am announcing could ultimately give rise to hundreds of extra full-time jobs in the State. This new relief will require EU approval as a State aid. I am also extending the VRT relief for hybrid fuel cars to flexible fuel vehicles for a trial period of two years.

Renewable energy grants

To help develop a better focus on renewable energy my colleague, the Minister for Communications, Marine and Natural Resources intends to launch several innovative grant schemes relating to biofuels, combined heat and power, biomass commercial heaters and domestic renewable heat grants. I am allocating up to €65 million to provide support for the implementation of these initiatives in the capital envelope for his Department for the period 2006-10.

Heritage reliefs

I will be providing in the Finance Bill for a new scheme of tax relief for heritage property donated to the proposed heritage trust subject to a cap of €6 million per year on the level of overall relief. This will be modelled on the scheme already applying to gifts of heritage items to certain museums and galleries.

Helping business to develop

I am conscious of the enormous contribution made to our economy by the many small businesses in the State. To help develop business generally, and small business in particular, I am proposing the following measures.

VAT registration thresholds

The VAT registration thresholds for small businesses will be raised in the forthcoming Finance Bill from €25,500 to €27,500 in the case of services and from €51,000 to €55,000 in the case of goods. This will cost €12 million in a full year and remove almost 2,200 businesses from the VAT net.

PAYE-PRSI payment arrangements

The annual tax payment limit below which PAYE and PRSI can be paid on a quarterly, instead of the normal monthly basis, is being raised to €30,000 per year. This will assist 74,000 small firms at a cash flow cost of €102 million to the Exchequer in 2006.

Companies capital duty

I propose to abolish the 0.5% companies capital duty from today at a cost of €16 million in a full year to help firms, particularly those operating in the financial services sector. I will also be making changes in the Finance Bill to assist the leasing sector.

Closure of various tax loopholes

I am closing off two particular loopholes in the tax system relating to capital gains tax and interest relief in groups of companies. Details of these anti-avoidance measures are set out in the summary of budget measures.

Remittance basis of taxation

I propose to end the current arrangements whereby certain non-domiciled employees of non-resident firms can escape a large element of income tax by arranging their affairs so that much of their income from working here is paid outside the State. The ending of this scheme should save the State up to €100 million per year in lost income tax revenue. More importantly, it will place all employees and firms, irrespective of nationality or employer, on the same tax footing when working in the State. Further details are set out in the summary of budgetary measures.

Social finance initiative

Deputies will be aware of this Government's commitment to ensuring that our economic success continues to be mirrored in social and community development. I am encouraged by the initial reaction of the banking community to my invitation to participate in a social finance initiative to enhance the availability of loan finance for social and developmental projects in local communities. I am looking to the banks to contribute both seed funding and their expertise to support the practical delivery of this initiative.

Mr. Quinn: The Minister is all talk and has no concrete proposals.

Mr. Cuffe: The devil is in the detail.

Mr. Cowen: I intend to keep the door open for other sectors and private individuals to participate. The banks have indicated they are willing to discuss with me how this initiative can be successfully advanced. I will be asking other interested parties to also assist in developing an effective model.

Reforming the budgetary process

Last year I indicated that the Government was open to reviewing the budgetary process to encourage a more constructive and relevant examination of how the nation's finances are run.

I also made it plain that any changes would have to allow for the clear right and duty of the Government to direct and manage the budgetary process itself. This Government has no problem in giving an account of its stewardship to this House and to the electorate in due course.

Such accountability can only reasonably take place on the basis of action that has been taken and not on the basis of proposals involving spending yet to happen. It is for the Government to decide and to act and for the Dáil to hold it to account, as provided for in the Constitution.

[Mr. Cowen.]

Having reviewed the matter and studied various relevant contributions from inside the House, the Government has decided that certain proposals should be made to the House.

These proposals would mean that from January 2006, I would meet the Oireachtas Committee on Finance and the Public Service to discuss the economic and fiscal background to this and the next two budgets. The following autumn, my Department would update these three year economic and fiscal projections and publish them in place of the existing economic review and outlook, which deals only with the current year.

From 2007, individual Ministers would publish an annual statement on the outputs and objectives of their Departments and from 2008, the actual outturns. These statements would be presented to the relevant Oireachtas committee along with the Departments' annual Estimates. After these individual examinations, the Oireachtas Committee on Finance and the Public Service would co-ordinate the preparation of a report to the Dáil on the deliberations.

These proposals go a long way to meet the desire on all sides of the House for better debate, better scrutiny and better results from the raising of tax and spending of public money in the State. I intend to write to the Opposition spokespersons on finance and the party whips inviting them to a more detailed briefing on the principles and issues involved in implementing these reform proposals. These proposals, once bedded down, would lay the ground work for a more unified budget approach in the future.

Conclusion

The budget I have outlined will sustain our economic growth and generate the resources we need to drive on with our key infrastructural programmes and look after the more vulnerable groups in our society. It is a progressive budget. It will help Ireland build a fairer, more enterprising and more innovative society. We are reducing the tax burden, expanding services broadly and following a prudent budgetary policy all at the same time. Many countries would be happy to achieve just one of those goals in any one year.

I believe this budget embodies the active determination of this Government not to rest on Ireland's success but to push ahead so that prosperity too can be a gift that this generation gives to the next. We are continuing to push ahead in the strategically important area of infrastructure so that Ireland can compete in the new economy of a globalised world.

We are pushing ahead with investment in education which has been the oxygen of our economic success. We have taken stock of where we stand within the education environment today. Fourth level Ireland is a robust response on the part of the Government to protect our reputation

for graduates of the highest calibre. We intend pursuing excellence, not preserving privilege.

We are pushing ahead with innovative proposals to finance high priorities like health care and social welfare because prosperity is not a collection of statistics, or just a level of GDP. It has to be a condition of life, a better life, for all Irish people. We are building a new environment for the care of our children in a modern and changing society.

We are driving forward in all the major policy areas because innovation is a test we must meet if we are to be faithful to the mandate we have been given and the future we envision. We are pushing ahead because we believe in Ireland, today and tomorrow. This budget advances our belief that the Irish people can continue to achieve extraordinary things if Government works with them and for them.

I commend the budget to the House.

An Ceann Comhairle: I call Deputy Bruton. Allow the Deputy to speak without interruption please.

Mr. Bruton: Like the Ceann Comhairle, I am long enough in this House to recognise the nervous enthusiasm and giddy laughter that has greeted this budget. It is a bit like the gobbling of turkeys as Christmas approaches because the last time I heard this sort of enthusiasm was when the Minister's predecessor announced decentralisation.

Mr. Penrose: He was sent to Siberia.

Mr. Bruton: That was to be a great new innovation. This budget throws open the door on the bulging fridge of revenue that the Government has enjoyed. Let us not forget, however, that the money the Minister is dishing out today is money that has been paid by the hard-pressed taxpayers, families and businesses throughout the country.

(Interruptions).

Mr. Bruton: The test for this Government, as for every Government, is what it delivers with that money. A popular philosopher whom Deputy McDowell follows with a lot of interest is Homer Simpson. He said, and I am sure the Deputy knows the quote, "making promises makes me a good father". The worldly wise Lisa replied, however, "keeping promises is what would make you a good father". That is the test.

Mr. Roche: That is what we will do.

Mr. Bruton: Today's budget undoubtedly passes the Homer Simpson test of being a good budget but the Irish people have grown sceptical, like Lisa Simpson. They want to see their money deliver results and the main result that this budget has an eye to, unfortunately, is the out-

come of the next general election. That is the glittering prize that this budget, as we saw in 2001 and 2002 before the last election——

(Interruptions).

Mr. Bruton: Deputy Roche is interrupting me but perhaps he should go and look after the e-voting machines in his warehouse.

Mr. McGinley: Put a bit of 3-in-1 oil on them.

(Interruptions).

An Ceann Comhairle: Deputy Bruton, without interruption please.

Mr. Bruton: The Irish people have lost their trust in this Government and giving them back their own money is not going to change things. Families are fed up with being treated as a soft touch by this Government, to paper over every crack and to fund vanity projects of different Ministers.

Mr. Roche: The Deputy should be specific.

Mr. Bruton: That is not acceptable and people will no longer accept the style of Government to which we have grown used.

In its courtship of the voter, the Government has used a time-worn ploy, based on the belief that some suitors go for a person with a past, some for a person with a future, but every suitor goes for a person with a present. That is what we have today — presents that are carefully gift-wrapped and there is something there for everyone in the audience. Look beneath the surface and one will see that this is a sham.

Mr. J. Brady: He has looked after the children, unlike the Deputy's brother.

Mr. Bruton: What the Government is trying to do is to get us to forget the past, a past full of waste and disappointment. It wants us to overlook the future that it is seeking to build, full of pious aspirations and fantasy maps. Instead, it wants us to concentrate on today. Those who are tuning in today to listen to this budget are right to take whatever the Minister is offering but they should not be fooled. Today's budget marks the first step in attempting to buy the next election and what is more, the Government is going to try to do it with the taxpayers' own money. However, people have wised up to this ploy. An old Chinese proverb states: "Fool me once, shame on you; fool me twice, shame on me". Recent opinion polls suggest the public will not be fooled again.

This year the Minister for Finance has reached a remarkable milestone. For the first time he is collecting €1 billion in tax for every week of the year. In the 60 minutes he spent reading his speech to the House, €6 million was spent, but

with disappointingly poor results throughout the country.

Mr. Roche: The Deputy has got his sums wrong again.

Mr. Bruton: A sum of €1 billion a week is a large amount to get one's head around. A billion seconds ago it was 1973 and we were just about to join the EU. A billion minutes ago Jesus Christ was still a living memory on this earth. A billion hours ago our ancestors were in the stone age, but €1 billion ago was only this day last week in the way the Government spends money.

The Government has become spendthrift — spending money, not delivering value and overlooking waste, which is not acceptable. It is remarkable that after eight and a half years in office and now facing the judgment of voters, the Government seems to have suddenly woken up to problems people encounter in trying to work and look after their children and the problems older people experience seeking suitable support so that they can stay in their homes. Is it not remarkable that it takes the arrival of a general election to launch plans to address these needs? We have grown tired of hearing of plans from Government. We want results. The Minister for Transport, Deputy Cullen, produced beautifully colour-coded maps and lovely tables but it was a sham, another five-year plan.

Mr. Roche: This is the most pathetic speech the Deputy has made.

Mr. Bruton: Now we are to have a five-year plan for child care, a five-year plan for elderly care and a ten-year plan for transport.

We have travelled this road before. What about the two-year health plan to eliminate waiting lists? The only sense in which waiting lists have been eliminated is the Minister no longer publishes them. We were to have a three-year decentralisation programme. Now even the Government admits that by the end of next year, the third of those three years, it will only achieve 10% of the programme. We were to have a seven-year national development plan, but we now know that half the projects will not be delivered on time and they will come in at three times the cost.

Mr. Roche: Not true.

Mr. Bruton: We were to have a road safety plan over five years but every target has been missed and the chairman of the group has resigned in despair.

Mr. Cullen: Untrue.

Mr. Bruton: We were to have a plan to reduce public service numbers by 5,000 but the latest figures published by the Minister show we have

[Mr. Bruton.]

increased numbers by 15,000. We were to have a five-year Government programme with significant commitments such as 2,000 extra gardaí on the streets.

Mr. N. Dempsey: By 2007. What about the €200 per week old age pension?

Mr. Bruton: We were to see class sizes reduced so that no infant would be in a class of more than 20. We were to see the proportion of people paying tax at the top rate reduced to 20% but the figures today show none of these commitments will be honoured. They have become purely pious aspirations.

We have been down the road of five-year plans before and if the hot air at these launches could be harnessed, we would have no problem generating electricity. It would be renewable electricity because the plans would be relaunched every few years. These multi-year plans come with no prices, no warranty, no manufacturer's guarantee, no recourse for misleading descriptions and when they are not honoured, no one takes the rap. People have grown weary and sceptical of them.

Mr. Rabbitte: The Minister for the Environment, Heritage and Local Government, Deputy Roche, cannot contain himself.

Mr. Bruton: The Minister for Finance announced he will reduce the amount people will pay in tax by €20 per week. That is the sum total of his boast. Let us not forget where this came from. Compared with this time last year, the Minister will collect €3,750 more from every household in the country.

Mr. N. Dempsey: The Deputy is going back to the household figure again.

Mr. McDowell: That is because we are richer.

An Ceann Comhairle: I ask Ministers to allow Deputy Bruton to speak without interruption.

Mr. Bruton: He has raised an extra €9,000 since the general election in 2002 from every household in the country. I am sure the Minister for Justice, Equality and Law Reform, Deputy McDowell, would be interested in the pledge that only 20% of people would be on the top rate of tax. A year from the end of the term, what figure is it? According to the Minister's announcement it is 32.6%.

Mr. McDowell: Down from 36%.

Mr. Bruton: There will now be 250,000 taxpayers.

Mr. McDowell: Why did Fine Gael not introduce a minimum wage in Government and make it tax-free?

Mr. Bruton: The Government has reneged on its commitment. Far from reducing the number of people paying tax at the top rate the number is increasing every year and the Minister knows that because it is in his own tables today.

The Minister has taken a number of people on the minimum wage out of the tax net by raising the threshold to €15,600, approximately €300 over the minimum wage for the year. By April next year every one of those people will be back in the tax net, because the minimum income by then will be over €16,000. It is a sham commitment, honoured in name but not in substance.

Mr. N. Dempsey: What was the minimum wage when the Deputy was in power?

Mr. Bruton: The Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, told us the billions in waste the Government has committed to was just as nought. The Minister should concentrate on his own area of responsibility. The billions in waste were just small change as far as he is concerned.

Mr. Roche: What was the top rate when Deputy Bruton was in power?

Mr. Bruton: This approach to Government spending has meant that the Government has not been able to index allowances and bands over the years since the general election and this has hurt ordinary families. An ordinary married couple with one earner has lost, through the failure to index tax bands and credits, €1,300 since 2002. How much of that is restored today? It is €20 per week, less than €1,000 per annum. Even more cruelly the Minister for Finance has tightened the screw again on those families, giving them a tax band on a par with a single person with no dependants. That is not fair.

Mr. Roche: That is statistical gobbledygook.

Mr. Bruton: How can the Minister for Finance present this budget as meeting the needs of families when he does that to people trying to cope on one income?

The Government deserves no credit for very belatedly closing down various tax reliefs and capping others.

Mr. Durkan: Delayed action.

Mr. Bruton: Indeed, it is a phased, delayed approach. In truth I have been trying for the past three years to persuade the Minister and his predecessor to accept the need to cap these allowances and bring an end to a system where some people pay no tax. Some 80 people earning more

than €250,000 paid no tax this year. Where is the justice in that?

Mr. Ring: It is a disgrace.

Mr. Bruton: Where is the justice in the fact that 116 people derive €1 million a year each from these credits and will continue to do so because most of them will continue for 13 or 14 years to come? They are not closed because all those people with the big rent books will just move on to private hospitals or private nursing homes. The Minister has closed one door but opened another and that is not equity. There is no commitment to a proper assessment of reliefs for private hospitals and nursing homes, as every commentator urged, so that we can judge whether they represent value for money before we give open-ended tax relief for them.

Mr. McDowell: The Deputy has not even read it.

Mr. Bruton: The truth is——

Mr. Roche: The truth is he has not read it. He does not understand it.

Mr. Bruton: ——this Government has been screwing families who find it hard to get by because of the tax take and we do not need Eddie Hobbs to tell us the reality. The Government's tax take on an ordinary house costing €300,000 is almost €100,000. The Government's tax take on a car that costs €22,000 is €8,500 and its take from €40 of petrol is €25.

Mr. Roche: Which of them would Fine Gael cut?

Mr. Bruton: There is no suggestion of abolishing them but why has the Government asked every household in the country to pay €4,000 extra in taxation? Why has the Government only been able to give €20 a week to people who have had to pay such money in extra tax. The Government has become soft and comfortable, it does not heed waste or value for money in public spending and that is why people have to pay these huge sums.

The major problem in today's budget is that it does not face up to the deeper challenges we all face. We must make real changes to deliver improvements at the front line in public services. The Minister for Finance said today that we will not see any performance indicators on the vast sums of money he spends every year until 2007, but that is too late. The Government will be in office for ten years before it starts to publish performance indicators for the money people must pay.

We have not addressed the needs of the competitive business sector that is finding it difficult

to survive at the cutting edge. Exports and manufacturing are falling. These should have been the subject of today's budget but we have remained silent on them.

I welcome the fact that we are talking about plans for children and older people, but should we not be looking back on a decade of achievement in the needs of children and older people instead of coming belatedly to the issue?

Mr. McDowell: The Deputy opposed the plans a few moments ago. We put in place the equal opportunities childcare programme.

Mr. Bruton: Too little attention has been paid to saving money and using it prudently. The Minister for Justice, Equality and Law Reform has been guilty of waste, with the price he is willing to pay for land.

Mr. McDowell: Never.

Mr. Bruton: He wasted €300 million, a drop in the ocean in Government terms, but it could have funded medical cards for children under five, subsidised 20,000 new child care places, put in place 5 million extra home help hours or carried out 20,000 extra inpatient operations.

Mr. McDowell: Deputy Bruton has emptied the press gallery.

Mr. Bruton: Instead the money is wasted on e-voting machines, Media Lab Europe, paying top prices for land; the list goes on and on.

Mr. McDowell: Let the Labour Party have a go.

Mr. Durkan: The Government should have a go at doing its job.

Mr. Bruton: The Minister announced a concession of €19.20 a week to parents who need child care. To pay for child care in Dublin, a working mother must earn €300 a week, €15,500 per year, even after the Minister's concession in today's budget. How does she have a second child when she needs €30,000 a year in pre-tax income before she gets a penny for herself? That is the reality facing parents.

In December 2000, the Minister committed to doubling the real value of child benefit. He has only started to do that today and even now, after this budget, with the extra €1.94 a week in child benefit for those with children over six, he will not have achieved that commitment. How is that for squaring up to the needs of children in our country?

Mr. Roche: Remind us what child benefit amounted to in 1997.

Mr. Durkan: When people lived in houses that were a quarter of the price they are now?

Mr. Naughten: Deputy Roche is very fond of talking now, but he was not here last night to answer questions. He was very shy then.

Mr. Kenny: He is smugness personified.

Mr. Bruton: Every Deputy was canvassed by Barnardos to deal with child poverty and there was a legitimate expectation this budget would address the issue. I am alarmed that nothing has been done to get to grips with child poverty. Over 100,000 live in consistent poverty but nothing has been done to increase the child dependant allowance, the lowest rate of payment for people in serious hardship on welfare. They are expected to survive on this €1.94 and deal with the problems of child poverty. That does not address this need.

Children are not at the heart of this budget. There was no talk of allowances for paternity and no effort to integrate child care services and child policies. We need a modern policy for child welfare that is joined up and that promotes the welfare of children by anticipating problems, one that does not react too late in the day and at a time when nothing useful can be done. That is the child policy the Government continues to pursue.

I welcome any initiative designed to help older people remain independent in their homes but the announcement today of €150 million for this purpose is less than the amount lost in PPARS in the Department of Health and Children. Older people will get less to support their independence than was lost in PPARS.

The 150,000 carers will get the same amount of money in support as was conceded in a cut in betting tax. Where is the sense of values when the needs of carers are compared to the needs of those wanting to cut betting tax? For far too long, for the Government, older people have been out of sight, out of mind. We saw that in the illegal deduction of money from people in nursing homes and the failure to provide an adequate inspection system, something the Taoiseach and Tánaiste promised months ago. We continue to see appalling discrimination against people in nursing homes. Some people go into nursing homes and make a contribution while others must sell their homes, draining every last penny before they get a brass farthing from the Government to support their needs.

Mr. N. Dempsey: This from the party that gave old age pensioners £1.80 over two years — crocodile tears.

Mr. Neville: We are getting through to the Government now.

Mr. N. Dempsey: I hate hypocrisy.

Mr. Bruton: Where is the justice for older people, who have served this country so well for so many years, when the Government treats them in this despicable way? There has been nothing but disappointment for the old in this country. I wish the Tánaiste well in attempting to address this. She told us some years ago that all of the saving on the SSIA's — €600 million — would go towards the development of elder care services, but that has not happened. The Tánaiste lost that debate at Cabinet with her Fianna Fáil colleagues.

After nine years of golden opportunity we have not delivered enough to those people who really need it. Too little has changed for those caught in the cycle of disadvantage. Early school leaving is at the same level now as it was eight and a half years ago. More children now fail to make the transition from primary to secondary school than was the case then. How can we say we are serving the country and families under stress fairly when we fail to address those issues?

Thousands are still going without basic necessities and housing injustice is rampant. Many are trapped in the rented sector; if they are on supplementary allowance and go out to work, they lose everything. Where is the justice in that? The Minister announced he would increase tax relief for those in rented accommodation by 57 cent per week. That is the sum total of largesse for those under pressure in the private rented sector. That is the reality these people face. They have been disappointed by the social housing programme, the affordable housing programme and every other programme, and then the Minister comes up with 57 cent a week, which does not address the need.

There is another, hidden need that has not been addressed. One in four people will need psychiatric intervention to cope with their mental health problems at some stage in their lives. The Government has signally failed to develop a service capable of meeting that pressure and the opportunity for early intervention, which is critically important in the treatment of many, is lost in the case of thousands with mental health illnesses. Targets should have been set for these people the day the Government parties took up office and we should be looking back and reflecting on a decade of achievement, but that has not happened.

I welcome social welfare increases of €17 per week generally and €14 per week for pensioners, but the reality should not be forgotten. The Government will take back at least €4 in indirect taxes. Increasing rents will take another €2 and fuel costs have increased by 50% since the fuel allowance was last increased. The allowance should have been increased by at least €8 or €9 per week instead of the measly €5 that has been granted. Pressure is maintained through increased health charges, including an increase in the cost of doctors' visits, many of which must be

borne by those on welfare. Where a person in the household of a social welfare recipient has an income, the recipient does not qualify for a medical card. Despite a decade of significant economic success, the Government is saying a person on the minimum wage is too wealthy to have a medical card.

The Taoiseach is correct in detecting that a new partnership with the community is needed but sensing the need for change does not deliver it. The Minister for Finance has delivered the old approach, which is focused narrowly. Too many families are struggling with problems he is not addressing, including separation, substance abuse, mental illness and caring. A more modern welfare system is needed, which recognises these pressures and which not only focuses on issues such as unemployment and illness but supports families through difficult periods. New models of co-operation with the many voluntary agencies working in the field without whose help these deep-seated problems cannot be addressed are needed. However, the budget does not provide for a new departure in welfare and community policy.

I refer again to the old problem of Government efficiency. If the Government was efficient, more could be done in the State. Unfortunately, the Government has become the core of rip-off. It is at the heart of what it should be defending and championing the consumer against. Every time Eddie Hobbs turned over a stone, the fattest worm to come wriggling out had been put there by the Government. Whether one is buying a car, using credit cards, driving on tolled roads or eating out, the Government's hand is stretching deep into one's pocket to make it dearer here than anywhere else in Europe. Ireland has become the most expensive country in Europe, but food, clothing, furniture and equipment prices are not driving up the cost of living because they are all falling relative to the rest of Europe. Government sponsored services are driving up the cost of living in Ireland.

Since the 2002 election, the Government has increased various charges by 86%, which has cost the average household almost €1,500. Government run utilities have increased their charges by more than 40%, costing the average household €950. These stealth taxes amount to €50 per week, which wipes out entirely the €20 a week concession offered to most people in the budget by the Minister for Finance.

Mr. Cowen: What about tax changes?

Mr. Bruton: The Minister has not rolled back the tide. I am disappointed that at a time householders and businesses have doubled their borrowings and are exposed to significant pressure from increasing interest rates, more has not been done to address the serious financial issues against which the State must protect. The SSIA

should have been used to copperfasten the financial soundness of ordinary households. The budget should have provided incentives so that people could put this money to good uses such as investing in pensions. A small concession in this regard would have been a win-win scenario because the danger of going the route the Minister has is there will be a major frothy consumer boom over the next 24 months, at the end of which a great deal of money will have been spent, the cost of living will have been driven up and there will be little to show for it in the long term in copperfastening a sound financial base for the State. People have doubled their borrowings since the last election. An increase of only 0.25% in the cost of living will cost ordinary householders approximately €70 per month while an increase of 0.75% will cost €210 per month. That will wipe out everything the Minister has done.

We need to examine what needs to be done to proof ourselves against changing and hardening external environments. No one can have illusions about the change that has happened in the external environment in which Ireland seeks to compete. There is a sharp contrast between the economy Deputy Quinn handed over to Fianna Fáil and the Progressive Democrats in 1997 and the economy the Minister will soon hand back to the rainbow coalition. Superficially, there are many similarities. Employment is increasing rapidly and the budget surplus is healthy, but there are also signs of fragility, which cannot be ignored. Approximately 40% of jobs in companies supported by the industrial agencies has been lost since 2000. Many have been replaced but not enough to prevent a sharp decline. Ireland has lost share in its export markets three years in a row. Our export performance is at its worst since 1974 and it is less than a quarter of what it was in the late 1990s.

The problem is that while the construction sector can absorb people and conceal problems in underlying trading sectors, that cannot go on forever. As a small, open economy, we need to survive on the basis of competitive businesses and that is not happening. Ireland's enterprise strategy was once the envy of emerging countries but it is feeling the strain and the cracks are showing. The budget presented an opportunity to address this. Ireland needs a far-reaching reform agenda both in public spending and public policy to deliver value for money. Only 12 months ago, Ministers presented their Estimates to the House with a great flourish. According to the Tánaiste, 230,000 extra medical or doctor cards would be provided but, at best, 10,000 will be provided. A total of 1,000 extra gardaí were to be provided but the latest figure from the Minister for Justice, Equality and Law Reform for November is 90. The accident and emergency department crisis was supposed to be wiped out but latest figures for November highlighted that 360 people were still on trolleys in such departments. Integrated

[Mr. Bruton.]

ticketing was to be introduced in Dublin but that still has not happened. While none of these actions was taken, no Minister has taken it on the chin. No one owned up and said, "I got it wrong, I was fooling you this time last year".

It is time Ministers who make commitments become accountable for them. Since 2002 the Minister for Health and Children has demanded a 54% increase in the health budget but fewer people have access to primary care and there is greater chaos in our accident and emergency departments. During the same period, the Minister for Justice, Equality and Law Reform demanded a 43% increase in his budget, but there is a greater risk of being assaulted on the street and detection rates have fallen dramatically. Criminal gangs that are supposed to be "stinging, dying wasps" are still stalking the streets. The Minister for Transport has received a 79% increase in his budget but, in that time, the number of people using public transport has only increased by 3% and nothing has happened regarding long promised reforms. Is that good value for money? This spending has cost every household an extra €3,000 over the past four years. There is no value in it.

I welcome the Minister's proposal to make the Estimates procedure more open. However, he should examine the indicators he said would drive performance. Under the heading, Making it Happen in the Fianna Fáil election manifesto, the Taoiseach pledged: "We will put in place a streamlined process of public expenditure reviews; we will publish a timetable of reviews within six months". The idea was great.

Every three years we were to have a rolling programme where every item of public spending and every programme would be evaluated.

What might one expect for 2005? We should have seen one third examined but that could not happen because the Tánaiste and Minister for Health and Children declared she was too busy reforming to have any assessment of her spending done. Her colleague, the Minister of State at the Department of Finance with responsibility for the Office of Public Works, said he was too busy with decentralisation to have any assessment of value for money in his Department. We are whittled back to what is left, perhaps 75%, so we could have expected 25% of spending to be scrutinised. The Minister for Education and Science did nothing. No study was completed by the Ministers for the Environment, Heritage and Local Government, Transport, Finance, Communications, Marine and Natural Resources, Defence or Community, Rural and Gaeltacht Affairs, so we are back to just 8%. However, even 8% was too much. The sum total of completed scrutinies by this Government under its expenditure review came to 0.5% of Government spending. The Taoiseach has certainly made it happen as far as expenditure review is concerned.

One cannot expect us to greet with great delight the promise we will see performance indicators in two years' time. It is not good enough. What the Government should do is honour commitments it already made to the public several years ago.

Unfortunately, one will not find "The X Factor" in this budget. All we have is the same old faces reassembled warbling a cover version of that jaded 2002 hit, a lot done, more to do. It is a bit like the relaunch of Take That, only it is probably a relaunch of Take That, pay later because that is really what the public has got used to. The cheeky lead singer has gone off to pursue a solo career in Europe and we are left with an alternative which is perhaps less Robbie Williams and more Ozzy Osbourne. The champagne and party time has gone. There a few modern lyrics, including lyrics on child care, but the truth is the Government is not up to it. "The X Factor" is not there. It is time to vote the Government out.

Ms Burton: For those who like baked Alaska, this budget is a bit like a bad one. It looks lovely on the outside, is full of hot air, is cold in the middle and it is very tough when one tries to eat it. People stuck on the West Link as they go home might feel this House could do with a coat of paint. Perhaps the Minister of State, Deputy Callely, might get in the contractors.

The Minister is increasing spending by 9.9%, yet there is nothing in the Estimates for a national pay agreement which is due sometime next year. Basically, the budget is about helping to buy votes at the next general election. We will have to hope that extra money is, as far as possible, well spent.

The budget is a kind of Fianna Fáil fairy-tale. I do not know if the Minister is familiar with Narnia but this is a bit like Lucy in *The Lion, The Witch and The Wardrobe*. The Minister is telling us it is all true, that there is a country to which one can get through the wardrobe. Rather than look at its true record, once more Fianna Fáil want people to close their eyes to the truth and make a wish that it will all be okay. We are to believe the promises on child care, transport and the health strategy and to believe false promises on fair taxation.

The budget was, in many ways, to be billed as a budget for children, but like so much this Government does, it is riddled with half measures. Our children are not a problem; they are our greatest resource. In the run-up to the budget, some of the debate lost focus on the fact that we do not simply want to live in a great economy but in a great society which is child and family focused for all situations. That is the test of what we expect in a child-centred budget.

Today's measures show all the signs of a rush job dictated by a political rather than a child welfare agenda. It is based on the needs of a desperate political party and not particularly on the

needs of children and families. Today's measures offer a modest and welcome relief for parents from some of the financial burden in arranging for their children to be cared for while they are at work. It offers limited financial supports. In this year's Book of Estimates, child benefit, with no changes, will cost just under €2 billion. If the Minister were to improve that by 25%, the package would come in at approximately €500 million, but instead it comes in at €317 million. The increase in child benefit for all children up to 19 years of age, if they attend school, is very modest. The €20 per week is a lot less than I had expected. I really thought the Minister might have given €50 per week for children under six years of age, something the Labour Party sought.

I do not want to sound churlish but if a family with two children have a bad bout of winter 'flu or asthma and it does not have a full or a "yellow pack" medical card, it will cost €50 in this town to visit a doctor, even on the north side. A bout of 'flu or asthma in a family is likely to end up costing it around €500 between two adults and two children. Therefore, while the €20 per week will be welcome, it is not as much as one would have expected from the hype generated.

The budget needed to set out a strategy for children's welfare. Instead, the Minister is spreading the jam very thinly over the bread, so thinly in parts that one cannot even notice it. There are many half measures. I am glad the Minister announced a tax disregard for child care. He and I discussed this during the debate on the Finance Bill. Childminders and home arrangements are the choice of approximately half the parents whose children are minded for some or all of the day and I am glad the disregard is being brought in. The Labour Party wants it subject to a register so that we ensure these childminders, who have been in the black economy, who by and large have no pension or PRSI provision and who are almost all women aged between 40 and 50 and over, are registered. It is important younger childminders in the home are given opportunities to train. The Minister referred to a notification system but I am not sure if that is the same as a full register. I am sure he will give us more details later.

A startling fact of which the Minister might not be aware is that child development tests used to be routinely done at nine months of age. In many parts of this country, for example, Dún Laoghaire, a wealthy area of this city, child development tests have gone back to one and a half years of age. Anybody who is a parent knows the importance of these development tests to see if everything is okay and to catch as early as possible anything which has gone wrong. That is a measure of what has happened in terms of slippage and provision for children in this society.

I am very disappointed there has been almost no mention of early childhood education. This is another key element of a child-centred prog-

ramme. This is extraordinary because all of the international research, particularly from the United States, shows that investment in pre-school and early childhood education pays dividends. Most of our European counterparts have had *écoles maternelles* for a long time. Even 40 years later, the children who got a head start with early childhood education still have higher rates of employment, more success in their personal lives and less contact with the law in the sense of their lives going disastrously wrong, yet the Minister only made a vague reference to this issue. It is terrible to have missed this opportunity. The programme introduced by the former Minister, Niamh Bhreathnach, into selected schools is still only a pilot project. Children only get one chance at childhood and another year has gone by with no attempt to introduce a pre-school and early childhood education system. I know the Minister has tried to spread the jam but I would have thought he would have attempted to do something in this regard following the NESF report and the big conference that was attended, particularly by the Minister for Education and Science, in Kilmainham.

The Minister for Education and Science, Deputy Hanafin, does not acknowledge the problem we have with the numbers of students dropping out of second level education, particularly in big cities and towns. It is especially true of boys and is very marked, as the Taoiseach is aware, in the Dublin area. Only a third of Dublin schools are achieving a retention rate to leaving certificate of above 80% and as many as one school in six does not achieve a retention rate of 50%. This means that in those schools 50% of boys leave school just after the junior certificate. We know the prediction for these boys who have no training or qualifications. I accept they can get jobs in shopping centres and in distribution but by the time they are in their mid-20s, they will be stuck and unable to compete in the knowledge economy we have talked about building. They will either be unemployed or stuck in the lowest of low paid jobs.

I deplore the lack of vision in regard to primary education and the lack of reference to secondary education. The McIver report produced by the various second level teaching unions, does not merit a mention either. There are problems with the National Educational Welfare Board, which is not mentioned either. The Minister's lack of vision in regard to education at all levels is a great pity. I am pleased with the money being provided for the third level sector but we will have to wait to see the detail of this proposal. I hope the institutes of technology and not just the universities will share in that dividend. The institutes of technology are critical in terms of participation rates for middle income and less well-off families and give a much needed opportunity to the latter group.

[Ms Burton.]

The Government has been topping up its coffers by fairly nasty stealth taxes in the past three years and by pushing more and more taxpayers into paying tax at the 42% rate. When the Government came into office in 2002, the standard rate band for a single person was €28,000. In other words, any income earned above that amount was taxed at 42%. Unless this band is increased in line with annual wage rises, people pay more and more of their income at 42%. The Government did not increase the band for two budgets after the last election, the two last budgets of the former Minister, Mr. McCreevy. While wages have increased on average by 15%, the standard rate band has only expanded by 5%. The Minister referred to an increase of 9%. We would have needed to see an increase of 15% to bring people anywhere near to what they have missed out on in recent years.

The programme for Government contains a commitment that only 20% of taxpayers will pay tax at the top rate. The table on page C.22 of the Budget Statement that sets out the Minister's hopes for next year, without taking into account changes in regard to wage agreements, states that just over 658,000 taxpayers will pay tax at the top rate next year. That means the Minister has only taken 8,400 taxpayers out of the 42% band. Contrary to the little bit of verbal dexterity we heard from him, that is the reality. The Minister is nodding his head. I do not know whether it is in agreement or disagreement.

Mr. Cowen: Have a guess.

Ms Burton: In reality, this year again, 32% of taxpayers will pay tax at the top rate of 42%. The Minister promised that only 20% of taxpayers would pay it. He is miles off his target and he has barely made any progress in today's budget.

Mr. J. O'Keeffe: That is another promise.

Ms Burton: Page C.7 and the following pages give examples of changes affecting taxpayers. I notice that Nuala, Seán, Aoife and Paul, all the people who used to live at the back of the budget, have been ditched. I suppose the Minister was fed up disappointing them. They have lost their names but they live on in tabular form. The gain for a single person earning €30,000 is €6 per week or 1.2%. Who does the Minister think he is coddling? The gain for a married couple with children who have one income is also exceptionally low; it is 1.2% on an income of €30,000 and even on €60,000 it is only 1.9%. That is the continued effect of individualisation. It is still biting very deeply on many families who have three children or more. In such cases, one of the spouses almost certainly cannot afford to work unless he or she is in a very high income bracket. In example 3, the gain for a married couple with two children and two incomes earning €30,000 is 6%, while it

is 5.4% on an income of €60,000. Married couples with two incomes gain at something like five times the rate of a married couple with only one income—

Mr. S. Ryan: It is a shame.

Mr. Broughan: It is disgraceful.

Ms Burton: —because of the distortion of individualisation. This is important for people at or close to the minimum wage.

In recent weeks I was delighted to hear both the Minister and the Taoiseach singing my song about the super rich who pay no taxes. At one stage I thought it sounded like the game was up. Last year, the Taoiseach promised this budget would set things right on the tax shelter front. I am a bit disappointed because it is a half measure again. The Taoiseach and the Minister for Finance appear to have forgotten the words. They have lost the rhythm and they are a bit out of tune. I am not sure it will make the No. 1 slot this year. Members may recall the prayer of St. Augustine. Robbie Williams, of whom I think the Taoiseach is a fan, has a new CD with the following song. I will not sing it but will quote it because I cannot sing.

Mr. Rabbitte: The Taoiseach is a Bee Gees man.

The Taoiseach: Hear, hear.

Ms Burton: This is Robbie:

So I sing a song . . .
 . . . It's a song I sung before,
 And a song I'm gonna sing again,
 I mean every word,
 I don't mean a single one of them,
 Oh Lord, make me pure,
 But not yet.

That is just about it on the tax shelters. Some of the more obvious tax shelters are to be closed down. They have outlived their usefulness and were causing serious harm and distortion. The notorious exemption for the stallion tax has to go but not for another two years. Lord, make me pure but not just yet. That will give the lads plenty of time to set their affairs in order.

The Lord does not close one door for the super rich but he opens another. Can we say that? Both parties in Government are addicted to tax shelters. It is interesting that, according to the documentation we will only see in great detail with the Finance Bill, the tax shelters will not really start closing until 2008. It is unclear what the Minister is proposing to do because he claims that, with regard to hospital relief, he will front load it. Again, in the small print of the budget, hospital

relief will cost an extra €3 million next year and €2 million the following year. Savings will only be anticipated thereafter. It is hard to work out why it will cost more. It is because it is being front loaded and, I presume, will be an advertisement to the super rich to get into hospitals. The redoubtable Government backbencher, Deputy Ned O'Keeffe, said that hospitals are the new hotels. They are a new avenue for tax breaks.

The Harney plan to promote private hospitals is one of the most misguided proposals ever presented, even by a Government as full of misguided schemes as this one. The Harney plan will provide tax incentives to private investors to promote the building of private hospitals on the grounds of existing voluntary and public hospitals. It will almost certainly, after today's announcements, result in an avalanche of private medical facilities as investors race each other to find the most profitable locations and sectors to serve. It will lead to longer waiting lists and a more stretched service in the public system as scarce resources, such as consultants, are drawn out of the public system. Remember that there is worldwide shortage of doctors. Private hospitals will cream off the less complicated cases and distort decisions on who should receive treatment in hospitals.

We have to build capacity in the health system but the creation of a parallel private system is wrong in principle, expensive and likely to be inefficient. It creates a two-track system, with one speed for private services and another for public ones. Rather than designing the roll-out of additional hospital bed capacity around the needs of patients, the needs of investors will instead have precedence. When the private sector has cherry picked the most profitable elements of health care provision, the public hospitals will be expected to take responsibility for what is left. The Harney plan involves a significant level of hidden public subsidy for the so called private sector. Valuable sites in public hospitals will be made available to private concerns.

The changes announced by the Minister involve time based limitations, so they are welcome. However, a private hospital that costs €100 million will still attract tax breaks for single high net worth investors of approximately €420 million. The described changes will mean that the taking up of those reliefs, bar the front loading, which will bring them forward for the first two years but will later extend them out, will cost the taxpayers exactly the same. It will simply spread the relief over a longer period after the initial period of fast forwarding the relief.

With regard to the promoters of tax breaks for private investors, some brochures, which I am sure the Minister has seen, promise a return of €62,760 for every €75,000 invested. Obviously, a great deal of that profit comes from the tax break in terms of sheltering income from taxes but the private hospitals must also deliver profit for

investors. How is that profit is to be obtained? If patient care is not to be compromised, it has to come from higher charges to the Exchequer and to private insurers. The inevitable result will be higher VHI, BUPA and VIVAS bills. The Harney plan will deliver high cost health care at considerable public expense. For the ordinary taxpayer, it will be a double whammy. A lucrative tax shelter will siphon off income that ought to bear a fair portion of taxation, while the imperative to deliver profit will ratchet up insurance costs for all of us. I am very disappointed.

The Government is addicted to stealth taxes and, for the first time ever, it is taking substantially more income this year in VAT than it is in income tax, particularly if from the special investigations by the Revenue Commissioners are subtracted from income tax returns. If an old age pensioner buys a new television, he or she pays VAT at 21%, as does a millionaire. The fact that VAT is such a significant element and the main generator of taxes is an indication of how regressive our tax system is.

Deputies: Hear, hear.

Ms Burton: We have seen programmes about rip-off Ireland, central to which is the kind of indirect tax rates and VAT rates and charges this Government has introduced year after year. Charges are higher again this year for accident and emergency visits. Over the life of the Government, there have been increases in charges for drugs, registration fees for college students and costs on a range of services that hit hard on the pockets of young families. There is little point in the Minister telling us how much he is doing for children while at the same time levying a range of stealth taxes on families. I am sure he knows how much bin charges have increased and what a cost and necessity they are for families with small children.

I welcome the Government's announcement of an increase in social welfare benefits. It is the least that could have been expected of the Government in light of the commitments made under the revised national anti-poverty strategy. They broadly meet the suggestions made by Fr. Seán Healy, particularly with regard to the €17 increase. However, it is disappointing that the Minister did not take the opportunity to reform the structure of social welfare. In particular, dependants — usually women — of pensioners or dependents where a family is unemployed still only account for 70% to 75% of the full adult rate. With all the money at his disposal, he could introduce reform. He individualised the tax system but there is no individualisation of social welfare.

Ms McManus: Hear, hear.

Ms Burton: It is disappointing that he has not addressed that issue. I am very disappointed with

[Ms Burton.]

the fuel allowance. Since the rise in fuel prices, the Government has made a windfall gain, which the Minister acknowledged, of about €100 million from VAT and excise increases caused by the rise in petrol, gas and electricity prices. The basic fuel allowance for senior citizens has remained at just €9 per week since 2002. In the same period, domestic electricity prices have increased by 44%. Gas prices were recently increased by 25% and home heating oil is approximately 20% more expensive now than it was this time last year. The current fuel allowance of €9 barely covers the cost of half a bag of coal. In Cork city, it costs €16 to deliver a bag of coal to an old age pensioner's house. The Minister increased the fuel allowance from €9 to €14, an increase of €5. A fuel allowance of €14 will pay to have a bag of coal delivered for an old age pensioner in Cork city. The Minister could have doubled the fuel allowance to €18. That would have cost him something like €80 million, which he could have afforded, given the money he has at his disposal.

Reports from the Combat Poverty Agency and other bodies have found that Ireland has one of the worst records in Europe in terms of people being able to heat their homes. A Combat Poverty Agency report published in 2004 suggested that up to 2000 deaths annually in this country could be attributed to fuel poverty. The Government had a clear opportunity to address the issue. The weather this winter has already been more severe than usual and it is unacceptable that elderly people in modern Ireland should be afraid to heat their homes properly in case they get a bill they cannot afford to pay.

For years, social welfare policy has been devoid of imagination or innovation. It is not enough to address the issue of income adequacy. Social welfare policy must also focus on how to offer opportunity to everyone in our society who can avail of it, in particular, opportunity for people on welfare to get back to work, education and training. The darker side of the booming Irish economy is without doubt the number of families existing exclusively on social welfare and locked out of employment, education and training.

I am not sure if the Government is aware of the extent to which a whole new set of poverty and unemployment traps has developed in recent years, which in effect prevents people getting off social welfare and back to work. Currently, a family with two children, on social welfare, receiving housing rent allowance, would probably need an income of €30,000 to €40,000 to make it worth their while to go back to work. In the Dublin area, for a family with two children, rent allowance is now €1,200 monthly. If one goes back to work, one loses that €1,200 almost immediately, which means that one needs to make more than €14,000 to have a job which pays. That means one really needs to earn at least €30,000.

Since the then Minister for Social and Family Affairs, Deputy Coughlan, introduced the "sav- age 16" welfare cuts a couple of years ago, we have created a new and ever-higher set of poverty traps for people who wish to move from welfare to work. Because the Government has all but abandoned social housing for families on the waiting list, the majority of such families are now catered for by private landlords who get a rent allowance subsidy paid for by community welfare officers. That allowance for a single adult with one child is a maximum of €954, and is €1,200 for a family with two children. The Minister should think of how much one needs to gain in a low-wage economy to meet that.

Mr. Rabbitte: It is a new poverty trap.

Ms Burton: The Government is condemning these families and in particular the children to a limbo of lost opportunity and permanent social welfare dependency. They are our people. They are the people dropping out of school early, and lone parents with children. Most of them are desperate to get out of the poverty trap in which the Minister is leaving them. Just as the Vatican has abolished limbo, our Government is reserving it for social welfare recipients on housing benefits.

Ms McManus: Hear, hear.

Ms Burton: Given that many young men drop out of school early, they and young lone parents are the people most at risk from this poverty and unemployment trap. The other people affected are families including a disabled person, or families headed by a person with a disability.

Disability was the big story in the budget last year, another five-year rolling annual programme. Unless I missed some of the speech, I did not hear any mention today of disability. People on disability allowances are among the worst sufferers in this poverty trap. We want participation for everyone in the economy. The Minister should listen to the following before he goes. Research published by OPEN, an organisation which deals with one-parent families, shows that a lone parent with one child can drop 42% of his or her net income on social welfare, rent allowances and other benefits by moving to a 40-hour minimum-wage job.

Just because people are unemployed does not mean they cannot do the maths with regard to how taking a job will affect their incomes. Work along with education is the greatest thing a government can offer in terms of opportunity. The Government is becoming an opportunity blocker. The report published some time ago by the industrial strategy group talked of how we used to have an agile government and how Irish government is becoming sclerotic, and freezing up. We need agility with regard to social welfare, educational and work opportunities for our own people who have been left out of the loop.

I want to talk about the overall strength of the economy. In today's budget and in the public spending plans announced two weeks ago, the Minister has increased spending by more than €5 billion, but to what effect? It is surprising that after collecting so much tax revenue from taxpayers there are still so many gaps and shortfalls in our public services. As I said, the Government also collects large amounts through stealth taxes. The conclusion is that this Government is not capable of managing public services efficiently and providing good value for taxpayers' hard-earned money.

The key failures in this budget have become depressingly familiar in the recent budgets of the Government — the missed opportunities, bad value for taxpayers' money and the short-term focus, which is now on winning the next general election and buying people's votes with their own money.

We want the Government to address the key infrastructural deficits in this economy. I spoke earlier about fairy stories, in particular about Narnia. Nothing produced by the Government in regard to capital spending and infrastructure has been anything more than a fairy story. The national development plan is now little more than a national joke. Capital envelopes are an excuse not to spend money. Over a couple of years, Fianna Fáil has moved from the brown envelope to calculations done on the back of an envelope to multi-annual envelopes.

Ms McManus: It is a stationery office.

Ms Burton: Clearly, Fianna Fáil is preoccupied with envelopes, but is not doing much in terms of delivering infrastructure.

In the Estimates, many Ministers, including the Tánaiste, were not spending up to 20% of their capital budgets. The hand-back and roll-over with regard to capital budgets in the Book of Estimates is €285 million. That is astonishing when one thinks of the roads and public transport we have not got. The Minister for Health and Children, Deputy Harney, rolled over €56 million in capital on the health Estimate, which is extraordinary.

This year we had the tragedy in the hospital in Cavan-Monaghan. Last year we talked at this time on "Morning Ireland" about the trolley watch. As my colleague, Deputy
6 o'clock Bruton said, it is very sad — and gives me no pleasure to say — that this week, the Irish Nurses Organisation has reported that the number of people on trolleys is unfortunately somewhat higher than it was at the budget weekend this time last year. In this past weekend, there were 359 people on trolleys.

The delivery record of the Government in terms of infrastructure is truly pathetic. Transport 21 consists of five pages, two of which are maps. Another page is a wish list in which we are told many new services will be available in ten years'

time, in 2015, presumably just in time for the 100th anniversary of the Easter Rising. The floor of the Taoiseach's office must be littered with brave new world strategies launched with bravado over the years, something akin to the great leaps forward that used to take place in Russia. We have decentralisation, the national spatial strategy, the health strategy, the road safety strategy, the suicide prevention strategy, the national climate change strategy and so on. I do not know whether there was a strategy on electronic voting — I cannot recall whether that was called a strategy.

Mr. Allen: It was called lunacy.

Ms Burton: Today, we have another strategy, the child care strategy. Most of the earlier strategies are in ruins because they could not go beyond the promise and rhetoric to the point of delivery.

The Exchequer returns for any month for the past two years tell the same story. In general, there is an underspend in regard to capital funds. How can the Government credibly claim to have a €35 billion public transport plan when it cannot spend its allocation on transport six years into a seven-year national development plan? The idea that the Government will be able to ramp up spending to the level suggested in the transport plan is nothing short of ludicrous. All the large strategy documents and slick presentations will not hide the fact that the Government is incapable of delivering capital projects on time and within budget. The Government, through this budget, asks people to make a leap of faith. We are expected to believe it can now get to grips with problems it has failed to overcome for years, and that it will do it all in a year or even six months. To believe this, one would need to enter Narnia through Bertie's magic wardrobe and seek the help of Aslan the lion to break the spell of failure and deceit that hangs over the Government.

There are many workers on their way home as we speak, stuck in the circle of hell that surrounds Dublin called the West Link Bridge. Billions of euro are allocated to the national transport plan but it does not even mention the West Link Bridge. We pay some of the most expensive road tolls in Europe for the largest traffic jam in Europe. No help is at hand in this regard. The national transport strategy did not even mention the humble bus. The Government is too elevated for buses.

Mr. Rabbitte: There is no hope now that the Minister of State, Deputy Callely, is gone.

Ms Burton: It is absolutely unbelievable.

On 10 December, the Government will announce, for the sixth time, three extra half-trains on the Maynooth line. A normal train has eight carriages but these trains will be only four

[Ms Burton.]

carriages in length. CIE had the option of one and a half trains but decided to opt for three half-trains. Furthermore, they will make a half-journey. Instead of going from Maynooth all the way through to the south side, they will stop at Connolly Station and passengers will hop off and wait for a DART. This is the only new service pencilled in for the north west side of the city, including Maynooth and the surrounding areas, until after 2008. It is extraordinary.

The Government signed up to commitments under the Kyoto Protocol and launched its national climate change strategy in 2000. However, very little has been done. There are reliable estimates that we will be obliged to pay annual forfeits of €50 million within two years. The measures in this area are welcome but are very limited. It is a pity that in all the travelling that Ministers have done, they have not spent much time in Denmark. That country has a wind energy industry that has generated tens of thousands of high-tech jobs. We in Ireland talk constantly about a knowledge economy. We could develop alternative energy and help to build and expand the knowledge economy if we were to look at the examples of other countries. The Government, unfortunately, has failed to address the issue.

There were two more announcements today of profitable manufacturing companies in Wicklow and Galway closing down because labour was available at €3 or €4 per hour elsewhere in Europe. The situation at Irish Ferries is not a once-off but rather it is symptomatic of the shift that is taking place. We should bear in mind that the move to a low-wage economy is a disaster for this country in strategic terms. We should look to the Scandinavian countries rather than Hong Kong for inspiration in building a high-wage, high-knowledge economy with high levels of public service. The continuous falls in manufacturing are disappointing. Ireland has been shedding jobs in traditional manufacturing sectors at an extraordinary rate since the Government took office. This is in contrast to the record of its predecessor. The main problem is that much of the job replacement is at low-pay levels. This is borne out by the income tax returns, which show high levels of part-time working and employment at the minimum wage. There are many more people at work but the underlying trends are deeply worrying.

I wish to mention decentralisation, particularly as the Taoiseach is here. All parties in this House agree that decentralisation is appropriate. Past Governments have overseen instances of extensive, planned and successful decentralisation. The current decentralisation programme, however, started life as a political stroke by the former Minister for Finance, Mr. Charlie McCreevy. In the end, like many strokes, it backfired and probably cost him his job. It has been mired ever since

by a fatal combination of arrogance, cost escalation and staff resistance. It has not been helped by the extraordinary incompetence of the supervising Minister of State who seems intent on a personal mission to destroy any public or staff confidence in the project.

It is still just about possible for the Government to rescue some part of its plans and to salvage any residual reputation for competence but only if each part of the programme is subject to a thorough review and an acceptance of some basic controls and ground rules that protect the integrity of sound public administration. As matters stand, the major additional cost burden to headquarters for many specialist organisations, with the advent of one office in the decentralised location and another in Dublin, will cause money to be diverted from hospital beds and school places. The Taoiseach must be aware of the foreboding now widespread in many public service divisions about the loss of professional staff and the disruption this will entail.

For example, the overseas aid division of the Department of Foreign Affairs is set to move to Limerick. Senior staff there, following discussions with Mr. Chris Flood, chairman of the aid advisory committee, estimates that this section will lose 85% of its most experienced staff as a direct result of the move. This is madness. We are embarking on a major expansion of the aid programme, involving expenditure of an extra €100 million per year at least. We all welcome that. Next year, the programme will spend more than €600 million. How can this be administered properly if all the most experienced staff leave and are replaced by others who are no doubt qualified but have no direct knowledge of the issues the programme must handle and the regions in which it operates. Planned decentralisation has worked in the past but this project is descending into a pathetic fiasco on a par with electronic voting.

Today's Ireland has many examples of extraordinary wealth alongside desperate poverty. The broad public sympathy for the staff of Irish Ferries comes from the naked display of self-serving greed from the company owners and their acolytes. This is the return to the Great Gatsby society. Blatant and vulgar displays of wealth and extreme inequality have a corrosive effect on society as a whole, especially when those who benefit most are so reluctant to contribute that they make themselves non-resident or else go to enormous lengths to avoid taxes that ordinary people must pay. We need to start talking about this issue, however unfashionable it may be to do so in these days of worship of celebrity and wealth. People talk about the problem of the poor, but instead we need to think about the problem of our country's wealth and how it should be shared in a fair society. Sadly, we saw little of that in today's budget. We needed a budget that was about pure gold rather than "bling bling", but "bling bling" was what we got.

Deputies: Hear, hear.

Mr. Boyle: I would like to praise the Minister for Finance before I seek to bury his budget. Last year's Cabinet reshuffle happened too late in the day for the budget for 2005 to be truly considered as the full property of the Minister, Deputy Cowen, although he succeeded in making his mark on it. He has been involved in budget 2006 since the start of the process, up to today's announcement, and he deserves congratulations on that. It is fair to point out that before the 2002 election, the previous Minister for Finance, Mr. McCreevy, who is now a European Commissioner, embarked on a public spending programme at this stage of the electoral process. The level of public expenditure increased by 20% in the two years prior to the 2002 general election. The first two years of the present Administration were spent rolling back the effects of that reckless expenditure. I welcome the modest levels of increase sanctioned by the Minister for Finance in this budget. It is an indication of a prudence that he probably shares with his UK counterpart, Mr. Gordon Brown.

Comparisons between the Minister for Finance and his predecessors, other than the comparison I have already made, might be invidious and perhaps unfair. We should not compare the former Minister, Mr. McCreevy, who was associated with racing stallions and the Curragh of Kildare, with the Minister, Deputy Cowen, who is associated with "Pure Mule" and the Bog of Allen. The reality is that the attitudes of the Minister and his immediate predecessor are remarkably different. The Minister, Deputy Cowen, tends to keep his counsel. I hope he will maintain his prudent approach to economic management if there is to be a further budget before the next general election. If he engages a total loosening of the purse strings on that occasion, a future Government will have to deal with the effects of such recklessness.

When the Minister spoke about education in his speech today, he did not refer to any particular initiatives other than those relating to third level education. While such initiatives are badly needed, the Minister's failure to provide for the much-needed investment in pre-school, primary and secondary education means that the real educational disadvantages in our society, which are being deepened every day by the policies of the Government, will not be addressed. It is not something of which the Government can be proud. The Government has shown its indifference to the findings of the McIver report, which relates to areas of education for life such as adult and continuing and further education, by failing to take action in that regard. It would cost €48 million, which is a mere drop in the ocean, to improve standards and facilities in this valuable sector of the education system in line with the recommendations of the report, which is three years old.

The Minister for Finance highlighted what he considers to be the success of the current national development plan and promised a future plan to run from 2007 to 2013. The people of this country will not be particularly impressed with the roads element of the new plan if it is along the lines of the current plan. Under the 2000-06 plan, expenditure on the road network increased from €6 billion to €18 billion, without any additional value for money accruing to the Irish taxpayer. When one considers that the roads programme is being pursued by the Minister for Transport, Deputy "Give me a billion" Cullen, and his soon-to-be-departed colleague, Deputy "Give me a job" Callely, it is unlikely that the level of public confidence is about to be enhanced in any way. Like most of the public, most Deputies on this side of the House thought that the announcement and launch of the Transport 21 initiative by the Minister, Deputy Cullen, was a black joke on the part of the Government. The Government cannot be serious about allowing this infrastructural programme to be delivered by the most profligate of the Ministers who have been in office since 1997.

I welcome the social welfare package in this budget because the overall rates are moving in the right direction. We will probably not be made aware of the minutiae of the package until the forthcoming social welfare Bill is published. I suspect that the Government is continuing to get some things wrong, however. The fuel allowance payment should have been doubled to €18 per week, especially when one considers the effect of inflation on the cost of fuel since 2002, when the payment was frozen. Those who rely on the allowance have found themselves worse off when they try to meet their fuel needs and the incidence of fuel poverty has increased as a result.

The Government is sending out mixed messages in respect of pensions. The pensions rates in this country continue to be among the lowest in Europe as a proportion of average incomes, despite the increases in wealth in recent years. The approach of the Government has been to introduce tax relief for private pensions. While today's attempts to balance that playing field by allowing everyone to avail of the 42% relief are to be welcomed, we need a broader debate on why we are giving as much away in tax foregone as we are paying in State pensions. The gap between the amount paid as tax relief and the amount paid as pensions will widen as a result of the Minister's measures. Surely we should aim to introduce a proper and effective State pension. The Government seems to be running away from this issue.

In recent years, the Government has provided for marginal increases in the rates of payment made to carers, for example under the respite care grant. However, the Government has not addressed the central issue, the Victorian rules in the Department of Social and Family Affairs which preclude people from receiving carers' pay-

[Mr. Boyle.]

ments if they are in receipt of other social welfare payments. If we are serious about acknowledging and rewarding the extent to which the State's duty to provide a service is being subsidised by the work of individual carers, we should provide for a refundable tax credit for carers, given the work they do, as proposed by the Green Party.

The centrepiece of this budget is supposed to be the five-year child care strategy. Despite the Taoiseach's socialist tendencies and inclinations, I suspect that the Government used the word "strategy" as it did not want to use the term "five-year plan" in case it would remind people of post-revolutionary Russia or current-day China. I accept that the Taoiseach seems to be enamoured with current-day China. The child care strategy that has been proposed, like many of the Government's long-fingering policy initiatives, is aimed at getting the Government over the hump of the next election. This budget has been drawn up with one eye firmly fixed on the next election, but the other eye is blind to the forthcoming economic realities and threats, unfortunately.

It has to be underlined that this budget is the first of those introduced in the era of the Celtic tiger to be preceded by an increase in interest rates at European Central Bank level. While the increase was of just 0.25%, it is possible that it was the first of many such increases. When we gather for the Budget Statement this time next year, perhaps there will have been a 1% increase in interest rates on the base rate for all lending across the economy. Such an increase would have significant effects in Ireland, where the average debt per person is 160% of the average income. This country has borrowed €270 billion. When we were in the midst of our deepest economic crisis, we spoke about what the Government owed in the form of the national debt, which was 120% of the national income. Current Government policy seems to have transferred the debt of the State and the Government to individual citizens, who have even greater debts. When those bills have to be paid, Deputies on this side of the House should not be shy about reminding citizens that the Government created the circumstances in which such debts accrued.

I would like to focus on some of the child care measures in this budget. Like much of what is welcome in the budget, the measures in question do not go as far as they need to go. Why has the Minister decided to stop the child care payments at the age of six? The Green Party has proposed that staggered payments should be made for children under the age of five, and for children between the ages of six and 12. I suspect that the Government's attitude is that the child care needs of a child who has entered the primary school system are being looked after. The real purpose of primary education, which is not mentioned anywhere else in the budget, is to look after the children of this country and acknowledge them

for the resource they are. We must build them into the citizens we need for the future, not only for our economy but also for the well-being of our society.

The Government has gone down the road of allowing a number of additional weeks of maternity leave. It has not gone as far as we would have wanted and it is taking its time getting there. It has not introduced a concept of paternity payments or paid paternal leave. The sop to the Progressive Democrats regarding the income disregard for some childminders needs to be spelt out further, not just by acknowledging and registering such childminders but also by making ongoing training available to childminders. We need to turn the informal childminding economy into a formal economy. I have no faith in the figures for additional child care places the Minister for Finance has said can and will be produced. I put that in the category of the waiting list that still has not been resolved.

The Government is now reluctantly going down the road we have advocated for many years of recognising that many tax relief measures were unnecessary and iniquitous. However, somehow they seem to have a life that goes beyond the next general election. If by whatever hand of fortune the Government parties find themselves back with their hands on the tiller, I am sure they would change their minds again about such reliefs and would reward those who support them so generously.

The so-called scrapping of the stallion tax relief, which seems to have a life up to 2008, is very much a nod and wink measure. This is a nod to the European Commission that we are getting rid of a tax that all recognise should not exist. However, it is a wink to those who avail of the tax, the Galway races fraternity, that if after the next general election Fianna Fáil finds itself still in Government, a tax relief in some form or other could remain. If the Minister had the courage of his convictions, this tax would have gone not today but three years ago.

The Government is sending mixed messages that while property-based tax reliefs may be a bad thing, it will let them linger a bit longer and will kill them with kindness. At the same time the Government is seeking to introduce additional property tax reliefs, especially in the area of health care. The extension of tax relief for private hospitals will create a two-tier or three-tier health system so beloved of the Tánaiste and Minister for Health and Children. The more insidious measure of introducing tax relief on private psychiatric hospitals seems to be introducing the concept that for the first time somehow we could put a price on sanity. If that were open for discussion many of us on this side of the House would be quite prepared to do that as regards the price and sanity of many members of the Government.

Ultimately any type of public service ethos seems to be dwindling away. Trying to solve our many social problems by giving tax incentives and hoping that with enough money those problems will not exist in the future will not work. It has not worked to date and our experience is that this approach will make things worse.

After eight years of indifference on environmental matters, the Government's so-called environmental measures add insult to injury. The graduated relief on biofuels should have been a bolder measure involving a direct derogation. The Government hopes to have 2% of the fuel market taken up by biofuels by 2008. European directives oblige us to be at that level now and to be at 5% by 2010. The Government cannot hide behind any phoney concern that it claims to have about the environment as it is lagging behind with scores of environmental judgments being registered against it at the European Court of Justice each week.

The ultimate insult is the establishment of a carbon fund that is somehow supposed to meet our obligations under the Kyoto Protocol. In addition to the amount set aside being too small, the principle still appears to be that the taxpayers, regardless of whether they have contributed to our environmental problems of carbon build-up, are expected to meet the bill and those who quite obviously have caused the build-up are not being asked to contribute to the extent they should. On road safety we seek to improve road conditions, improve education and try to limit the number of deaths. Applying the principle of a carbon fund to road safety would mean that rather than dealing with the problems, we would merely pay for the funerals. Ultimately we will not be better off with such an approach.

The public has lost confidence in the Government and its sponge-like way of taking ideas from elsewhere and regurgitating them as being initiatives of its own. We have had a series of three budgets with the big ideas of child care this year, disability last year — of which this year's budget makes no mention — and the farce of decentralisation two years ago. If the Government is serious about winning public confidence, it must take into account that its promises and track record do not bear up to proper scrutiny. It has had the opportunity afforded by the best set of economic circumstances in the history of the State. It promised to end waiting lists, homelessness and child poverty. It has achieved none of these aims and many indicators in these matters have worsened. How many multiples of these good economic circumstances would the Government need to achieve any or all of those targets? I suspect the Government would not get any of these matters right in 1,000 years because it lacks the capacity, imagination and honesty. Ultimately the verdict on the Government will be that it was the most wasteful and achieved least. The Government that will follow must be a better Government that

will deal with these circumstances in a more humane and fairer way.

Caoimhghín Ó Caoláin: Like the student who wasted his or her college years, the Government is trying to cram in leading up to the big final test, the next general election. With this budget Fianna Fáil is attempting to erase the memory of all those budgets that champagne Charlie McCreevy introduced which rewarded the very wealthy and allowed the gap between rich and poor in our society to widen ever more. The Government is attempting to be seen to address inequality. If that effort results in some positive and long overdue measures, it is welcome. All credit is due to those who have campaigned long and hard for social justice and economic equality. We in Sinn Féin are proud of our consistent campaigning in these areas.

I welcome the Government's attempt to catch up and make up for the lost time and all the wasted public money. However, I avail of this opportunity to encourage it to do much more. We believe this new and emerging pattern will continue in the closing months of current Dáil as the general election looms ever closer, be it in 2006 or, much more likely, having examined the detail of this budget, in early 2007.

Published in 2005, the EU survey on income and living conditions shows that one in seven children in the Twenty-six counties, almost a staggering 150,000 children, lives in consistent poverty. These children suffer weekly economic hardship that excludes them from the quality of life and the opportunities enjoyed by the majority of children. A further significant number of children, an estimated 242,000 or 23.9% of young people in the State, are at risk from poverty. They live in households which have less than 60% of the State-wide median income. The national anti-poverty strategy set 2007 as the target date for consistent child poverty to be reduced to below 2% or eliminated altogether, if possible. Clearly, with some 14% of children in consistent poverty, the target is far from being reached in 2007. This target should have been reached ahead of time in an economy which has seen growth almost unparalleled anywhere else in the world.

What have we got? What has the Minister for Finance, Deputy Cowen, provided for us to address child poverty and the needs of children today? If we look at the figures for child benefit, it is clear that the increases the Minister has announced fall far short of that which has been identified by the End Child Poverty Coalition as necessary to help bring those children out of poverty. For first and second children there is an increase of €8.40. It was estimated, conservatively, that what was needed was an increase of €14.32, bringing the rate up to €155.92, not €150. For third and subsequent children there is an increase of €7.70 instead of the estimated €15.55, a shortfall of €7.85 on that which was identified

[Caoimhghín Ó Caoláin.]

as required. At a time of such resources being available to Government, that in itself is a damning indication of its failures.

Let us look at the child dependant allowance, an issue that few ever mention. It has never been mentioned by the Ministers for Finance of these Governments since 1997. Going back further to 1994, the child dependant allowance was frozen and has remained at that level ever since with the result that the figure then applying, as a result of inflation, has lessened in value considerably over the period. Is there any mention in the budget of the child dependant allowance? There is no provision whatsoever.

Despite the unprecedented prosperity in the economy, it is one of the most inequitable in the developed world. The failure of the Minister, Deputy Cowen, to address the inequalities, particularly in the area of the needs of children, will perpetuate that disgraceful claim. In the United Nations human development index for 2005 this State comes third last in the league of 18 OECD countries in terms of poverty. Only the United States and Italy, among the developed countries, have worse levels of poverty and inequality. It should be noted that the so-called United Kingdom is fourth from the bottom of this league. Included in its figures are the Six Counties where child poverty levels are worse than in this area of our island, adding to the total of avoidable — I emphasise avoidable — hardship for children on the island of Ireland. This level of poverty is inexcusable given the affluent Irish economy of the 21st century.

Record budget surpluses have been achieved year after year, yet the opportunity to move Ireland towards a society of equals has been squandered. Very belatedly, some positive measures are being undertaken, some reflected in this budget, but these should have begun in 1997 when this coalition took office and when real opportunity presented. I and many others contend there is sufficient wealth in society to ensure that no child should want for any of the basics of life and all should be able to look forward to a full and rewarding future. The lack of vision, the incompetence and the conservatism of successive Governments in the State have robbed generations of children of their birthright.

What greater basic of life is there than the right to unrestricted access to health care? What is the position in respect of budget measures to extend the medical card to all under 18 years, a call Sinn Féin has made in recent years in pointing out the importance of the extension of full medical card cover to all children under 18 years of age? At a collectively estimated cost by the Departments of Health and Children and Finance of some €223 million in a single year, that would have been small change for a measure that would have greatly assisted in addressing child poverty in society. Shame on the Government and the Mini-

ster for Finance, Deputy Cowen, for failing to introduce the extension of the medical card to all children under 18 years of age, thus perpetuating inequality, hardship and grief.

Reversing all the years of neglect and the continued neglect of today's budget will mean a change in policy and a shift in emphasis towards social need and equality. As we in Sinn Féin have repeatedly pointed out, such a change would include moving away from this outdated model of annual budgeting and the budget day ritual towards multi-annual budgeting based on medium to long-term planning. It will require participatory democracy with the people and the Oireachtas having a real say in policy and spending plans, Department by Department, Minister by Minister.

In the preamble to the Budget Statement, the Minister for Finance, Deputy Cowen, said that he intends to engage with the Joint Committee on Finance and the Public Service early in the new year. I welcome that but we will have to wait and see what that translates into in real terms before we can measure its real worth and purpose. Certainly as a member of that committee I will not participate in a charade or a smokescreen exercise. It is inadequate already in its stated outline but if it is only the first step, we will wait and see.

In November 2004, Sinn Féin tabled a motion in the Dáil calling for the development of a comprehensive and accessible child care infrastructure and a wide range of measures to assist parents, whether caring for children full-time in the home or working outside the home and using child care services. I again thank the 50 Deputies who supported that motion in the Dáil division. Prior to the budget for 2005, last year's budget, Sinn Féin published its proposals in its budget priorities document, Putting Children First. In doing so we consulted widely with the child care sector. Our budget 2006 priorities which I submitted to the Minister, Deputy Cowen, in advance of today's budget updated and reiterated those proposals. The Dáil debate on the Sinn Féin motion last year heard Government commitments to develop child care in the State but the subsequent budget in early December 2004 was a major disappointment and further fuelled the national debate and the demand for action.

It was widely recognised that the greatest omission from the first budget of the Minister for Finance, Deputy Cowen, was early childhood care and education. The budget of 2005 was followed by a national debate on the need for society to care better for our children. The debate recognised the intense pressure placed on parents, children and family life in an economy with high demand for labour from employers. The nature of work itself was also addressed in the debate and the demand has been raised as never before. The work of people caring for children in the home must be fully recognised and supported. The same applies to other carers in the home.

The National Economic and Social Forum, NESF, published a landmark report in September of this year entitled Early Childhood Care and Education. In 2000, the national child care strategy stated that child care provision was, “uncoordinated, variable in quality and in short supply”. That this is still the case in 2005 was confirmed by the NESF in its September report which pointed to the very inadequate implementation of policy on child care in Ireland and the markedly insufficient financial investment in the education and care of our younger citizens. The NESF report set the benchmark which this Government must reach. The measures announced by the Minister today fall far short of that benchmark. They cannot make up for almost a decade of neglect in the area of early childhood care and education.

Let us note some of the measures. We see that we must wait until March of the coming year before paid maternity leave will be raised to 22 weeks, increasing only in March 2007 to the 26 weeks for which most commentators argue. Even then, we will see 16 weeks’ unpaid leave provided rather than the 26 weeks consistently sought. Is any mention made in this budget of paid paternity leave of two weeks per child? There is no mention of it whatsoever.

What of the need to provide quality child care throughout the State? In our pre-budget submission, we argued for the provision of universal pre-school sessions of 3.5 hours per day, five days per week for all children in the year before they attend school. What did we get in the Minister’s budget? We see the equal opportunities child care programme, EOCP, is to peter out at the end of its term and a new national child care investment programme will be introduced.

The EOCP created 26,000 places and we are told a further 15,000 places are in the pipeline. The Minister stated 50,000 new places will be created in the new programme up to 2010. Who will be the providers? It appears the Government’s solitary commitment is in the area of training. I must describe the level of support for those providing child care as paltry. The early child care supplement, a direct payment of €250 per quarter, or €1,000 per annum, is less than €20 per week. Does anybody have any idea what child care costs families and single parents in society today? What type of nonsense are these figures? They do not reflect the reality that people are dealing with.

Mr. Morgan: It is €10,000 per year.

Caoimhghín Ó Caoláin: Will the Government provide child care places? Not at all. Who will deal with the issue of supply? The attitude is to throw some money at it and others will take up the responsibility. We consistently argue that the responsibility is on the State to make provision. While we wish well those providing private care

or care in the community well, the responsibility in the first instance lies with the State. I recommend again that the Government examine better and best practice in other jurisdictions. The Scandinavian model, and particularly the Swedish model which is in place for more than 30 years, is one from which the Government could learn quite an amount.

We also point out that no reference is made to the importance of making child care a viable option for young men and women as a career choice. There is no indication of a national pay scale for child care workers, which is essential if we are to bring that area into the mainstream where it belongs.

If there is a fatal flaw in all that we heard today, it is in the biggest-spending Department, which is in the hands of the Progressive Democrats — the Department of Health and Children. The Government may hope the measures announced today will take the heat out of child care as an election issue. They will not and it is wrong because the issue will continue to be a major focus for Sinn Féin, other voices in this House and, I have no doubt, for those beyond this House campaigning on this. More significantly, the fundamentally flawed approach to our health service by this Government will come back to haunt it as surely as that approach has caused so much misery to so many people and prevented the development of what should be the best health service in Europe.

Look at the contradictions at the heart of this Government. Prior to the last general election, Fianna Fáil stated it wanted to end the two-tier health system. The Tánaiste denies a two-tier system exists. She goes further. Exactly a year ago she stated: “I believe in a minimalist role for the State in all our lives, including health care.” I can tell the Ministers for Finance and Health and Children that she had no need to state that to the people of Cavan and Monaghan where her abject neglect in the provision of hospital services and of the health care needs of the people of those two Border counties is known and experienced and suffered daily.

Mr. Morgan: And in Louth and Meath.

Caoimhghín Ó Caoláin: Families are facing into Christmas in mourning for loved ones avoidably lost in the course of these past 12 months.

Mr. Morgan: Absolutely.

Caoimhghín Ó Caoláin: Sadly, the Taoiseach need not think for one moment he is excused from responsibility. The Taoiseach and Fianna Fáil stand in exactly the same shoes as the Tánaiste and the Progressive Democrats on this issue. The Government must face up to its responsibilities.

Mr. Morgan: Scandalous.

Caoimhghín Ó Caoláin: In June this year, the Tánaiste stated the fact that an increasing number of people are getting private health care is good and is a sign of increasing disposable income. There is complete incoherence on the part of the Government in this key area of social provision. The Minister for Finance carried that contradiction into the budget when he extended tax breaks for the developers of private hospitals. The tax forgone in this way should instead be spent on the provision of primary care centres which were promised but were shelved by the Tánaiste last year.

What is the situation on health? No mention, let alone commitment, was made of introducing and staffing the 3,000 promised additional beds to relieve our overworked accident and emergency units. Despite this, tax reliefs or capital allowances for private hospitals will continue.

On other measures, I already stated no mention was made of extending the medical card to children under 18 years of age. Neither was there any mention of increased funding for those 3,000 acute hospital beds. Again, no mention was made of increased funding to roll out primary care centres as promised but postponed last year by the Tánaiste, Deputy Harney. Estimates fell short in funding for cancer services. Increases were needed but there was no mention of them. The only thing we see is the continuation of tax reliefs for private hospital providers. The message is very clear: there is nothing in this budget for the health needs of our people, and in particular for the 325 people languishing on trolleys and chairs in our accident and emergency units today. Accident and emergency is only the tip of the iceberg of the crisis in our health services. Health is the big omission from budget 2006. I believe this omission will be a major factor in this Government's demise when the general election takes place. Let us hope the day is hastened.

I welcome the removal of a range of property-based tax reliefs but the Government deserves no credit for this. We did not know what most of those reliefs cost but we know speculators made a massive sum of money from them. The Government and the speculators who benefited from these measures are like fraudsters who know the game is up and who must move on to another scam.

The Minister spoke of a significant package of social and affordable housing but we heard nothing to provide for the 73,000 social housing units required by 2012, as recommended by the National Economic and Social Council. Like the issue of health, this budget has been a major disappointment to people with disabilities. For years we have sought a cost of disability payment that recognises the additional costs and burdens borne by people with disabilities. The Disability Federation of Ireland made a case for a payment of €40 per week. Shame on the Government.

The Minister used the budget to reannounce the Transport 21 package, itself a recycled package. Like so much else in the Government's record, that package does not measure up to scrutiny. No mention is made of a continuation or a reintroduction of the bank levy. Great lobbying work must have been done in that regard. Instead, we see the abolition of the 0.5% companies capital duty. The measure is effective from today while others must wait until 2006 for increases in the social welfare code. The abolition is to assist firms in the financial services sector.

What about the hard-pressed motorist? Do we see any measures to relieve the pressures they are under? We do not and although we see the extension of VRT relief to flexible fuel vehicles it is only for a trial period of two years. Surely much more could have been done.

Buying carbon credits is what the United States has been doing and what we have condemned time and again. We should face up to our Kyoto Protocol responsibilities. Does the Minister intend to address this area of public concern by buying carbon credits?

There is undoubtedly a general election in the offing and the Minister has his plans set out to win the general election for Fianna Fáil in 2007 or perhaps sooner. I assure him that plan and this Government will perish on the rock of health and the failure of the Government to address the needs of ordinary, decent people.

Mr. F. McGrath: I thank the Leas-Cheann Comhairle for the opportunity to address the House on the budget. It is a great honour and privilege to put forward the views of Independent Deputies on our current financial situation and the announcements in today's budget. It is a missed opportunity to develop further strategies to solve poverty once and for all and to wipe out waiting lists for people with disabilities.

I will refer to the positive aspects of the budget but also to the way forward for the citizens of our State. In all financial matters it is important to keep our eye on the ball. Our money, taxpayers' money, should be spent wisely and should go to the most needy in our society. By that I mean the elderly, the sick, the disabled and the disadvantaged. The debate is no longer about having the necessary resources and finances but about the distribution of these resources. It is important to have vision and courage to make decisions that will assist those most in need. This budget has a long way to go in assisting our citizens.

The Independent Deputies in this House will always side with working people and the disadvantaged people in society. That is our position on this budget and we set down clear markers to make a better country for all our citizens. Those of us elected to this House will stick by our mandate and at all times our priorities will be the rights of our citizens. I stress the words 'rights' as

there are many in society whose rights are not being respected: the child that does not have a warm and safe home, the elderly woman on a trolley in Beaumont Hospital, disabled people who do not have back-up services, young families on housing waiting lists and the elderly man who has to bolt his doors every night at 7 p.m. because of fear and intimidation.

The Independent Deputies in this House are standing by these people and standing up for their rights in a fair and just society. These are the key issues in this budget debate today. I welcome all investment in this budget to the key areas of health, education, disabilities, child care and the elderly, but I must also highlight the difficulties and needs in these areas. Despite much hype our people still have major needs and the Independent Deputies in this House are united in supporting these needs.

We must face the reality of supporting all people with disabilities and this means services on the ground for all people with disabilities. It is unacceptable to have people with disabilities on residential, day care and respite waiting lists. We must see support for core funding of community employment project staff who serve 3,000 people weekly. It is unacceptable to have people on waiting lists in a strong and healthy economy. This is the bottom line and the broader vision of Independent Deputies. We want to make inclusion a reality for our citizens. We have had enough guff over the past eight years.

The Minister claims to be giving priority to education in this budget. In a time of a considerable budgetary surplus, why are small disadvantaged inner-city schools being undermined by the Government and resource teachers for children with special needs being taken from these schools? This is occurring in the Taoiseach's constituency.

Mr. Gregory: That is correct.

Mr. F. McGrath: In this House last week, Deputy Gregory stated that if the Government cared about educational disadvantage, these inner city schools would get more resources rather than less. Putting resources into disadvantaged primary education would be a real investment in the future. The Government also claims to be tackling the drugs crisis yet the community representative on the Government's national drug strategy committee was forced to resign this week. As Deputy Gregory stated in this House, the Government refuses to recognise the scale of the drug problem and has cut the emerging needs fund from €4 million to a miserable €1 million. Hopes for a strategic, planned approach to the drug problem are now in a shambles.

Many of my Independent colleagues were elected in rural constituencies along the west coast. Such constituencies have been neglected by

successive Governments with the result that the infrastructure is lagging behind and an injection of funding is urgently required to address the imbalance. My Independent colleague, Deputy McHugh, comes from Galway East, a constituency that has been particularly badly affected. The recent decision to reopen part of the western rail corridor, which will link his constituency from Tuam to Gort, is welcome, but the long drawn-out timeframe for its completion is totally unacceptable. Deputy McHugh has made the case in this House for expediting this project and I am pleased to put it on the record today.

Deputy McHugh has also campaigned for the provision of a community hospital and an ambulance base in Tuam, County Galway, to serve north-east Galway, south Mayo and west Roscommon. No less a person than the Taoiseach, Deputy Bertie Ahern, promised in 2002 that when his party returned to Government it would provide the hospital. That was three and a half years ago and the Taoiseach has not yet honoured his commitment. I call on the Taoiseach to do so now and, in consultation with the Tánaiste, approve the Tuam Hospital project that Deputy McHugh feels so strongly about and to which the people of Galway are entitled.

Mr. Treacy: Deputy McHugh has failed to deliver.

Mr. McHugh: What has Deputy Treacy delivered?

Mr. Treacy: I will tell the Deputy that in two years' time.

Mr. F. McGrath: I ask that I be allowed to continue and that the Minister of State, Deputy Treacy, stop heckling me.

My colleague from County Clare, Deputy James Breen, has pointed out that €20.8 million or £15 million promised by former Minister for Health and Children, Deputy Martin, in 2000, for the upgrading of Ennis General Hospital has not been delivered. This is the same promise made by the Taoiseach and the same Minister before the general election and at the European and local elections. Ennis does not even have a CT scanner. A few days ago there was a power cut in the hospital while a surgeon was attempting to perform an appendix operation. The emergency generator failed, resulting in the operation being postponed.

Mr. Gregory: That is no laughing matter, Deputy Treacy.

Mr. Treacy: I am not laughing.

Mr. McHugh: The Minister of State is smirking.

Mr. Allen: The Minister of State disgraced himself in Europe last week. He should not do the same here.

Mr. Treacy: I am too hot for the Deputy.

Mr. F. McGrath: This could easily have resulted in the loss of life. This is the type of health service to which the people of Clare are subjected.

My colleague, Deputy Connolly, has informed me that the Royal College of Surgeons in Ireland has recently recommended that Monaghan General Hospital be deprived of all acute surgical services and that such services be based in Cavan instead. This recommendation ignores and flies in the face of recent unanimously expressed demands of all the local consultant surgeons at both Cavan and Monaghan hospitals that Monaghan General Hospital be restored to full acute surgical on-call status. Deputy Connolly has also called for the Monaghan General Hospital to be restored to full on-call status for both surgical and medical emergencies since Cavan General Hospital has as many as 30 patients on trolleys, often for lengthy periods. Deputy Connolly has insisted repeatedly that the people of Monaghan have a basic right to acute hospital services convenient to home rather than the current Russian roulette practice of shuttling people between Monaghan and Cavan on poor quality, twisting and bumpy country roads.

I welcome any extra investment in child care but I remind Deputies that it is the Independent Deputy, Catherine Murphy, who put child care on the political agenda during the by-election in Kildare North, and I commend her on that. She has demanded that a portion of child care facilities built in large residential developments be handed over to local authorities as a condition of planning permission being granted. Her intention is that local authorities would involve non-profit community groups in running multi-use child care facilities to cut down on the cost of child care provision while continuing to provide a high level of service in a child-centred environment.

According to Deputy Murphy, Part V of the Planning and Development Act 2000 has yielded a disappointing number of housing units, with financial settlements being made to local authorities in lieu of the development of social and affordable housing, so her suggested provision would offer a viable alternative. Community-run child care facilities are few and far between because purpose-built accommodation is only available at commercial rents, which makes it an unrealistic proposition. Should such facilities be transferred to the local authority, a lease arrangement to qualifying groups would open up key community supports that would be community-run and community-based. Once again, I commend Deputy Catherine Murphy on highlighting this issue.

A sum of €1,000 was given to families today for child care. That would not even provide a place in many of the services in Dublin—

Mr. Treacy: That was only one of many elements.

Mr. F. McGrath: It is not good enough.

Mr. Treacy: The Deputy should not be so selective.

Mr. F. McGrath: Furthermore, the Government has excluded children over six in its child care provisions.

The budget for 2006 comes at a testing time for homeless people and those in need of housing. My test for the budget is clear: deliver decent homes, not temporary beds, and end homelessness and housing need in Ireland. Being homeless or in need of housing means living in damp, cold and infested housing, at the whim of landlords who threaten or neglect, under the cloud of eviction and debt, and in insecure and inappropriate accommodation in hostels and shelters or, literally, homeless on the streets. As a former full-time voluntary worker with the Simon Community, I know the reality of homelessness and I demand action on this issue.

Homelessness and unmet housing needs make people sick, interrupt their education, lessen their chances of securing a good job and put an enormous strain on individuals and families, especially children. The budget for 2006 must respond by investing to deliver a greater number of decent homes in the social rented sector because bad housing wrecks lives. Housing standards for the socially excluded are deteriorating. Demand exceeds supply for social and affordable housing. It is time to invest in all our housing futures, both in this budget and in the future.

The 2002 census of population states that there are 150,000 family carers in Ireland. According to the census criteria, a full-time carer is someone who provides more than 42 hours care in the home per week and consequently is prevented from engaging in full time employment outside the home. Family carers save the State more than €1.5 billion per year. Today, the carer's allowance was increased to €200 per week for those aged 66 and over. Every week, 3 million hours are worked by 150,000 carers. In 2005, fewer than one in six carers is in receipt of the carer's allowance, which is €153.60 per week, even though each carer saves the State approximately €600 per week, the cost of alternative residential care. In fact, depending on the level of care required, alternative care by the State could cost in excess of €1,300 per week. Carers save the State at least €1.5 billion per year.

My colleague, Deputy Healy, has pointed out that this budget does nothing for job creation in towns like Carrick-on-Suir, County Tipperary, where the unemployment rate is 20.6%, almost five times the national average. Furthermore, the budget does not provide funding for the vital emergency ambulance service for the same town. I commend Deputy Healy on his work in Tipperary and I know that he will continue to push his agenda strongly.

I commend Deputy Harkin and thank her for her dedicated service to the people of the west. She has stuck with them, campaigned for investment and highlighted their plight in Europe. We wish her well and all the Independent Deputies will continue to support her.

It is scandalous that while the Government has so much money which it could have used to good effect in this budget, people will continue to die unnecessarily because of the failure of the Government to address basic medical needs. My Independent colleague who represents Mayo, Deputy Cowley, hoped the Government would address the special needs of his county which he has highlighted in the Dáil. In Mayo, people must wait much too long for an ambulance and the delay can be fatal. It is a minimum requirement by international standards to have an ambulance available in an emergency within the so-called golden hour. Delay beyond that time greatly increases a person's chances of dying or being severely disabled for life.

International minimum standards dictate that there should be an ambulance base within 20 miles of a population, yet there are no fewer than three areas in the Health Service Executive western region where there are no ambulance bases within this radius. Therefore, people have no hope of obtaining an emergency ambulance service within the clinical critical timeframe. One such area is the Achill, Mulranny and Ballycroys region of west Mayo, where people can wait for up to two hours for an emergency ambulance. After today's budget, the situation is no better in Mayo. It is the fault of the Government, in this and past budgets, for not providing funds for such an ambulance base to be provided.

Deputy Cowley has raised this matter on 13 occasions in the Dáil since 11 February 2004. A person who is not considered to be a major emergency when a general practitioner calls an ambulance often is one by the time the ambulance arrives two hours later. Deputy Cowley has also highlighted a recent case where a GP in Mayo had difficulty in getting an ambulance for a man who had burned his eyes in an accident with acid. The ambulance service told the GP that only two emergency vehicles were available that night. Only two ambulances available for a county the size of Mayo with 120,000 people, and this in a country that is so wealthy. It is a disgrace.

Mr. Gregory: A disgrace.

Mr. F. McGrath: There is also no eye unit in Mayo so the poor man had to travel to Sligo. Today's budget will not help him.

Mr. McHugh: Can the Minister of State defend that?

Mr. F. McGrath: Deputy Cowley has also spearheaded the campaign for a helicopter emergency medical service for this country for several years. As an experienced rural GP he knows of

too many families robbed of their loved ones owing to the lack of such a service which is available in every other country in Europe. Deputy Cowley began speaking of the need for a helicopter emergency medical service when Deputy Noonan was Minister for Health and has continued to do so up to the present day. He travelled to Northern Ireland to meet the then Minister for Health there, Ms Bairbre de Brún, and the North-South emergency care body set up under the Good Friday Agreement.

The Government still uses helicopters for emergency missions which are not dedicated to the cause. This means that the aircraft are not always available when needed and the equipment they carry is insufficient because of the multi-purpose role the helicopters perform. As a result, people die because they do not receive specialised treatment in time. People will continue to die after today's budget because the Government has once again ignored the need to provide money for a helicopter emergency medical service.

Independent Members address the real and important issues that big business, big political parties and the Government choose to ignore. The case of the Rosspoint five is a good example where people saw how an independent TD in Mayo, Deputy Cowley, stood up fearlessly for those people's rights to stay at home while other Mayo TDs said nothing, colluded with Government, played games like the hypocrites they are and only pretended to support them. Independent Members are the people's best advocates.

I welcome the fact that the reference in the Budget Statement to the artists' tax exemption does not amount to a major attack on artists. The figure given by the Minister today was €250,000 per annum but let us look at the real world of the artist in Ireland in 2005. In their support, I will highlight some simple facts about the exemption. Most Irish artists are still poor. Of the 1,300 artists who benefited in 2001, more than 50% earned less than €10,000 and the average income for 87% of them was below €11,000, less than the average industrial wage. Artists pay tax. The exemption applies strictly to an artist's creative earnings, so a job an artist takes to make ends meet is fully taxed. So too are performance and merchandise earnings and the earnings of musical artists, whose only exempt earnings are those from composing their work.

Artists are in no way unique in getting an exemption on one stream of income. Numerous tax incentive schemes exist in Ireland. Of the tax forgone by the State under all tax relief schemes, the artists' tax exemption accounts for just 0.38% of the total. High earning artists still pay a great deal of tax. The few big earners pay full tax on their non-creative earnings. Typically these earnings are at least twice the amount they get tax-free. The artists' tax exemption keeps them in this country and ensures they pay tax in Ireland rather than anywhere else. The value of the artists' tax exemption to Ireland is immense. It has been in

[Mr. F. McGrath.]

place for 36 years, is simple to administer and has been incredibly successful. A state that does not look after its artists is a state without a soul.

Many people think the Government is spending money wisely, but some statistics paint a different picture. A project in my constituency, the Dublin Port tunnel is €200 million over budget so far and might go up to €400 million or €500 million in the next few days. The Government squandered €52 million on electronic voting and spent €30 million on a farm that was valued at €4 million. The Battle of the Boyne site, which could have been bought for €2.7 million, was bought instead by a private business and then sold to the Office of Public Works 18 months later for €7.8 million.

Mr. J. Breen: Disgraceful.

Mr. F. McGrath: A revamping of the court-house in Cork, estimated to cost €6.5 million, ended up costing the taxpayer €26.5 million. What a waste of public money.

Mr. J. Breen: Desperate.

Mr. F. McGrath: The Minister knows from Loughrea that 30 road projects—

Mr. Treacy: Ahead of schedule and on budget.

Mr. F. McGrath: —which were estimated to cost €932 million are costing the taxpayer and the Government €2.97 billion. Road projects were 86% over budget and the Minister knows that. Trim Castle was another fiasco—

Mr. Treacy: One must pay for beautiful architecture in the built environment.

Mr. F. McGrath: —a waste of taxpayers' money. The amount involved could have ended the scandal of patients on trolleys forever, bought all the new schools we wanted, made a major dent on our housing waiting lists, developed child care services, even for those over six, and assisted the elderly.

Poverty among people with disabilities has not been dealt with in this budget. The fact that 38% of people with disabilities officially live in poverty is a national scandal after ten years of massive economic growth and wealth. This debate is no longer about the shortage of resources or finances but how we distribute those resources. Since our election in 2002, the Independent Deputies have pushed this agenda in the Dáil. At the top of the list are always the old, the sick and disabled people.

I spoke on all Stages of the Disability Bill and tabled 93 amendments demanding rights and quality services for all people with disabilities. Some were accepted and I commend the Government on that. I also hope I was of some small

benefit to the affected families but I commend my Independent colleagues and thank them for their massive support in this House and outside for all people with disabilities.

The National Disability Authority published statistics that indicate three out of four households headed by a disabled person live on the poverty line. Their figures reveal that these families are trying to manage on €126 per week, half the national average. These statistics are unforgivable in today's buoyant economic climate, especially when people with disabilities must also contend with the problem of being denied access to many forms of employment and not because of their own lack of initiative or ability.

Despite legislation, too many companies have simply failed to provide facilities which would enable disabled persons to contribute and enjoy the subsequent self-worth that most of us take for granted. The NDA estimates that unemployment rates among people with disabilities are much higher than among the general population, with some estimates as high as 70%. Many disabled people are faced with extra costs that would make the rest of society balk if they had to accommodate them in their budgets, such as customised transport, medicine, special diets and education, all taking their toll on already inadequate incomes. One of the worst things about persistent poverty is that it can create a particular mindset, a climate of hopelessness and despair which can ultimately result in people giving up in what seems to be an entirely unequal struggle.

This is not acceptable and there is no excuse for this situation. I also challenge those that say enough is being done in today's budget. I reject that misinformation. In my area of north Dublin, there are 312 people with intellectual disabilities on the St Michael's House waiting list for residential places. We now have a major crisis in some areas and the Government needs to focus its finance and efforts on early intervention schemes. In some disadvantaged areas 52% of children are not even ready for primary school. Some children live in homes where heating and dampness are still problems and 26% of children display significant problems with their conduct before they start school. Some 20% have eating difficulties and 31% consistently miss school. We have a wealthy society but these children are being left behind. I welcome any provisions today to assist the elderly but we have a long way to go in that regard.

This debate deals with all the important issues in people's lives and the Independent Deputies in our group stand up for working people and the most vulnerable in society. Our vision is about equality, justice and getting services to our people in a caring and professional way. I thank my Independent colleagues, Deputies Gregory, James Breen, McHugh, Harkin, Connolly, Cowley, Healy and Catherine Murphy for allowing me to

represent our response to this budget. I also thank my colleague, Deputy Joe Higgins, for his co-operation and also for the co-operation and support of the Technical Group in the Dáil. I urge people to take a closer look at this budget and, with my Independent colleagues here and all the independent councillors throughout the country, help build a modern, progressive and caring new Ireland. Together we can do it. We have the finances, resources, ability and, above all, energy and people to deliver a more humane and compassionate society.

Sitting suspended at 7.20 p.m. and resumed at 7.50 p.m.

Allocation of Time: Motion.

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

That, notwithstanding anything in Standing Orders, the Financial Motions by the Minister for Finance shall for the purpose of debate be moved and grouped together in accordance with the following schedule and the proceedings thereon, and on any amendment thereto, shall in the case of each Resolution be brought to a conclusion by one question which shall be put from the Chair group not later than the times indicated as follows:

- (i) Resolution No. 1 (20 minutes)
- (ii) Resolutions Nos. 2 and 3 (45 minutes)
- (iii) Resolution No. 4 (30 minutes).

An Ceann Comhairle: Is the motion agreed to?

Mr. Durkan: Will the resolutions also be grouped for the purpose of a division or will separate divisions be permitted?

Mr. Kitt: The resolutions can be divided as per the groupings, thereby, providing for three divisions.

Question put and agreed to.

Financial Resolutions 2006.

Financial Resolution No. 1: Mineral Oils.

The Taoiseach: I move:

(1) THAT for the purposes of the tax charged by virtue of section 95 of the Finance Act 1999 (No. 2 of 1999), that Act is amended, with effect as on and from 8 December 2005, by substituting the following for Schedule 2 to that Act, as amended by section 64 of the Finance Act 2005 (No. 5 of 2005):

Rates of Mineral Oil Tax.

Description of Mineral Oil	Rate of Tax
<i>Light Oil:</i>	
Leaded petrol	€553.04 per 1,000 litres
Unleaded petrol	€442.68 per 1,000 litres
Super unleaded petrol	€547.79 per 1,000 litres
Aviation gasoline	€276.52 per 1,000 litres
<i>Heavy Oil:</i>	
Used as a propellant with a maximum sulphur content of 50 milligrammes per kilogramme	€368.05 per 1,000 litres
Other heavy oil used as a propellant	€420.44 per 1,000 litres
Kerosene used other than as a propellant	€16.00 per 1,000 litres
Fuel oil	€14.78 per 1,000 litres
Other heavy oil	€47.36 per 1,000 litres
<i>Liquified Petroleum Gas:</i>	
Used as a propellant	€63.59 per 1,000 litres
Other liquified petroleum gas	€10.00 per 1,000 litres
<i>Substitute Fuel:</i>	
Used as a propellant	€368.05 per 1,000 litres
Other substitute fuel	€47.36 per 1,000 litres
<i>Coal:</i>	
For business use	€4.18 per tonne
For other use	€8.36 per tonne

[The Taoiseach.]

(2) It is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

The resolution provides with effect from midnight for reductions in the non-auto rates of mineral oil, gas, kerosene and LPG, which, when VAT is included, amount to 1.8 cent on a litre of kerosene and 1.2 cent on a litre of LPG. These rate reductions are expected to impact primarily on the cost of heating fuel. It is estimated that the cost to the Exchequer of these reductions will be approximately €1.5 million this year and €22.7 million next year. The measure will reduce the consumer price index by approximately 0.015%.

An Ceann Comhairle: For the benefit of Members, this will be similar to a Committee Stage discussion

Mr. P. McGrath: I welcome any move that will reduce the cost of home heating oil. Kerosene is also more environmentally friendly than other home heating fuels. I would like the Taoiseach to clarify a number of issues. With the regard to the reductions, which are effective from tonight, were oil companies surveyed over the past week or two to ascertain what prices are being charged and to ensure this reduction will be passed on to the customer? These major oil companies could easily absorb the reductions. By how much will the price of kerosene reduce?

The Taoiseach: By 1.8 cent per litre.

Mr. P. McGrath: In recent days, I was thinking about filling my oil tank, as it needs to be filled. I made inquiries and the price I was quoted was 57 cent for a litre of kerosene. It will be interesting to see whether we will get the 1.8 cent reduction on a litre of kerosene. I ask the Taoiseach to guarantee that the Office of the Director of Consumer Affairs, or whichever agency deals with pricing, ensures this price reduction is passed on to the consumer. It will not amount to much. A couple of thousand litres per year will amount to a €20 reduction. However, we should try to ensure it is passed on to the consumer rather than absorbed by these oil companies.

Mr. Rabbitte: Like Deputy Paul McGrath, I am happy to welcome this resolution. Am I correct that it is about halving the excise duty? A considerable windfall came the State's way as a result of the increase in fuel prices. A reply to a parliamentary question suggests there has been perhaps as much as a €94 million windfall to the State from the additional VAT revenue. That figure may be projected for next year rather than

this year but there has been additional VAT as a result of the increase in fuel prices.

It raises a question not so much of opposing or welcoming this resolution but of what the Government might have done with a refund. The Taoiseach said it will be €22.7 million in a full year. The Exchequer is still a considerable winner at a time when the increase in fuel prices has caused acute hardship for people in disadvantaged circumstances. That is especially so for older people who depend on the fuel allowance and on a modest pension. I have received a number of letters from people around the country on the early arrival of inclement weather this year. I am sure the Taoiseach has received similar letters. One old lady said she had to spend most of the week in bed because of a lack of heating in her home in a County Cork town. The €9 per week fuel allowance which has not been increased since 2002 until today has been fairly paltry.

Does this measure have anything to do with harmonisation, North and South? I believe the International Monitoring Commission reported on the laundering of fuel North and South and so on and made specific proposals in that regard. I am curious to know if that has been a factor in the thinking behind this resolution or if it is considered that it might make that practice more difficult.

Mr. Gormley: The Green Party welcomes this resolution. Like Deputy Rabbitte, my colleague, Deputy Eamon Ryan, wondered if it had anything to do with the smuggling operations which take place. I assume it is also to help people, particularly the elderly, who find it difficult at this time of year. We are having a very severe winter already.

The Green Party wanted to see this Government embrace eco-taxation and energy taxes. As the Taoiseach may well know, the ESRI has clearly outlined how this can be done and how it can assist those on lower incomes. That is why the Combat Poverty Agency has welcomed these measures. In the long-term, I would like this Government and future Governments to introduce measures which assist householders in reducing their heating bills by providing better insulation in homes and by investing more in solar panels which would pay for themselves over a period of years. That is the type of innovation the Green Party would like but, regrettably, it has not happened.

This budget has tinkered around with energy saving measures. The Minister has gone a little bit down the road in regard to biofuels. The budget has been disappointing overall in terms of what has been achieved. We should look at what Gordon Brown has done in the United Kingdom where one can get reductions if one invests in energy saving devices. That has not happened and, unfortunately, it is short-sighted.

As the Taoiseach knows, we had a debate last week on climate change, which we need to combat. The committee this Government set up has stated clearly that houses in this city which are not 4 m, or 12 ft, above sea level are vulnerable to flooding, so we have a hell of a lot to do. As the Budget Statement outlined, this is the biggest ecological challenge we face. Much more must be done, and more innovation would be very welcome.

Caoimhghín Ó Caoláin: I welcome the proposition in Financial Resolution No. 1 and any move towards the harmonisation of prices for home heating oils, North and South. This will be welcomed by consumers south of the Border. I want to see harmonisation of prices among a raft of other considerations on an island-wide basis. The reduction of almost 50% in the excise duty on kerosene from €31.74 to €16 per 1,000 litres and of just over 50% on liquified petroleum gas from €20.86 to €10 per 1,000 litres is a welcome and substantial reduction in the excise duty. Is this the first step or is it the only one towards the harmonisation of rates applying North and South because I am of the view more needs to be done? Will the Taoiseach outline that detail? I would have preferred a situation in which the difference was eliminated.

While this will be welcome from a consumer point of view, a critical issue was not taken on board in the Minister's Budget Statement which relates to the same area, namely, home heating fuels. The fuel allowance has been increased from €9 to €14 per week with effect from the first week in January. While the increase is welcome, although it should have been doubled to €18, there is another very important factor, namely, oil delivery companies will not make a delivery worth less than €200 and sometimes more depending on what part of the country in which one lives. Many senior citizens in local authority tenancies converted to oil-fired central heating who heretofore only received €9 per week would have to wait X number of weeks before being able to pay €200. Could they always have soundly set aside that €9 in order to accumulate the minimum price payable for a delivery of oil? One can see the difficulty. The allowance will increase to €14. I wish it were more, but whatever the level of increase, it should be paid upfront. It might be best paid in a credit form so that it would then be spent on what it was intended for, and that heating would be the consequence of the provision. Unfortunately, in some cases, it is not always the result and for the very reason that I have explained in regard to the minimum delivery levels that oil distribution companies operate. Perhaps in the Taoiseach's neck of the woods the minimum delivery is at an even higher level than in my constituency.

I urge the Taoiseach to take this on board. It is not sufficient to increase the fuel allowance, it

must also be brought forward as an upfront payment which would be made at the outset. It should be paid in advance over X number of weeks so people can afford to have a delivery of the fuel of their choice appropriate to their needs. I welcome the measure and I would appreciate if the Taoiseach would explain if further steps are intended.

Mr. Naughten: Will the Taoiseach clarify the figures? The briefing note presented by the Department states that in a full year the cost of the allowance is €24 million which is approximately €3 million more than the Taoiseach stated. In 2007 the cost is estimated at €46 million. This is the lower end of the reduction at €24 million so it should be higher than €46 million over the two-year period. One of the main reasons for this measure is fuel laundering across the Border. The measure is commendable from that point of view but I regret that other home heating fuels have not been included. Green diesel is used in many parts of rural Ireland. The omission of a reduction in excise duty on diesel is a disappointment, both from the point of view of households and agriculture. There was a golden opportunity to encourage the blending of up to 3% biofuel in home heating oils as a mechanism to incentivise and stimulate the biofuels sector. It is a disappointment that this option was ignored in the budget.

Deputy Ó Caoláin is quite correct about the cost of a minimum delivery. Surely the Department of Social and Family Affairs could put in place a structure where the allowance of €14 per week could be paid directly to oil companies. Many oil companies have easy pay systems in place. Would the Department of Social and Family Affairs look at this as an option if people want to go down that route? In the long run such an approach would pay for deliveries of oil.

Mr. Durkan: I give a guarded welcome to this proposal on the basis that it reflects a response to a need. However, the response is not enough due to the degree to which fuel oil prices have increased, particularly over the past year. The cost of home heating oil has increased by almost 30% in the past 12 months. Other speakers referred to people on a fixed income who have great difficulty in meeting their household heating requirements in respect of oil. This measure, unfortunately, does not reflect the needs in regard to this issue.

My colleagues already referred to the fact that the single biggest way of making a saving in terms of home heating oils and other fossil fuels is by way of conservation and insulation of domestic dwellings, public buildings and offices. Notwithstanding other provisions in the budget on biofuels, the measures outlined fall far short of what is required at this time by way of encouraging alternative energy. I regret the missed oppor-

[Mr. Durkan.]

tunity to make a greater declaration of intent in this area and to address existing concerns.

Transport costs have increased at a phenomenal rate in the past 12 months. Every commodity delivered depends on transport. Road diesel costs have increased dramatically in the past year. This concession could easily have been extended to this area. The counter argument that will be put forward is that if one reduces excise duty it encourages oil companies to increase their share of the take but the fact is that consumers are at the end of the line and whatever concessions are made will in some way be reflected in what they pay. Given that such a heavy cost is placed on consumers in general and the industrial sector in particular, and since society depends on transport to such an extent, it would have been innovative and beneficial to the economy if some indication were made as to what might happen in the event of oil prices increasing further. Deputy Paul McGrath referred to road hauliers who are increasingly finding it difficult to make a living. Fuel costs are one of the major factors that have a bearing on their income.

I welcome the concession that has been made, which aims to address the issue of smuggling and, to a certain extent, global warming, to which my colleagues also referred. Oil imports and conservation need to be addressed in the energy Bill, to which I referred on several occasions in recent weeks, in a much more dramatic fashion than has been the case in the budget.

The Taoiseach: In reply to Deputy Rabbitte's question, the windfall for the State from increases in oil prices arise in regard to VAT not excise duty. The overall effect may not be as big as people think from their expenditure on other goods on which VAT is paid.

The difference in fuel prices between the North and South is a factor. There is no excise duty in the North on kerosene and LPG. VAT on fuel prices is 5% in the North as opposed to 13.5% here. Fuel prices have been driven by a number of factors, only one of which is excise tax. In this instance, we have moved to use our power to reduce the price to consumers. The cross-Border price differential which has been mentioned by a number of Deputies was an issue. There is a significant degree of illegal activity in fuels and apart from the obvious benefits to the consumer, a reduction in activity in this area should be an added bonus.

My officials will observe prices. They encourage consumers to seek the best price. Those who do not pass on price reductions will lose business. I assure Deputy McGrath there will be monitoring of this area.

The reason for the differential in prices is that the €24 million in 2006 includes the second half of the phasing to zero from December 2006. The

€21 million only includes the costs attached to this resolution.

Deputy Gormley will appreciate that a large biofuels package was announced in the budget. I accept what he said but we have moved in the right direction. As for moving further in future, that is a matter for examination every year on the basis of the annual examination of the Estimates.

On the basis that most heating fuels, for example electricity and natural gas, are not subject to excise, the Government considered it appropriate to move towards zero rating for home heating fuels over the next few years. We have said that the aim is to move on this, so we have given that indication. The measure will help to alleviate the problem faced in particular by suppliers in Border counties due to zero rating in the North. In the case of kerosene, for example, from tomorrow, the VAT inclusive price of a standard delivery of 1,000 litres will fall by almost €18, with the price falling in total by around €36 per 1,000 litres when the full excise tax is removed. In the case of LPG, the reduction will be slightly more than €12 from tomorrow and almost €24 per 1,000 litres when the full excise is removed.

An Leas-Cheann Comhairle: The time permitted for this debate has expired, so I am required to put the following question in accordance with an Order of the Dáil of this day: "That the motion for Financial Resolution No. 1 is hereby agreed to."

Question put and agreed to.

Financial Resolution No. 2: Income Tax.

The Taoiseach: I move Financial Resolution No. 2:

(1) THAT, as respects the year of assessment 2006 and subsequent years of assessment, the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended in subsection (2) of section 18 by substituting the following for paragraph (f) of Case III of Schedule D:

"(f) income arising from possessions outside the State except, in the case of income from an office or employment (including any amount which would be chargeable to tax in respect of any sum received or benefit derived from the office or employment if the profits or gains from the office or employment were chargeable to tax under Schedule E), so much of that income as is attributable to the performance in the State of the duties of that office or employment;"

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

I will take Financial Resolutions Nos. 2 and 3 together for the subject of the debate.

Financial Resolution No. 2 is on income tax. It changes the tax treatment of certain earnings covered by the remittance basis of taxation, a basis which applies in circumstances under the current system. Where an employee, although resident and employed in the State, is either not domiciled or not ordinarily resident in the State, he or she may avail of the remittance basis of assessment in respect of income from a foreign contract of employment other than United Kingdom employment. This confines his or her tax liability on the earnings on such employment to the amount remitted to the State in the tax year. Earnings that are paid outside the State or the United Kingdom and are not remitted into the State are not liable for tax here. That is the present system, which used to be a limited system mainly for some of our people who were domiciled abroad. It was a narrow issue. When I was in that job, only a handful of people used to benefit from it.

In recent years, however, there has been increasing use of the remittance basis in the tax planning of remuneration packages. The Revenue Commissioners have indicated that the remittance basis is now being increasingly used in a wide variety of enterprises. In many instances, although categorised for tax purposes as covered by foreign contracts of employment, the duties of the employment are actually performed mainly, if not wholly, in the State. The individual is here to work but the payroll is going elsewhere. They are given what is needed for essentials here and only pay taxes on that. This is now being widely used. For example, use of the remittances basis appears to be a feature of many construction companies which use non-domiciled workers.

Mr. Durkan: Ferry companies, perhaps.

The Taoiseach: Yes. It is also being availed of by returning Irish expatriates working here during the three year period after a return, during which they are not ordinarily resident in the State. The remittance basis of assessment is of long standing and was intended originally for genuine foreign income. However, there is increasing evidence of residents who are either not domiciled or not ordinarily resident here arranging their affairs so that they can avail of the remittance basis, with a clear objective of reducing their tax liabilities.

While technically the income concerned may be treated as sourced abroad because of foreign contractual arrangements, in substance it is Irish income because it is earned for work done here. It is the reason why people are seeing a high number of workers without the corresponding income tax revenues, an issue which has been discussed for the past few years. It is no longer acceptable that taxpayers should be able, by such

artificial arrangements, to avail of the remittance basis to reduce their tax liabilities in respect of their employment income. Therefore, the resolution before the House proposes to abolish the remittance basis of assessment in respect of employment earnings to the extent that those earnings are attributable to the performance of the State of duties of the employment.

The change will ensure equality of treatment for tax purposes for all Irish resident employees, regardless of nationality. The change will take effect from 1 January. The yield from the measure is estimated at more than €50 million in 2006. I recommend the resolution to the House.

Financial Resolution No. 3 also concerns income tax. It is a curtailment of relief on loans used for acquiring interest in companies. The resolution will re-focus the relief which is available to individuals in respect of interest paid on loans used for the purpose on acquiring an interest, either by way of equity or loan capital, in certain companies. At present, the relief covers both trading companies and rental companies, that is, companies in which income arises wholly or mainly in the form of rents or other income from property.

The relief was examined as part of the review of certain tax incentive schemes and exemptions that were announced on this day last year by the Minister, Deputy Cowen. The original objective of this tax incentive was to encourage economic activity and employment by assisting those involved in companies to invest in those companies. The review of the relief found that the relief for interest costs of investing in rental income companies is not effective, at this stage, in achieving its original objective.

Like all significant tax reliefs, this one can be the subject of tax planning attempts. What is new? There is evidence that the relief, particularly as it applies to rental companies, has been used to fund the acquisition of overseas properties, where people can individually or collectively buy a property abroad and claim the interest relief on that against their entire incomes here. Obviously, this was not intended, so we have introduced this resolution to the House and propose to deal with the abuse by excluding rental companies from the ambit of the relief altogether. Loans taken out after today will accordingly no longer qualify for relief.

I should point out that existing loans are not affected by the change because they have already been dealt with and one cannot have retrospective taxation. Nor are loans applied to acquire interest in trading companies, which will continue to qualify for what was the original issue. It is the close down of what was there. The yield from this measure is estimated to be negligible in 2006 and €5 million in a full year. I commend the resolution to the House.

Mr. P. McGrath: I am amazed at the amount of money involved in these two small resolutions, which seemed insignificant when put on the Order Paper this evening and outlined in the budget document today. However, it is staggering that one will yield €100 million in a full year.

The Taoiseach: That is the estimate.

Mr. Durkan: It is conservative.

Mr. Naughten: Could we bring another Financial Resolution forward?

Mr. P. McGrath: A couple of questions arise from the matter. With regard to the approximately 200 people who earn in excess of €200,000 per annum but pay no income tax whatsoever, are they among those who will be closed down by this measure or do they form part of a different category covered by capital allowance?

I was told that this measure is aimed at executives of some of the big foreign companies based here which employ a lot of people, mainly in the Dublin area. Some of the chief executives of these major multinational companies earn high incomes, which are paid to them abroad. Are they among the people being referred to and, if so, will there be consequences from that? If company A plans to expand here and will need three or four more executives, is it likely that it will continue to expand or establish a new plant here or is it likely to say, "to Hell with that crowd over there", because we have caught up with it, and disappear or otherwise with possible job losses? Are those the kind of people who will mainly be involved, or will it be the companies here involved in PPPs, who have executives in Ireland on a temporary basis, perhaps building a road, and paying part of those people's salaries here and part abroad?

I would like the Taoiseach to clarify this matter. I know he does not want to name in the House the particular companies or executives being targeted, and I would not expect him to. However, the Taoiseach might give us some sort of profile of these people so we know exactly what is involved.

Mr. Rabbitte: Like Deputy McGrath, I have been taken aback by the scale of this matter. I welcome the first of these two motions but am taken aback by the apparent extent involved. There is reference to income arising from possessions outside the State. As I understand it, "possessions" means income arising from any source, and according to the note provided to me by the Chief Whip, the tightening up envisages a yield of €50 million next year, €75 million in 2007 and €100 million in a full year. I must be forgiven for being dense but I do not understand that. If the figure for 2007 is €75 million, what is meant by €100 million in a full year? I thought we were talking in calendar year terms in this instance.

A figure of €50 million is envisaged for 2006. In section A.25 of his speech today, the Minister for Finance said that the ending of the scheme in question should save the State up to €100 million per year in lost income tax revenue. There is probably a very simple explanation for the figure being given as €60 million for next year while the Minister gave a figure of €100 million in a full year. Can the Taoiseach clarify this point?

As Deputy McGrath noted, the puzzle lies in whether we are referring to a number of very highly paid executives of international companies or talking of a great number of employees if the yield could be up to €100 million. Given that one is not domiciled in this State and not ordinarily resident in this State, that must imply that in most cases one arrived with the company and one's country of domicile is the United States, Germany or wherever. One is not an Irish citizen domiciled in this State, and so on. I did not know there were that many people involved, unless of course as Deputy McGrath said, we are talking of a finite number of very high earners.

In any event, the move is very welcome. I am interested in the Taoiseach's point that it partially explains that apparent discrepancy whereby the numbers at work have been expanding more or less exponentially for a dozen years, while the income tax receipts do not seem to reflect that. It would be interesting to know if the Department of Finance has made a stab at establishing roughly what proportion of that gap it explains.

I have no difficulty with the second motion. The ingenuity of the tax advice industry never ceases to amaze me. I saw a spokesperson for that industry speaking on television recently, a person with whom Deputy Ardagh and myself are familiar, and that industry's ability to see a loophole in a new scheme seems unlimited. The purpose there was obviously not to acquire overseas property in the manner suggested by the Taoiseach.

I will again feign stupidity and ask about the original intention of the scheme. The Taoiseach said it was to generate economic activity but I am not quite sure if we were facilitating high net worth individuals in taking an equity stake in a company which manages a property portfolio—

The Taoiseach: In their own company. It would facilitate them in investing in their own company.

Mr. Rabbitte: I see. I notice that the yield is negligible. I fully understand it cannot be retrospective but that in a full year it is estimated to bring in about €5 million. I am happy to support that resolution.

Mr. Sargent: We are following through here on a standard practice of coming to these resolutions for the first time and naturally, the surprise being expressed is on the basis that we have not been discussing or expecting this particular financial package.

That brings me to a valid question. The Committee of Public Accounts, to which Deputy Rabbitte was central, supported by Deputy Boyle of the Green Party, brought in guidelines asking that the budgetary process involve consultation in advance, so that there could be more pooling of experience, with hopefully a better outcome to the process, rather than simply being bounced into discussions without the prior information being available to us. I know the various Oireachtas committees will be more involved in the process but I would like to know if the Taoiseach has taken stock of those guidelines and has a view on the matter.

The resolution we are discussing probably arises from the Department of Finance's public consultation on reducing tax avoidance by high earners. Is that from where the incentive comes? Will the Taoiseach outline whether he is going to take note of the advice, which seems to be that when an incentive is being questioned and assessed, the cost benefit analysis should be published so people can take into account the full economic, social and environmental costs? That would bring a level of transparency which for no good reason is missing.

Will the Taoiseach accept the advice that these reliefs should be limited in terms of time, rather than being established at budget time, on a whim, so to speak? Will he outline if the measures he is announcing now are on the basis of practice in other countries? I know, for example, that the US authorities are quite careful to ensure that money earned by US citizens makes a return to the US exchequer. Where is the Taoiseach's advice coming from with regard to this resolution? Is it based on best practice in other countries? Can the Taoiseach make comparisons in that regard?

Although we are being given an indication that money will flow to the Exchequer on the basis of this resolution, will the Taoiseach look again at the maximum tax relief threshold which the Government has put in place in this budget? An income threshold of €250,000 seems quite high. In terms of defining high-income earners, €100,000 would be considered by many to be a good wage. Will the Taoiseach reconsider the €250,000 threshold, which seems to indicate a willingness to accept the wide gap between rich and poor which has grown in recent years?

Caoimhghín Ó Caoláin: I indicated that I wished to speak.

An Leas-Cheann Comhairle: I have called Deputy Ardagh.

Caoimhghín Ó Caoláin: I understood the procedure was the same as for Committee Stage of a Bill.

An Leas-Cheann Comhairle: It is Committee Stage.

Caoimhghín Ó Caoláin: The Opposition voices are usually taken first on Committee Stage. That is the precedent. However, I have no problem in following Deputy Ardagh.

Mr. Ardagh: I understood this was equivalent to Second Stage.

Caoimhghín Ó Caoláin: No, it is Committee Stage. Deputy Ardagh, as Chairman of an Oireachtas committee, should know this. I am pleased for him to continue, however. It is only a side issue.

Mr. Ardagh: There are usually amendments on Committee Stage but these are merely resolutions.

Mr. Sargent: We were told it was Committee Stage.

Caoimhghín Ó Caoláin: We are merely telling the Deputy the facts.

Ms McManus: We had better be nice to Deputy Ardagh.

Mr. Ardagh: I very much support Financial Resolutions Nos. 2 and 3.

Mr. Rabbitte: I support Deputy Ardagh's nomination also.

Mr. Durkan: It is based on his past performance.

Mr. Kenny: He was always a man who admits the truth.

Mr. Ardagh: In his contribution, Deputy Rabbitte said there was something he did not know. That was unusual.

This is an activation budget the purpose of which is to get people back to work and to ensure everybody pays their fair share of tax. In this regard, it is interesting to note that the budget is concerned not only with ensuring that people domiciled abroad who make their income in Ireland should pay income tax here. It also aims to ensure more old age pensioners get an opportunity to enter the workforce by allowing them to earn up to €100 per week before their pension is affected. The threshold for single parents has increased by another €82 a week to €375. This will allow more tax to be paid by people on small incomes. Moreover, the income disregard for carers has gone up by €20 for a single person and €40 for a couple. A couple can earn €580 per week and still qualify for the carer's allowance.

Mr. Rabbitte: How does this relate to motions 2 and 3?

Mr. Ardagh: It is relevant in the overall context of how much tax people will pay. When couples

[Mr. Ardagh.]

who provide a caring role or single parents earn as little as €580 or €375 respectively, they are within the tax net. Just as they are prepared to pay tax, it is incumbent on the person domiciled abroad to pay a fair share. Carers will now be able to work up to 15 hours per week.

An Leas-Cheann Comhairle: I ask the Deputy to confine himself to the two resolutions before the House.

Mr. Ardagh: I am trying to do that.

An Leas-Cheann Comhairle: The Deputy is speaking in a general way on the budget. His remarks are more appropriate to the budget debate than to the discussion on these resolutions.

Mr. Durkan: Aspiring Ministers tend to wander.

Mr. Ardagh: I will take on board what the Leas-Cheann Comhairle has said. In regard to Financial Resolution No. 2, Deputies Paul McGrath and Rabbitte have expressed their astonishment at the figures. I too am astonished. It is fortuitous that the Minister for Finance has clamped down on this now rather than in three years' time. It is important the staff of the Department of Finance have the resources, confidence and ability to clamp down on this type of tax avoidance system and ensure that those people who work in Ireland pay the correct amount of tax.

We have all seen newspaper reports in the last eight or ten months detailing the numbers of properties bought by Irish people abroad, mainly in London but also elsewhere in Britain, eastern Europe and Canada.

Mr. Durkan: They have also bought property in Dublin.

Mr. Ardagh: Financial Resolution No. 3 attempts to try to deal with this issue. Relief has heretofore been available on the interest on the loans used to buy the shares in these property rental companies. It is appropriate that this interest relief is disallowed. The estimated yield for 2007 in respect of this resolution is €5 million. Given the extent to which major property magnates are purchasing properties abroad, I am sure we could have lost far in excess of this sum. The Taoiseach said this is only an estimate and I suggest €5 million is a very conservative figure. I support Financial Resolutions Nos. 2 and 3.

Caoimhghín Ó Caoláin: I suspect, contrary to the supposition of earlier speakers in this debate, that those who have heretofore qualified under the remittance basis of taxation are not all non-nationals. The reality is that many are Irish citi-

zens who have been able to configure their arrangements in such a way as to benefit under this arrangement. I welcome this measure because it is clearly geared towards addressing a serious situation. I acknowledge the Taoiseach's point that these are estimates. We must wait and see. The intent is good, however, and there should be a broad welcome for it.

I ask for clarification on one point in the short briefing prepared by the Department of Finance for this debate. The first paragraph states the remittance basis of income taxation "applies at present to individuals resident here who are either not domiciled or not ordinarily resident in the State" and provides that such individuals are "liable to Irish income tax only on that portion of their income arising outside the State or the United Kingdom that is remitted here". Will the Taoiseach clarify that income apart from the remittance approach to payment that is earned here is fully taxable? The wording might suggest otherwise.

The Taoiseach: Yes, such income is taxable.

Caoimhghín Ó Caoláin: The Department officials will acknowledge that this interpretation is valid.

In regard to Financial Resolution No. 3, the change in respect of tax relief for interest on personal loans applies only in the area of loans taken out to acquire an interest in property rental income companies. The tax relief for interest on personal loans in regard to other business and investment opportunities is maintained. It is my understanding that it is only in this particular area that the change is proposed. Will the Taoiseach confirm this is the case? Although it seems to be small fry in terms of the overall return, I commend the effort to close off any such abuse.

Mr. Durkan: I require clarification on a point. Given the substantial amount of money accruing from Financial Resolution No. 2, will it have any negative impact on, for example, United States, German, other European or non-European companies operating here? If so, can the Taoiseach quantify precisely what that impact will be? I ask that question because there seems to be a large and increasing amount of money involved. It could be that the estimate in this case is on the conservative side, as was the case with some of the Department of Finance's estimates in the past. We might have learned by this time next year that the amount of the money involved is much more substantial.

I am particularly concerned about the many US companies which have invested here and provide significant employment. I would like the Taoiseach to tell the House whether this proposal will affect in a negative way companies of that nature which have further and ongoing investment plans. If so, has that impact been examined? To what extent will such companies be affected?

There are many investors, including Wyeth, Hewlett-Packard and Intel, offering substantial employment in my area. They are all good employers which pay well. Will this proposal impact negatively on such companies' management personnel, who might not be domiciled here? Such people might be on loan from a parent company outside the State, for example. I am also concerned about employees who are domiciled here, but spend part of their time in other countries, such as the United States, Germany or Israel, where some of the multinational corporations in question have subsidiaries. It is important to be able to reassure such investors that this proposal will have no negative impact on them and that it will not offer them any disincentive. We need to be able to tell such people that they will not have to take any restrictive measures as a result of this proposal.

The Taoiseach: Can I respond to that set of questions before I leave? The Tánaiste will take over from me. A number of issues have been raised. I was asked to say what is the remittance basis of taxation. Individuals who are resident here, but who are not Irish-domiciled or not ordinarily resident here, pay tax here on the full amount of their Irish-sourced or UK-sourced income and also on that part of their foreign income — their non-Irish and non-UK income — that is brought into the State. That is the remittance basis of taxation.

Deputy Sargent asked about where the proposed level comes in. The examination showed that the difficulties and problems are caused by high earners — people earning over €250,000 per annum. The Revenue Commissioners' examination showed that there are some problems in that regard. That is why that figure was chosen. Such people were paying and doing things as per order.

The Revenue Commissioners stated in their report on the 400 individuals with the highest incomes that certain individuals have been using the relief for interest on loans to acquire interests in various companies. That relief was included in the general review of tax reliefs for that reason.

I assure Deputy Rabbitte that an employment under a foreign contract is deemed to be a foreign possession for tax purposes if the pay point is outside the State. The difference in figures can be attributed to the fact that the remittance basis has been more widely used. It is quite obvious that its extension and stretching out have been increasing. The figures are different because they are providing for a growing trend. The figure of €100 million is not based on the estimates for 2006 or 2007, but on a progression of increases in abuse. That is why there will be a yield of €50 million and then of €75 million. As I have said, they are estimates. The remittance basis has no effect on high earnings. It primarily affects non-

Irish domiciled persons. I will return to the question of who it will affect.

I was also asked about interest relief. The original intention of interest relief in the 1970s was to encourage investment in companies and job creation by assisting employment-creating companies in the State. We can longer easily distinguish between investment here and investment elsewhere in the EU. The relief has been restricted to investment in trading companies to stop it from going primarily to foreign property investment. It is easier to tie it down that way. Interest relief of 66% was obtained by persons with incomes in excess of €200,000. The remittance basis is relevant to the top 200 earners.

The Minister said in his Budget Statement that he proposes “to publish all the relevant reports reviewing these various tax reliefs in time for the Finance Bill”. The remittance basis will also apply to Irish nationals who have come back after being abroad for several years. They will be able to use it for a three-year period.

In the 1980s, when income tax rates were very high, senior employers used different means and mechanisms of being paid through God knows where to get reliefs here. That was a standard enough practice at that time. Our current tax rates are very attractive internationally. I hope no employers are behaving in the manner suggested. In any event, the last two heads of Intel, for example, were Irish. The phenomenon of senior people in our top companies, such as Dell, being Irish is increasingly notable. It was not that way when tax rates were high. There is an attraction. If senior people are operating in the manner that has been highlighted — Deputy Paul McGrath was right to suggest that some senior people are probably finding that they can do it on that basis — they should not be doing so, in my view. Why should people who are earning €300,000 or €400,000 get away with organising their affairs through Germany and paying a few euro here for their bed and breakfast and their dinner? The person down on the bottom floor, who is looking after the door and watering the plants, is paying tax, so *que sera*—

Mr. Kenny: He or she could be looking after hanging baskets.

The Taoiseach: Yes. I am sorry for them, but they should look after their affairs. I cannot see, subject to the great wisdom of the people on the right, how we can draw up a system — I would not ask them to do so — in which we would try to include such people. The tax system is based on the principle of equity — that is my point. Deputy McGrath is right to point out that there are some people there.

Mr. Cullen: It is a question of fairness.

The Taoiseach: It is about fairness. If some people get on to me tomorrow, I assure the

[The Taoiseach.]

House that they will not get much from me. I do not think they—

Mr. Durkan: Does the Taoiseach think they are likely to get on to him?

The Taoiseach: They might not get on to me—

Caoimhghín Ó Caoláin: The Taoiseach is living up to his name—

The Taoiseach: —but they will get on to other Deputies.

Caoimhghín Ó Caoláin: —as the great socialist.

The Taoiseach: In fairness to Deputy McGrath, one of them was on to him already.

Mr. Durkan: I am anticipating what might happen.

The Taoiseach: I said that one of them was on to Deputy McGrath already.

Mr. Durkan: It might be even worse, and the Taoiseach might have to anticipate it as well. I suspect from the Taoiseach's body language that not every aspect of the implications of the proposal has been fully examined.

The Taoiseach: It has been examined.

Mr. Durkan: I am not so sure.

The Taoiseach: If one is paid in Ireland, one pays one's tax in Ireland in line with the Irish rates. If one is getting one's €400,000—

Mr. Durkan: That is not the issue.

The Taoiseach: It is the issue.

Mr. Durkan: It is not the issue.

The Taoiseach: If one is getting one's €400,000 in Ireland, one will not put €360,000 of that through Germany and pay tax on the rest in Ireland.

Mr. Durkan: Will it impact negatively on the firms?

The Taoiseach: No.

Mr. Rabbitte: Does that mean that we will be able to change the view of the EU Commissioner, Mr. McCreevy, on the services directive?

The Taoiseach: Deputies Rabbitte and Sargent asked whether this is just related to high earners. No, it is not. It is clear from the report of the

Revenue Commissioners that schemes and arrangements which are used on a remittance basis are in place in a wide range of sectors, including the IT, banking, insurance, pharmaceutical, pharmacy, mining, fishing and construction sectors. They are arranging their systems. It is probable that an agent or a company is taking a few hundred employees, possibly including people who have nothing to do with it, and paying them abroad.

Mr. Durkan: I was not talking about that kind of company.

The Taoiseach: That is what is going on.

Mr. Durkan: Yes.

The Taoiseach: I am not saying anything else.

Mr. Durkan: I am not referring to that kind of company.

The Taoiseach: That is what is going on. That is what the resolution is about.

Mr. Durkan: So it will not affect the people to whom I have referred.

The Taoiseach: It will not affect the people about whom the Deputy is speaking if they are paying it on the equitable basis on which they should be paying their taxes in Ireland. Did the Deputy ask about US employees?

Mr. Durkan: Yes. I also asked about Irish people who go to the US and return here after training.

The Taoiseach: That is restricted to pay remuneration for work done in the State. To the extent that foreign executives are paid for foreign duties or paid for their salaries, they will not be affected. If some of them are using it, what they will do in those companies is that they will restructure their remuneration package for the executive and then we will get our share of it in Ireland. The system has been abused. As Deputy Rabbitte said earlier, as always there is no end to what people see. Remittance was a very tight definition for a very tight group and now because there is a lot of movement in the country with a large number of people coming in, they have structured it in a way that they just get the bread and butter money paying tax here and the rest is paid elsewhere. I hope there is no special fee and they should not be listened to anyway.

Financial Resolution No. 2 agreed to.

Financial Resolution No. 3: Income Tax.

The Taoiseach: I move:

(1) THAT section 248 of the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended—

(a) in subsection (1)(a), by substituting, as respects a loan which is made after 7 December 2005, the following for subparagraph (i):

“(i) a company which exists wholly or mainly for the purpose of carrying on a trade or trades, or”,

and

(b) by inserting the following after subsection (1):

“(1A) Subsection (1)(c) shall not apply to a loan made after 7 December 2005 which is applied in paying off another loan applied in acquiring ordinary share capital in, or making a loan to, a company whose income consists wholly or mainly of profits or gains chargeable under Case V of Schedule D unless—

(a) the loan does not exceed the balance outstanding on, and

(b) the term of the loan does not exceed the balance of the term of,

the loan being paid off.”.

(2) IT is hereby declared that it is expedient in the public interest that this Resolution shall have effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

Financial Resolution No. 3 agreed to.

Financial Resolution No. 4: Income Tax.

Tánaiste and Minister for Health and Children (Ms Harney): I move:

(1) THAT, as respects the year of assessment 2005 and subsequent years of assessment, Part 30 of the Taxes Consolidation Act 1997 (No. 39 of 1997) be amended by inserting, in Chapter 4, the following after section 790A:

790AA.—(1)(a) In this section—

‘administrator’, in relation to a relevant pension arrangement, means the person or persons having the management of the arrangement, and in particular, but without prejudice to the generality of the foregoing, references to the administrator of a relevant pension arrangement include—

(i) an administrator, within the meaning of section 770(1),

(ii) a person mentioned in section 784, lawfully carrying on the business of granting annuities on human life, including the person mentioned in section 784(4A)(ii), and

(iii) a PRSA administrator, within the meaning of section 787A(1);

‘excess lump sum’ has the meaning assigned to it by paragraph (d);

‘lump sum limit’ means €1,250,000;

‘relevant pension arrangement’ means any one or more of the following—

(i) a retirement benefits scheme, within the meaning of section 771, for the time being approved by the Revenue Commissioners for the purposes of Chapter 1,

(ii) an annuity contract or a trust scheme or part of a trust scheme for the time being approved by the Revenue Commissioners under section 784,

(iii) a PRSA contract, within the meaning of section 787A, in respect of a PRSA product, within the meaning of that section,

(iv) a qualifying overseas pension plan within the meaning of Chapter 2B,

(v) a public service pension scheme within the meaning of section 1 of the Public Service Superannuation (Miscellaneous Provisions) Act 2004 (No. 7 of 2004),

(vi) a statutory scheme, within the meaning of section 770(1), other than a public service pension scheme referred to in paragraph (v);

‘specified date’ means 7 December 2005.

(b) (i) For the purposes of this section, a reference to a lump sum is a reference to a lump sum that is paid to an individual under the rules of a relevant pension arrangement by means of commutation of part of a pension or of part of an annuity or otherwise.

(ii) Without prejudice to the generality of subparagraph (i), the reference in that subparagraph to the commutation of part of a pension or of part of an annuity, shall, in a case where an individual opts in accordance with section 772(3A) or, as the case may be, section 784(2A), be construed as a reference to the commutation of part of the pension or, as the case may be, part of the annuity which would, but for the exercise of that option, be payable to the individual.

(c) For the purposes of this section, references to a lump sum that is paid to an indi-

[Ms Harney.]

vidual include references to a lump sum that is obtained by, or given or made available to, an individual and references to a lump sum which was, or has, or had been paid to an individual shall be construed accordingly.

(d) For the purposes of this section, the excess lump sum, if any, in respect of a lump sum that is paid to an individual on or after the specified date (in this paragraph referred to as the “current lump sum”) shall be—

(i) where no other lump sum has been paid to the individual on or after the specified date, the amount by which the current lump sum exceeds the lump sum limit, and

(ii) where before the current lump sum was paid, one or more lump sums had been paid to an individual, on or after the specified date (in this paragraph referred to as “the earlier lump sum”), then—

(I) where the amount of the earlier lump sum is less than the lump sum limit, the amount by which the aggregate of the amounts of the earlier lump sum and the current lump sum exceeds the lump sum limit, and

(II) where the amount of the earlier lump sum is equal to or greater than the lump sum limit, the amount of the current lump sum.

(e) For the purposes of paragraph (d)—

(i) a lump sum (in this subparagraph referred to as the first-mentioned lump sum) shall be treated as paid before another lump sum (in this subparagraph referred to as the second-mentioned lump sum) if the first-mentioned lump sum is paid before the second-mentioned lump sum on the same day, and

(ii) a lump sum shall not be treated as paid at the same time as one or more other lump sums and, where but for this subparagraph they would be so treated, the individual to whom the lump sums are paid shall decide on the order in which they are to be deemed to be paid.

(2) Subject to subsection (4)—

(a) where a lump sum is paid to an individual on or after the specified date, the excess lump sum, if any, shall be regarded as a payment to the individual of emoluments to which Schedule E applies, and, accordingly, the provisions of Chapter 4 of Part 42 shall apply to any such payment, and

(b) the administrator of a relevant pension arrangement shall deduct tax from the

payment at the higher rate for the year of assessment in which the payment is made unless the administrator has received from the Revenue Commissioners a certificate of tax credits and standard rate cut-off point or a tax deduction card for that year in respect of the individual referred to in paragraph (a).

(3) Subsection (2) of section 787G shall apply in respect of any income tax, being income tax deducted from an excess lump sum by virtue of subsection (2) of this section, by an administrator of a relevant pension arrangement of a kind described in paragraph (iii) of the definition of relevant pension arrangement in subsection (1)(a), as it applies to income tax referred to in subsection (2) of section 787G.

(4) Where a lump sum is paid to an individual, on or after the specified date, under the rules of a relevant pension arrangement of a kind described in paragraph (iv) of the definition of relevant pension arrangement in subsection (1)(a), the excess lump sum, if any, shall be charged to tax under Case IV of Schedule D for the year of assessment in which the lump sum is paid to that individual.

(5) Subsections (2) and (4) shall not apply to a lump sum that is paid to a widow or widower, children, dependants or personal representatives of a deceased individual.

(6) Section 781 shall have effect notwithstanding the provisions of this section.”

(2) IT is hereby declared that it is expedient in the public interest that this resolution shall have statutory effect under the provisions of the Provisional Collection of Taxes Act 1927 (No. 7 of 1927).

The State encourages individuals to supplement the State pension with private pension arrangements by offering generous tax relief on private pension provision. Tax relief is available for contributions by individuals and employers to a pension fund and the growth in the pension fund is also tax exempt. The cost of these reliefs is not insignificant. The Revenue Commissioners have estimated the cost of tax relief for pension funding as being of the order of €3 billion.

Current rules provide for a maximum tax-free pension lump sum of either 1.5 times final remuneration or 25% of the pension fund, depending on the type of pension arrangement involved or the individual’s position as a proprietary director. However, to date there has been no absolute monetary cap on the amount of tax-relieved pension savings that can be built up in a pension fund and therefore no absolute cap on the amount that can be taken as a lump sum

from a pension, totally tax-free. Tax equity would dictate that there should be a limit on the extent to which the Exchequer should be expected to fund savings towards an individual's retirement through the tax system and, as part of that, towards the provision of a tax-free lump sum.

It is proposed, therefore, to apply an absolute cap of €1,250,000 on the tax-free lump sum from a pension taken on, or after, today. The figure of €1,250,000 derives from 25% of the proposed new maximum tax relievable pension fund of €5 million mentioned in the Budget Statement by the Minister for Finance. While this maximum fund limit may seem high, it needs to be appreciated that the fund required to produce a pension is many multiples of the annual pension that comes into payment. It can be anywhere from 20 to 30 times more, depending on the individual's circumstances.

The lump sum restriction will apply to all pension arrangements, such as occupational pension schemes, retirement annuity contracts, PRSAs, public sector and statutory schemes. The limit will apply both individually to lump sums payable under each of these pension products and in respect of the aggregate of lump sum benefits paid to a single individual from more than one such product. In effect, this means, that under the new rules the maximum tax-free lump sum will be the lower of 1.5 times final remuneration, or 25% of the fund, and the new limit of €1,250,000. The restriction will not apply to "death-in-service" type payments made, for example, to a surviving spouse. Lump sums taken prior to budget day will, of course, be unaffected by the change. Any lump sums taken in excess of the new absolute limit will be subject to taxation at the individual's marginal income tax rate. It is tentatively estimated that this measure will generate a saving to the Exchequer in the region of €5 million or more in 2006.

The limit on lump sums of 25% of the new maximum fund of €5 million will have no impact whatsoever for the generality of taxpayers. It is likely that only a small number of high earners, such as higher paid employees and proprietary directors, will be affected. The measure reflects Revenue data indicating that very large tax-free lump sums were being taken by some. I commend the resolution to the House.

Mr. P. McGrath: We will not oppose this resolution either. It is timely that this should be introduced. Up to now we had total inequity and a certain amount of inequity will still remain regarding investment in pensions. A person aged 50 or more on the average industrial wage of €30,000 can invest 30%, €9,000, in a pension fund tax-free. A person earning €300,000, like those we were discussing in the previous resolution, and who is aged 50 or more, can invest 30%, €90,000,

in his or her pension fund. There is a total inequity in that arrangement.

The restrictions the Government is now imposing will still leave the system strongly tilted towards the very rich. I wonder whether the proposed limit is adequate to balance the inequity that may exist. To what extent has the Government considered the amounts that should be permitted to be invested in pension funds? I understand it takes capital of approximately €1 million to generate income of €60,000 per annum, which is a reasonable amount. The cap the Government is introducing is €1.25 million. We will not be opposing this timely resolution. Perhaps at some later stage when there is a greater awareness of pensions, etc., it might be made more equitable.

Mr. Rabbitte: I did not know the Government was entitled to introduce resolutions just for those in the Bar Library. If it is legitimate I am happy to support it.

Mr. Ardagh: Is the Deputy moving?

Mr. Rabbitte: It is still very generous. As the Tánaiste said it will not have an impact on many people. Quite a number of years ago we first learned that it was possible to get £2,300 per day for a tribunal that we did not expect to last for approximately ten years. The then chairman of the Bar Library, a highly-respected figure, appeared on the "Prime Time" programme to defend these inordinately high earnings.

Ms Harney: I saw the programme and I know the person about whom the Deputy is speaking.

Mr. Rabbitte: During the course of the discussion he explained that £2,300 per day was not at all excessive considering all the costs they had. He said: "Why, only today I had to write a cheque for £58,000 towards my own pension". There are two different worlds that do not collide. This resolution is still quite generous. Of course, I have no intention of opposing it. It is fair.

The budget contains little to incentivise pension savings for the great mass of the people. This is a rather focused resolution to address inequity. While it is overdue, I entirely welcome it. However, on the matter of incentivising, I was somewhat surprised that the Minister made no reference to SSIA's. If he dealt with it, I did not hear it.

Mr. Ardagh: It is a different league altogether.

Mr. Rabbitte: That is true. Nonetheless if the issue is to be addressed by the Exchequer, it needs to be addressed in this budget rather than by whoever introduces the budget this time next year. The whole pensions issue warranted some initiative in that regard. However, that is a wider

[Mr. Rabbitte.]

debate than the terms of this resolution, which we are very happy not to oppose.

Mr. Ardagh: I am happy to support Financial Resolution No. 4. The amount of wealth that has been created here during the past 20 years is amazing particularly for the number of individuals who are extremely wealthy, many of whom have contributed greatly to developments in Ireland, to employment and the capital infrastructure. The whole question of tax equity comes into it. We have been going overboard in giving an unlimited amount of pension contributions, relieved from income tax, to a large number of people who have put millions of euro into their pension fund to acquire properties into the future. Effectively, many of these pension funds are not there to provide an income for the individual but to provide a method of avoiding some form of death duty in passing on their wealth to their successors and heirs in a tax effective and efficient way. It is appropriate that this item is included in the resolution.

The lump sum limit is €1.25 million, which is lower of one and a half times remuneration, 25% of the amount in the pension or €1.25 million. That would mean that one would need remuneration of approximately €850,000 in one's final year to be able to draw a lump sum of €1.25 million. No matter what way one goes, that individual will have a lump sum of €1.25 million and some form of income in excess of €750,000 also, on which he or she pays tax. There was a crying need for this resolution and for something to be done about the massive pension contributions that were allowed against income for tax purposes for wealthy individuals while those who did not have the same resources were effectively paying for that contribution.

On the question of the SSIA's as raised by Deputy Rabbitte, it appears there is something coming down the pipeline. Perhaps it will be included in the Finance Bill. There is a need to encourage people to put money into pension funds for the future.

Mr. F. McGrath: What will one get with €20,000?

Mr. Eamon Ryan: The Green Party is happy to welcome this resolution. It is interesting that each of the speakers from both sides have said, in a sense, that there is a common acceptance of the inequity in our pension system. That we are still and will increasingly spend more in tax foregone than in the provision of State non-contribution pensions is remarkable in terms of income distribution. That 80% of the tax foregone is to the top 20% of taxpayers shows what a massive transfer of wealth we are organising in our pen-

sion system. While I welcome this measure I regret it does not go further.

Speaking on a personal basis, my experience to date with pension schemes is having to pay one. It is a remarkable infringement by the State that the only investment I can make for a pension that will qualify for such generous tax breaks, because of my current income here and the higher tax bracket, is in some kind of a unit fund system over which I have no control and I do not have any choice.

The Tánaiste has spoken in the past about the need for choice and freedom in business decisions. I do not have a choice in regard to my pension contributions. I would like to see a system introduced which allowed greater choice and freedom rather than what has been described by some commentators, such as David McWilliams, as a scam by the financial industry because of the tax breaks being provided. I find that restricts me and my ability to invest for the long-term future as I see fit.

It is interesting that a number of speakers have raised the issue of the SSIA scheme. Whatever about us not commenting on the current scheme I regret we are not looking at a redevelopment, extension or a new version of the scheme which might provide a long-term pension option. It could be on the basis of a ten-year payment on a fixed interest rate or a further 20 year payment on a lower rate of interest which would provide a secure option which the State would back up. This would allow people invest in something other than the current unit trust or other private funds that are available. Such a development that would be welcomed and is one the Green Party has proposed.

While we welcome this initiative it is a sign we are not going far enough and that the basic inequity in our pension scheme remains. That needs to change.

Caoimhghín Ó Caoláin: I feel strongly that it is excessive that 25% of a pension fund can be drawn down as a lump sum, tax free. There is no question that it favours the higher earner group. The broad mass of citizens will never be able to qualify for any benefit in regard to this proposal. Therefore, we are perpetuating inequalities as a consequence.

I seek an assurance on one issue. The restriction will apply to a single lump sum or, where more than one lump sum is drawn down, the aggregate value of those lump sums. As it is the practice in some sectors for deferred pension entitlement-draw down, is there any fear that this allows for deferral into another tax year and that the aggregate position would then be avoided? Is it understood that the aggregate position in regard to a series of draw-downs applies into perpetuity and is not time-limited into any one tax year? It is unclear from this and I would like an

assurance that there is not inbuilt in the resolution as presented a flaw that will allow for other abuses.

The Tánaiste: The Minister for Finance, Deputy Cowen, said in his Budget Statement at A.21 that he intends in the Finance Bill to bring forward measures to help those towards the lower end of the income scale, and those who are not using their current full entitlements, to provide themselves with reasonable retirement arrangements. The pension coverage review took place recently, the outcome of which is before the Cabinet and will be published shortly. That will feed into proposals that might inform the Finance Bill because we have to be concerned about the low pension coverage in the State. Those who work in the public sector — I include all of us for this purpose — who are lucky to survive here for 20 years are fortunate that we have a guaranteed pension, as have public servants. The vast majority of people, particularly low to middle income groups and women, are not so lucky. That is a major issue for society.

The Government decided some years ago to set aside 1% of GNP for a future pension fund. State pensions were an innovative step although the demographic profile in this State is better than in most of our European counterparts. One Independent Deputy said today that as a result of the budget everyone in the country will have children. If that forecast is borne out, we will not even have to worry about the demographics of the future. We have major issues. I must say when I saw it first, €1.25 million seemed a lot, but as Deputy McGrath acknowledged one must put aside 20 to 30 times what is received as an annual payment to create a fund. The purpose is to balance between the extreme position that perhaps exists at the moment and was held for good reasons to encourage pensions provision and not have it so wide open that one could literally receive €8 million by way of a lump sum and pay no tax at all. Effectively, that would only have applied to proprietary directors who could decide what their earnings were in the past year and what to put into their fund. That luxury or possibility did not exist in an employer employee relationship.

It is interesting to note that many of the measures in today's budget will help to restrict the capacity of high income earners to use reliefs to eliminate their tax liability. Although it involves only a few people, it is not acceptable in any society that some people who live here make no contribution to the State. No fair minded person could possibly condone that. It is interesting to note that 21% of taxpayers pay 77% of the taxes. If memory serves me correctly, 1% or 2% of taxpayers pay more than 20% of the taxes. We have quite a progressive tax system in operation.

Clearly, many of the reliefs introduced from time to time are to encourage economic development and activity. I read recently that the South African Government introduced extremely attractive tax proposals to encourage urban regeneration in Cape Town and other cities in South Africa. Many Governments use tax instruments to encourage investment, from their own and foreign citizens. That is not a bad thing. A problem arises when it is used to excess. We are discussing a fund of €5 million, capping the lump sum at €1.25 million. On the point made by Deputy Ó Caoláin, the wonderful officials from the Department of Finance confirm that the aggregate applies for all lump sums paid in or after budget day. It does not apply solely within a single year. That will satisfy Deputy Ó Caoláin.

Regarding the SSIA's, in the context of the Finance Bill, the Minister will examine how he can encourage low and middle income earners to make provision for future pension requirements.

Mr. Eamon Ryan: I have one question. The Tánaiste mentioned in her response the widespread need for pension contributions from people with low and middle incomes. The work done by parents in the home was not recognised in the budget. It is difficult work which is important for our society. However, it does not have a pension provision or any other statutory provision. Does the Tánaiste think it is time we recognised that work and gave the people involved the same rights that people in other working environments have?

An Ceann Comhairle: I am not sure that arises on this resolution. It does not.

Ms Harney: In order to be helpful, when the Government discussed the child care issue, we were anxious to ensure we were neutral as between a parent who goes out to work and a parent who remains at home to look after the children. We also wanted to ensure that those who do not pay tax because of low earnings, and 36% of income earners on the minimum wage do not pay tax, were not disadvantaged. That is why we chose the direct grant or payment.

Equally those who stay at home receive a tax credit. These are major issues. I accept that pension issues arise and anything we can do to encourage pension provision for both income earners, dependant spouses and citizens generally must be encouraged. It is the greatest guarantee that people can live independent lives free from worry about what their circumstances might be in old age.

Financial Resolution No. 4 agreed to.

Financial Resolution No. 5: General.

**Tánaiste and Minister for Health and Children
(Ms Harney):** I move Financial Resolution No. 5:

THAT it is expedient to amend the law relating to inland revenue (including value-added

tax and excise) and to make further provision in connection with finance.

Debate adjourned.

The Dáil adjourned at 9.25 p.m. until 10.30 a.m. on Thursday, 8 December 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 11, inclusive, answered orally.

Questions Nos. 12 to 50, inclusive, resubmitted.

Questions Nos. 51 to 62, inclusive, answered orally.

Overseas Missions.

63. **Aengus Ó Snodaigh** asked the Minister for Defence the effect that his proposal to reduce the number of officers on overseas missions will have on the Defence Forces commitments to UN peacekeeping. [38086/05]

65. **Mr. Crowe** asked the Minister for Defence the reason for his decision to propose that the number of officers on overseas missions be reduced. [38101/05]

67. **Mr. Durkan** asked the Minister for Defence the basis on which he has come to the conclusion that too many of the officer corps of the Permanent Defence Force are posted overseas; and if he will make a statement on the matter. [38211/05]

69. **Mr. Ferris** asked the Minister for Defence the way in which he intends to redeploy the officers he plans to withdraw from overseas missions. [38097/05]

75. **Mr. Morgan** asked the Minister for Defence the number of officers he intends to redeploy or withdraw from overseas missions. [38098/05]

87. **Ms McManus** asked the Minister for Defence if he will expand on his comments at the recent RACO conference in Cavan that the long-term sustainability of the current level of commitment in terms of the number of Irish officers serving in defence missions overseas is open to question; if he is planning a review of the level of commitment; and if he will make a statement on the matter. [38166/05]

88. **Mr. Gogarty** asked the Minister for Defence his views on his recent assertion that the number of Defence Forces officers serving overseas is unsustainable in view of the Defence Forces domestic commitments; and if he will make a statement on the matter. [38204/05]

102. **Ms B. Moynihan-Cronin** asked the Minister for Defence if his attention has been drawn to statements by a spokesman for RACO (details

supplied) that there is no need to cut the number of officers serving abroad; if he accepts the view that tighter management here, including more centralised training would improve the overall management of the Defence Forces; and if he will make a statement on the matter. [38167/05]

104. **Mr. Crowe** asked the Minister for Defence the impact on overseas missions of his plans to reduce the number of officers available. [38100/05]

114. **Mr. Morgan** asked the Minister for Defence the overseas missions he intends to withdraw officers from, and the reason therefor. [38099/05]

116. **Caoimhghín Ó Caoláin** asked the Minister for Defence if he will make a statement on the impact of his plans to reduce the number of officers on overseas peacekeeping missions on the State's commitments to the UN. [38094/05]

117. **Mr. Ferris** asked the Minister for Defence his plans in relation to changes to the number of Irish officers serving on overseas missions. [38096/05]

Minister of State at the Department of Defence (Mr. Kitt): I propose to take Questions Nos. 63, 65, 67, 69, 75, 87, 88, 102, 104, 114, 116 and 117 together.

At present Ireland subscribes to the United Nations Standby Arrangements System, UNSAS, under which the State offers to provide up to 850 personnel on overseas service at any given time. Ireland's commitment under the UNSAS represents 10% of the total Army strength. This is the maximum sustainable commitment that Ireland can make to overseas peacekeeping operations. This overall commitment is not being reviewed.

Ireland's peacekeeping activity has now grown to the point where over 140 officers are serving overseas. While this is a laudable contribution on the international stage the Minister has stated that the long-term sustainability of such a level of commitment is open to question.

The Minister, in addressing the conference, indicated that the proportion of officers within the overall UNSAS commitment of 850 would be reviewed in order to ensure that we balance our obligations to Ireland's foreign policy with our obligation to the other roles of a well-managed Defence Forces. I can assure the Deputy that any rebalancing of ranks within the overall 850 will not reduce the effectiveness of the Defence Forces contribution to Ireland's foreign policy or international peacekeeping.

Defence Forces Recruitment.

64. **Mr. Deenihan** asked the Minister for Defence if non-nationals are permitted to join the

[Mr. Deenihan.]

Defence Forces; and if he will make a statement on the matter. [38116/05]

79. **Mr. Deenihan** asked the Minister for Defence the number of non-nationals who applied for enlistment in the Defence Forces in 2004; the outcome of these applications; and if he will make a statement on the matter. [38114/05]

Minister of State at the Department of Defence (Mr. Kitt): I propose to take Questions Nos. 64 and 79 together.

Defence Forces regulations have always allowed for the recruitment of foreign nationals to the Defence Forces as enlisted personnel. However, for a person other than an Irish citizen to be appointed as an officer of the Defence Forces, the special approval of the Minister must be sought. In such a case, and provided that security clearance has been obtained, the Minister would normally recommend that such a person be commissioned to the Defence Forces.

The current requirements for general service enlistment are that applicants be of a particular minimum height and physical fitness; and be ordinarily resident in the State and satisfy such general and education qualifications as may be determined by the Minister for Defence.

Candidates from within the European Economic Area, EEA, and refugees have the same right to apply for general service enlistment as citizens. Candidates from outside the EEA must have three years' legal and unbroken residency, be in possession of a work permit and have security clearance.

The military authorities inform me that in 2004 eight foreign nationals applied for general service enlistment. Four of these applicants failed to attend for interview, two were unsuccessful at interview stage of the selection process and two are being processed. My Department and the Defence Forces are fully committed to ensuring that all who wish to do so are given the opportunity to join the Defence Forces.

Question No. 65 answered with Question No. 63.

Emergency Planning.

66. **Mr. Hogan** asked the Minister for Defence if members of the Office of Emergency Planning have expressed concern at the lack of funding being allocated to the group; and if he will make a statement on the matter. [38129/05]

Minister of State at the Department of Defence (Mr. Kitt): The Office of Emergency Planning was established, following a Government decision in October 2001, as a joint civil and military office within the Department of Defence. The office functions as a branch of the Department and from within its overall annual budget allocation.

The office supports the work of the Government Task Force on Emergency Planning, which is chaired by the Minister for Defence, and continues to work with Departments and other public authorities in order to ensure the best possible use of resources and compatibility between different planning requirements. A key area of activity is oversight of emergency planning, to refine and develop the arrangements that exist, to continuously improve them through review and revision, and to generally provide the basis for an increased confidence in the emergency planning process. The lead responsibility for specific emergency planning functions remains with the relevant Departments, as do budgetary, exercise programmes and resource management requirements.

The Department of Defence does not have a specific budgetary allocation for emergency planning as emergency plans are co-ordinated by the various lead Departments at a national level and through the local authorities, including the fire service, the Health Service Executive and the Garda divisions at local and regional levels.

Question No. 67 answered with Question No. 63.

Military Police Investigation.

68. **Ms Lynch** asked the Minister for Defence if the inquiry under way into allegations that a member of the Defence Forces at Rockhill Barracks, Letterkenny, County Donegal had been stealing diesel from military vehicles and replacing it with illegal laundered fuel; if a link to the fuel used to refill the vehicles and illicit fuel laundered by the Provisional IRA has been established; when the inquiry will conclude; and if he will make a statement on the matter. [38165/05]

Minister of State at the Department of Defence (Mr. Kitt): The military authorities advise that the Military Police investigation is still ongoing into the alleged larceny of diesel oil from military vehicles in County Donegal. It would be inappropriate to comment on the details of the investigation but it can be confirmed that a member of the Defence Forces has been interviewed in the course of the investigation. As the investigation is continuing and several lines of inquiry remain to be completed it is not possible to determine when the investigation will be concluded.

Question No. 69 answered with Question No. 63.

Departmental Investigations.

70. **Mr. Broughan** asked the Minister for Defence the position regarding the independent review being carried out by a person (details supplied) into the interaction between the Department of Defence and the Defence Forces and the parents and family of Private Kevin

Barrett following his death; when he expects this review to be complete; and if he will make a statement on the matter. [38159/05]

85. **Mr. Hayes** asked the Minister for Defence if he has received a report on the inquest into the death of Private Kevin Barrett in the Lebanon; and if he will make a statement on the matter. [38132/05]

96. **Ms Burton** asked the Minister for Defence if he has received a copy of the transcript of the coroner's inquest into the circumstances surrounding the death of Private Kevin Barrett in Lebanon in 1999; if he has reviewed the transcript; if he will authorise a full independent inquiry; and if he will make a statement on the matter. [38160/05]

Minister of State at the Department of Defence (Mr. Kitt): I propose to take Questions Nos. 70, 85 and 96 together.

Private Kevin Barrett died on 18 February 1999 while serving with the 84th Infantry Battalion in Lebanon. His death was the subject of a UN board of inquiry and an Irish contingent board of inquiry as well as a Military Police investigation. The coroner for north west Donegal held an inquest into the death of Private Barrett from 5 to 8 September 2005. The jury returned an open verdict.

The Minister for Defence met Mrs. Barrett on 4 October 2005, accompanied by her solicitor. During the course of this meeting the Minister for Defence apologised to Mrs. Barrett and her family for the pain and suffering they had experienced since Private Barrett's tragic death. The Minister for Defence indicated to Mrs. Barrett that when he had received the transcript of the coroner's inquest, which was unavailable at the time of the meeting, he would decide what further action to take. He also gave Mrs. Barrett an undertaking to have the interaction between the Department of Defence-Defence Forces and her and Private Barrett's family reviewed by an independent person. On 28 October 2005, the Minister for Defence appointed Mr. Sean Hurley to carry out an independent review of the interaction between the Department of Defence-Defence Forces and parents and family of Private Barrett in the aftermath of his tragic death. It is anticipated that the Minister for Defence will receive the report of the independent review before Christmas.

The Department of Defence recently received a copy of the transcript of the coroner's Inquest into the death of Private Kevin Barrett, and this is currently being examined in the Department. When the Minister for Defence reviews the report on the coroner's inquest and Mr. Hurley's report on the interaction between the Department of Defence-Defence Forces and the parents

and family of Private Barrett, he will decide what further action to take.

EU Battle Groups.

71. **Mr. Sargent** asked the Minister for Defence if the decision on Ireland participating in the new EU battle groups has been made; and if he will make a statement on the matter. [38208/05]

76. **Mr. Gormley** asked the Minister for Defence if the decision on Ireland participating in the new EU battle groups has been made; and if he will make a statement on the matter. [38198/05]

83. **Mr. G. Mitchell** asked the Minister for Defence if the reports commissioned to examine the feasibility of Irish participation in the EU battle groups have been completed; and if he will make a statement on the matter. [38139/05]

92. **Mr. P. McGrath** asked the Minister for Defence if the policy of the triple lock will have an impact on the potential involvement of the Irish Defence Forces in the EU battle groups; and if he will make a statement on the matter. [38143/05]

103. **Mr. Durkan** asked the Minister for Defence the position in regard to Ireland's participation in EU or UN led battle groups or rapid response forces; and if he will make a statement on the matter. [38210/05]

108. **Mr. Sherlock** asked the Minister for Defence the position regarding Irish participation in EU battle groups; if he has received the report of the interdepartmental group established to examine all issues relating to battle groups; and if he will make a statement on the matter. [38158/05]

Minister of State at the Department of Defence (Mr. Kitt): I propose to take Questions Nos. 71, 76, 83, 92, 103 and 108 together.

The background to the rapid response elements concept, sometimes referred to as battle groups, is that at the European Council in Helsinki in 1999, member states set themselves a headline goal that by the year 2003, co-operating together and voluntarily, they will be able to deploy rapidly and then sustain forces capable of the full range of Petersberg Tasks as set out in the Amsterdam treaty. In short, these are humanitarian, rescue, peacekeeping and crisis management operations, including peacemaking. This included, *inter alia*, a capability to provide "rapid response elements available and deployable at very high readiness". The ambition of the EU to be able to respond rapidly to emerging crises has and continues to be a key objective of the development of the European Security and Defence Policy, ESDP.

[Mr. Kitt.]

Ireland supports the development of the EU's rapid response capability in support of UN authorised missions and is positively disposed towards participation in the rapid response elements in this regard. However, it is important that the full implications of our participation are assessed and, to this end, the Minister for Defence established an interdepartmental group which includes representatives of his Department, the Defence Forces, the Taoiseach's Department, the Department of Foreign Affairs and the Attorney General's office to consider the policy, legislative and operational issues arising from participation.

The Minister received the report from the interdepartmental group last week and is currently reviewing it. The report deals comprehensively with a range of issues related to rapid response elements—battle groups and also issues arising in the context of overseas service by the Defence Forces generally. Once the Minister has had an opportunity to consider the matter he plans to consult his colleague, the Minister for Foreign Affairs, with a view to bringing proposals to the Government as to how we then proceed. In advance of the Government having had the opportunity to consider the issue, it would be inappropriate to comment on the relevant actions which may be taken pursuant to the group's report.

Departmental Expenditure.

72. **Ms Enright** asked the Minister for Defence the details of a press statement, statement or call from the Fine Gael defence spokesperson seeking an increase in the defence Vote by €1 billion as outlined in an article by him in a newspaper (details supplied) of 20 November 2005; and if he will make a statement on the matter. [38147/05]

Minister of State at the Department of Defence (Mr. Kitt): In the article in question the Minister was extrapolating on the basis of the various exchanges on defence spending etc. which took place during Question Time on 3 November 2005, specifically arising from his replies to Questions Nos. 4; 7, 23, 30, 56 and 65; and 11 and 27. If the Minister was mistaken and Deputy Timmins is satisfied with the current level of defence spending, the Minister will be pleased to be so advised by him.

Defence Forces Representation.

73. **Mr. Deasy** asked the Minister for Defence if he has received representations from PDFORRA requesting that he contact his Portuguese counterpart to support the attempts to set up a representative association in the Portuguese army; and if he will make a statement on the matter. [38124/05]

Minister of State at the Department of Defence

(Mr. Kitt): This issue was raised at the RACO biennial delegate conference last week and the Minister has also received correspondence from PDFORRA on the matter in the last few days. PDFORRA has also written to a number of public representatives outlining its concerns.

It should be emphasised that issues relating to the Portuguese armed forces are an internal matter for the Portuguese Government. I understand that Portuguese law provides for the right of association for the members of the armed forces although it also allows for restrictions upon that right. If asked by his Portuguese counterpart, the Minister would be happy to provide a briefing on the Irish system of representation and to emphasise the success of the Irish model.

Defence Forces Deployment.

74. **Mr. Gilmore** asked the Minister for Defence the number of personnel deployed in the Army's Ranger Wing; the number of men and women who are deployed; if women who have applied for selection to the Ranger Wing have made it through the training course; and if he will make a statement on the matter. [38162/05]

Minister of State at the Department of Defence

(Mr. Kitt): The Government is committed to a policy of equal opportunity for men and women in the Defence Forces and to the full participation by women in all aspects of Defence Forces activities. The military authorities have advised that detailed records of the number of applicants for the Army Ranger Wing are not maintained. However, since 2000 approximately 240 personnel, including one female, undertook the Army Ranger Wing selection course. Of these 50 — males — were successful. There are currently no female personnel serving in the Army Ranger Wing.

There is an existing policy of ongoing recruitment to the Army Ranger Wing. Selection courses are held periodically and successful candidates are then taken into the Army Ranger Wing. The next selection course is due to be held in early 2006. It is not known at this time how many personnel are likely to be successful on this course. The military authorities advise that the number of personnel serving in the Army Ranger Wing is fewer than 75.

Question No. 75 answered with Question No. 63.

Question No. 76 answered with Question No. 71.

Defence Forces Property.

77. **Mr. P. McGrath** asked the Minister for Defence the situation regarding the military property at Gormanston Camp; and if he will make a statement on the matter. [38145/05]

Minister of State at the Department of Defence

(Mr. Kitt): The Government decided on 1 July 2003 that lands at Gormanston, County Meath would be among the State lands released for inclusion in the Sustaining Progress affordable housing initiative. The modalities in this regard are under consideration in consultation with the Department of the Environment, Heritage and Local Government, which is the lead Department for the development of the affordable housing initiative.

Hearing Impairment Claims.

78. **Mr. Costello** asked the Minister for Defence the number of claims which have been received to date in 2005 under the Army deafness compensation scheme; the number of claims processed and settled; the amount of money paid out in such settlements to date in 2005; the number of claims outstanding; when he expects the scheme to be complete; and if he will make a statement on the matter. [38161/05]

Minister of State at the Department of Defence

(Mr. Kitt): Up to 31 October last, 18 hearing loss claims were received in the calendar year 2005. In the same period 109 cases were finalised. Of these, 63 were disposed of by way of out of court settlements and one was a court award. The amount of the award and settlements totalled €346,996. In the remainder of the cases, the plaintiffs either withdrew or did not proceed with the case or the claims were dismissed by the courts.

The National Treasury Management Agency (Delegation of Claim Management Functions) Order 2005 which, among other matters, delegates the management of all hearing loss claims to the State Claims Agency, came into operation on 1 September 2005. All new and outstanding hearing loss claims have now been transferred to the agency. Of the 109 cases settled to end of October 2005, four were settled by the State Claims Agency. A total of 1,203 hearing loss claims remain to be settled by the State Claims Agency.

Question No. 79 answered with Question No. 64.

Departmental Expenditure.

80. **Mr. McCormack** asked the Minister for Defence the percentage of the non-pay defence Vote devolved to the military authorities; and if he will make a statement on the matter. [38148/05]

Minister of State at the Department of Defence

(Mr. Kitt): Excluding the subhead T provision of €14 million for compensation, the non-pay element of Defence Forces expenditure under the defence Vote for 2005 is €189.8 million, of which €100.3 million — 53% — has been devolved to the military authorities.

White Paper on Defence.

81. **Mr. Coveney** asked the Minister for Defence when he intends to carry out a review of the White Paper; the composition of the review; and if he will make a statement on the matter. [38120/05]

Minister of State at the Department of Defence

(Mr. Kitt): The White Paper on Defence 2000 deals comprehensively with all aspects of defence provision and sets out the Government's policy on defence for the period to 2010, with a view to ensuring an appropriate level of defence capability having regard to the changing defence and security situation at home and abroad.

The Department of Defence strategy statement 2005-2007 provides for a review of White Paper implementation, to be completed in 2006. A formal review process has been initiated and a civil-military steering group and civil-military working group established, tasked with reviewing White Paper implementation and reporting to the Minister for Defence within the set timeframe.

Defence Forces Property.

82. **Mr. O'Dowd** asked the Minister for Defence his plans to develop Casement Aerodrome at Baldonnel, County Dublin; and if he will make a statement on the matter. [38151/05]

Minister of State at the Department of Defence

(Mr. Kitt): Casement Aerodrome, Baldonnel is the principal base of the Air Corps. With the withdrawal of aircraft from Gormanston and the relocation of Air Corps headquarters to Baldonnel as outlined in the White Paper on Defence, the Air Corps has the basis for better management of its resources. Baldonnel will continue to be the centre of military aviation in Ireland.

Question No. 83 answered with Question No. 71.

Question No. 84 answered with Question No. 57.

Question No. 85 answered with Question No. 70.

Army Barracks.

86. **Mr. Stanton** asked the Minister for Defence if his Department has ever sought or received valuations for its property at Cathal Brugha Barracks and McKee Barracks in Dublin; his plans to dispose of these properties; and if he will make a statement on the matter. [38123/05]

Minister of State at the Department of Defence

(Mr. Kitt): There are no plans to dispose of either Cathal Brugha Barracks or McKee Barracks. It is the practice for the Department to seek the advice of the Commissioner of Valuation on up-

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to-date open market valuations of individual properties where the disposal of such properties is under consideration. No such valuations have been obtained in respect of the properties in question.

Questions Nos. 87 and 88 answered with Question No. 63.

Humanitarian Volunteer Corps.

89. **Mr. Timmins** asked the Minister for Defence if he has had discussions with the chief of staff with respect to the Defence Forces involvement in the proposed humanitarian assistance groups as announced; and if he will make a statement on the matter. [38140/05]

Minister of State at the Department of Defence (Mr. Kitt): In the course of a speech on 18 November 2005 at the Royal Irish Academy at an event to mark 50 years of UN participation, my colleague, the Minister for Foreign Affairs, outlined his plans to set up a volunteer corps unit within his Department to harness the strong volunteer spirit which exists across the country. The Department of Defence and the Defence Forces will provide advice, as required, to this unit.

Also, in the course of the speech, the Minister, Deputy Dermot Ahern, mentioned his intention to preposition humanitarian supplies, including tents and ready to eat meals, which would be deployable at short notice, which will contribute to the immediate saving of lives. Prior to this event, the Department of Foreign Affairs had sought assistance from the Minister of Defence in relation to the development of this concept and a meeting to discuss these issues took place between civil and military personnel from the Department of Defence and officials from the Department of Foreign Affairs on 11 November 2005. Arising from that meeting, an inter-departmental committee, which will include representation from the Defence Forces, is being established to proceed with this task. The first meeting of this committee will take place on 16 December next and the Minister has instructed that every support possible should be provided for this initiative.

Defence Forces Operations.

90. **Mr. Crawford** asked the Minister for Defence the number and type of operational activity for and to the civil power that the Air Corps was involved in for the months of October and November 2005; and if he will make a statement on the matter. [38155/05]

Minister of State at the Department of Defence (Mr. Kitt): To aid the civil power — meaning in practice to assist, when requested, the Garda Síochána who have the primary responsibility for law and order, including the protection of the

internal security of the State — is among the roles assigned to the Defence Forces. In this regard, the Defence Forces assist the Garda as required in duties, which include cash escorts, prison escorts and explosives escorts.

Figures for November 2005 are not yet available. However, in the two month period September and October 2005 there were a total of 441 tasks carried out by the Defence Forces under aid to the civil power requests. The Air Corps assisted in 40 of these tasks. It is not the practice, for security reasons, to give details relating to these operations.

In addition, the Garda air support unit provides a 24-hour, all year immediate response capability for air support within the State. The Garda Síochána is responsible for the operational control and policing functions, while the Air Corps personnel have responsibility for the flying and maintenance functions of the service, with the exception of the EC 135 where the maintenance is contracted to a civilian contractor.

Council of Defence.

91. **Ms Shortall** asked the Minister for Defence the membership of the Council of Defence; when the council last met; the tasks it has in hand; if it is proposed to allocate additional functions to the council; and if he will make a statement on the matter. [38174/05]

Minister of State at the Department of Defence (Mr. Kitt): The Council of Defence is provided for in section 11 of the Defence Act 1954. The council consists of the Minister of State, the Secretary General of the Department, the chief of staff and the two deputy chiefs of staff. The purpose of the council under the Act is to aid and counsel the Minister on all matters in relation to the Department of Defence on which the Minister may consult the council. The council last met in 1987.

The council's origins lie in a requirement in the early years of the State to enshrine the civil-military management process in a formalised way. However, in modern times, senior civil and military staff meet on a regular basis, individually and jointly, as part of normal day-to-day business. Advice is readily available to Ministers from civil and military staff without the formality of the Council of Defence.

In these circumstances the question of allocating additional functions to the council does not arise. The White Paper on Defence — February 2000 — recognised this reality and noted that this would be reflected in amending legislation when the opportunity arose.

Question No. 92 answered with Question No. 71.

Defence Forces Operations.

93. **Aengus Ó Snodaigh** asked the Minister for Defence if he will make a statement regarding the domestic commitments referred to by him in comments on 29 November 2005 at the biennial conference of the Representative Association for Commissioned Officers. [38085/05]

Minister of State at the Department of Defence (Mr. Kitt): In his address to the RACO biennial delegate conference on 29 November last, the Minister did not specifically mention domestic commitments. What he did speak about was our peacekeeping commitments in the context of the number of officers serving overseas and the need to ensure that we balance our obligations to Ireland's foreign policy with our obligations to the other roles of a well managed Defence Forces.

The roles of the Defence Forces are set out in the White Paper on Defence. The roles in an on-island context are to defend the State against armed aggression, to aid the civil power, to provide a fishery protection service and to carry out such other duties as may be assigned to them from time to time.

European Security and Defence Policy.

94. **Mr. Eamon Ryan** asked the Minister for Defence if Ireland is participating in the EU's military exercise (details supplied) from 22 November to 1 December 2005; and if he will make a statement on the matter. [38205/05]

Minister of State at the Department of Defence (Mr. Kitt): The European Union conducted its first military exercise — MILEX 05 — which was a command post exercise from 22 November to 1 December 2005 in the framework of the European Security and Defence Policy, ESDP. A command post exercise is an exercise involving EU institutions and EU member states, including military commanders and their staffs. As it is a desktop exercise and does not involve real troop deployment, it is a cost-efficient means of exercising decision-making and co-operation in a realistic manner.

MILEX 05 was the first EU crisis management exercise to focus exclusively on the military aspects of crisis management and it was the first time that an EU operational headquarters, OHQ, was fully activated as part of an EU exercise. It concentrated on the interaction between an EU OHQ in Paris, France and an EU force headquarters, FHQ, in Ulm, Germany in the context of a UN authorised EU-led military operation. Some 375 civil and military personnel from member states, including seven from the Defence Forces, took part in the planning and conduct of this large-scale EU crisis management exercise.

It is Government policy to stay in the mainstream of peacekeeping. Ireland's participation in EU exercises enables our peacekeepers to remain

abreast of developments in preparation for peacekeeping in areas such as training, humanitarian aspects of peacekeeping, and interoperability. It enhances the ability of our peacekeepers to work with those of other countries and it also enables us to share our own peacekeeping skills with a wide range of countries.

Official Engagements.

95. **Mr. Cuffe** asked the Minister for Defence if he will report on his attendance at the military display by the Army Ranger Wing at the Curragh on 16 November 2005, marking the 25th Anniversary of the Army Ranger Wing; and if he will make a statement on the matter. [38202/05]

Minister of State at the Department of Defence (Mr. Kitt): The Minister for Defence visited the Defence Forces Training Centre at the Curragh on 16 November 2005 to attend a display by the Army Ranger Wing, ARW, to mark their 25th anniversary and to open a new stores facility at the ARW headquarters. The display consisted of a number of training exercises and simulated rescues including two practical demonstrations of static room assaults and fast rope-hostage extraction, and a static demonstration of weapons, equipment and vehicles. The Minister was invited to inspect the weapons on display and this was done under constant military supervision and the weapons were, of course, not loaded.

This was an open media event, with those present being given the maximum access possible, subject to safety and security considerations. The Minister has asked me to reiterate his deep regret if people's sensitivities were offended by the pictures of him widely published in the media handling the weapons on display. His intention on the day was to highlight the professionalism of the ARW, the excellence of its training, and the sophistication of the equipment provided to it.

The visit to the ARW in the Curragh was one of a large number of visits to and inspections of military installations by the Minister. The nature of these visits involves the Minister being seen around military vehicles and various forms of weaponry. Shortly after the Minister was appointed, he told the military authorities that he wanted these visits to be as informal as practical to give him an opportunity to meet and chat with as many troops as possible. The purpose of these visits is not to glamorise the new weaponry or military hardware but to show how dramatically the Defence Forces have developed and progressed over the past few years.

Question No. 96 answered with Question No. 70.

Defence Forces Recruitment.

97. **Mr. G. Murphy** asked the Minister for Defence the correspondence he has received

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from the Department of Justice, Equality and Law Reform and the Department of Education and Science with respect to issues concerning applications from females to join the Defence Forces; and if he will make a statement on the matter. [38119/05]

111. **Mr. Quinn** asked the Minister for Defence if, in view of his acknowledgement that increased recruitment of women is one of his main priorities, his Department's strategy to encourage more applications from women to the Defence Forces; the strategies he plans to promote in this regard; and if he will make a statement on the matter. [38171/05]

Minister of State at the Department of Defence (Mr. Kitt): I propose to take Questions Nos. 97 and 111 together.

The Government is committed to a policy of equal opportunity for men and women in the Defence Forces — Army, Air Corps, Naval Service — including 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 the Minister's 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 now also applies to male recruits.

The Defence Forces actively encourage female applicants, for example, by: advertising — 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; recruitment fairs — stands at recruiting fairs are generally staffed by male and female personnel; and visits to schools — 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 increased from 244 at the end of 1997 to 527 at the end of September 2005. This constitutes an increase of over 100% in the number of females serving over this period.

On 5 August 2005 I wrote to the Departments of Education and Science and Justice, Equality and Law Reform along with a number of outside organisations seeking their views and recommendations on how more women might be encouraged to enlist in the Defence Forces. While

to date a number of replies have been received, a number are still outstanding. One organisation asked for further time to prepare its submission. When that has been received and examined with the others, the Minister proposes that officials, both civil and military, of the Department of Defence will meet with representatives of each of the organisations who 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 see 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.

Defence Forces Equipment.

98. **Mr. Cuffe** asked the Minister for Defence his views on the meeting in Brussels of the European Defence Agency on 21 November 2005; the voluntary code of conduct for defence procurement agreed; and if he will make a statement on the matter. [38201/05]

Minister of State at the Department of Defence (Mr. Kitt): The Minister for Defence attended a meeting of the European Defence Agency Steering Board on 21 November 2005. The steering board is the principal decision-making body of the agency on which the 24 participating member states are represented — Denmark does not participate under its general opt-out on decisions with defence or military implications. The overall aim of the agency is to support member states in their efforts to improve European defence capabilities in support of European Security and Defence Policy.

The meeting began with the presentation of a report by the head of the EDA, Secretary General-High Representative Solana, outlining progress made on the agency's work programme during 2005. Agreement was reached on a work programme for the EDA for 2006, a budget for the EDA for 2006, and on an intergovernmental regime — a voluntary code of conduct — to encourage competition in the European defence equipment market. The voluntary code of conduct will seek to eliminate or reduce the use of Article 296 and the use of offsets and other market distortion instruments. It is intended to introduce the regime for subscribing member states by 1 July 2006. Not all states need join from the outset, or at all. While Ireland is not a major consumer of defence equipment in relative terms, developments which improve market efficiencies or which may yield some economies of scale for equipment procurement for the Defence Forces should be encouraged and would obviously be beneficial in terms of driving prices down. It is hoped that the effect of the code of conduct would be to deliver more efficiency in terms of

our investment in defensive equipment for the Defence Forces.

The development of a long-term vision, LTV, was discussed which will provide a reference point to assist and guide future decisions on research and strategic decisions in relation to capabilities development. It will be important that the LTV is commensurate with the stated ambition of the EU as set out in the headline goal 2010 and the European security strategy.

A short discussion took place on proposals to identify participating member states' requirements and to test the viability of a collective European approach to developing a next-generation software defined radio as a joint civil-military endeavour. This issue is very much at the embryonic stage.

A proposal was discussed that will see work begin in 2006 on devising a set of indicators and targets in relation to defence expenditure across Europe on the clear understanding that decisions on the level and focus of defence expenditure continues to be, and will remain, a matter for national Governments.

Military Police Investigation.

99. **Mr. Howlin** asked the Minister for Defence the position regarding the investigation under way into the alleged misappropriation of funds by two quartermasters; the amount of money that has been recovered following the investigation; if disciplinary action was taken; if an external Garda inquiry will be initiated; the action he intends to take; and if he will make a statement on the matter. [38164/05]

Minister of State at the Department of Defence (Mr. Kitt): The Military Police investigation into this matter is still ongoing and is expected to be completed shortly. Pending completion of the investigation, I do not consider it appropriate to comment any further on the matter.

Departmental Estimates.

100. **Ms O'Sullivan** asked the Minister for Defence the spending priorities for his Department following publication of the 2006 Book of Estimates; and if he will make a statement on the matter. [38169/05]

115. **Mr. Gogarty** asked the Minister for Defence if he will report on the 2006 Estimate for his Department. [38203/05]

Minister of State at the Department of Defence (Mr. Kitt): I propose to take Questions Nos. 100 and 115 together.

The combined Defence Forces and Army pensions Estimates for 2006 provide for gross expenditure of €957.5 million, comprising €783 million for defence and €174.5 million for Army pensions. During 2006 the policy of continuous

recruitment to the Defence Forces to maintain strengths at the approved levels will be continued, as will the programmes of investment in equipment, infrastructure and facilities which have been undertaken in recent years.

The unprecedented level of expenditure on infrastructure and equipment for the Defence Forces in recent years was made possible by the Government's decision that pay savings arising from the reorganisation of the Defence Forces set out in the White Paper in 2000, along with proceeds from the sale of surplus properties, would be fully reallocated for investment in modern facilities and equipment. Over €192 million was spent on the capital investment programme for the upgrade of barracks, accommodation and other facilities between 1997 and the end of 2004. This year's defence Estimate includes €19 million for such capital works and a further €22 million is provided in the 2006 Estimate. This will facilitate a number of major new projects for 2006.

Over the past six years, over €200 million has been expended on the purchase of 65 armoured personnel carriers and the Javelin missile system for the Army, new patrol vessels for the Naval Service and new trainer aircraft for the Air Corps. Last January, the Minister for Defence signed contracts for six new helicopters for the Air Corps costing over €60 million. Planning is well under way on the replacement programme for the next Naval Service ships to reach the end of their economic life and a further 15 armoured personnel carriers will be added to our current fleet. It is expected that the contract for the additional 15 APCs will be signed by the end of the year. Further details of the re-equipment programme and of the capital works programme are contained in the reply to Question No. 17 of today's date.

Military Installations.

101. **Mr. McGinley** asked the Minister for Defence the number of military installations in Donegal; the personnel attached to each; and if it is the Government's policy to maintain each centre for the future. [37991/05]

Minister of State at the Department of Defence (Mr. Kitt): There are three occupied military posts located in County Donegal at Rockhill House, Letterkenny, Lifford and Finner Camp, Bundoran. It is not the policy to disclose the number of military personnel at any particular military post or barracks. There are no plans to dispose of any of these military posts.

Question No. 102 answered with Question No. 63.

Question No. 103 answered with Question No. 71.

Question No. 104 answered with Question No. 63.

Bullying in the Workplace.

105. **Mr. Penrose** asked the Minister for Defence his views on whether the number of initiatives taken by his Department in recent years have been insufficient to address the serious problem of bullying within the Defence Forces; his further views on whether the problem is endemic within the Defence Forces and that there are sufficient levels of respect for each and every individual; and if he will make a statement on the matter. [38170/05]

Minister of State at the Department of Defence (Mr. Kitt): The Defence Forces and the Department have taken a wide variety of initiatives and have devoted an unprecedented level of resources to this issue, since Dr. Eileen Doyle and the external advisory committee presented their original report *The Challenge of a Workplace* in March 2002. This independent report addressed the range of interpersonal issues within the Defence Forces. Its contents and recommendations were accepted in full.

As previously outlined by the Minister for Defence, implementation of the recommendations of the Doyle report has been one of the highest priorities for the Defence Forces and the Department since its publication. An independent monitoring group was established in May 2002 to oversee the implementation of these recommendations. The independent monitoring group's progress report *Response to the Challenge of a Workplace*, launched by the Minister for Defence on 24 September 2004, is available on the Defence Forces website and describes in detail the very significant progress achieved since the publication of the original Doyle report in 2002.

Arising from the Doyle report, the following steps have been taken. Firm guiding principles have been set out in the Defence Forces dignity in the workplace charter. A major educational awareness programme is ongoing throughout the Defence Forces. A new administrative instruction on interpersonal relationships was introduced in March 2003. The instruction and a users' guide were distributed to every member of the Defence Forces. A total of 188 of a planned 200 designated contact persons have been fully trained and are deployed throughout all Defence Forces posts and barracks, both country-wide and overseas. The DCPs will facilitate the operation of the formal and informal procedures that may be used by any party wishing to institute a complaint. An independent external confidential free phone help-line and counselling service was set up for members of the Permanent Defence Force in March 2003. An independent pilot project of exit

interviews seeking the experiences and views of outgoing members of the Permanent Defence Force was conducted. Leadership training has been given by external experts and has been the subject of NCO focus groups with an emphasis on training the trainers. Changes in cadet school instruction have been initiated and issues concerning the ranking, selection and training for cadet school instructors are being addressed. Defence Forces regulations, administrative instructions, policies and procedures have been reviewed by an equality steering group under a Labour Court chairperson. The Defence Forces Ombudsman has now been appointed and the practical arrangements for the operational aspects of her office are in progress. An officer within the Defence Forces human resources management section has been assigned responsibility for equality matters. A training circular entitled *Military Code of Conduct for Students and Instructors in all Training Environments* was issued in 2004 and was followed by an extensive series of associated workshops for all relevant personnel.

The chief of staff has repeatedly emphasised his acceptance of the problems indicated by the Doyle report. He has recognised the necessity to tackle this matter in a fundamental way at all levels of the Defence Forces and has demonstrated a very active and genuine commitment to change. He has emphasised that it is incumbent on all commanders to ensure that best practice in the management of personnel is fostered at all levels in order to eliminate the problems identified in the Doyle report. Policies on equality, dignity and bullying are being constantly communicated to all ranks. The Minister is satisfied that the military authorities are alert and vigilant to this issue and are committed to addressing the matter in a continuing and proactive manner through educational modules on interpersonal relationships which are now embedded in career courses for all ranks.

It is reiterated that bullying is not training for anything. It has always been acknowledged that the project of bringing about necessary fundamental changes in attitudes and culture will not be quick or easy. However, with substantial and vigorous leadership, there is every confidence that the proper environment will be firmly established and maintained throughout the Defence Forces. The matter continues to receive the highest priority in the Defence Forces in terms of incorporating the correct ethos in training at all levels and in terms of maintaining the resources necessary to assist personnel in tackling difficulties where they may arise.

Defence Forces Strength.

106. **Mr. English** asked the Minister for Defence the role of the Navy; his plans to change

same in the future; and if he will make a statement on the matter. [38152/05]

Minister of State at the Department of Defence (Mr. Kitt): The role of the Defence Forces is set out in the White Paper on Defence as follows: to defend the State against armed aggression, this being a contingency, preparations for its implementation will depend on an ongoing Government assessment of the security and defence environment; to aid the civil power, meaning, in practice, to assist, when requested, the Garda Síochána, which has primary responsibility for law and order, including the protection of the internal security of the State; to participate in multinational peace support, crisis management and humanitarian relief operations in support of the United Nations and under UN mandate, including regional security missions authorised by the UN; to provide a fishery protection service in accordance with the State's obligations as a member of the EU; and to carry out such other duties as may be assigned to them from time to time, such as search and rescue, air ambulance service, ministerial air transport service, assistance on the occasion of natural or other disasters, assistance in connection with the maintenance of essential services, assistance in combating oil pollution at sea.

The Naval Service provides the maritime element of the Defence Forces and has a general responsibility to meet contingent and actual maritime defence requirements. Fishery protection activities account for over 90% of Naval Service operations. There are no plans to change the role of the Naval Service.

Defence Forces Reserve.

107. **Mr. Noonan** asked the Minister for Defence if commanding officers have been appointed to the new reserve defence units; if not, when same will take place; the reason for the delay; and if he will make a statement on the matter. [38135/05]

Minister of State at the Department of Defence (Mr. Kitt): The Reserve Defence Force review implementation plan, which was officially launched in July 2004, started a process that will lead to significantly enhanced Reserve Defence Force capabilities while ensuring the traditional strengths of the reserve are maintained. The ambitious programme of reform and modernisation that is set out in the plan will be implemented over the period to end 2009.

On 1 October 2005, an important milestone in the implementation plan was reached with the introduction of new reserve organisational structures. The reserve is now organised along similar lines to the Permanent Defence Force with an Army Reserve comprising three brigades and a

Reserve Defence Force training authority and a dedicated Naval Service Reserve. The military authorities have advised the Minister for Defence that general officers commanding have appointed commanding officers to all appointments in new Reserve Defence Force units.

Question No. 108 answered with Question No. 71.

Partnership for Peace.

109. **Mr. Sargent** asked the Minister for Defence the Partnership for Peace activities the Irish Defence Forces have participated in during 2005; and if he will make a statement on the matter. [38207/05]

Minister of State at the Department of Defence (Mr. Kitt): Ireland's participation in Partnership for Peace to date is set out in our six individual partnership programmes, copies of which have been lodged in the Dáil library. Ireland's fifth IPP, covering the period 2005-2006, was completed last year in consultation with the Departments of Foreign Affairs, Environment, Heritage and Local Government, Justice Equality and Law Reform, Health and Children, and Communications, Marine and Natural Resources. A total of 116 activities were chosen representing participation by the Department of Defence, the Defence Forces and the Department of Environment, Heritage and Local Government. Activities consisted of training courses, seminars, workshops, conferences, staff exercises and table top exercises.

Defence Forces personnel have participated in a number of staff, technical and crisis management exercises in the context of both the EU and PfP. In accordance with stated policy, the Defence Forces do not participate in multinational military field exercises. Participation in the selected exercises is limited at either staff or observer level. Ireland's sixth IPP, covering the period 2006-2007, was recently completed and a total of 118 activities were chosen representing participation by the Department of Defence, the Civil Defence board, the Defence Forces and the Department of Environment, Heritage and Local Government. Ireland also participates in the PfP planning and review process, known as PARP. In common with the other EU neutrals, Ireland is using the PARP process in connection with planning for humanitarian and rescue tasks, peacekeeping and crisis management, collectively known as the Petersburg tasks. The scope of our involvement in PARP is focused on enhancing interoperability and familiarity with operating procedures in a multinational environment.

Participation in Partnership for Peace activities is entirely voluntary and is based on the principle of self-differentiation, that is, a State selects for

[Mr. Kitt.]

itself the nature and scope of its participation. It is Government policy to stay in the mainstream of peacekeeping. Ireland's participation in Partnership for Peace enables our peacekeepers to remain abreast of developments in preparation for peacekeeping in areas such as training, interoperability and humanitarian aspects of peacekeeping. Participation enhances the ability of our peacekeepers to work with those of other countries and also enables us to share our own peacekeeping skills with a wide range of countries.

Airspace Regulation.

110. **Ms C. Murphy** asked the Minister for Defence the discussions which have taken place between his Department, the Irish Aviation Authority and the management of Weston Aerodrome since an application was made by the latter to the former for a change in their airspace licence; the impact such a change in airspace licence he will have on operations at Casemount Aerodrome; and if he will make a statement on the matter. [38244/05]

Minister of State at the Department of Defence (Mr. Kitt): The Irish Aviation Authority, under the aegis of the Department of Transport, is responsible for the safety regulation of Irish airspace. An airspace change proposal was submitted by Weston Airport Ltd. to the Irish Aviation Authority in August 2005. The proposal was also copied to the Department of Defence and is currently under examination by the Air Corps. It is anticipated that following the completion of this examination that the Department of Defence will raise any issues arising in the group which has been convened by the Irish Aviation Authority in regard to the airspace change proposal.

The issue of current and future use and development of Weston Aerodrome is of concern to the Department of Defence only in so far as it infringes upon Defence Forces responsibility for the control and management of military airspace, which is such airspace as is designated for Defence Forces use under section 68 of the Irish Aviation Authority Act 1993. The principal concerns of the Minister for Defence regarding proposed changes at Weston Aerodrome focus on maintaining safe and functional airspace in which military flight training and air operations can continue on a 24-hour basis.

Question No. 111 answered with Question No. 97.

Overseas Missions.

112. **Mr. O'Shea** asked the Minister for Defence the number of officers currently serving in all overseas missions; the strength of Irish involvement in each overseas mission; and if he will make a statement on the matter. [38168/05]

Minister of State at the Department of Defence (Mr. Kitt): Ireland is currently contributing 768 Defence Forces personnel to 19 different missions throughout the world. Of these personnel, 149 are officers. Full details of all personnel currently serving overseas are listed in the following statement. The main commitments are to the United Nations Mission in Liberia, with 425 personnel, to the NATO-led international security presence, or KFOR, in Kosovo, with 213 personnel and to EUFOR, the EU-led operation in Bosnia and Herzegovina, with 56 personnel. Other personnel are serving as monitors and observers with the United Nations, the Organisation for Security and Co-operation in Europe and the European Union. Staff are also deployed at the organisational headquarters of the OSCE, the UN, NATO and the EU.

Members of the Permanent Defence Force serving overseas as of 1 December 2005.

	No. Officers Serving	No. Other Ranks Serving	Total No. Serving
1. UN Missions			
(i) UNIFIL (United Nations interim Force in Lebanon)	3	3	6
(ii) UNTSO (United Nations Truce Supervision Organisation) — Israel, Syria and Lebanon	13	—	13
(iii) MINURSO (United Nations Mission for the Referendum in Western Sahara)	4	—	4
(iv) UNMIK (United Nations Interim Administration Mission in Kosovo)	2	2	4
(v) MONUC (United Nations Mission in Democratic Republic of the Congo)	3	—	3
(vi) UNOCI (United Nations Mission in Ivory Coast)	2	—	2
(vii) UNMIL (United Nations Mission in Liberia) FHQ	6	—	6
UNMIL 93rd Inf Bn	36	383	419
TOTAL	69	388	457

	No. Officers Serving	No. Other Ranks Serving	Total No. Serving
UN Mandated Missions			
(viii) EUFOR (EU-led Operation in Bosnia and Herzegovina)	15	41	56
(ix) KFOR (International Security Presence in Kosovo)	27	186	213
(x) ISAF (International Security Assistance Force in Afghanistan)	4	3	7
Total	46	230	276
Total number of personnel serving with UN mission — 733			
2. EU Missions			
(i) European Union Monitor Mission (EUMM) to the former Yugoslavia	6	—	6
(ii) EU support to UN authorised African Union Mission in Sudan (AMIS)	2	1	3
(iii) ACEH Monitoring Mission (AMM)	3	—	3
TOTAL	11	1	12
3. Organisation for Security and Co-operation in Europe (OSCE).			
(i) OSCE Mission to Bosnia & Herzegovina	1	—	1
(ii) OSCE Mission in Montenegro	1	—	1
(iii) OSCE Presence in Albania	1	—	1
(iv) OSCE Mission in FRY	2	—	2
(v) OSCE Mission in Georgia	1	—	1
(vi) Staff Officer, Higher Level Planning Group, Vienna	1	—	1
TOTAL	7	—	7
4. Head of Military Staff (Brussels)	1	—	1
5. EU Military Staff (Brussels)	4	—	4
6. EU Military Staff (New York)	1	—	1
7. Liaison Office of Ireland, PIF (Brussels)	2	—	2
8. Permanent Representative to EU (Brussels)	3	—	3
9. Military Representatives/ Advisers			
(i) Military Adviser, Permanent Mission to UN, New York	1	—	1
(ii) Military Adviser, Irish Delegation to OSCE, Vienna	1	—	1
(iii) Military Representative to Partnership Co-ordination Cell/Supreme Headquarters Allied Powers Europe (SHAPE), Mons, Belgium	1	—	1
10. Appointments — UN HQ (New York)	—	—	—
Officers seconded to DPKO (Department of Peace Keeping Operations)	2	—	2
TOTAL	16	—	16
Total number of officers serving overseas — 149.			
Total number of Defence Forces personnel serving overseas 768.			

Question No. 113 answered with Question No. 57.

Question No. 114 answered with Question No. 63.

Question No. 115 answered with Question No. 100.

Questions Nos. 116 and 117 answered with Question No. 63.

Unemployment Levels.

118. **Mr. Curran** asked the Taoiseach the latest

unemployment figures for the Clondalkin and Lucan areas. [38311/05]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The exact information requested by the Deputy is not available. Statistics on employment and unemployment are compiled, at a regional level, from the Quarterly National Household Survey. The latest statistics show that there were 28,800 people classified as unemployed in the Dublin region in the June-August quarter of 2005. Sub-regional statistics of the kind requested by the Deputy are not available from the survey.

[Mr. Kitt.]

The live register series gives a monthly breakdown of the number of people claiming unemployment assistance or unemployment benefit and other registrants as registered with the Department of Social and Family Affairs. Figures are published for each county and each local social welfare office.

The most recent information available is for November 2005 and this indicates there are 38,959 persons on the register in the Dublin offices, including 3,416 in the Clondalkin office. There is no office in Lucan. It should be noted

that the live register is not a definitive measure of unemployment as it includes part-time workers and seasonal and casual workers entitled to unemployment assistance or benefit. Statistics on unemployment are measured at regional level by the quarterly national household survey. It should also be noted that 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, persons from the Blessington area may be registered.

The November live register figures for the Dublin region, which include the Clondalkin office figures, are set out in the following table.

Persons on the November live register in the Dublin region classified by sex, age group and local office of registration.

	November 2005	Males			Females		
		Under 25 years	25 years and over	Total	Under 25 years	25 years and over	Total
Dublin	38,959	4,959	20,098	25,057	2,859	11,043	13,902
Bishop Square	3,308	350	1,863	2,213	201	894	1,095
Cumberland Street	5,126	669	2,640	3,309	361	1,456	1,817
Navan Road	2,559	310	1,473	1,783	178	598	776
Blanchardstown	3,419	414	1,610	2,024	283	1,112	1,395
Thomas Street	2,166	249	1,277	1,526	146	494	640
Tara Street	1,142	113	658	771	50	321	371
Tallaght	3,176	552	1,553	2,105	316	755	1,071
Ballymun	1,498	263	746	1,009	146	343	489
Clondalkin	3,416	491	1,596	2,087	361	968	1,329
Rathfarnham	1,704	152	843	995	60	649	709
Kilbarrack	2,197	219	1,156	1,375	100	722	822
Dún Laoghaire	2,316	180	1,231	1,411	69	836	905
Balbriggan	1,251	101	630	731	70	450	520
Ballyfermot	1,258	226	598	824	160	274	434
Finglas	2,184	343	1,080	1,423	168	593	761
Coolock	2,239	327	1,144	1,471	190	578	768

Source: live register analysis, Central Statistics Office.

Departmental Staff.

119. **Mr. Gilmore** asked the Taoiseach the number of staff broken down by grade employed within his private and constituency offices; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [38323/05]

The Taoiseach: The number of staff currently employed in my private and constituency offices, and their grades, salaries, overtime and expenses paid are detailed in the following tables. The salaries include the pay increase due on 1 December 2005 under the terms of the Sustaining Progress agreement.

Taoiseach's Private Office.

Grade	Current annual salary (including allowances)	Annual overtime (estimate)	Annual expenses (estimate) Expenses received (Dec 04-Nov 05)
	€	€	€
Private Secretary, Assistant Principal	97,292	Nil	1,490
Assistant Principal	72,937	Nil	Nil
Higher Executive Officer — Assistant Private Secretary	72,004	Nil	Nil

Grade	Current annual salary (including allowances)	Annual overtime (estimate)	Annual expenses (estimate) Expenses received (Dec 04-Nov 05)
	€	€	€
Higher Executive Officer — Assistant Private Secretary	69,630	Nil	157
Personal Assistant — Higher Executive Officer	56,829	Nil	1,454
Staff Officer	40,102	12,166	Nil
Staff Officer	37,849	821	Nil
Clerical Officer	25,588	7,086	Nil
Clerical Officer	26,596	7,219	Nil
Clerical Officer	32,683		Nil
Clerical Officer	26,596	6,933	Nil
Clerical Officer	23,575	5,948	Nil
Usher	35,445	Nil	Nil
Total	617,126	40,173	3,101

Taoiseach's Constituency Office.

Grade	Current annual salary (including allowances)	Annual overtime (estimate)	Annual expenses (estimate)
	€	€	€
Personal Assistant	47,391	4,399	Nil
Personal Assistant	48,640	5,988	Nil
Personal Secretary (Non-Civil Servant)	33,770	520	Nil
Executive Officer	27,017	506	Nil
Staff Officer (Work-Sharing)	18,369	Nil	Nil
Clerical Officer	26,596	1,372	Nil
Clerical Officer	21,563	1,221	Nil
Clerical Officer	21,563		Nil
Total	244,909	14,006	

Violence Against Women.

120. **Mr. Fleming** asked the Tánaiste and Minister for Health and Children when additional funding will be introduced for frontline services for violence against women in order that all women may receive help when needed; and if she will make a statement on the matter. [38353/05]

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, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospitals Building Programme.

121. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the projected cost of the plan to allow private hospitals to be built on public hospital sites. [38462/05]

142. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the projected cost of the plan to allow private hospitals to be built on public hospital sites. [38463/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 121 and 142 together.

The Government is committed to exploring fully the scope for the private sector to provide additional capacity in the health system. The key objective is to provide the required extra capacity, whether this is in the public or private sector.

In July this year, my Department issued a policy direction to the Health Service Executive, HSE, aimed at freeing up additional beds for public patients in public hospitals through the development of private hospital facilities on public hospital sites. The initiative will provide up to 1,000 additional beds for public patients over the next five years. Private developers will be responsible for the construction of the private hospitals and public capital funding will not be provided. Public capital investment will continue to be directed towards public hospitals.

[Ms Harney.]

Attached to the policy direction was an assessment framework which the HSE has been requested to follow in regard to proposals to locate private hospital facilities on public hospital sites. It requires that the evaluation should have regard to a detailed assessment of need, and existing and planned capacity on a particular site and within the relevant region. It should also provide for a rigorous value-for-money assessment of any proposal that would take account of the value of the public site and the cost of any capital allowances. In addition, it makes clear the need for adherence to public procurement law and best practice.

Health Services.

122. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when orthodontic treatment will commence for a person (details supplied) in County Mayo; and if this person can be reassessed for treatment. [38288/05]

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.

123. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in County Mayo will be provided with orthodontic treatment. [38289/05]

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 Cancer Strategy.

124. **Mr. Curran** asked the Tánaiste and Mini-

ster for Health and Children when she expects the national cancer strategy to be finalised by the National Cancer Forum; and if she will make a statement on the matter. [38314/05]

Tánaiste and Minister for Health and Children (Ms Harney): The National Cancer Forum is currently finalising a new national cancer strategy, which I expect to be submitted to me shortly. On receipt, my Department will assess the policy implications, including costs. I will then bring the new cancer strategy to Government. I will publish it as soon as possible thereafter.

Health Services.

125. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if assistance will be given to a person (details supplied) in County Monaghan in obtaining new hearing aids and if the maximum support will be given. [38320/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Departmental Staff.

126. **Mr. Gilmore** asked the Tánaiste and Minister for Health and Children the number of staff broken down by grade employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if she will make a statement on the matter. [38324/05]

Tánaiste and Minister for Health and Children (Ms Harney): The following tables detail the numbers and grade of staff employed in my private and constituency offices and the annual cost of each office in terms of salary, overtime and expenses. All staff are permanent civil servants except for special advisers, personal assistants and personal secretary.

Private Office.

Grade	Number of Officers (Wholetime Equivalent)
Special Advisers	3
Personal Assistant	1
Higher Executive Officer (Private Secretary)	1
Executive Officer	2
Staff Officer	1
Clerical Officer	6

Constituency Office.

Grade	Number of Officers (Wholetime Equivalent)
Personal Assistant	1
Personal Secretary	1
Clerical Officer	2.5

Annual Cost.

	Private Office	Constituency Office
	€	€
Salary excluding PRSI, ER and Pension Contributions	759,387.22	178,179.35
Overtime	11,608.31	—
Expenses	1,354.56	

In addition to the three special advisers listed above, a senior manager is on loan from the Health Services Executive and works as part of my advisory team but is not contracted by the Department and continues to be an employee of the executive.

Health Services.

127. **Ms C. Murphy** asked the Tánaiste and Minister for Health and Children the person who has the legal responsibility to ensure that speech therapy, language therapy, occupational therapy and psychological services are provided to children who have been diagnosed with autistic spectrum disorders and are in primary or secondary education; and if she will make a statement on the matter. [38342/05]

128. **Ms C. Murphy** asked the Tánaiste and Minister for Health and Children if the necessary budgetary allocations have been made by her Department or the Health Service Executive with regard to financing the provision of speech therapy, language therapy, occupational therapy and psychological services for all children in need of these services; if her Department or the Health Service Executive has calculated future levels of need in these areas; and if she will make a statement on the matter. [38347/05]

131. **Ms C. Murphy** asked the Tánaiste and Minister for Health and Children if, in view of her Department's stance that thousands of persons here fail to access education, social, economic and career opportunities due to communication difficulties of one kind or another and that therapy services help persons to maximise their communication potential and offer assistance with daily living, she is satisfied that the Health Service Executive is delivering adequately speech and language therapy services to children who have been diagnosed with such needs; if her attention has been drawn to the fact that a person

(details supplied) is no longer being provided these services by their Health Service Executive provider as they have attempted to transition from primary to secondary school; if, in view of same, this person's future economic and career opportunities will be severely restricted if the situation is not resolved; and if she will make a statement on the matter. [38359/05]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 127, 128 and 131 together.

The issues raised by the Deputy are dealt with under sections 31 to 33 of the Health Act 2004. These sections provide for the preparation, submission, approval and implementation of the Health Service Executive's service plan.

The plan should set out the type of health and personal social services to be provided by the executive during the period to which the plan relates. In developing the service plan, the executive must have regard to section 31(12) of the Act which requires that the estimate of income and expenditure relating to the plan must be consistent with the Vote for the executive as published by the Government in the Estimates for supply services.

As I have informed the Deputy previously, the Government has taken a planned approach to building up capacity in the area of multi-disciplinary support services for both adults and children with disabilities. This includes, in addition to the provision of additional financial resources, various initiatives related to the training, recruitment and retention of key allied health professionals as follows: the expansion of the number of training places available for speech and language therapists, occupational therapists, physiotherapists, psychologists, nursing and other key professionals; and national and overseas recruitment initiatives and enhancement of career opportunities.

The level of support available from these health-related support services to children with

[Mr. T. O'Malley.]

physical, sensory and intellectual disabilities and autism has been incrementally increasing annually in recent years as a result of the additional funding which has been made available by this Government. As part of the national disability strategy, further additional funding amounting to €11.5 million in 2006 is being made available to the Health Service Executive in respect of the provision of health-related support services for adults and children with physical, sensory and intellectual disabilities and autism, with a priority in 2006 on enhancing assessment and support services for children with disabilities. Additional funding amounting to €17.5 million is also being provided in 2006 to enhance the level and range of multidisciplinary support services available to adults and children with mental illness. This ongoing investment in multidisciplinary support services for persons with disabilities, including those with mental illness, together with specific initiatives to be taken in the area of recruitment, will assist the process of building capacity within these services in a very significant manner. The Deputy is incorrect to state that it is due to my Department's stance that thousands of persons here fail to access education, social, economic and career opportunities due to communication difficulties of one kind or another.

The remainder of 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.

129. **Mr. Fleming** asked the Tánaiste and Minister for Health and Children the funding which will be provided for cystic fibrosis services here in 2006; the amount of money to be paid to the Cystic Fibrosis Association of Ireland; the way in which these funds will be allocated in terms of medical, nursing and allied health facilities; and if she will make a statement on the matter. [38357/05]

Tánaiste and Minister for Health and Children (Ms Harney): As part of the overall funding for health services in 2006, additional funding of €4.78 million is being allocated specifically for the development of cystic fibrosis services.

I wish to see significant improvement next year in the level of services available to persons with cystic fibrosis. The current service deficits in this area are widely acknowledged and have been identified most notably in the Pollock report, and by the Health Service Executive working group which is looking at this issue. My Department is advised that the working group, which is due to report shortly, will be making specific recom-

mendations in relation to a range of service improvements required for persons with cystic fibrosis, in particular the need to increase the level of clinical, nursing and allied health professional staffing in cystic fibrosis units around the country. As part of the implementation process I would like to see a particular focus on addressing the identified deficits at the national adult referral centre at St. Vincent's University Hospital in Dublin.

Health Service Staff.

130. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children the reason three persons (details supplied) in County Tipperary who completed a health care assistant's course at Waterford Regional Hospital and have attained a FETAC level-two certificate, are not having their qualification recognised, in view of the sacrifices they made to participate in the course and are employed as multi-skilled personnel; and the reason taxpayers money was spent on the course if the qualification was not required. [38358/05]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to human resource management issues within the Health Service Executive. As these are matters for the executive under the Health Act 2004, my Department has requested the parliamentary affairs division of the executive to arrange to have them investigated and to have a reply issued directly to the Deputy.

Question No. 131 answered with Question No. 127.

Nursing Home Subventions.

132. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when nursing home subvention will be awarded to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [38401/05]

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.

Primary Health Care Strategy.

133. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the amount of funding the Health Service Executive has allocated to implementation of the primary health care strategy in 2005; the amount of funding the Health Service Executive plans to allocate to

implementation of the aforementioned strategy in 2006, and the proposed implementation projects, including the way in which resources will be allocated and reorganised; and if she will make a statement on the matter. [38402/05]

134. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children the status of the ten primary health care teams and the future plans for development of additional teams; and if she will make a statement on the matter. [38403/05]

135. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children her plans on developing private sector investment in primary care services and the delivery of health services in general; her plans for preventing fraud in the system here; and if she will make a statement on the matter. [38404/05]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 133 to 135, inclusive, together.

The implementation of the primary care strategy is first and foremost about developing new ways of working and of reorganising the resources already available to the health service in line with the service model described in the strategy. The whole-system nature of the approach to implementation is such that change will be required in many sectors in the health service, and not solely within primary care itself. While certain funding has been provided specifically to support implementation, additional resources allocated to other sectors will also support the delivery of services in line with the aims of the strategy.

Implementation will require sustained investment, over a period, to expand capacity and enable primary care to become the cornerstone of our health system. Three broad approaches will be taken to enable this to happen, namely, the substantial reorganisation of existing resources; further revenue and capital investment by the State; and a structured role for the private sector in the development of facilities and possibly also the delivery of integrated primary care services in line with national policy.

In 2005, I provided an additional €5 million in revenue funding to support the implementation of the primary care strategy bringing total ongoing revenue funding to €12 million per annum. In order to further support the continued development of primary care services in line with the principles I have outlined, the Government is providing an additional €16 million in 2006. The additional resources will be invested to ensure that they are focused on meaningful developments with maximum front-line impact.

The extra funding will permit the appointment of some 300 additional frontline personnel to work alongside GPs in approximately 75 to 100 teams in the improved delivery of community

primary care services, the establishment of an additional 22 GP training places and the further development of general practitioner out-of-hours co-operatives to enable an estimated 350,000 additional persons to benefit from such services.

Beginning in 2002, work was undertaken by the health boards, and continued by the HSE, to establish an initial ten primary care teams, with funding to enable existing staff resources within the public system to be augmented. These teams enable the primary care model to be demonstrated in action and have allowed practical experience to be gained of the process involved in developing a primary care team and providing expanded services in the community. The HSE will be building on the experience gained in these ten projects as it develops team-based primary care services on a wider scale.

In light of the considerable private sector interest in the development of hospitals and long-term care services, I envisage much potential for such developments in primary care to complement investment by the State. I have asked my Department to consider, in conjunction with the HSE, how this agenda can be advanced in a way that will harness this undoubted potential within the non-State sector and so enable and support the delivery of extended and improved primary care services in line with national policy.

Any arrangements that are entered into with the private sector must ensure that appropriate processes are followed in relation to public procurement aspects; that probity is assured; that value for money is achieved; that the best possible service is provided to the patient; and that the control, management and delivery of projects-services ensures the protection of the State's interests.

Health Services.

136. **Mr. Gormley** asked the Tánaiste and Minister for Health and Children if Ireland is unusual in Europe in not providing primary care services without charge to the majority of the population; and if she will make a statement on the matter. [38405/05]

Tánaiste and Minister for Health and Children (Ms Harney): Policy on the coverage of health services in other countries, including primary care, depends on the nature of the overall health system and on whether the funding mechanism is based on social insurance or central taxation. Under a social insurance model, for example, a person may make a contribution as part of the financing of health services and not make a direct contribution towards the cost of a particular service. It is difficult, therefore, to generalise about other countries in regard to charging for specific services.

In Ireland, eligibility for services is based on the principle that those who can afford to contribute towards their cost should do so. I support this

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principle. I intend to bring forward new legislation to clarify and update the present eligibility system. The main focus will be to ensure that the law is fair, clear and efficient. I believe that the best means of achieving these objectives is by providing graduated benefits. I intend to develop proposals in this regard as part of the new legislation on eligibility. I have already started this process through the provision of GP visit cards.

Medical cards are a fundamentally important health benefit and eligibility for a medical card facilitates free access to many other public services. I have increased the income guidelines for medical cards and GP visit cards by some 29% this year, and have also made other changes in the assessment rules to make it easier for people to qualify for a medical card or GP visit card. It is my intention to keep this graduated benefits approach under review.

Ombudsman for Children.

137. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the role of the Ombudsman for Children particularly in relation to assisting children in primary schools in obtaining resources and services for their educational needs. [38410/05]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Office of the Ombudsman for Children was established under the Ombudsman for Children Act 2002 and is a statutory independent body with two main functions, to promote the rights and welfare of children and to examine and investigate complaints against schools and voluntary hospitals where an action may have adversely affected a child. Any specific queries concerning the role of the ombudsman should be addressed directly to that office.

Nursing Home Subventions.

138. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if assistance will be given to persons (details supplied) in Dublin 9 with their nursing home costs; and if she will work with the relevant Departments on this matter. [38411/05]

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.

Hospitals Building Programme.

139. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if the go-ahead will be given to the Mater and children's hospital development; and the position regarding the project. [38427/05]

Tánaiste and Minister for Health and Children (Ms Harney): Under the Health Act 2004 the Health Service Executive has responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for capital developments in public hospitals. The Mater and children's hospital development is the largest single capital development project in the HSE capital programme. It involves the redevelopment of the Mater campus to include considerably expanded and improved facilities for the Mater itself, and the construction of new, purpose-built accommodation which will replace the Children's University Hospital, Temple Street. The revenue costs and scope of the project are currently being examined by the Health Service Executive.

National Treatment Purchase Fund.

140. **Mr. Wall** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in County Dublin is entitled to the treatment purchase scheme; and if she will make a statement on the matter. [38428/05]

Tánaiste and Minister for Health and Children (Ms Harney): As the Deputy's question relates to the operation of the national treatment purchase fund, my Department has asked the chief executive of the fund to respond to the Deputy in relation to the information requested.

Hospital Services.

141. **Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Health and Children the action she proposes to take in view of the evidence given at the inquest on the death of Frances Sheridan following the discharge of this patient from Cavan General Hospital; the policy implications of the case; the measures she will undertake to prevent a recurrence of such a tragedy; and if she will make a statement on the matter. [38460/05]

Tánaiste and Minister for Health and Children (Ms Harney): At the outset, I would again like to offer my deepest sympathy to the family on the death of their daughter, Frances.

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and

to have a detailed reply issued directly to the Deputy.

The report prepared for the former North Eastern Health Board into the circumstances surrounding the death in February 2004 of Frances Sheridan at Cavan General Hospital contained 22 recommendations, of which eight were classified as high priority, and 14 as medium priority. The Health Service Executive has advised my Department that these recommendations are being implemented.

In addition, the Health Service Executive has also advised my Department that it has decided to procure a consultancy to examine acute hospital services in the north east, to include an evaluation of the risks associated with the provision of acute hospital services on five sites serving a current population of approximately 350,000. The terms of reference for this review are presently being finalised by the executive.

Question No. 142 answered with Question No. 121.

Hospital Waiting Lists.

143. **Mr. Perry** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Sligo will be called for their keyhole surgery; and if she will make a statement on the matter. [38470/05]

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.

Cancer Screening Programme.

144. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that there are 140,000 women awaiting the BreastCheck screening programme; the ministerial orders she has given to the Health Service Executive to have this service in place in 2006 in Sligo and the north west; if her attention has further been drawn to the fact that it is unacceptable that this service will not be available to women in Sligo and the north west until 2009; the instructions she will give to the Health Service Executive to have this programme in place in 2006-2007. [38472/05]

Tánaiste and Minister for Health and Children (Ms Harney): The National Breast Screening Board is responsible for BreastCheck. The Health Service Executive has no function in the matter. The programme commenced in 2000 and covers the eastern, midland, north-eastern and

parts of the south-eastern regions of the country. Screening is being offered free of charge, every two years, to approximately 160,000 women in those areas in the target age group 50 to 64 years of age.

The rollout of the national breast screening programme to the remaining regions in the country is a major priority in the development of cancer services. BreastCheck has advertised for lead consultant radiologists and radiographers for the two new clinical units, one at the South Infirmarary-Victoria Hospital, Cork and one at University College Hospital, Galway. The recruitment of other key clinical posts will commence early in 2006. A design team has been appointed to work up detailed plans for the new units. 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.

There are approximately 130,000 women in the target population for screening in the remaining regions. BreastCheck is confident that the target date of 2007 for commencement of the rollout will be met. 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.

Health Services.

145. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the amount of money made available to the Health Service Executive in 2004 and to date in 2005 and proposed for 2006 in respect of elderly day care provision in County Wexford; and if she will make a statement on the matter. [38479/05]

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.

State Property.

146. **Mr. N. O'Keeffe** asked the Minister for Finance if he will consider waiving the rights and interest of his Department in a property which was vested in the Minister for Finance on behalf of the State in 1986 (details supplied). [38270/05]

Minister of State at the Department of Finance (Mr. Parlon): The up-to-date position in this case is outlined in my reply to Question No. 217 of 29 November 2005.

Pension Costs.

147. **Mr. McGinley** asked the Minister for Finance the cost to the Exchequer of the retirement lump sums, in view of the fact that these are tax free; and if he will make a statement on the matter. [38271/05]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that it is not possible to provide a precise estimate of the cost sought by the Deputy in regard to the payment of tax free lump sums because the relevant data are not captured in such a way as to make this possible.

The only relevant data available relate to the estimated cost of tax forgone to the Exchequer derived at aggregated level from very tentative estimates of aggregated amounts paid out under pension schemes including both pension payments and lump sum payments. The tentative estimate of cost based on the taxpayer's marginal rate for 2002, the latest year available, is €147 million.

Disabled Drivers.

148. **Dr. Cowley** asked the Minister for Finance his plans to amend the criteria laid down for disabled drivers and disabled passengers; if, in view of the fact that this section of legislation has not been updated since 1994, he will review same; if not, the reason therefor; and if he will make a statement on the matter. [38393/05]

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 qualifying medical criteria, as well as the benefits of the scheme, the Exchequer costs, the relationship with other schemes and similar schemes in other countries. The report also makes a number of recommendations: both immediate regarding the operation of the appeals process, which issues have been addressed; and long-term regarding options for the future development of the scheme.

In respect of the long-term recommendations, I should say that 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 would consider the recommendations contained in the report of the inter-

departmental review group in the context of the annual budgetary process having regard to the existing and prospective cost of the scheme.

As the Deputy is aware, it is a long-standing practice of the Minister of Finance not to comment on such matters at this time.

Public Service Contracts.

149. **Ms O'Sullivan** asked the Minister for Finance his response to concerns expressed by the Construction Industry Federation regarding the nature of the fixed price lump sum contracts proposed by Government for major construction projects; and if he will make a statement on the matter. [38407/05]

150. **Mr. O'Shea** asked the Minister for Finance his proposals to meet the concerns of a person (details supplied) in County Waterford in regard to Government contract reform; and if he will make a statement on the matter. [38430/05]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 149 and 150 together.

The Government decided to reform construction procurement to achieve greater cost certainty, better value for money and more cost effective delivery of capital works projects. My Department, with the assistance of the Government contracts committee for construction, GCCC, specialist legal drafters and external technical expertise, has drafted a suite of draft standard forms of contract and conditions of engagement for construction related services. These provide for the introduction of fixed price lump sum contracts tendered on a competitive basis with appropriate risk transfer to give effect to the Government decision.

Consultation with the construction industry and the relevant professional bodies on these draft documents has been taking place since July of this year. During these extensive discussions, the views, comments and concerns of the construction industry and the professional bodies have been outlined in considerable detail, including those referred to by the Deputies. This exchange of views and constructive engagement is very valuable. My Department and the GCCC have examined in detail the issues raised and concerns expressed during this consultation process and have responded proposing appropriate changes to the draft contracts or clarification via guidance material to address many of the concerns raised.

The intention is to finalise work on the new contracts through further constructive consultation on both sides, which is under way. This process should help fine tune the new draft forms of contract in a way which seeks to further address industry concerns but which does not compromise Government policy.

We want to have the new contracts and related material available for use in early 2006 and my

Department looks forward to continued engagement with the industry and professional bodies with a view to meeting this deadline.

Departmental Staff.

151. **Mr. Hayes** asked the Minister for Finance the position with regard to a person (details supplied) in County Tipperary who has applied for a transfer with the Civil Service. [38436/05]

Minister of State at the Department of Finance (Mr. Parlon): The person in question was recruited to the Department of Foreign Affairs on 18 December 1995 and transferred to the accounts branch, Office of Public Works, Kilkenny on 8 June 1999 on a voluntary transfer.

From the information available to the Commissioners of Public Works the following is the position thereafter. The person submitted an “application for transfer to a provincial location” dated 26 November 2001, specifying Waterford as first choice and Clonmel as second choice of preferred location. The person’s application form was forwarded to all Departments and offices with offices in Clonmel and/or Waterford.

The person was offered a transfer to the Department of Social and Family Affairs in Clonmel on 10 April 2002. The person refused the transfer. On refusal of the offer of a transfer, the person was removed from the transfer list for the Department of Social and Family Affairs for Clonmel. This is the protocol associated with the transfer system and is agreed between the relevant unions and the Department of Finance. The person needed to reapply to that Department to be put back on to the transfer list for that location. The person has not to date reapplied for a transfer to the Department of Social and Family Affairs in Clonmel.

The person was offered a transfer to the Department of Justice in Waterford on 3 May 2002. The person refused the transfer. On refusal of the offer of a transfer, the person was removed from the transfer list for the Department of Justice for Waterford, again in accordance with the protocols. The person needed to reapply to that Department to be put back on to the transfer list for Waterford. The person has not to date reapplied for a transfer to the Department of Justice in Waterford.

The person was offered a transfer to the Department of Social and Family Affairs in Waterford City on 25 October 2002. The person refused the transfer on 30 October 2002. On refusal of the offer of a transfer, the person was removed from the transfer list for the Department of Social and Family Affairs for Waterford, again in accordance with the protocols. The person needed to reapply to that Department to be put back on to the transfer list for Waterford. The person has not to date reapplied for a transfer to the Department of Social and Family Affairs in Waterford.

The person has been advised that it is the individual’s responsibility to reapply to Departments and offices for locations where the person has already refused the offer of a transfer in order to be considered again for a possible future transfer.

The person submitted an application for transfer to the Courts Service in Tipperary and that application was acknowledged by the Courts Service on 14 November 2002. The person also submitted an application for transfer to the Courts Service in Waterford and this was acknowledged by the Courts Service on 22 January 2003. The person was offered a work-sharing post in the Courts Service in Tipperary on 16 June 2003, which was refused. The person was offered a work-sharing post in Waterford on 28 August 2005, which was refused.

The person is currently second on the Waterford transfer list for the Courts Service and 18th on the Clonmel list. However, the majority of possible transfers to the Courts Service that arise are on a work-sharing or temporary full-time basis. The person is currently 26th on the transfer list for the Tipperary area in the Department of Justice, pursuant to the “application for transfer to a provincial location” submitted in November 2001.

Tax Code.

152. **Caoimhghín Ó Caoláin** asked the Minister for Finance the cost to date in 2005 of tax reliefs for the development of private hospitals. [38461/05]

Minister for Finance (Mr. Cowen): I announced in my Budget Statement in December 2004 that my Department and the Office of the Revenue Commissioners would undertake a detailed review of certain tax incentive schemes and tax exemptions in 2005. Certain schemes have been reviewed by two external consultancy firms and the tax incentives for private hospitals was one of the schemes reviewed.

As regards estimates of tax forgone under the schemes, I refer the Deputy to my reply to his parliamentary question, reference number 29134/05, of 18 October 2005 on this matter. The outcome of the consultants review will be dealt with in the budget.

153. **Caoimhghín Ó Caoláin** asked the Minister for Finance the qualification criteria, including public health and assessment of need on a local and regional basis, which are applied in relation to the tax reliefs for the developers of private hospitals. [38464/05]

Minister for Finance (Mr. Cowen): A private hospital has to meet certain conditions before it can be regarded as a qualifying building and these conditions are set out in section 268(2A) TCA 1997. Conditions include that, the hospital must have the capacity to afford medical or surgical

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services all year round, provide a minimum of 70 inpatient beds, outpatient services, operating theatres and on-site diagnostic and therapeutic services and have facilities to provide at least five specialist services, ranging from accident and emergency to oncology and cardiology etc. Section 24 of the Finance Act 2003 extended this relief to private hospitals providing acute services on a day care basis with accommodation for such services of not less than 40 beds. The Health Service Executive, in consultation with the Minister for Health and Children and with the consent of the Minister for Finance, is required to certify annually during the period in which the tax relief is being claimed that the hospital has complied with these conditions.

154. **Caoimhghín Ó Caoláin** asked the Minister for Finance the number and locations of hospitals constructed, under construction and at the planning stage which have qualified for the tax relief for developers of private hospitals. [38466/05]

Minister for Finance (Mr. Cowen): Claims for tax relief on private hospitals are generally aggregated in tax returns with other claims and do not distinguish at present between the reliefs claimed in respect of different schemes. Provisions were included in the Finance Act 2004 to get much of this data separately in future. The preliminary data should become available from early 2006 following the returns of income filed in October–November 2005.

The Galway Medical Clinic private hospital has been certified by the Health Service Executive, in consultation with the Minister for Health and Children in accordance with the legislation as set out in section 268(2A) TCA 1997.

155. **Mr. Perry** asked the Minister for Finance if his attention has been drawn to the fact that VAT at 13.5% on an ESB bill of €108.58 adds an extra €14.66 levy on to the bill for an old age pensioner; his plans to exempt VAT charged on ESB bills to old aged pensioners; and if he will make a statement on the matter. [38471/05]

Minister for Finance (Mr. Cowen): The position is that the rate of VAT that applies to a particular good or service is determined by the nature of the good or service, and not by the status of the customer. The VAT rating of goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. There is no provision in European VAT law that would allow the application of an exemption from VAT for supplies of electricity to old age pensioners.

However, under the social welfare code, the household benefits package, which comprises the electricity-gas allowance, telephone allowance and free lifetime television licence is available to people living permanently in the State. People

aged over 70 years of age can qualify regardless of their income or household composition. The package is also available to carers. Customers under the age of 70 who are in receipt of a qualifying payment and live alone or only with certain categories of people may also have an entitlement to the package. For those customers aged between 66 and 69 years and who are not in receipt of a qualifying payment, a means test must be satisfied to determine eligibility for the package.

The electricity allowance covers the normal standing charge and up to 1,800 units of electricity each year. At current prices, the value of the electricity allowance to the consumer is approximately €339 per annum for urban dwellers, and €381 for rural dwellers, inclusive of VAT at 13.5%. An electricity — group account — allowance may be paid if a customer lives in self-contained accommodation and operates an electricity slot meter or where the registered consumer of electricity is the landlord. Payment is made by way of 12 vouchers at an annual value of €360, inclusive of VAT at 13.5%.

Alternatively, if the natural gas allowance option is selected, the customer is entitled to the supply charge and up to 1,674 kw/h of gas per year. The annual value of this is up to €313 per annum, inclusive of VAT at 13.5%. If the person's home is not connected to an electricity or natural gas supply, the person is entitled to fifteen cylinders of bottled gas per annum at an annual value of approximately €320, inclusive of VAT at 13.5%.

The telephone allowance is paid as a credit on the customer's telephone bill. The value of the allowance is €24.70 per month, including VAT, or €296.40 per annum.

Food Safety Standards.

156. **Mr. Sargent** asked the Minister for Communications, Marine and Natural Resources the food safety regulations which apply to shell fish and other fish caught in the Dublin region. [38260/05]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Gallagher): Two separate pieces of legislation apply directly to the food safety of shellfish and other fish or fishery products.

Shellfish are covered under Council Directive 91/492/EEC which lays down health conditions for the production and placing on the market of live bivalve molluscs. This directive has been adopted into Irish Law under Statutory Instrument 147 of 1996, entitled the European Communities (live bivalve molluscs) (health conditions and hygiene rules for production and placing on the market) Regulations 1996.

Fishery products are covered by Council Directive 91/493/EEC which lays down the health conditions for the production and placing on the

market of fishery products. This directive has also been adopted into Irish Law under Statutory Instrument 170 of 1996, entitled the European Communities (fishery products) (health conditions and hygiene rules for production and placing on the market) Regulations 1996.

The legislation for food safety of shellfish and fishery products is implemented as part of the seafood control divisions inspection activities nationwide.

Departmental Staff.

157. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources the number of staff broken down by grade employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [38326/05]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There are ten staff employed in my private office, one administrative officer, three executive officers and five clerical officers, all of whom are perma-

nent civil servants, and one special adviser who is a political appointee. The current annual salary cost of my private office is €368,328. In the year to date, overtime costs amounted to €2,208 and expenses amounted to €13,226.

There are five people employed in my constituency office, one executive officer and two clerical officers, all of whom are permanent civil servants, and one personal assistant and one personal secretary who are political appointees. The current annual salary cost of my constituency office is €164,607. No overtime or expenses have been paid this year to date in respect of my constituency office.

158. **Mr. Gilmore** asked the Minister for Foreign Affairs the number of staff broken down by grade employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [38327/05]

Minister for Foreign Affairs (Mr. D. Ahern): The following tables set out the number of personnel in my private and constituency offices, their grades and remuneration.

Private Office.

Grade/Position	Number	Remuneration
Special Adviser (non-established)	1	Principal Officer scale €76,162 — €94,205
Personal Secretary (non-established)	1	Executive Officer (higher) scale €27,017 — €44,555
Private Secretary	1	First Secretary scale €58,494 — €72,937
Higher Executive Officer	1	Higher Executive Officer scale €41,151 — €52,235
Executive Officer	1	Executive Officer scale €27,017 — €42,872
Clerical Officer	5	Clerical Officer scale €21,563 — €34,964
Total	10	

Constituency Office.

Grade/Position	Number	Remuneration
Personal Assistant (non-established)	1	Higher Executive Officer scale €41,151 — €52,235
Executive Officer	1	Executive Officer scale €28,441 — €45,125
Clerical Officer	2	Clerical Officer scale €21,563 — €34,964
Clerical Officer	1	Clerical Officer scale €20,483 — €33,219
Total	5	

The employment contracts of the non-established officers referred to in the tables are coterminous with my appointment as Minister for Foreign Affairs. Overtime, travel and subsistence expenses are paid in accordance with normal Civil Service regulations.

Prisoner Transfers.

159. **Mr. Gregory** asked the Minister for For-

eign Affairs the steps he is taking to ensure that future flights through Shannon Airport are not carrying prisoners to places where they would be at risk of torture; and if he will make a statement on the matter. [38367/05]

Minister for Foreign Affairs (Mr. D. Ahern): During my visit to the United States last week, I met the US Secretary of State, Dr. Condoleezza

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Rice, in Washington DC on 1 December. I raised with her the allegations that have been made regarding the rendition of prisoners and the use of Irish airports. The Secretary of State confirmed the assurances that we have previously received from the US authorities that prisoners have not been “rendered” through Irish airports or air-space, nor would they be, without the permission of the Irish authorities first being sought. No such request for permission has been received.

In light of such categorical assurances, the Government will continue to follow the long-standing practice whereby details supplied to the Department of Foreign Affairs in this area by the US authorities are accepted in good faith as being accurate. The Government would be very concerned if Shannon were to be used in any way that would infringe international or Irish law and we would have to take immediate action if we felt that was the case.

If anyone has credible evidence that Shannon Airport, or any other Irish airport, is being used for the purposes described by the Deputy, this should, as has been made clear by my colleague, the Minister for Justice, Equality and Law Reform, be shared with the Garda authorities.

Northern Ireland Issues.

160. **Mr. F. McGrath** asked the Minister for Foreign Affairs to request that the British Government rein in their so-called security services; and the position in relation to the peace process. [38425/05]

Minister for Foreign Affairs (Mr. D. Ahern): The 1999 Patten report recommended as part of the restructuring of policing in Northern Ireland that security work be integrated with the task of investigating crime. I am pleased to say that the independent oversight commissioner has expressed satisfaction at the manner in which this and other related changes have been put into effect. In this regard, the commissioner stated in his September 2005 report that, as far as the police is concerned, “oversight of covert law enforcement is sound”.

The Government is also aware of proposals for changes in Northern Ireland in the area of national security with effect from 2007. It has sought further information about these changes through the British-Irish intergovernmental secretariat. The Government has emphasised the importance of public accountability in any new arrangements, in line with the recommendations of the Patten report. This is also of particular relevance in the context of proposals for the future devolution of policing and justice powers to the Northern Ireland Assembly.

As regards the peace process generally, the Deputy will be aware that there have been significant positive developments in recent months. The IRA statement of 28 July which announced an

end to its armed campaign, and the report of the Independent International Commission on Decommissioning on 26 September confirming that the IRA had put all of its weapons beyond use, were important and necessary steps towards the restoration of trust and confidence in the process.

The Government is firmly committed to restoring political momentum and is actively engaged with the British Government and with political parties to build on these positive developments. Most recently, I met the Secretary of State, Peter Hain, on 14 and 24 November in Hillsborough, where we jointly held a series of “stocktaking” meetings with political parties. These meetings complemented the bilateral meetings which both Governments have had with the political parties in recent weeks.

My meetings with the Secretary of State were a useful opportunity for a comprehensive exchange of views on current issues in the peace process and on how we could best make progress in the coming months. Our discussions with the parties were constructive and covered a broad range of issues, including the prospects for restoration of devolved institutions. Our primary purpose was to listen to the views of the parties and to take stock of the issues which need to be addressed in order to advance the process in the period ahead.

I stress the Government’s determination to take concrete steps towards the restoration of devolved Government in Northern Ireland at the earliest opportunity next year. To this end, the Taoiseach and I will have further discussions later this month with Prime Minister Blair and Secretary of State Hain, respectively. The findings of the next report of the Independent Monitoring Commission, which is due to be submitted to the Governments in January, will also be important in that context.

161. **Mr. F. McGrath** asked the Minister for Foreign Affairs to request that the British Government disband all Unionist paramilitaries and other instruments of their own creation. [38426/05]

Minister for Foreign Affairs (Mr. D. Ahern): In the course of the negotiations leading to the Good Friday Agreement, political parties in Northern Ireland accepted the principles set out in the report of the international body chaired by Senator George Mitchell, including the commitment to democratic and exclusively peaceful means of resolving political disputes, as well as the total disarmament of all paramilitary organisations. As part of the Good Friday Agreement, the participants reaffirmed the commitment to the total disarmament of all paramilitary organisations.

In an important development the two Governments on 26 September 2005 received the report

of the Independent International Commission on Decommissioning confirming that the commission had overseen the completion of IRA decommissioning. While welcoming this development, both Governments made clear that this should be followed by the complete cessation of loyalist paramilitary activity, and the decommissioning of loyalist arms. It was indicated that there was no place for illegally held weapons in Northern Ireland, and that the loyalist groups should re-engage with the IICD.

In this context, I welcomed the announcement on 31 October that the LVF had stood down and called on them to engage with the IICD. I also welcome the reports of recent contacts between the UDA and the IICD. The Government has repeatedly called on loyalist paramilitary groups to build on this historic opportunity to bring a speedy end to paramilitary activity and to decommission fully. The Government has also urged the leaders of the political parties to use their influence to this end.

More generally, the Government welcomes recent indications of an openness to change within the loyalist community and reiterates its readiness to work constructively with those committed to tackling through peaceful means the real needs of their communities.

Departmental Staff.

162. **Mr. Gilmore** asked the Minister for Arts, Sport and Tourism the number of staff broken down by grade employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [38328/05]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): There are currently seven staff employed in my private office, one special adviser at principal officer level, one private secretary at higher executive officer level, one personal assistant at higher executive officer level, two executive officers and two clerical officers. There are currently six staff employed in my constituency office, two executive officers, one personal secretary at Oireachtas secretarial assistant level and three clerical officers.

All those mentioned are permanent civil servants, except my personal assistant and personal secretary. My special adviser is a permanent civil servant on secondment to this position. All these staff are paid at the appropriate Civil Service rates. In addition, my special adviser and personal secretary are each paid a 10% attraction allowance in respect of their current positions. My private secretary is paid an allowance at the rate of €18,015 per annum for these duties.

The expenses and overtime paid for the year ended 31 December 2004 are as follows:

	Overtime	Expenses
	€	€
Constituency Office	1,269.08	Nil
Private Office	2,112.50	25,159.74

The staffing of both my private and constituency offices is in line with Department of Finance guidelines on this matter.

Departmental Staff.

163. **Mr. Gilmore** asked the Minister for Enterprise, Trade and Employment the number of staff broken down by grade employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [38329/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The requested details, which I outlined in my response to the identical question, reference number P35304/05 tabled by the Deputy on 22 November 2005, are set out below.

Staffing of Private Office.

Grade	Staff
Higher Executive Officer (Private Secretary)	1
Executive Officers	2
Clerical Officers	5.8
Total	8.8

The staff in the table above are civil servants.

Constituency Office.

Grade	Staff
Clerical Officers (Civil Servants)	2
Personal Assistants (non-civil servants)	1.5
Personal Secretary (non-civil servant)	1
Total	4.5

I have also appointed one special adviser, one policy adviser and one press adviser. The individuals concerned transferred with me from the Department of Health and Children on my appointment as Minister for Enterprise, Trade and Employment on 29 September 2004. My special adviser is a civil servant while my policy adviser and press adviser are non-civil servants.

It is estimated that the total cost of running the private and constituency offices for 2005 will amount to €624,816 and €130,893, respectively.

Fuel Prices.

164. **Mr. Hayes** asked the Minister for Enterprise, Trade and Employment the reason the price of LPG has not been reduced (details supplied). [38343/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Department of Enterprise, Trade and Employment does not track the movement of fuel prices. The policy of the Government as regards oil products generally is to promote competition and consumer choice. There is no price control on these products and in common with most other goods and services price differences are an ongoing feature of the market economy. It is a matter for retailers to explain price differences where they occur and my Department encourages consumers to raise price concerns directly with retailers. If it is the case that prices for fuel are affected by agreements between petrol companies or retailers or by an abuse of a dominant position, the Competition Authority is there to enforce competition law. Any suspected infringements of competition law should be brought to the attention of the Competition Authority

Industrial Development.

165. **Mr. G. Murphy** asked the Minister for Enterprise, Trade and Employment the reason the IDA is not taking a realistic approach to an idea (details supplied); and the further reason it seems to be continually obstructing the process. [38370/05]

Minister for Enterprise, Trade and Employment (Mr. Martin): The management of IDA Ireland's industrial property portfolio is a day to day operational matter for the agency as part of the statutory responsibility assigned to it by the Oireachtas for the attraction of foreign direct investment to the State and its regions. While I may give general policy directives to IDA Ireland, I am precluded under the Acts from giving directives regarding individual undertakings. From inquiries which I have made I understand that IDA has been involved in ongoing discussions with Cork County Council over the past year regarding a number of land holdings in the Cork area and that there are still outstanding issues to be resolved. IDA is seeking an early meeting with Cork County Council with a view to resolving these issues. I am sure the Deputy will appreciate that, in the circumstances, it would not be appropriate for me to comment further on the matter.

Economic Competitiveness.

166. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment the value of all-island trade in the first six months of 2005 and

the percentage increase or decrease over that period. [38406/05]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): Exports from the Republic of Ireland to Northern Ireland for the period January-June 2004 were €722,415,000 and in the corresponding period in 2005 totalled €690,225,000, a decrease of 4.5%. Imports from Northern Ireland to the Republic of Ireland for January-June 2004 were €552,840,000 and for the corresponding period in 2005 totalled €552,780,000, a decrease of 0.01%.

Pension Provisions.

167. **Mr. McGinley** asked the Minister for Social and Family Affairs the sections of the EU pensions directive that were transposed into Irish legislation in September 2005; if he will report on the sections that have not been transposed and the reason these sections were omitted; and if he will make a statement on the matter. [38263/05]

168. **Mr. McGinley** asked the Minister for Social and Family Affairs if he will report on the provisions of Article 14 of the EU pensions directive stating this article was transposed into Irish legislation; and if he will make a statement on the matter. [38264/05]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 167 and 168 together.

The EC Council Directive 2003/41/EC on the activities and supervision of institutions for occupational retirement provision, IORPs, is generally referred to as the IORPs directive or the pensions directive. The directive sets out a framework for the operation and supervision of occupational pension schemes in all member states and will facilitate pan-European pension plans.

Much of the framework required by the directive already existed in the Pensions Act 1990 and only a small number of amendments were required to ensure compliance. The amendments to the Pensions Act were carried in Part 3 of the Social Welfare and Pensions Act 2005 and in consequential regulations which I signed into law on the 23 September 2005, the deadline for transposing the directive. My Department notified the European Commission that we had implemented the requirements of the directive by the required deadline.

The approach taken to transposition was to examine the existing provisions of Irish pensions law and to make changes only where required. Article 14 of the directive requires competent authorities to ensure that appropriate management and governance procedures are in place. It ensures that the competent authorities are sufficiently equipped with powers of intervention to perform their responsibilities properly and safeguard the interests of members and benefici-

aries of the pension scheme. In Ireland, the competent authority is the Pensions Board.

As regards the transposition of Article 14, the existing provisions of pensions law in Ireland were considered sufficient compliance. For example, there are many requirements placed on trustees by trust law generally and by the Pensions Act. In addition, the Pensions Board has wide powers of investigation. The board also has powers as regards the appointment and removal of trustees and powers of intervention which are exercisable through the courts.

Family Support Services.

169. **Mr. Quinn** asked the Minister for Social and Family Affairs when he will reinstate the fuel allowance in the case of approximately 200 older people living in sheltered accommodation in the Dublin city area who have not received a winter fuel allowance in respect of winter 2005-06; if he will backdate the payments to compensate those people for the payments not made; and if he will make a statement on the matter. [38293/05]

Minister for Social and Family Affairs (Mr. Brennan): The aim of the national fuel scheme is to assist householders who are in receipt of long-term social welfare or health service executive payments with the cost of their additional heating needs during the winter season. As a long-standing policy within the scheme, fuel allowances are not payable in situations where a person has access to their own fuel supply or is benefiting from a subsidised or low cost heating service, such as those provided by Dublin City Council at a number of its housing complexes.

In the course of a routine review of fuel allowance payments, my Department recently ceased allowance entitlement which had been paid in error in a specific number of cases where the recipients were in, or had moved to, local authority accommodation with subsidised or low cost heating. The allowances in question, which under current scheme rules should not have been put in payment in the first place, were withdrawn in these cases with effect from the start of this winter heating season.

However, I am conscious of the particular circumstances which apply in the cases concerned. I have reviewed the position to see if there is scope to resolve their fuel allowance situation, and I intend to clarify the matter very shortly.

170. **Mr. Curran** asked the Minister for Social and Family Affairs the services which are provided to lone parents in Clondalkin and Lucan to assist them to return to education and employment with regard to high levels of welfare dependency of lone parents; the success of these measures; and if he will make a statement on the matter. [38316/05]

Minister for Social and Family Affairs (Mr. Brennan): My Department assists and encourages long-term unemployed and other welfare recipients, including lone parents, to return to work, training or further education through a range of measures administered by its social and family support service. One significant measure is the back to work allowance scheme which incentivises and encourages people to return to work by allowing them to retain part of their social welfare payment for a period when they take up employment or self-employment. Research has shown that 75% of participants remain in employment or self-employment following participation. Another measure offered by my Department's social and family support service is the back to education allowance programme which provides support to long term social welfare recipients who need to obtain educational qualifications before re-entering the labour force. Again, information provided through research has shown that, in the case of a group surveyed, 63% were in employment following participation in the scheme.

In addition, a special projects fund, administered by the Department's locally based facilitators provides enhanced support to people who need additional help to progress to training and employment. The facilitators also operate small-scale family services projects in certain areas, which are designed to focus supports towards specific target groups with complex needs. The provision of this additional support involves individual attention, customised information and enhanced access to services. It can increase the capacity of those in the most difficult circumstances, to improve their self-esteem and personal situations through access to basic education, training and developmental opportunities.

It is hoped that by encouraging customers to participate in self development programmes and in some instances "taster" educational programmes that they will move on to more formalised training and educational programmes. The special projects and family services initiatives are based on the application of a partnership approach between my Department, the voluntary and community sector, the private sector and other local players in identifying and addressing local needs in terms of training and development for people dependent on social welfare payments, including lone parents. I can confirm that in 2005 to date the Department funded two programmes specifically for lone parents in the areas in question. One was a 14 week preparation for work and personal effectiveness programme for 15 lone parents. The second was a 12 week personal development and job seeking skills programme for 12 lone parents. Funding of €23,670 was provided for these programmes.

Two other programmes were funded this year to improve parenting skills and strengthen families. These programmes were targeted at

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parents in need and included lone parents but were not exclusively for lone parents. Funding of €41,100 was provided for these programmes to assist 100 families. In 2004, seven programmes specifically for lone parents — six in Clondalkin and one in Lucan — were funded. The programmes varied in duration from ten to 14 weeks and were designed to improve parenting skills and personal development. Over 80 lone parents participated and funding of €83,945 was provided towards programme and ancillary costs.

Another four programmes were funded — three in Clondalkin and one in Lucan — targeted at parents in need and included lone parents but were not specifically for lone parents. Funding of €38,150 was provided for these programmes to assist approximately 70 families. In addition to the above, lone parents are encouraged to maximise their income from different sources and the means test for the one-parent family payment makes provision for the exemption of significant levels of earnings.

With regard to employment, lone parents may earn up to €146.50 per week without affecting their payment. Above that level, half of any earnings are assessed, up to a current maximum of €293 per week.

From 6 January 2005 recipients whose earnings increase and exceed €293 per week may be entitled to half of their one-parent family payment for a maximum of 26 weeks, starting immediately after their earnings exceeded €293.00 per week and when the 26 week period expired the payment would cease.

Departmental Staff.

171. **Mr. Gilmore** asked the Minister for Social and Family Affairs the number of staff broken down by grade employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter.

[38330/05]

Minister for Social and Family Affairs (Mr. Brennan): There are ten staff employed in my private office. These include eight administrative staff, a press adviser and a special adviser. The eight administrative staff are all established civil servants, one higher executive officer, 1.5 executive officers and 5.5 clerical officers.

The higher executive officer is on a pay scale of €40,543 to €51,463 with a private secretary allowance of €15,620 per annum. The executive officers are on a pay scale of €26,618 to €42,238, adjusted proportionally in the case of the work sharing officer.

Some 3.5 of the clerical officers are on a pay scale of €20,181 to €32,728 — class B rate of PRSI contribution applies — adjusted proportionally in

the case of the work sharing officer. The other two clerical officers are on a pay scale of €21,245 to €34,448 — class A rate of PRSI contribution applies — as they commenced employment after 6 April 1995. The total overtime costs and expenses incurred to date in 2005 for the administrative staff in this office is €12,728 and €6,798, respectively. The press adviser and special adviser were appointed by me on a contract basis for my term of office. The press adviser is on a principal officer higher level pay scale of €80,750 to €93,599 together with a private pension contribution of 10% of salary. The special adviser is on a principal officer pay scale of €75,036 to €87,247. The total expenses incurred to date by my press adviser and special adviser are €13,000 and €8,152, respectively. No overtime costs have been incurred by these officers.

There are a total of six full-time administrative staff assigned to deal with matters in my constituency office. There are four established civil servants, one executive officer on a pay scale of €26,618 to €42,238 and three clerical officers on a pay scale of €21,245 to €34,448.

I have also appointed, on a contract basis for my term of office, two non-established civil servants, a personal secretary and a personal assistant. The annual salary for my personal secretary is €38,948. My personal assistant is on secondment from the Department of Education and Science. That Department will recoup from my Department on an annual basis the cost of a replacement teacher's salary, allowances, PRSI contributions and superannuation contributions. This will be in the region of €34,400. No overtime or expenses have been incurred to date in 2005 by the administrative staff in my constituency office.

The payscales quoted above are exclusive of the 1.5% increase due under the Sustaining Progress agreement with effect from 1 December 2005.

Social Welfare Benefits.

172. **Mr. Ring** asked the Minister for Social and Family Affairs when a person (details supplied) in County Mayo will be awarded the respite care grant. [38396/05]

Minister for Social and Family Affairs (Mr. Brennan): The person to whom the Deputy refers was paid the respite care grant on 2 November 2005.

173. **Mr. G. Mitchell** asked the Minister for Social and Family Affairs, further to Question No. 425 of 14 June 2005, if the reduction in rent subsidy for a person (details supplied) in Dublin 12 was correctly calculated following a readjustment in their one parent family payment; and if he will make a statement on the matter. [38473/05]

Minister for Social and Family Affairs (Mr. Brennan): Rent supplements are provided through the supplementary welfare allowance scheme which is administered on my behalf by the community welfare division of the Health Service Executive.

The Dublin-mid-Leinster area of the HSE has advised that the rent supplement rate payable to the person concerned has been reviewed recently to take account of an increase in her rate of one parent family payment. It has determined that the revised rate of rent supplement payable to her will be €163.69 per week. The HSE is to notify her of this decision and of the effective date.

Departmental Staff.

174. **Mr. Gilmore** asked the Minister for Trans-

Office	Total staff	Grade/Job Title	Status: Permanent or Political	Salary scale: Annual Cost
Constituency	1	Personal Assistant	Political appointee	€41,151 — €52,235
Constituency	1	Personal Administrative Assistant	Political appointee	€41,151 — €52,235
Constituency	1	Personal Secretary	Political appointee	€20,489 — €39,532
Constituency	1	Staff Officer	Permanent	€32,508 — €43,402
	4			

Office	Total Staff	Grade/Job Title	Status: Permanent or Political	Salary scale: Annual Cost
Private Office	1	Private Secretary	Permanent	€43,316 — €54,986 plus allowance of €19,246
Private Office	1	Special Adviser	Political appointee	€144,240
Private Office	1	Press Officer	Political appointee	€76,162 — €94,205
Private Office	1	Executive Officer	Permanent	€28,441 — €45,125
Private Office	1	Executive Officer	Permanent	€27,017 — €42,872
Private Office	6	Clerical Officer	Permanent	€21,563 — €34,964
	11			

Dublin Transportation Office.

175. **Ms Shortall** asked the Minister for Transport if he has received the 2004 annual accounts from the Dublin Transportation Office; and when the accounts will be laid before the Houses of the Oireachtas. [38344/05]

Minister for Transport (Mr. Cullen): I have received a draft of the 2004 annual accounts of the Dublin Transportation Office. The accounts will be published, following sign-off by the Comptroller and Auditor General's office and the steering committee of the Dublin Transportation Office. This process is following the same pattern as in previous years. Following publication, a copy will be lodged in the Oireachtas Library.

National Safety Council.

176. **Ms Shortall** asked the Minister for Trans-

port the number of staff broken down by grade employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [38331/05]

Minister for Transport (Mr. Cullen): I refer the Deputy to my previous answer to Question No. 421, answered on 22 November 2005. The following tables provide the information requested by the Deputy as regards salary. The salary costs are based on current salary scales. The overall expenses, including overtime, incurred by my office over the past year — November 2004-05 — is approximately €160,000. This includes travel and subsistence costs for staff and all other associated office costs.

port if he has received the 2003 and 2004 annual reports and abstracts of the audited accounts from the National Safety Council and if the documents will be laid before the Houses of the Oireachtas. [38345/05]

Minister for Transport (Mr. Cullen): I have not yet received the 2003 and 2004 annual reviews and abstracts of audited accounts from the National Safety Council. The council has advised that its annual review for 2003 is complete and will be forwarded to me shortly and that the annual review for 2004 awaits approval by the board and will be sent to me immediately thereafter.

An issue arose in 2003 as regards an assessment for value added tax in respect of a service provided by the council. This matter has been the subject of ongoing consideration by the council

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and Revenue and the Office of the Comptroller and Auditor General has been kept advised of the situation. It is expected that the matter will be resolved shortly thus allowing for audited accounts for 2003 to be furnished. It is expected that the 2004 audited accounts will be completed shortly thereafter.

These annual reviews and abstracts of the audited accounts will be laid before the Houses of the Oireachtas upon receipt from the council.

Community Development.

177. **Mr. Curran** asked the Minister for Com-

munity, Rural and Gaeltacht Affairs the various community groups in Clondalkin and Lucan that have received funding by means of grant aid in the years 2003, 2004 and to date in 2005. [38315/05]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The various community groups in Clondalkin and Lucan that have received funding from my Department in the years 2003, 2004 and to date in 2005 are as follows:

Clondalkin Local Development Social Inclusion Programme (LDSIP).

Name	2003	2004	2005
	€	€	€
Clondalkin Partnership	1,121,814	1,043,287	1,151,046 (2005 allocation)

Lucan Local Development Social Inclusion Programme (LDSIP)

Name	2003	2004	2005
	€	€	€
Lucan 2000 (Community Partnership)	85,828	49,255	

Clondalkin Community Development Programmes (CDP).

Name	2003 €		2004 €		2005 €	
	Core Funding	Once Off	Core Funding	Once Off	Core Funding	Once Off
Ronanstown Women's Community Dev Project Ltd	100,000	4,205	104,000	5,200	108,200	12,840
Bawnogue Women's Dev Company Ltd	38,300	1,570	39,830	2,300	41,500	4,452
Clondalkin Women's Network Ltd	129,400		132,000		136,400	2,000
Dolcain Project (S.W. Clondalkin CDP Ltd)	82,162		94,860	3,000	99,300	1,186
North Clondalkin Community Dev Prog Ltd (NCCDP)	109,400		112,380		115,900	4,600
Quarryvale Community House Project Ltd	97,751	14,000	102,440	4,000	106,600	8,210
Rowlagh Women's Group Ltd	78,600	1,499	82,780		86,100	1,000
Clondalkin Travellers Development Grp.	95,800	11,348	99,630	2,500	100,700	No appl. rec'd
Total	731,413	32,622	767,920	17,000	794,700	34,288

Clondalkin Young People's Facilities and Services Fund (YPFSS) Capital Projects.

Name	2003	2004	2005
	€	€	€
Knockmitten Youth Facility		72,384	437,616
Ronanstown Youth Service			50,000
Bawnogue Youth and Community Centre			10,000
St. Ronan's and Sruleen Youth Centres			25,000
Total		72,384	522,616

Clondalkin YPFSS Services Projects.

Name	2003	2004	2005
	€	€	€
CYC Youth Workers	165,000	171,000	
CYC Quarryvale Youth Worker	55,000	57,000	
CASP Youth Worker	6,464	57,000	
Teen Counselling	55,000	57,000	
Clondalkin Partnership Community Development Worker	50,000	52,000	
St. Ronan's, Deansrath, Srúleen Youth Worker	50,000	52,000	
Collinstown Community College	36,179	52,000	
Bawnogue Community Centre Operational Grant		10,000	10,000
Bawnogue Community Centre 2 Youth Workers		55,000	112,200
Neilstown Youth Community Centre Operational Fund		10,000	10,000
Neilstown Youth Community Centre Youth Worker		27,500	56,100
Quarryvale Community and Leisure Centre Staffing/Running Costs		62,500	127,500
YPFSS in Clondalkin also funds:			
Sports Development Officer		27,500	56,100
Youth Support Worker	27,500	28,500	
Youth Support and Training Unit	6,151	15,000	
Small Grants Fund		35,000	35,000
Total	451,294	769,000	406,900

Clondalkin Local Drugs Task Force Funding (LDTF).

Name	2003	2004	2005
	€	€	€
CASP	260,414	321,689	346,542
CUMAS	64,090	39,292	160,834
Carline	31,744	97,774	95,940
Ballyogan Family Support	24,335	29,028	39,323
Cairdeas	38,093	26,158	47,041
Beacon of Light	44,440	34,666	46,692
Clondalkin Youth Service		25,395	25,903
Ronanstown Youth Service	63,487	55,868	67,393
Dublin Simon Community		57,710	40,349
LDTF in Clondalkin also funds:			
Community Drugs Team	73,646	94,737	103,069
Under 18 Drug users support	31,744	31,744	55,000
Schools Drug Education Worker	63,486	49,521	68,375
Task Force information service		12,697	12,951
Total	695,479	876,279	1,109,412

Grants awarded to community and voluntary groups under the scheme of community support for older people and the programme of grants for locally-based community and voluntary organisations for the years in question are published by county on my Department's website — www.pobail.ie.

Departmental Staff.

178. **Mr. Gilmore** asked the Minister for Com-

munity, Rural and Gaeltacht Affairs the number of staff broken down by grade employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [38332/05]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I refer the Deputy to

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my reply to Questions Nos. 446 to 448, inclusive, of 22 November 2005.

Food Labelling.

179. **Mr. Sargent** asked the Minister for Agriculture and Food the regulations that are in place to ensure that vegetables with an organic label are actually organically grown. [38261/05]

Minister for Agriculture and Food (Mary Coughlan): The organic sector is governed by Council Regulation (EEC) No. 2092/91, as amended. The only food that may be labelled organic is food produced in accordance with the EU regulation and, in some instances, with additional standards for Ireland set down in the European Communities (Organic Farming) Regulations 2004. Under these regulations, a person who falsely labelled a product as organic would be liable for prosecution. The regulations

provide for fines of up to €3,000 or a term of imprisonment.

Consumers already have a high degree of trust in the integrity of the organic production system and it is essential to preserve that trust. For that reason, I am determined that any instances of false labelling will be vigorously pursued and dealt with.

Departmental Staff.

180. **Mr. Gilmore** asked the Minister for Agriculture and Food the number of staff broken down by grade employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if she will make a statement on the matter. [38333/05]

Minister for Agriculture and Food (Mary Coughlan): The following table shows the breakdown of the numbers in my private and constituency office.

Grade	Number of Posts	Salary Scale
Special Adviser	1	€57,630 — €71,859 Assistant Principal Officer scale + 10% allowance
Private Secretary	1	€40,543 — €51,463 — Higher Executive Officer scale + €18,015 allowance
Personal Assistant	1	€43,000 — €53,191 — Higher Executive Officer scale
Personal Secretary	1	€20,186 — €38,948 — Secretarial Assistants salary scale + 10% allowance
Executive Officers	2	€26,618 — €42,238 — Executive Officer scale
Clerical Officers	8	€21,245 — €34,448 — Clerical Officer Salary scale
Temporary Clerical Officer	2	€20,181 — €32,728 — Full PRSI Clerical Officer Salary scale
Total	16	

The following three staff members are non-civil servants employed on a contract basis, namely, a personal assistant, a personal secretary and a temporary clerical officer.

Expenses relating to my office since January 2005 total €6,755.69. Overtime relating to my office since January 2005 totals €23,108.68.

School Milk Scheme.

181. **Mr. Fleming** asked the Minister for Agriculture and Food the number of schools on a county basis that participated in the school milk scheme in 2004; and if she will make a statement on the matter. [38348/05]

182. **Mr. Fleming** asked the Minister for Agriculture and Food the schools in County Laois that participated in the school milk scheme in 2004; the dairies that were involved; and the amounts paid in respect of each school. [38349/05]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 181 and 182 together.

In 2004, 2,360 schools around the country participated in the school milk scheme. The following table lists the school on a county basis.

County	Number of Schools
Cork	386
Clare	44
Kerry	60
Limerick	84
Tipperary	104
Waterford	66
Galway	179
Sligo	52
Roscommon	39
Mayo	139
Leitrim	16
Cavan	41
Donegal	121
Monaghan	67
Meath	47
Laois	18
Longford	22

County	Number of Schools
Louth	62
Kilkenny	46
Kildare	34
Offaly	34
Westmeath	61
Dublin	462
Carlow	28
Wexford	100
Wicklow	48
Total number of schools	2,360

The 18 schools in County Laois that participated in the scheme in 2004 are listed below.

School	
Ballyroan Girls national school	Abbeyleix
Emo national school	Emo
Gaelscoil Phortlaoise	Portlaoise
Kolbe Centre Montessori	Portlaoise
Maryboro national school	Portlaoise
Number Two N.S Sandy Lane	Portarlinton
Rathdowney Church of Ireland national school	Rathdowney
Rathdowney Boys national school	Rathdowney
Rathdowney Montessori	Rathdowney
Ratheniska national school	Stradbally
Scoil Bhríde	Montrath
Scoil Mhuire national school	Abbeyleix
Scoil Phdraig Naofa B.N.S.	Mountmellick
St. John of God N.S.	Rathdowney
St Joseph's national school	Mountmellick
St. Pius X national school	Ballacolla
St. Francis	Portlaoise
Timahoe national school	Timahoe

Glanbia provides almost two thirds of all milk utilised in the school milk scheme in Ireland and is the sole provider of milk to schools in County Laois. My Department does not hold information on the amounts paid in respect of individual schools.

Water Charges.

183. **Mr. Fleming** asked the Minister for Agriculture and Food the amounts paid to Laois County Council in 2004 in respect of water rates for the Department's offices in Portlaoise. [38350/05]

Minister for Agriculture and Food (Mary Coughlan): In 2004, a total of €1,975.01 was paid by my Department to Laois County Council in respect of water rates for my Department's offices in Portlaoise.

Grant Payments.

184. **Mr. Ring** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Mayo did not receive their full single farm payment entitlement. [38434/05]

Minister for Agriculture and Food (Mary Coughlan): Originally, the person named had a single payment of €1,522.03 and 7.1 entitlements established for him during the reference period 2000 to 2002. However, since he was destocked in 1999 under the agri-environmental measures, his entitlements were subsequently based on the years prior to destocking which would have been more beneficial to him. Accordingly, the person named was notified that his single payment was €2,274.06, which was based on the average number of animals on which premia was paid during the years 1997-98. He was also notified that his number of entitlements was 24.11 based on the average number of hectares farmed during those two years.

In view of the fact that he only declared 7.1 hectares of land in 2005, he was paid only a percentage of his single payment as a result. My Department is now willing to accept the average number of hectares declared during 2000 to 2002 as his entitlements and assign him 7.1 entitlements instead of the 24.11 already notified. Arrangements are being made to have the balance of his single payment paid to him shortly.

Sexual Offences.

185. **Ms O'Sullivan** asked the Minister for Justice, Equality and Law Reform the measures which are in place to ensure that information relating to convicted sex offenders is made available to the relevant members of the Garda Síochána at operational level to ensure the protection of the public; and if he will make a statement on the matter. [38277/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that a garda inspector has been appointed in each Garda division throughout the State with responsibility for liaising with the domestic violence and sexual assault investigation unit at the National Bureau of Criminal Investigation, Harcourt Square, Dublin 2, concerning the supervision of sex offenders.

Citizenship Applications.

186. **Mr. Wall** asked the Minister for Justice, Equality and Law Reform the position of an application for Irish citizenship by a person (details supplied) in County Kildare; and if he will make a statement on the matter. [38278/05]

187. **Mr. Wall** asked the Minister for Justice, Equality and Law Reform the position of an application for Irish citizenship by a person

[Mr. Wall.]

(details supplied) in County Kildare; and if he will make a statement on the matter. [38279/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 186 and 187 together.

Certificates of naturalisation are being prepared at present and I understand these will be issued to the two persons concerned within the next week.

Child Care Services.

188. **Mr. N. O’Keeffe** asked the Minister for Justice, Equality and Law Reform if grant aid will be provided by his Department to mothers who stay at home to mind their children. [38280/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): My Department provides funding for child care services under the Equal Opportunities Childcare Programme 2000-2006. The EOCP is funded by the Government under the national development plan, which receives co-financing under European Union Structural Funds. Funding available includes capital grants for child care facilities, grants to support staffing costs in child care services and grants towards quality improvement, primarily through the national voluntary child care organisations and the city-county child care committees.

My Department does not operate a scheme of the type referred to by the Deputy but it may interest him to know that the Government has made substantial provision under child benefit, which has increased from about €500 million to €2 billion per annum over the period since 1997. This increase was introduced to give effect to the Government’s commitment to assist all parents in relation to the care of their children irrespective of income or employment status.

Registration of Title.

189. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform if the Land Registry office will expedite a file plan folio for a person (details supplied) in County Clare; and if he will make a statement on the matter. [38281/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to inform the Deputy that I have requested the Land Registry to contact him directly concerning the current position of the application in question.

I understand that, in circumstances where the completion of an application in a particular case is urgent, the Land Registry will make every reasonable effort to facilitate such requests on receipt of a written explanation as to the reason underlying the urgency.

190. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform if the Land

Registry office will expedite a file plan folio for a person (details supplied) in County Clare; and if he will make a statement on the matter. [38282/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to inform the Deputy that I have requested the Land Registry to contact him directly concerning the current position of the application in question.

I understand that, in circumstances where the completion of an application in a particular case is urgent, the Land Registry will make every reasonable effort to facilitate such requests on receipt of a written explanation as to the reason underlying the urgency.

Security Industry.

191. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the steps he has taken to ensure that persons with criminal records are not issued with licences under the Private Security Services Act 2004. [38284/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): My concern in regard to unacceptable elements within the private security industry was one of the reasons why I brought forward the Private Security Services Act 2004 to regulate the private security industry.

The Private Security Authority is the statutory body established under the Act to regulate this important industry. The PSA has put in place stringent criteria to ensure the private security industry operates to a high standard. In this regard, all applicants for a licence must undergo criminal record checks by the Garda Síochána, be they employees, principals or directors of private security companies and it is a matter for the authority to take the nature of any such record into account in determining whether to issue a licence. It is an offence in itself not to disclose details of a conviction when applying to the authority for a licence.

Garda Strength.

192. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the number of gardai serving in each of the Garda stations in each county here for each year since 1997 to date in 2005; the population served by each Garda station in 1997 and to date in 2005; and if he will make a statement on the matter. [38285/05]

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 information requested is not readily available in the detail sought. I will communicate further with the Deputy when the Garda authorities have compiled the information to the extent that it is practical to do so.

Inquiries into Garda Activities.

193. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if he has received the final report of the internal Garda inquiry into the death of a person (details supplied); and if he will make a statement on the matter. [38286/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Deputy will be aware that I have already received a preliminary Garda report on this distressing incident.

I am informed by the Garda authorities that the investigation into the death of the person referred to by the Deputy, which is being carried out by an officer from outside the Garda division concerned, is at an advanced stage. I have requested the Garda authorities to submit the final report to me as soon as it is completed. When received, I will consider its contents. A completed investigation file will also be submitted by the Garda authorities to the Director of Public Prosecutions for his consideration.

Departmental Staff.

194. **Mr. Gilmore** asked the Minister for Justice, Equality and Law Reform the number of staff broken down by grade employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [38334/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my response to Question No. 486 of Tuesday, 22 November 2005.

Residency Permits.

195. **Ms Enright** asked the Minister for Justice, Equality and Law Reform the factors taken into account in adjudicating on a residency application for a non-national person; and if he will make a statement on the matter. [38339/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Subject to certain exceptions, every non-EEA national who wishes to remain in Ireland for longer than three months is required by law to register with the Garda Síochána. Permission to remain is granted in the form of an endorsement in the person's passport. Following registration he or she is issued with a Garda registration certificate.

A non-national can seek permission to remain on a number of grounds. For example, holders of work permits, students, family members of refugees and spouses of Irish nationals can all seek to make residency applications. The factors taken into account in adjudicating on residency applications depends to a large extent on the nature

of the application. Should the Deputy require further information on a particular type of residency, the immigration division of the Department of Justice, Equality and Law Reform would be happy to provide more detailed information.

Deportation Orders.

196. **Dr. Cowley** asked the Minister for Justice, Equality and Law Reform the reason persons (details supplied) are being deported to Nigeria; if his attention has been drawn to the contribution this person has made to the local community; the steps he will take to reverse this deportation order; and if he will make a statement on the matter. [38346/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The family concerned arrived in the State on 15 April 2005 and applied for asylum. Their application was refused following consideration of their case by the Office of the Refugee Applications Commissioner and, on appeal, by the Office of the Refugee Appeals Tribunal. The mother was informed by letter dated 12 August 2005 that the Minister proposed to make deportation orders in respect of her and her children and afforded them three options under section 3(3)(b)(ii) of the Immigration Act 1999, as amended, namely: to make representations to the Minister setting out the reasons they should be allowed to remain in the State; to leave the State voluntarily; or to consent to the making of deportation orders.

Their case was examined under section 3(6) of the Immigration Act 1999, as amended, and section 5 of the Refugee Act 1996, which relates to prohibition of *refoulement*. Consideration was given to all representations received on their behalf. On 10 November 2005, deportation orders were signed in respect of the family concerned, including a child born in the State on 25 May 2005. Notice of these orders was served by registered post requiring the family to present themselves to the Garda National Immigration Bureau, GNIB, at 13-14 Burgh Quay, Dublin 2, on Thursday, 24 November 2005, in order to make arrangements for their deportation from the State. The family failed to present themselves as required and are classified as evaders. They are being sought by Garda for removal and should present themselves to the GNIB without delay.

In addition to the 11 factors contained in section 3(6) of the Immigration Act 1999, as amended, I must also have regard to section 5 of the Refugee Act 1996, which relates to prohibition of *refoulement*, before making a deportation order. The safety of returning a person, or *refoulement* as it is referred to, is fully considered in every case when deciding whether to make a deportation order. 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,

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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, in evaluating the safety of making returns to Nigeria and other third countries.

I am satisfied that the person's applications for asylum and leave to remain, together with all *refoulement* issues, were comprehensively and fairly considered and that the deportation should proceed. I would again urge the family to present themselves to the GNIB without delay.

Violence Against Women.

197. **Mr. Fleming** asked the Minister for Justice, Equality and Law Reform when the Government plans to conduct large-scale public awareness and educational programmes highlighting violence against women and carry out training for public officials, the Judiciary and other professionals who deal with this issue during the course of their work; and if he will make a statement on the matter. [38354/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to the reply to Question No. 517 of Wednesday, 2 November 2005. The position remains as set out in that response.

198. **Mr. Fleming** asked the Minister for Justice, Equality and Law Reform his plans to review the civil and criminal justice system to ensure that it prevents and punishes persons found guilty of violence against women in a manner that is sensitive and responsive to the needs of women and children as both victims and witnesses of crime; and if he will make a statement on the matter. [38355/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): While a comprehensive range of civil and criminal justice measures are in place to tackle violence against women, the operation of the law in this area is kept under ongoing review.

The Domestic Violence Acts 1996 and 2002 provide for the protection of a spouse and any children or other dependent persons, and of persons in other domestic relationships, whose safety or welfare requires it because of the conduct of another person in the domestic relationship concerned. Contravention of an order under the Acts, that is, a safety order, a barring order, an interim barring order or a protection order, is an offence and subject to sanctions under the criminal law. Under the Acts the Garda has powers of arrest without warrant to deal with cases of domestic violence. The Legal Aid Board has in place procedures to provide an immediate appointment to persons requiring legal advice in

the context of seeking an order under this legislation.

Furthermore, under the code of criminal law, there is a range of sanctions that the court can apply in cases involving violence against women. The Garda Síochána has in place a domestic violence intervention policy which stresses the seriousness of this type of crime and Garda training addresses issues particular to the investigation of cases of domestic violence, rape and sexual assault, and incorporates input from various experts, including NGOs active in this field.

Many of the measures being advanced by the commission for the support of victims of crime, which I established earlier this year, also play an important role in responding to this type of crime. In particular the commission has already approved funding totalling €290,000 for the provision of services by groups which deal directly with women and children who are victims of sexual and domestic violence.

Tackling the problem of violence against women requires multifaceted solutions and involves a far broader range of agencies than those within the civil and criminal justice systems alone. For this reason, a national steering committee, NSC, involving all of the relevant Departments as well as key voluntary groups, is charged with co-ordinating our response to this issue. The NSC is working on a new strategy and action plan which will build on the work achieved to date and chart progress for the future. This document is due to be finalised early next year and will be widely disseminated at that time.

Citizenship Applications.

199. **Mr. Carey** asked the Minister for Justice, Equality and Law Reform if an application for naturalisation will be processed for a person (details supplied) in Dublin 11; and if he will make a statement on the matter. [38356/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I informed the Deputy in response to Question No. 377 on 29 November that processing of the application for a certificate of naturalisation of the person concerned was almost finalised. This is still the position. If the person concerned wishes to travel outside of the State prior to her application being finalised, she can travel on her current passport and apply, in advance of her departure from the State, for a re-entry visa to the Department of Foreign Affairs visa office at 13-14 Burgh Quay, Dublin 2.

Prisoner Transfers.

200. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the steps he is taking to ensure that future flights through Shannon Airport are not carrying prisoners to places where they would be at risk of torture; and if he will make a statement on the matter. [38368/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to the replies by my colleague, the Minister for Foreign Affairs, to Questions Nos. 167 and 263 of 30 November and 6 December 2005, respectively.

I also refer to the confirmation given last week by US Secretary of State Rice to my colleague, the Minister for Foreign Affairs, of the assurances that had previously been received from the US authorities, namely, that prisoners had not been transported through Irish airports or airspace, nor would they be, without permission from the Irish authorities. I understand no such request for permission has ever been received.

Both my colleague, the Minister for Foreign Affairs, and I have called on any person with specific evidence that Shannon Airport or any other Irish airport is being used for these purposes to share this information with the Garda authorities, who would be responsible for investigating such matters. Such an investigation could include, where appropriate, the inspection of an aircraft, although international law would prohibit the forcible entry of the Garda Síochána onto foreign military-State aircraft.

Deportation Orders.

201. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform if the request of persons (details supplied) who wish to remain here will be reviewed in view of the representations from their school authorities; and if he will make a statement on the matter. [38369/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A deportation order was signed in respect of the first person concerned on 13 December 2004 and the second person concerned on 18 November 2005. On examination of further representations received in regard to these cases, I have now decided as an exceptional measure to revoke their deportation orders and grant them temporary leave to remain for a period of 12 months with their cases being reviewed at the end of that period. The individuals concerned will be notified of my decision shortly.

Registration of Title.

202. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform the reason a full response has not issued from the Land Registry office as per Question No. 217 of 24 November 2005 in regard to a person (details supplied) in County Mayo. [38400/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Registrar of Titles that a reply issued directly to the Deputy, as indicated in my response to the parliamentary question referred to. That reply indicated that the application in question would be expedited. I understand that since then a query has issued to the lodging solicitor on 28 November and that the application cannot pro-

ceed until this query has been satisfactorily resolved.

However, I can assure the Deputy that on receipt of a satisfactory reply to the query raised, the matter will receive further attention in the Land Registry and will be completed as soon as possible.

Citizenship Applications.

203. **Mr. Hayes** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for naturalisation by a person (details supplied) in County Cork. [38424/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An application for a certificate of naturalisation from the person referred to by the Deputy was received in the citizenship section of my Department on 16 January 2004.

The Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled, including where the applicant has had a period of one year's continuous residency in the State immediately before the date of the application and, during the eight years immediately preceding that period, has had a total residence in the State amounting to four years.

In the context of qualifying residence for the purposes of naturalisation, certain periods of residence in the State are excluded. These include periods of residence in respect of which an applicant does not have permission to remain in the State, periods granted for the purposes of study and periods granted for the purposes of seeking recognition as a refugee within the meaning of the Refugee Act, 1996. Generally speaking, immigration stamps in an applicant's passport are used to determine periods of permission to remain in the State.

I understand that the application of the person concerned was recently examined to determine if he had the required residence. It appears that a substantial period of his time in the State was for the purposes of study and, consequently, he does not satisfy the statutory requirements in this regard. Officials from the citizenship section will shortly be in touch with the applicant to further explain the situation in this regard.

Northern Ireland Issues.

204. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if the maximum support will be given to a victim of the Dublin bombings (details supplied) in relation to expenses for consultation fees and hearing aids to resolve other matters. [38431/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have made inquiries with the Remembrance Commission and I have been

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informed that, within the terms of the scheme of remembrance, acknowledgement and assistance for victims of the conflict in Northern Ireland, there is no restriction on the amount that may be claimed for current, ongoing and unmet medical expenses pertaining to injuries received as a result of the conflict. The only restriction on an applicant is that he or she cannot claim a reimbursement from any other source, such as a private health insurer, for the procedures which are the basis of the claim.

The commission has informed me that any application for the reimbursement of expenses, such as consultation fees and hearing aids, must be accompanied by a certificate from a qualified medical practitioner stating that the medical treatment obtained related to an injury sustained in the conflict. In addition, the original receipts for any medical expenses incurred must be included with the application.

I am further advised that, in regard to the person in question, the commission is anxious to ensure that his current applications for funding are dealt with as promptly as possible. They are, therefore, putting specific arrangements in place for the person in question.

Garda Deployment.

205. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform his views on whether Bunclody should be transferred to the Enniscorthy Garda division and Ferns should be transferred to the Gorey Garda division; and if he will make a statement on the matter. [38478/05]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The detailed allocation of Garda resources is a matter for the Garda Commissioner. I sought the views of the Commissioner regarding the matter raised and I will communicate further with the Deputy when the information is to hand.

Schools Refurbishment.

206. **Mr. J. O’Keeffe** asked the Minister for Education and Science if her attention has been drawn to the need of a school (details supplied) in County Cork for the renovation of the 30 year old science laboratory; and if approval will be arranged therefor under the summer scheme works programme. [38272/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy made an application for funding for the upgrading of its science laboratory under the summer works scheme 2006. All applications under this scheme are being examined in school planning section of my Department. The list of successful applicants will be published when the assessment process is completed.

207. **Mr. J. O’Keeffe** asked the Minister for Education and Science if her attention has been drawn to the pressure for additional teaching accommodation and space at a school (details supplied) in County Cork; her views on whether a substantial extension is necessary; and if she will confirm approval for same. [38273/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy made an application for capital funding towards the provision of additional accommodation. The application was assessed in accordance with the published prioritisation criteria which was revised last year following consultation with the education partners. The project is being considered in the context of the school building and modernisation programme 2005-09.

Special Educational Needs.

208. **Ms O’Sullivan** asked the Minister for Education and Science her views on whether there is no evidence that disadvantaged schools that have lost resource teaching hours as a result of the introduction of the weighted system no longer need them as implied in replies to parliamentary questions; and if she will make a statement on the matter. [38274/05]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, the general allocation of learning support and resource teachers, LSs and RTs, is intended to cater for children with learning support and high incidence special educational needs. The system was constructed so that LS and RT allocations would be based on pupil numbers, taking into account the differing needs of the most disadvantaged schools and evidence that boys have greater difficulties than girls in this regard.

The new system has a number of benefits. It puts resources in place on a more systematic basis, thereby giving schools more certainty about their resource levels. It facilitates early intervention as the resource is in place when the child enrolls. It reduces the need for individual applications and supporting psychological assessments. It allows flexibility to school management in the deployment of resources, leading to a more effective and efficient delivery of services.

In introducing the general allocation system, transitional arrangements were also introduced whereby transitional hours were allocated to schools to cater for children for whom individual teaching resources had previously been allocated but which it would not have been possible for the school to continue to provide from its general allocation. In the circumstances no child should have experienced a loss of resource teaching support. It has however always been the case that schools in receipt of resource teacher support in respect of pupils with special educational needs would lose teacher support, either full posts or

part-time hours, when the pupils that triggered the extra support left the school.

In the circumstances I do not propose to restore LSs and RTs to schools that are no longer entitled to them as a result of the pupils for whom the resources were originally allocated having left or transferred to other schools. Furthermore, I would remind the Deputy that the pupil teacher ratio for LS and RT support in the most disadvantaged schools is 80:1 and in addition to special needs supports, these schools also receive other supports as a result of their disadvantaged status.

I am satisfied that at this stage the general allocation system is working well and has been favourably received by schools. My Department will continue to work with schools and the education partners with a view to ensuring this remains the case. I would add that more than 5,000 teachers in our primary schools now work directly with children with special needs, including those requiring learning support. This compares to fewer than 1,500 in 1998. One out of every five primary school teachers is now working specifically with children with special needs.

Educational Projects.

209. **Ms O'Sullivan** asked the Minister for Education and Science if she has received an application for funding from a council (details supplied); if a decision has been made to fund the council in view of the rapidly growing demand from schools for their projects; and if she will make a statement on the matter. [38275/05]

Minister for Education and Science (Ms Hanafin): My Department has not received any application for funding from the Model Aeronautics Council of Ireland. However, my Department does not provide direct funding for special interest groups such as that referred to by the Deputy. Schools have considerable discretion as to how the funding allocated by my Department should be best utilised in the interests of their students. Should a school accord sufficient priority to a project offered by the Model Aeronautics Council of Ireland then the school would be free to engage with the council in this regard.

School Curriculum.

210. **Ms O'Sullivan** asked the Minister for Education and Science the action she has taken to provide modern texts in Irish for leaving certificate students; and if she will make a statement on the matter. [38276/05]

Minister for Education and Science (Ms Hanafin): A revised literature course for leaving certificate Irish at both ordinary and higher levels was introduced in September 2004 for first examination in 2006. Modern texts in Irish are a feature of the revised course.

The prescribed prose and poetry includes works by contemporary authors in the Irish lang-

uage. For example, the prose includes works by Biddu Jenkinson and Máire Mhac an tSaoi and poems by Áine Ní Ghlinn, Cathal Ó Searcaigh and Máire Mhac an tSaoi are included.

The additional prescribed poetry section at higher level also includes works by contemporary authors. Nuala Ní Dhomhnaill, Johnny Chóil Mhaidhc Ó Coistealbha, Cathal Ó Searcaigh and Deirdre Brennan feature on this list. The elective material, that is "An tÁbhar Roghnach", for both prose and poetry provides candidates with opportunities to present alternative texts of their choice. These may include modern texts in Irish.

The revised literature course also includes the option of studying a contemporary film in the Irish language. This can be an alternative to the prescribed play. It is my view that the revised literature course offers multiple opportunities for the study of modern texts. Furthermore, it provides teachers and students with a high degree of flexibility to choose works that match their interests.

School Transport.

211. **Mr. Ring** asked the Minister for Education and Science if the provision of school transport to a school (details supplied) in County Mayo will be investigated and the service reinstated. [38287/05]

Minister for Education and Science (Ms Hanafin): Under the terms of my Department's post primary school transport scheme, a pupil is eligible for transport if he or she resides 4.8 km or more from her or his local post primary education centre, that is, the centre serving the catchment area in which he or she lives.

The scheme is not designed to facilitate parents who choose to send their children to a post-primary centre outside of the catchment area in which they reside. However, children who are fully eligible for transport to the post-primary centre in the catchment area in which they reside may apply for transport on a concessionary basis to a post-primary centre outside of their own catchment area, otherwise known as catchment boundary transport. These children can only be facilitated if spare seats are available on the bus after all other eligible children travelling to their post-primary centre have been catered for. Such children have to make their own way either to the catchment boundary or to the nearest pick up point within that catchment area.

The pupils in question who are enrolled in the school referred to by the Deputy in the details supplied have been facilitated with catchment boundary transport to another post primary centre. It has recently been established, however, that the pick-up for these pupils was located within the catchment area in which they reside. This is contrary to the terms of the post-primary school transport scheme. As a result, the pick-up point was changed by Bus Éireann to a point that is now within the catchment area being attended.

212. **Ms C. Murphy** asked the Minister for Education and Science, further to her response to Question No. 491 of 4 November 2005, if her Department has received an up-to-date report from Bus Éireann with regard to the need for a school bus service to be provided to students (details supplied) in County Kildare; if this report has been received, the findings of same, if the report will change her Department's position regarding the provision of this service; and if she will make a statement on the matter. [38295/05]

Minister for Education and Science (Ms Hanafin): An up-to-date report has been received from Bus Éireann, which organises the school transport scheme on behalf of my Department. In its report Bus Éireann has again confirmed that the pupils in question are availing of a public schedule service of good standard to the school concerned. It reported that the relevant set down and collection points for the service are located 200 metres and 500 metres, respectively from the school with a footpath along the route concerned and pedestrian lights available where pupils need to cross the road to the collection point in the afternoons.

Regarding the use of the service by younger pupils, Bus Éireann has again pointed out that this would be on the basis of the general arrangements in place for pupils availing of public scheduled services in the greater Dublin area. On the basis of Bus Éireann's most recent findings, there are no plans to change the current transport arrangements in place in respect of the pupils concerned.

Summer Works Scheme.

213. **Mr. Curran** asked the Minister for Education and Science the amount of funding allocated to the school summer works projects in Clondalkin and Lucan for the periods 2002, 2003, 2004 and to date in 2005. [38310/05]

Minister for Education and Science (Ms Hanafin): My Department's records on summer works scheme projects are not kept in the format requested by the Deputy. I am pleased to inform the Deputy that since the scheme was introduced in 2004, in excess of €10.8 million was allocated to schools in Dublin in 2004 and €27.4 million in 2005.

Details of the Dublin schools that were allocated funding under the summer works scheme in both years are given in the following table.

2004 Summer Works Scheme.

County	Roll Number	School	Project
Dublin	60092U	Clonkeen College	gas proving
Dublin	60343T	St. Joseph's Secondary School	roof repair
Dublin	60361V	St. Raphaela's Secondary School	mechanical
Dublin	60380C	St. Dominic's High School	fire safety
Dublin	70080T	Lucan Community College	heating system
Dublin	70120F	St. Finian's Community College	fire safety
Dublin 1	60853T	Mount Carmel Secondary School	re-wiring
Dublin 10	70240P	Kylemore College	refurbishment of science labs
Dublin 11	60571J	Patrician College	mechanical and electrical
Dublin 12	60700R	Scoil Chaitriona	roof repair
Dublin 12	60800V	Loretto College	fume cupboard
Dublin 12	60851P	Assumption Secondary School	heating
Dublin 12	60902G	St. Paul's Secondary School	gas proving
Dublin 12	70131I	Greenhills College	access for all
Dublin 13	60021U	St. Mary's Sec. School	re-wiring
Dublin 13	60370W	St. Fintan's High School	gas
Dublin 13	70020B	Grange Community College	roof repair
Dublin 13	91318U	Donahies Community School	fire safety
Dublin 14	60891E	Our Lady's Grove Secondary School	toilet upgrade
Dublin 14	70060N	Dundrum College	access for all
Dublin 15	91315O	Coolmine Community School	toilet upgrade
Dublin 2	60490J	CBS Westland Row	dry/wet rot
Dublin 20	60272W	The King's Hospital	gas proving
Dublin 24	70141N	Jobstown Community College	gas monitoring system
Dublin 24	91335U	Tallaght Community School	ceiling replacement
Dublin 3	70250S	Marino College	heating upgrade
Dublin 4	70200D	Ringsend Technical Institute	roof
Dublin 4	70290H	Ballsbridge College of Further Education	access for all

County	Roll Number	School	Project
Dublin 5	60550B	Chanel College	toilet upgrade
Dublin 6	60670L	The High School	gas proving
Dublin 6	60890C	St. Louis High School	roof
Dublin 6	N/A	Kiltiernan Adult Education Centre	access for all
Dublin 8	70220J	Inchicore College	access for all
Dublin	06200O	St. Mary's Boys National School	electrical
Dublin	11583O	St. Andrew's National School	external
Dublin	13217L	Holy Family National School	structural
Dublin	17470I	St. Raphaela's National School	heating repair
Dublin	17820J	Rolestown National School	toilet upgrade
Dublin	17979A	Mt. Anville Primary School	boiler replacement
Dublin	18080A	Scoil Mhuire Mixed National School	roof repair
Dublin	18976W	St. Colmcille's Boys National School	heating
Dublin	19066L	Loreto Primary School	electrical installation
Dublin	19515O	St. Theresa's Primary School	roof repair
Dublin	19840C	Holy Family National School	access
Dublin	19877C	Holy Family Senior National School	roof repair
Dublin	19901T	Boosterstown National School	electrical
Dublin	19938T	St. Joseph's National School	heating replacement
Dublin	18647D	Scoil San Treasa	disabled access
Dublin 1	15056L/15816I	St. Vincents Girls and Boys National School	boiler replacement
Dublin 1	19946S	Rutland St. National School	toilet upgrade
Dublin 10	18341C	St. Louis Senior School	mechanical and electrical upgrade
Dublin 10	20139T	Inchicore National School	toilet upgrade
Dublin 11	20059V	Mother of Divine Grace National School	electrical system
Dublin 12	17683C	Scoil Mhuire Ógh 11	water system
Dublin 12	19623R	St. Paul's Junior National School	toilet upgrade
Dublin	19612M	Dalkey School Project National School	roof repair
Dublin 12	19764M	Our Lady of the Wayside National School	mechanical
Dublin 14	19939V	Good Shepherd National School	mechanical and electrical
Dublin 15	00697S	St. Brigid's National School	refurbishment
Dublin 16	19314E	Scoil na Maighdine Mhuire	electrical
Dublin 16	19319O	St. Olaf's National School	electrical
Dublin 16	19396J	Our Lady's Girls National School	heating system
Dublin 16	19474D	St. Colmcille's Junior National School	electrical
Dublin 16	19742C	St. Colmcille's Senior National School	electrical
Dublin 17	19524P	Our Lady Immaculate National School	roof repair
Dublin 2	19705T	Catherine McAuley National School	electrical and heating
Dublin 2	19896G	Scoil Chaitriona C.B.S. National School	electrical
Dublin 20	10653E	St. Laurence's National School	heating
Dublin 20	15622S	Chapelizod National School No. 1	structural
Dublin 20	18323A	St. Lorcans Boys National School	water system
Dublin 22	19566I	Our Lady Queen of the Apostles	fire safety
Dublin 22	19569O	St. Peter Apostle Junior National School	windows/doors/security
Dublin 22	19642V	St. Peter Apostle Senior National School	windows/doors/security
Dublin 24	17899C	Scoil Carmel National School	roof repair
Dublin 24	19462T&19463V	St. Maelruan's Junior and Senior National School	boiler replacement
Dublin 24	19520H	St. Joseph's Special School	electrical
Dublin 24	19543T/19652B	An Chroi Ro Naofa S and J National Schools	boiler replacement
Dublin 3	18726W	Scoil Iosaif na mBrathar	fire safety
Dublin 4	15995L	Star of the Sea Boys National School	roof repair
Dublin 5	16792C	St. Brigid's Girls National School	rewiring
Dublin 5	17976R	Scoil Assaim Senior Boys National School	disabled access

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County	Roll Number	School	Project
Dublin 5	18361I/18362	Scoil Chaitriona (Cailín) National School	roof repair
Dublin 5	19954R	North Bay Educate Together National School	heating
Dublin 6	17210F/17211H	St. Louis Infant Senior School	insulation
Dublin 6	18817C	Scoil Bhríde	fire safety
Dublin 6	18904U	St. Peter's Special School	refurbishment
Dublin 6W	19178W/19177U	St. Pius Girls and Boys National School	electrical
Dublin 8	00743W	Mater Dei National School	re-wiring
Dublin 8	17083B	Scoil Mhuire Gan Smal	heating repair
Dublin 8	18477E	Scoil na mBráthar	electrical
Dublin 8	20104A	St. Audoens National School	toilet upgrade
Dublin 9	11525A	St. Patrick's Boys National School	toilet upgrade
Dublin 9	16759E	Scoil Mhuire Marino	security fencing
Dublin 9	16860Q	Corpus Christi Girls National School	window replacement
Dublin 9	18417J	St. Joseph's Primary School	access for all

2005 Summer Works Scheme.

County	Roll No	School	Project
Dublin	00697S	St. Brigids Mxd N S, Castleknock, Dublin 15	Windows
Dublin	00743W	Mater Dei Primary School, Basin Lane, James Street	Windows
Dublin	03359N	Ballyroan B N S, Ballyroan, Rathfarnham	Toilets
Dublin	05600C	Clochar San Dominic, Dúnlaoghaire, Co Dublin	Windows
Dublin	05933G	Georges Hill Convent, Georges Hill, Dublin 7	Windows
Dublin	06200O	Boosterstown Boys, Boosterstown, Blackrock	Mechanical
Dublin	07546J	Goldenbridge Convent, Goldenbridge, Inchicore	Electrical
Dublin	09492W	Balscadden N S, Balscadden, Ring Commons	External Environment
Dublin	10653E	Chapelizod NS	Install Soundproof Partition
Dublin	11525A	St. Patricks N School, Drumcondra, Dublin 9	Roofs
Dublin	11873A	Rathmichael N S, Rathmichael, Shankill	Toilets
Dublin	12014D	St. Andrews N S, Lucan, Co Dublin	Toilets
Dublin	12755W	Kildare Place N S, 96 Upper Rathmines Rd, Dublin 6	Toilets
Dublin	13612F	Presentation Primary, Terenure, Dublin 6w	Mechanical
Dublin	14180H	Holmpatrick NS, Skerries, Co. Dublin	Fencing & Gates
Dublin	14463T	St. Columbas N S Mxd, North Strand, Dublin 3	Toilets
Dublin	15816I	St. Vincents Inf Boys, North William Street, Dublin 1	Mechanical
Dublin	15995L	Canon O'Hanlon Memorial NS	Complete upgrade of playground shelter
Dublin	16567S	St. Brigids NS, Haddington Rd	Access
Dublin	16651H	St. Clares Convent N S, Harolds Cross Road, Dublin 6w	Windows
Dublin	16759E	Scoil Mhuire, Marino, Dublin 3	outdoor toilets to indoor
Dublin	16792C	St. Brigids Convent N S, Killester, Dublin 5	Windows
Dublin	16964F	Scoil Mhuire Ogh 1, Loreto College, Crumlin Rd	Toilets
Dublin	16966J	Scoil Naisiunta Stratford, 1 Zion Road, Rathgar	Upgrade Play area
Dublin	16988T	Christ The King B N S, Cabra, Dublin 7	Mechanical
Dublin	16989V	Christ The King G N S, Cabra, Dublin 7	Mechanical
Dublin	17210F	Clochar Lughaidh Cailin	Fencing
Dublin	17211H	Clochar Lughaidh Naoidh, Williams Park, Rathmines	Toilets
Dublin	17284L	Baldoyle B N S, Scoil Naisiunta Baile Duill, Br Clochaise	Windows
Dublin	17355I	Muire Na Dea Coirle G, Mourne Road, Drimmagh	Windows
Dublin	17356K	Muire Na Dea Coirle Inf, Mourne Road, Dublin 12	Windows

County	Roll No	School	Project
Dublin	17367P	Scoil Mhuire Gns, Navan Road, Dublin 7	Electrical
Dublin	17459U	Christ The King I G, Cabra, Dublin 7	Mechanical
Dublin	17470I	St. Raphaelas N S, Upper Kilmacud Road, Stillorgan	Roofs
Dublin	17683C	Muire Og 2	Pedestrian Entrance/ Pathways/Avenue Widening
Dublin	17785K	San Nioclas Myra, Kinsealy, Dublin 17	Mechanical
Dublin	17899C	Scoil Carmel	Upgrade Play area
Dublin	17912O	S N Eoin Bosco Buach, Navan Road, Dublin 7	Electrical
Dublin	17954H	Scoil Caoimhin Naofa, Mount Merrion, Blackrock	Toilets
Dublin	17971H	St. Michaels Spec School, Glenmaroon, Chapelizod	Windows
Dublin	17979A	S N Cnoc Ainbhil, Lr Kilmacud Rd, Stillorgan/Blackrock	Windows
Dublin	18170B	Sn Muire Na Freastogala, Siuracha Na Carthanachr, Baile Uailcin	Structural Improvements
Dublin	18171D	Our Lady Assumption Bns, Siuracha Na Carthanacha, Baile Uailcin	Structural Improvements
Dublin	18323A	Scoil Lorcaín B	Fencing
Dublin	18324C	Scoil Bride C, Palmerstown, Dublin 20	External Environment
Dublin	18342E	Sn Louise De Marillac, Ballyfermot, Dublin 10	Mechanical
Dublin	18386B	Marist National School, Clogher Road, Crumlin	External Environment
Dublin	18417J	St. Josephs For Blind Ns, St. Josephs School For, Visually Impaired Boys	Windows
Dublin	18455R	Our Lady Of Assumption, Siuracha Na Carthanacha, Baile Uailcin	Structural Improvements
Dublin	18477E	Scoil Na Mbrathar, Francis Street, Dublin 8	Mechanical
Dublin	18499O	St. Augustines School, Obelisk Park, Blackrock	Windows
Dublin	18519R	Scoil Seamus C B S, James Street, Dublin 8	Electrical
Dublin	18602E	Scoil Mhuire Clondalkin	Upgrade Play area
Dublin	18632N	S N Eoin Bosco Nai Buac, Navan Rd, Dublin 7	Electrical
Dublin	18817C	SN Brighde	Fire Escape
Dublin	18863J	Dominican Convent Sp Sc, Sion Hill, Blackrock	Access For All
Dublin	18904U	St. Peters Special Sch, Lucena Clinic, 59 Orwell Road	Roofs
Dublin	18976W	S N Cholmille B, Swords, Co Dublin	Mechanical
Dublin	19015R	St. Josephs G N S, Barry Avenue, Finglas West	Windows
Dublin	19158Q	St. Peters B N S, Limekiln Rd, Greenhills	Toilets
Dublin	19159S	St. Pauls G N S, Greenhills, Kimmage West	Electrical
Dublin	19220S	Scoil Naomh Ide, Clondalkin, Dublin 22	Windows
Dublin	19221U	Scoil Naomh Aine, Clondalkin, Dublin 22	Roofs
Dublin	19259W	St. Patricks Gns, Foxrock Ave, Foxrock	Roofs
Dublin	19319O	St. Olafs N S, Balally Drive, Dundrum	Electrical
Dublin	19374W	Garran Mhuire, Goatstown, Dublin 14	Roofs
Dublin	19396J	Na Maighdine Muire Girl, Ballinteer, Dublin 16	Electrical
Dublin	19431I	St. Josephs Jnr, Balcurris, Ballymun	Roofs
Dublin	19435Q	St. Francis Xavier J N S, Roselawn Road, Castleknock	Windows
Dublin	19462T	Naomh Maolruain, Old Bawn, Tallaght	Mechanical
Dublin	19463V	Naomh Maolruain Senior, Old Bawn, Tallaght	Mechanical
Dublin	19470S	St. Francis Xavier Senior N S, Coolmine, Castleknock	Roofs
Dublin	19471U	St. Paul's JNS, Malahide Rd, D13	Tarmac
Dublin	19474D	Scoil Colmcille Naofa, Knocklyon, Templeogue	Toilets
Dublin	19490B	Scoil Mhuire, Ballyboden, Dublin 16	Windows
Dublin	19509T	Scoil Nano Nagle, Bawnoge, Clondalkin	Mechanical
Dublin	19510E	Talbot Senior Ns, Bawnoge, Clondalkin	Mechanical
Dublin	19535U	Brackenstown Senior N S, Brackenstown, Swords	Windows
Dublin	19537B	St. Attractas Junior N S, Meadowbrook, Dundrum	Windows

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County	Roll No	School	Project
Dublin	19546C	St. Oliver Plunkett N S, St. Oliver Plunkett Ns, St. Helenas Drive	Electrical
Dublin	19566I	Our Lady Queen of Apostles	Full fire safety fit out
Dublin	19575J	St. Marys JNS	Fire Alarm
Dublin	19577N	Scoil Iosa, Scoil Nais Iosa, Tymon North	Electrical
Dublin	19583I	St. Josephs Senior N S, St. Josephs Senior Ns, Balcurris	Roofs
Dublin	19605P	Scoil Nais Mhuire Sois, Blakestown, Mulhuddart	Windows
Dublin	19612M	Dalkey School Project, Glenageary Lodge, Glenageary	Other structural
Dublin	19612M	Dalkey School Project, Glenageary Lodge, Glenageary	Oil to Gas
Dublin	19617W	St. Martin De Porres N S, Aylesbury, Old Bawn	Windows
Dublin	19619D	St. Malachys Ns, Rivermount, Finglas	Roofs
Dublin	19623R	St. Pauls Jun Ns, Greenhills, Walkinstown	Mechanical
Dublin	19647I	St. Marys Sen N S, Rowlagh, Clondalkin	Windows
Dublin	19661C/19662E/19663G	St. Gabriels/Michaels/Raphaels, Ballyfermot	fencing
Dublin	19669S	Lady Of Good Counsel Ns, Mourne Rd, Drimnagh	Windows
Dublin	19676P	Scoil Aine Naofa, Esker, Lucan	External Environment
Dublin	19694R	Scoil Mhuire Sin, Blakestown, Mulhuddart	Windows
Dublin	19705T	Catherine McAuley N Sc, 59 Lower Baggot Street, Dublin 2	Windows
Dublin	19707A	St. Ronans N S, Deansrath, Clondalkin	Roofs
Dublin	19723V	Queen Of Angels Primary School, Wedgewood, Dundrum	Electrical
Dublin	19727G	St. Marys Central N S, Belmont Ave, Donnybrook	Electrical
Dublin	19742C	St. Colmcille Senior N S, Knocklyon, Dublin 16	Mechanical
Dublin	19743E	St. Bernadettes Junior N S, Quarryvale, Clondalkin	Electrical
Dublin	19766Q	Scoil Iosagain/Mhuire, Mount La Salle, Ballyfermot	Windows
Dublin	19767S	Scoil Mhuire/Seosamh, Mount La Salle, Ballyfermot	Windows
Dublin	19785U	St. Bernadettes Senior N S, Quarryvale, Clondalkin	Electrical
Dublin	19799I	Sacred Heart N S, Sruleen, Clondalkin	Windows
Dublin	19840C	Holy Family School, Dunedin Park, Monkstown	Windows
Dublin	19845M	Nth Dublin Project, Ballymun Rd, D9	PE Hall Repairs
Dublin	19877C	Holy Family Senior N S, Forest Fields, River Valley	Roofs
Dublin	19896G	Scoil Caitriona Na Mbraithe, Baggot St, Dublin 2	Windows
Dublin	19901T	Boosterstown N S, Cross Ave, Blackrock	Electrical
Dublin	19907I	Gaelscoil Mologa, Bothar Chlareville, Baile Átha Cliath 6w	Roofs
Dublin	19922E	Our Ladys N S, St. Columbanus Road, Milltown	Roofs
Dublin	19929S	St. Brigids Senior Girls, Finglas West, Dublin 11	Windows
Dublin	19939V	Scoil Naisiunta An Dea Aoire, Whitehall Road, Churchtown	Roofs
Dublin	19946S	Rutland Street N S, Lower Rutland Street, Dublin 1	Roofs
Dublin	19979K	St. Kevins N S, Sallynoggin, Co Dublin	Electrical
Dublin	20012S	Griffith Barracks N S, The Old Guardhouse, Griffith College	Access For All
Dublin	20014W	St. Agnes NS	Upgrade Play area
Dublin	20104A	St. Audoens Ns, Cook Street, Dublin 8	Windows
Dublin	20121A	St. John Of God Special School, Glenageary, Co Dublin	Access For All
Dublin	20139T	Inchicore Ns, Sarsfield Road, Inchicore	Roofs
Dublin	20173T	St. Annes Primary School, Fettercairn, Tallaght	Windows
Dublin	42653I	Cabra Multiplex, St. Marys Dominican Convent, Cabra	Electrical
Dublin	42654K	St. Basil's Training Centre, Greenhills Road, Tallaght	Mechanical

County	Roll No	School	Project
Dublin	42655M	St. Oliver's Training Centre, Cloverhill Road, Clondalkin	Gas
Dublin	60021U	St. Marys Secondary School, Baldoye, Dublin 13	Gas
Dublin	60050E	Oatlands College, Mount Merrion, Blackrock	Windows
Dublin	60081P	Rockford Manor Secondary School, Stradbrook Rd, Blackrock	External Environment
Dublin	60092U	Clonkeen College, Clonkeen Road, Blackrock	Electrical
Dublin	60121B	Moyle Park College, Clondalkin, Dublin 22	Electrical
Dublin	60261R	St. Benildus College, Upper Kilmacud Rd, Stillorgan	Electrical
Dublin	60263V	St. Josephs College, Lucan, Co Dublin	Electrical
Dublin	60264A	Coláiste Phádraig Cbs, Roselawn, Lucan	Windows
Dublin	60290B	St. Pauls College, Sybil Hill, Raheny	Windows
Dublin	60291D	Ardcoil La Salle, Raheny Road, Dublin 5	Refurb HE Room
Dublin	60300B	Manor House, Watermill Road, Raheny	Gas
Dublin	60341P	Sancta Maria College, Ballyroan, Rathfarnham	Windows
Dublin	60343T	St. Joseph's Secondary School, Convent Lane, Rush	Windows
Dublin	60361V	St. Raphaela's Secondary School, Upper Kilmacud Road, Stillorgan	Mechanical
Dublin	60370W	St. Fintan's High School, Dublin Road, Sutton	Windows
Dublin	60470D	Synge Street Cbs, Synge Street, Dublin 8	Toilets
Dublin	60471F	St. David's C.B.S., Malahide Road, Artane	Mechanical
Dublin	60480G	Meanscoil Iognáid Rís, Long Mile Road, Walkinstown	Mechanical
Dublin	60490J	C.B.S. Westland Row, Westland Row, Dublin 2	Electrical
Dublin	60510M	St. Johns College De La Salle, Le Fanu Rd, Ballyfermot	Roofs
Dublin	60571J	Patrician College, Deanstown Ave, Finglas West	Electrical
Dublin	60670L	High School, Rathgar	Replace water tanks
Dublin	60700R	Scoil Chaitriona, Bóthar Mobhí, Glasnaíon	Mechanical
Dublin	60720A	Saint Dominic's Secondary School, Ballyfermot, Dublin 10	Electrical
Dublin	60741I	St. Michaels Secondary School, Wellmount Road, Finglas	Roofs
Dublin	60770P	St. Mary's Secondary School, Holy Faith Convent, Glasnevin	Mechanical
Dublin	60792C	Presentation College, Warrenmount, Dublin 8	Windows
Dublin	60800V	Loreto College, Crumlin Road, Dublin 12	Access For All
Dublin	60841M	Rosary College, Armagh Road, Crumlin	Toilets
Dublin	60843Q	St. Josephs Secondary School, Stanhope St, Dublin 7	Windows
Dublin	60851P	Assumption Secondary School	Ceiling Repairs
Dublin	60853T	Mount Carmel Sec Sch, Kings Inns St, D1	Refurb HE Room
Dublin	60870T	Our Lady of Mercy College, Beaumont, D9	Gutters/Fascia
Dublin	60890C	St. Louis High School, Charleville Road, Rathmines	Toilets
Dublin	60902G	St. Pauls Secondary School, Greenhills, Dublin 12	Access For All
Dublin	60991I	Our Lady Of Mercy Secondary School, Mourne Road, Drimnagh	Electrical
Dublin	70010V	Balbriggan Community College, Pine Ridge, Chapel St.	Electrical
Dublin	70020B	Grange Community College, Grange Road, Donaghmede	Access For All
Dublin	70040H	Deansrath Community College	Convert 3 Science Labs to 3 classrooms
Dublin	70041J	Collinstown Park Community College, Neilstown Rd., Rowlagh	Access For All
Dublin	70042L	St. Kevin's Community College, Fonthill Road, Clondalkin	Gas
Dublin	70050K	Dún Laoghaire College Of, Further Education, Cumberland St	Windows

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County	Roll No	School	Project
Dublin	70060N	Dundrum College, Sydenham Road, Dundrum	Toilets
Dublin	70070Q	College of Further Education	Construct recessed entrance and Gates
Dublin	70080T	Lucan Community College, Esker Drive, Lucan	Roofs
Dublin	70081V	Riversdale Community College, Blanchardstown Rd North, Dublin 15	Mechanical
Dublin	70090W	Sallynoggin College Of, Further Education, Pearse St, Sallynoggin	Roofs
Dublin	70100W	Coláiste Chilliaín, Bóthar Nangor, Cluain Dolcáin	Electrical
Dublin	70110C	Stillorgan College Of, Further Education, Old Dublin Rd	Windows
Dublin	70120F	St. Finians Community College, Swords, Co Dublin	Mechanical
Dublin	70121H	Fingal Community College, Seatown Road, Swords	Windows
Dublin	70130I	Greenhills College, Limekiln Avenue, Greenhills	Windows
Dublin	70140L	Firhouse Community College, Firhouse Road, Dublin 24	Roofs
Dublin	70150O	Coláiste Éanna, Kilkieran Road, Cabra	Toilets
Dublin	70160R	St. Kevins College, Clogher Road, Crumlin	Windows
Dublin	70170U	Crumlin College of Further Ed	Refurbish Home Economics Room
Dublin	70180A	Coláiste Eoin, Cappagh Road, Finglas West	Mechanical
Dublin	70190D	Colaiste Ide, Cardiffsbridge Road, Finglas West	Roofs
Dublin	70200D	Technical Institute, Cambridge Road, Ringsend	Roofs
Dublin	70230M	Killester College Of, Further Education, Collins Avenue	Roofs
Dublin	70240P	Kylemore College, Kylemore Road, Ballyfermot	Windows
Dublin	70250S	Marino College, Fairview, D3	Refurb Science Lab
Dublin	70260V	St. Mac Dara's Community College, Wellington Lane, Templeogue	Gas
Dublin	70300H	Pearse College, Clogher Road, Crumlin	Roofs
Dublin	70310K	Plunket College, Swords Road, Whitehall	Roofs
Dublin	70320N	Whitehall House Senior College, Swords Road, Dublin 9	Toilets
Dublin	70321P	Margaret Aylward Community College, The Thatch Road, Whitehall	Toilets
Dublin	70330Q	Coláiste Dhúlaigh, Barryscourt Rd, Coolock, D17	Convert Science Lab to Home Economics Room
Dublin	70340T	Liberties College	Upgrade Play area
Dublin	70342A	Ballyfermot College Of, Further Education, Ballyfermot Road	Toilets
Dublin	76077O	Larkin College, 1 Champions Ave, D1	Const of Safety Ladder
Dublin	76078Q	Skerries Community College, Skerries, Co. Dublin	Roofs
Dublin	76092K	Presentation College	Fire Alarm
Dublin	81002K	Mount Temple Comprehensive School, Malahide Road, Dublin 3	Mechanical
Dublin	91302F	Phobailscoil Iosolde, Palmerstown, Dublin 20	Windows
Dublin	91315O	Scoil Phobail Chuil Mhin, Cluain Saileach, Baile Atha Cliath 15	Roofs
Dublin	91318U	The Donahies Comm School, D13	The Donahies Comm School, D13
Dublin	91330K	Holy Child Community School, Pearse St, Sallynoggin	Gas
Dublin	91336W	Old Bawn Community School, Old Bawn, Tallaght	Roofs
Dublin	91342R	Pobalscoil Neasain, Baldoyle, Dublin 13	Roofs
Dublin	91343T	St. Tiernan's Community School, Parkvale, Balally	Roofs

School Transport.

214. **Dr. Cowley** asked the Minister for Education and Science the reason her Department has curtailed the school bus service from the

Hollymount, County Mayo area to a school (details supplied); her views on whether a firm commitment was given that there would be no changes in the existing service; her further views

on whether this is not the case; the alternative she proposes; and if she will make a statement on the matter. [38317/05]

Minister for Education and Science (Ms Hanafin): Under the terms of my Department's post-primary school transport scheme, a pupil is eligible for transport if he or she resides 4.8 km or more from her or his local post primary education centre, that is, the centre serving the catchment area in which he or she lives.

The scheme is not designed to facilitate parents who choose to send their children to a post-primary centre outside of the catchment area in which they reside. However, children who are fully eligible for transport to the post-primary centre in the catchment area in which they reside may apply for transport on a concessionary basis to a post-primary centre outside of their own catchment area, otherwise known as catchment boundary transport. These children can only be facilitated if spare seats are available on the bus after all other eligible children travelling to their post-primary centre have been catered for. Such children have to make their own way either to the catchment boundary or to the nearest pick up point within that catchment area.

The pupils in question who are enrolled in the school referred to by the Deputy in the details supplied have been facilitated with catchment boundary transport to another post primary centre. It has recently been established, however, that the pick-up for these pupils was located within the catchment area in which they reside. This is contrary to the terms of the post-primary school transport scheme. As a result, the pick-up point was changed by Bus Éireann to a point which is now within the catchment area being attended.

Higher Education Grants.

215. **Ms Enright** asked the Minister for Education and Science the rules which govern eligibility for a higher education grant in respect of the law society professional practice course one; if the holding of a postgraduate qualification affects eligibility for a higher education grant in respect of this course; if all persons with post-graduate qualifications are ineligible for a higher education grant in respect of this course or only those with postgraduate qualifications in certain disciplines; and if she will make a statement on the matter. [38318/05]

Minister for Education and Science (Ms Hanafin): Under the terms of the third level student support schemes, administered by the local authorities and vocational education committees under the aegis of my Department, a student is not eligible for grant assistance in respect of a second period of study at the same level, irrespective of whether a grant was paid previously. The schemes also provide that grants may not be paid to candidates who already hold

a postgraduate qualification and are pursuing a second postgraduate qualification. However, clause 7.7 of the higher education grant scheme and the VEC scholarship scheme, as amended in 2000, provides that candidates who already hold a postgraduate qualification and are pursuing a further postgraduate course at a higher level, which represents progression from the level at which the first qualification was attained, may be deemed eligible for grant aid.

Students who hold a postgraduate diploma, an LLB or an LLM and who hold no other post-graduate qualification are eligible to be considered for grant assistance under the progression clause, subject to the usual conditions.

Schools Refurbishment.

216. **Mr. N. O'Keeffe** asked the Minister for Education and Science the progress which has been made in having a primary school (details supplied) in County Cork prioritised for funding to have the school extended and repairs carried out to the existing building. [38321/05]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has made an application for capital funding towards an extension. The application has been assessed in accordance with the published prioritisation criteria which was revised last year following consultation with the education partners. The project is being considered in the context of the school building and modernisation programme 2005-2009.

Departmental Staff.

217. **Mr. Gilmore** asked the Minister for Education and Science the number of staff, by grade, employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if she will make a statement on the matter. [38335/05]

Minister for Education and Science (Ms Hanafin): There are currently nine staff working in my private office and five working in my constituency office, as follows: private office — one principal officer, one private secretary at higher executive officer level, two executive officers, four clerical officers and one special adviser at principal officer level; and constituency office — one higher executive officer, one staff officer working on a half-time basis, two clerical officers, one personal assistant at higher executive officer level and one personal secretary. All these staff are permanent civil servants except for my special adviser, personal assistant and personal secretary. The annual cost of these offices is as follows: private office, €408,177; and constituency office, €237,486 The amount paid in respect of salary, overtime and expenses for these staff is in accordance with the salary scales and travel and subsist-

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ence rates approved by the Department of Finance.

School Curriculum.

218. **Ms Enright** asked the Minister for Education and Science if, as stated in her reply to Question No. 541 of 25 October 2005, she and her Department recognise fully the value of immersion education; and the reason same is not reflected or included in the current primary schools curriculum. [38338/05]

Minister for Education and Science (Ms Hanafin): The primary school curriculum 1999, which was developed by the National Council for Curriculum and Assessment is integrated, child-centred and aims to meet the needs of all children in all schools. The curricula for Gaelige and English were developed with the assistance of 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 curriculum offers a clear and structured national framework that provides 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 Gaelige, our two official languages.

Within the curriculum for Irish, cognisance 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 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 above, 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.

Departmental Records.

219. **Mr. Morgan** asked the Minister for Education and Science the amount of revenue spent by the State on third level education in each of the past ten years. [38340/05]

Minister for Education and Science (Ms Hanafin): Total expenditure on third level education for the period 1996-2004 is contained in the following table.

Year	Current	Capital	Total
	€m	€m	€m
1996	632	59.7	691.7
1997	784.6	68.3	852.9
1998	754.2	198.0	952.2
1999	855.2	154.3	1,009.5
2000	948.1	188.0	1,136.1
2001	1,093.6	173.6	1,267.2
2002	1,228.8	184.2	1,413
2003	1,323.9	64.4	1,388.3
2004	1,407.3	96.7	1,504
2005 Estimate	1514.2	84.3	1,598.5

Special Educational Needs.

220. **Ms C. Murphy** asked the Minister for Education and Science the person who has the legal responsibility to ensure that speech therapy, language therapy, occupational therapy and psychological services are provided to children who have been diagnosed with autistic spectrum disorders and are in primary or secondary education; and if she will make a statement on the matter. [38341/05]

Minister for Education and Science (Ms Hanafin): The provision of therapies for children with autistic spectrum disorders, ASD, is the responsibility of the Health Service Executive, HSE.

Section 7 of the Education Act 1998 confers a function on the Minister for Education and Science to ensure that appropriate education and support services, including psychological services, are provided to children, including children with special educational needs. My Department recog-

nises that both clinical and educational psychologists have a role to play in the provision of psychological services and National Educational Psychological Service, NEPS, psychologists liaise with clinical services as necessary in regard to individual cases.

The State delivers therapies through the Health Services Executive, which is funded by the Oireachtas to provide such services. This is made clear by sections 7(5) and (6) of the Education Act 1998, as amended by the Education for Persons with Special Educational Needs Act 2004 and Health Act 2004. These provisions state that, following consultation with the Minister for Health and Children, the Minister for Education and Science can call on the HSE to assist her in providing, planning and co-ordinating support services, and the HSE is obliged to comply with this request. These provisions took effect on 14 July 2005.

Section 9 of the Education for Persons with Special Educational Needs Act 2004 will also have a relevance in this context, when it is commenced. It provides that where a child who has an education plan is to be transferred from one school to another, there must be consultation between the schools before the transfer takes place. This is intended to ensure that the second school knows the content of the education plan and is assisted in amending the plan, where this is necessary, having regard to the special educational needs of the child and the operation of that school. Where an amendment to the education plan is proposed in these circumstances, the principal of the new school will consult with the relevant special educational needs organiser if requested to do so by the parents. If necessary, the needs organiser can reconvene the education plan team for the purpose of reviewing the content and implementation of the plan and may, as a consequence of that review, amend the plan.

Child Abuse.

221. **Mr. Fleming** asked the Minister for Education and Science when policies will be introduced for schools on disclosure and appropriate referral where children have experienced violence in the family and when it becomes apparent in the schools; and if she will make a statement on the matter. [38351/05]

Minister for Education and Science (Ms Hanafin): Child protection guidelines for primary and post-primary schools, which were distributed to primary and post-primary schools in 2001 and 2004, respectively were produced in consultation with the partners in education to meet the need for schools to have in place clear procedures which teachers and other school staff should follow where they suspect, or are alerted to, possible child abuse.

The guidelines cover four different types of abuse; neglect, emotional abuse, physical abuse and sexual abuse. The guidelines provide management authorities and staff with guidance on

recognising the signs and symptoms of child abuse and with procedures for dealing immediately with such concerns.

A central facet of the guidelines is the requirement for each board of management to designate a senior member of staff as the designated liaison person for the school. The designated liaison person will act as a liaison for the school in all dealings with the Health Service Executive, the Garda Síochána and other parties, in connection with allegations of and/or concerns about child abuse, and as a resource person to staff who may have child protection concerns.

School Curriculum.

222. **Mr. Fleming** asked the Minister for Education and Science when her Department will introduce meaningful sex, relationship, gender and gender-based components into mainstream education programmes; and if she will make a statement on the matter. [38352/05]

Minister for Education and Science (Ms Hanafin): All recognised primary and second level schools are required to offer relationships and sexuality education, RSE. It is an integral part of the social, personal and health education, SPHE, curriculum at primary level and at junior cycle second level where it has been made mandatory for all schools with effect from September 2003. In addition, all schools are required to have an agreed school policy and a suitable relationships and sexuality education programme in place for senior cycle pupils. Comprehensive guidelines for junior cycle and senior cycle have also been published and provided to schools by the NCCA to support the RSE aspects of the curriculum.

An integrated SPHE programme at senior cycle incorporating RSE is being developed. The overall aims of the SPHE curricula are to foster the personal development, health and well-being of students and help them to create supportive relationships and become responsible citizens, to develop a framework of values, attitudes, understanding and skills that will inform their actions and decision making and to establish and maintain healthy patterns of behaviour.

At primary level, SPHE is one of the seven curriculum areas in the revised primary school curriculum that was introduced in 1999. SPHE has been implemented in all schools since September 2003 and is taught to pupils from junior infants class upwards to sixth class. One of the three strands within SPHE is Myself. The strand units within this include taking care of my body; growing and changing; safety and protection. This means that pupils from the beginning of their primary schooling learn, in an age-appropriate way, how their bodies develop, the importance of caring for one's body and that of others with dignity and respect and how to identify people, places and situations that may threaten personal safety.

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The SPHE modules at junior cycle in second level schools deal specifically with belonging and integrating, handling conflict constructively, dealing with peer pressure, influences on decision-making, relationships and sexuality in terms of values, reproductive system, tackling myths about sex and pregnancy, personal safety, substance use and the impact of teenage pregnancy. Two of the SPHE modules relate specifically to relationships and sexuality and personal safety. The aims of these modules include bringing students to an understanding of the physical changes that take place during adolescence and exploring with them procedures for protecting their personal safety along with appropriate responses when their safety is threatened. In third year, an awareness of help agencies is promoted and students' skills for obtaining access to them are developed.

For senior cycle students, all schools are required to have an agreed school policy and a suitable relationships and sexuality education programme in place. The RSE programme at senior cycle deals further with these issues and, in addition, addresses issues such as pregnancy, contraception, sexually transmitted diseases, sexual harassment, sexual assault, and accepting sexual orientation. My Department has developed two sets of resource materials that are particularly relevant to this area for use with transition year and senior cycle students as part of an SPHE programme. These are BALANCE — Who cares? and Exploring Masculinities. These resources use a variety of materials and strategies to explore and discuss issues of gender equality.

Schools Building Projects.

223. **Mr. Ó Fearghail** asked the Minister for Education and Science the progress that has been achieved since she announced her intention to provide for a new primary school for Newbridge, County Kildare; if a suitable site has been identified for this school; and if she will make a statement on the matter. [38360/05]

Minister for Education and Science (Ms Hanafin): I confirm to the Deputy that I have given approval for the commencement of a new primary school in Newbridge, County Kildare. Where, as in this case, provisional recognition is given to a new school, the onus is on the patron body to provide interim accommodation. This accommodation must be capable of fully meeting the needs of the developing school until permanent recognition has been secured and my Department is in a position to provide permanent accommodation.

The new school in question will be a parish school and the parish is, therefore, acquiring a suitable site to facilitate the commencement of the school. It is the intention to have the new school in operation from September 2006.

School Accommodation.

224. **Mr. Ó Fearghail** asked the Minister for Education and Science if her Department, in considering the accommodation needs of a school (details supplied) in County Kildare, envisages a situation in which the school could be integrated with other primary provision in the area; and if she will make a statement on the matter. [38361/05]

Minister for Education and Science (Ms Hanafin): I confirm to the Deputy that the school to which he refers originally applied to my Department for large-scale capital funding for an extension and refurbishment project. It has recently indicated that its board of management may wish to consider an integration project with a mainstream school. This matter will be considered by my Department in consultation with both of the schools involved.

Schools Building Projects.

225. **Mr. Ó Fearghail** asked the Minister for Education and Science when approval will be given to stage three of the building programme for a school (details supplied) in County Kildare; and if she will make a statement on the matter. [38362/05]

Minister for Education and Science (Ms Hanafin): The new eight classroom building project for the school referred to by the Deputy is at an early stage of architectural planning. I am pleased to inform the Deputy that the Department's officials wrote to the school authorities on 28 October 2005 giving approval to proceed to stage three — detailed plans-costs — of architectural planning.

226. **Mr. Ó Fearghail** asked the Minister for Education and Science if each of the schools in County Kildare which were included in the devolved schools building programme 2005, have availed of the offer; the progress that has been achieved to date in 2005 with these projects; and if she will make a statement on the matter. [38363/05]

Minister for Education and Science (Ms Hanafin): The devolved schools building programme allows boards of management to address their accommodation and building priorities with a guaranteed amount of funding and gives them control of the building project.

As part of the expansion of the devolved scheme for primary school building works, ten schools in County Kildare were offered funding under this scheme in 2005. Nine of these schools availed of this offer and one refused. These nine projects are currently at advanced architectural planning and are expected to be on site early in the new year.

Special Educational Needs.

227. **Mr. Durkan** asked the Minister for Education and Science when a decision will be made by the National Council for Special Education in respect of application by a school (details supplied) in County Kildare through her Department for resources and staffing and so on for the double autism unit; the position in this regard; if the matter can be prioritised in view of the fact that this unit was completed and ready for occupation for the past two years and has remained vacant; and if she will make a statement on the matter. [38397/05]

228. **Mr. Durkan** asked the Minister for Education and Science the position with staffing requirements for a school (details supplied) in County Kildare for its double autistic unit; when same is likely to be up and running; and if she will make a statement on the matter. [38398/05]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 227 and 228 together.

The Department received a response from the school in question on 1 November 2005 to its proposals for resourcing the proposed autism unit at the school. This response is now being considered within the Department.

The local special educational needs organiser, SENO, is continuing to liaise with the school authorities regarding the matter. The Department is also liaising with the Health Service Executive, HSE, regarding the provision of therapies to support the pupils entering the unit.

The Department has previously 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. The National Council for Special Education, NCSE, through the local SENO will process the relevant application for resources following receipt of a formal application from the board of management of the school for the establishment of the classes. Additional SNAs for the classes may also be considered by the SENO on the basis of the individually assessed needs of the pupils enrolled.

I would add that the Department is extremely anxious that this purpose built facility for children with autism would become operational as soon as possible.

School Inspections.

229. **Mr. Hayes** asked the Minister for Education and Science when the local inspector's report is expected in the case of a school (details supplied) in County Tipperary. [38412/05]

Minister for Education and Science (Ms Hanafin): The school planning section of the Department recently received the inspector's report for the school to which the Deputy refers. On foot of this report and other relevant infor-

mation, the schools application for capital funding has been assessed in accordance with the published prioritisation criteria for large-scale building projects. Progress on the proposed works will be considered in the context of the school building and modernisation programme from 2006 onwards.

School Accommodation.

230. **Mr. Ring** asked the Minister for Education and Science if the report on the findings of the review of a school (details supplied) in County Mayo has been published; if it has been circulated; if copies are freely available; and if a copy could be made available to him. [38435/05]

Minister for Education and Science (Ms Hanafin): The area development plan, which is being undertaken by the Commission on School Accommodation for the area in County Mayo in which the school to which the Deputy refers is located will be published shortly. The plan will be presented to me, placed on my Department's website and will be freely available to all interested parties. I will arrange for a copy to be provided to the Deputy. The development plan will provide a blueprint for educational provision in the area for the next decade, against which all capital funding decisions will be made.

Standardised Testing.

231. **Ms Enright** asked the Minister for Education and Science the progress made regarding the introduction of standardised testing at primary level; the ages at which children will be tested and when this testing will commence; and if she will make a statement on the matter. [38437/05]

Minister for Education and Science (Ms Hanafin): Standardised testing on a systematic basis has great potential to enhance the quality of teaching and learning for our students at classroom level and to provide valuable information for parents about their children's learning. It is also clear that test results, provided on a sampling basis, can also guide policies aimed at improving performance and combating educational disadvantage. I fully agree with the advice of the National Council for Curriculum and Assessment that all pupils should take standardised tests in literacy and numeracy at the end of first class or at the beginning of second class and at the end of fourth class or at the beginning of fifth class. There is clearly important ground-work that must be put in place before committing to specific dates for the introduction of any requirements in this regard for schools and I am eager that this work be completed as soon as practicable. In that context, I have asked the NCCA to prioritise the preparation of guidelines for schools on developing and implementing a policy on assessment, on assessment practice in classrooms and

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on reporting to parents. This work is at an advanced stage.

I have also asked the council to advance the preparation of exemplars of pupils' work to guide teachers' judgments and also, summaries based on the curriculum of what pupils should achieve at each level of their schooling. A national report card for recording and reporting data on pupils' attainment is also being developed, as is a national policy on the transfer of information from primary to post-primary schools. In tandem with this work, my Department is currently exploring potential implementation models, in advance of entering into discussions with the education partners on the matter.

The question of providing training to teachers on standardised testing is also an issue which has to be considered in the context of any decision to be made on an implementation date. My intention is that we will proceed carefully but as quickly as possible to ensure the recommendations proposed by the NCCA are implemented in a way that has positive benefits for children, parents, teachers and the system as a whole.

State Examinations.

232. **Ms Enright** asked the Minister for Education and Science her proposals for reform of the leaving certificate; and if she will make a statement on the matter. [38438/05]

Minister for Education and Science (Ms Hanafin): Advice from the National Council for Curriculum and Assessment on proposals to reform of senior cycle education was sent to me earlier this year. The NCCA's advice is accessible on its website, www.ncca.ie. We are all concerned that our education system should be positioned so that it continues to maintain excellence, relevance, quality and inclusiveness in the changing climate which lies ahead. I have welcomed the broad thrust of the NCCA's proposals, particularly in terms of building on the strengths of the existing leaving certificate, providing for greater equity and inclusion, supporting increased participation and achievement among disadvantaged students while stretching the exceptionally able, providing for a more adult culture and equipping students for lifelong learning. I have asked that change should be implemented on a phased basis over a significant period, minimising disruption and taking account of logistical and cost factors and system capacity to change. I have asked the NCCA to prioritise the reconfiguration of subjects generally within the leaving certificate to embed key skills, and to provide for a second assessment component. A work plan for this has been prepared under which Maths science and languages will be featured in the first phase of development. I have also asked the NCCA to develop as an exemplar a short course in enterprise education, building on the existing links modules.

With regard to transition units, I have expressed a preference for retaining the existing

transition year as a stand alone programme, for reasons of equity. However, I have welcomed the standardisation of transition units proposed by the NCCA and I have asked the council to engage in further discussions with my Department on how these curriculum components could be specifically targeted to better meet the needs of disadvantaged students. The council's proposals for reform are built on extensive consultation and research, and provide an important basis for continuing evolution and reform which will ensure the relevance, quality and equity of the system in the years ahead.

Home-School Liaison Scheme.

233. **Ms Enright** asked the Minister for Education and Science the number of home-school liaison officers employed within her Department; their role and responsibility, and the average number of children and families with which they work; the number of primary and secondary schools which have access to a home school liaison officer; and if she will make a statement on the matter. [38439/05]

Minister for Education and Science (Ms Hanafin): A total of 371 home-school community liaison co-ordinators are assigned to 310 primary and 201 post-primary schools in disadvantaged areas to work with school staff, parents and relevant community agencies in advancing the educational interests of children. The home-school community liaison scheme is concerned with maximising active involvement of children in the learning process, in particular, those who might be at risk of failure; promoting active co-operation between home, school and relevant community agencies in promoting the educational interests of the children; raising awareness in parents of their own capacities to enhance their children's educational progress and to assist them in developing relevant skills; enhancing the children's uptake from education, their retention in the educational system, their continuation to post-compulsory education and to third level and their attitudes to lifelong learning; and disseminating the positive outcomes of the scheme throughout the school system generally.

Home-school community liaison services will have a central role in the new action plan for educational inclusion, DEIS, Delivering Equality of Opportunity in Schools, which is putting in place a standardised system for identifying levels of disadvantage in our primary and second level schools for the purposes of qualifying for resources, both human and financial, according to the degree of disadvantaged experienced. This standardised system will replace all of the existing arrangements for targeting schools for participation in initiatives to address disadvantage. As a result of the identification process, which involved a new survey of all mainstream primary schools conducted by the Educational Research Centre, Drumcondra, last May and the updating

by them of existing data sources on the levels of disadvantage in second level schools, approximately 600 primary schools, comprising 300 urban-town and 300 rural, and 150 second level schools will be included in a new school support programme. Home-school community liaison services will be extended to all of the 300 urban primary schools and 150 second level schools in the SSP that are not participating in the scheme. Access to teacher-co-ordinator support will also be made available to rural primary schools in the SSP that do not have access to such a service. We anticipate being in a position to notify participating schools regarding the outcome of the ongoing identification process by the end of the year.

Education Welfare Service.

234. **Ms Enright** asked the Minister for Education and Science the number of welfare officers employed by the National Educational Welfare Board; the number of primary schools here covered by an education welfare officer; the number of secondary schools covered by an education welfare officer; and if she will make a statement on the matter. [38440/05]

Minister for Education and Science (Ms Hanafin): The Education (Welfare) Act 2000 established the National Educational Welfare Board as the single national body with responsibility for school attendance. The Act provides a comprehensive framework promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The general functions of the board are to ensure each child attends a recognised school or otherwise receives a certain minimum education. The service is developing on a continuing basis. The total authorised staffing complement is 94, comprising 16 headquarters and support staff, five regional managers, 12 senior educational welfare officers and 61 educational welfare officers. In deploying its service staff, the National Educational Welfare Board has prioritised the provision of services to the most disadvantaged areas and most at-risk groups. Five regional teams are in place with bases in Dublin, Cork, Limerick, Galway and Waterford and staff have been deployed in areas of greatest disadvantage and in areas designated under the Government's RAPID programme. Towns which have an educational welfare officer allocated to them include Dundalk, Drogheda, Navan, Athlone, Carlow, Kilkenny, Wexford, Bray, Clonmel, Tralee, Ennis, Sligo, Naas, Castlebar, Longford, Tuam, Tullamore, Letterkenny and Portlaoise.

There are 742 post-primary and 3,284 primary schools in the State. The NEWB provides an intensive service in the areas where educational welfare officers are located. All other areas receive an urgent service where the NEWB prioritises children who, for example, are out of school or where no school place exists for them. In addition to the staff of the NEWB, 490 staff are

in educational inclusion programmes whose work involves a school attendance element. My Department is anxious to ensure the maximum benefit is derived from these substantial personnel resources. Consequently, work is ongoing to develop appropriate protocols for integrated working between the different services involved.

Psychological Service.

235. **Ms Enright** asked the Minister for Education and Science the number of psychologists employed by the National Education Psychologist Service; the number of primary schools here covered by the National Education Psychologist Service system; the number of secondary schools covered by the National Education Psychologist Service system; and if she will make a statement on the matter. [38441/05]

Minister for Education and Science (Ms Hanafin): The number of National Educational Psychological Service, NEPS, psychologists has increased almost three-fold, from 43 on establishment to 121 at present. The Public Appointments Service has recently established new recruitment panels for NEPS. Regional panels are now in place and my Department is currently in the process of appointing psychologists. Priority will be given to filling vacancies in areas of greatest need. Any increase in the number of psychologists in NEPS will depend on the availability of resources and must also take account of Government policy on public sector numbers.

All primary and post-primary schools have access to psychological assessments for their pupils, either directly through National Educational Psychological Service psychologists or through the scheme for commissioning psychological assessments, SCPA, that is administered by NEPS. Schools that do not currently have NEPS psychologists assigned to them may avail of the SCPA whereby the school can have an assessment carried out by a member of the panel of private psychologists approved by NEPS and NEPS will pay the psychologist the fees for this assessment directly. Details of this process and the conditions that apply to the scheme are available on my Department's website.

The latest figures available indicate that NEPS psychologists provide a dedicated service to a total of 1,623 primary schools and to 563 post-primary schools — the latter figure does not include 46 Dublin Vocational Education Committee, VEC, schools that have a VEC educational psychological service. NEPS provides assistance to all schools that suffer from critical incidents, regardless of whether or not they have a NEPS psychologist assigned to them. Also, in relation to all schools, NEPS processes applications for reasonable accommodation in certificate examinations.

Early Childhood Education.

236. **Ms Enright** asked the Minister for Education and Science the number of early start programmes running; the locations at which early start is available, and the criteria for deciding where it is offered; the amount expended on Early Start since 1997; and if she will make a statement on the matter. [38442/05]

Minister for Education and Science (Ms Hanafin): The Early Start pre-school project was established in 40 primary schools in designated areas of urban disadvantage in Dublin, Cork, Limerick, Waterford, Galway, Drogheda and Dundalk during 1994 and 1995. The aims of Early Start are to expose young children to an educational programme which would enhance their overall development, prevent school failure and offset the effects of social disadvantage. The total number of places available in Early Start centres has been 1,680 in each year since 1996, the first full year of operation, with the funding provided supporting this number of places on a year to year basis. The provision involved for 2005 is €5 million.

The Early Start programme referred to by the Deputy is a pre-school intervention programme targeted at three to four year old children in areas of social disadvantage. With this programme, young children can experience an educational programme to enhance their overall development, to help prevent school failure and to help offset the effects of social disadvantage.

Targeted early childhood education provision will be a key element of the new action plan for educational inclusion DEIS, delivering equality of opportunity in schools, the objective in relation to early childhood education is to concentrate actions on those children aged from three up to school enrolment who will subsequently attend urban-town primary schools serving the most disadvantaged communities. On a phased basis, the 150 urban-town primary school communities serving communities with the highest concentrations of disadvantage will be provided with access to early education for children aged from three up to school enrolment who will subsequently attend these primary schools. The action plan will be implemented on a phased basis over the next five years and my Department's approach will be to work in partnership with other Departments and agencies to complement and add value to existing child care programmes in disadvantaged communities with a view to ensuring that the overall care and education needs of the children concerned are met in an integrated manner.

Course Duration.

237. **Mr. G. Mitchell** asked the Minister for Education and Science, further to Question No. 215 of 10 November 2005, if clarification has been sought in relation to the duration of the course in question in order to establish if the can-

didate referred to is eligible for funding for a second year; and if she will make a statement on the matter. [38476/05]

Minister for Education and Science (Ms Hanafin): As soon as we have clarification on the duration of the course we will communicate directly with the Deputy.

Physical Education Facilities.

238. **Ms McManus** asked the Minister for Education and Science if she received a letter from a person (details supplied) in County Wicklow requesting a detailed response to a query in relation to a sports hall at a school (details supplied) in County Wicklow; and the reply she will give to this request. [38477/05]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department has no record of receipt of a letter from the person in question. If a copy of the letter is forwarded to it, a response will issue. The position in relation to this matter is that the schools application for capital funding for a PE hall has been assessed in accordance with the published prioritisation criteria for large scale building projects. Progress on the proposed works is being considered in the context of the school building and modernisation programme from 2006 onwards.

Defence Forces Investigation.

239. **Mr. Timmins** asked the Minister for Defence the discussions he has had regarding the investigation into the murder of Private P. Kelly in Leitrim 1983; and if he will make a statement on the matter. [38256/05]

Minister for Defence (Mr. O'Dea): On 16 December 1983 Private Patrick Kelly was part of a joint Garda-Army cordon search of Ballinamore Wood, Ballyconnell, County Leitrim, following the kidnapping of Mr. Don Tidey. During this search Private Kelly sustained fatal gunshot injuries. I am informed by the Garda authorities that, at the time, a full-scale investigation was immediately launched, which involved the arrest of persons in connection with the kidnapping, false imprisonment and subsequent murders.

In 1998, a person was charged with false imprisonment and firearms offences. This person was subsequently successful in his application to the High Court to prohibit his trial proceeding. The order of the High Court is currently under appeal by the State to the Supreme Court. I am further informed by the Garda authorities that the investigation file remains open and as such it would be inappropriate for me to comment further on the matter. I have not had any discussions regarding the matter.

Defence Forces Equipment.

240. **Mr. Gormley** asked the Minister for Defence if the completion of the EU's military requirements catalogue will result in increased armaments expenditure by Ireland; and if he will make a statement on the matter. [38459/05]

Minister for Defence (Mr. O'Dea): I attended the General Affairs and External Relations Council, GAERC, meeting in Defence Ministers formation on 21 November 2005 at which progress in developing military capabilities was one of the items discussed. Under military capabilities, the discussions focused on the requirements catalogue for 2005, the single progress report and the headline goal questionnaire. Comprehensive planning and security sector reform were discussed under civil-military co-operation.

The requirements catalogue for 2005 is the first step in the delivery of Headline Goal 2010. It identifies the forces and capabilities needed against which member states will be invited to make offers through the headline goal questionnaire. It is a planning document and therefore it imposes no obligations on member states in terms of capability development or the provision of specific capabilities.

In the context of the broader development of the EU's capacity to carry out both civilian and military crisis management operations, Ireland has advocated that the EU should prioritise the development of qualitative aspects of capability development. I am aware that this view is shared by many EU Defence Ministers at a time when the majority of member states, including Ireland, has no plans to increase their defence spending.

Defence Forces Personnel.

241. **Mr. Blaney** asked the Minister for Defence if he will ensure the contract for a person (details supplied) in County Donegal will be renewed by the Irish Army; and if he will make a statement on the matter. [38262/05]

Minister for Defence (Mr. O'Dea): The military authorities have advised that the deputy chief of staff has recommended the continuance in service of the individual in question.

Departmental Staff.

242. **Mr. Gilmore** asked the Minister for Defence the number of staff broken down by grade employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [38336/05]

Minister for Defence (Mr. O'Dea): Four permanent civil servants are employed in my private office, comprising one higher executive officer, one executive officer, one staff officer and one clerical officer. At current rates and since 1 January 2005, the salaries of these staff amounted to €144,018 per annum. Costs in regard to over-

time and expenses, travel and subsistence, have amounted to €3,966.

Six permanent civil servants are employed in my constituency office, comprising one executive officer, one staff officer and four clerical officers, one of whom is worksharing. At current rates and since 1 January 2005, the salaries of these staff amounted to €157,217 per annum. Costs in regard to overtime and expenses, travel and subsistence, have amounted to €246.

In addition, I have appointed a special adviser, a press adviser, a personal assistant and a personal secretary. At current rates the salaries of these staff amount to €213,848 per annum. Costs in regard to expenses, travel and subsistence, since 1 January 2005 have amounted to €10,396.

Defence Forces Equipment.

243. **Mr. Durkan** asked the Minister for Defence if the age, quality and status of military hardware and equipment is in keeping with best practice in a modern, well equipped defence strategy; his plans to improve or upgrade these areas; and if he will make a statement on the matter. [38413/05]

Minister for Defence (Mr. O'Dea): The acquisition of new equipment for the Defence Forces continues to be a key focus for the Minister for Defence. I am aware that significant investment has taken place in recent years and I will continue the good work in that regard.

The unprecedented level of expenditure on equipment for the Army, Air Corps and Naval Service was made possible by the Government's decision that pay savings arising from the reorganisation of the Defence Forces set out in the White Paper of 2000, along with proceeds from the sale of surplus properties, would be reallocated for investment in modern facilities and equipment.

Investment in new equipment for the Defence Forces is provided for under various subheads of the Defence Vote relating to defensive equipment, mechanical transport, aircraft, ships and naval stores, engineering, communications and information technology equipment, etc. All elements of the Defence Forces, the Army, Air Corps, Naval Service and the Reserve have benefited from the investment in new equipment.

The equipment issued to the Defence Forces is in keeping with the most modern requirements and the highest international standards. The ongoing investment in the Defence Forces will ensure that this remains to be the case.

244. **Mr. Durkan** asked the Minister for Defence the extent to which breathing apparatus, gas masks or other protective equipment are available in adequate supply to meet requirements of all members of the Defence Forces in the event of a gas or chemical terrorist attack; and if he will make a statement on the matter. [38414/05]

Minister for Defence (Mr. O'Dea): The most important defence against any gas or chemical

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terrorist attack is detection and prevention by the security forces. While An Garda Síochána has the primary responsibility for law and order, one of the roles assigned to the Defence Forces is the provision of aid to the civil power, meaning in practice to assist, when requested, an Garda Síochána. The various components of the Defence Forces are active in this regard, providing such assistance as is appropriate in specific circumstances.

The Defence Forces make contingency plans for a range of scenarios where the State may be at risk. An urgent and detailed review to deal with a range of emergency situations was undertaken by the military authorities following the events of September 11. It included, *inter alia*, an update of the threat assessment, intensive contacts with other State agencies, a reassessment of operations orders relating to vital installations, alert systems, the Army ranger wing, ordnance and engineer aspects in terms of explosive ordnance disposal and specialist search and a review of equipment including the need for air defence. All matters arising were addressed and all procedures updated as required.

The Defence Forces have available to them equipment for monitoring and protecting their members in dealing with nuclear, biological or chemical, NBC, threats identified from time to time. They hold an extensive range of modern NBC equipment that meets their current requirements. This range includes approximately 7,000 NBC suits, 1,500 of which were delivered in 2004. A further 1,200 NBC suits will be delivered before the end of the year and 800 NBC suits will be delivered in 2006.

The capacity of the Defence Forces to deal with major emergencies is kept under constant review. Plans and procedures are updated as

necessary and such additional equipment as is required to address any perceived deficiencies is acquired on the basis of identified priorities. Training and preparation for such events is also provided for in the Defence Forces annual training plan. The most important defence against any attack is of course vigilance, detection and prevention by the security forces. All the necessary resources of the Garda Síochána and the Defence Forces are deployed to this end.

Defence Forces Strength.

245. **Mr. Durkan** asked the Minister for Defence his proposals to increase the strength of the Army, Navy and Air Corp; the extent and the levels of same; and if he will make a statement on the matter. [38415/05]

250. **Mr. Durkan** asked the Minister for Defence the extent to which he proposes to increase the officer corps and strength of the Defence Forces; and if he will make a statement on the matter. [38420/05]

Minister for Defence (Mr. O'Dea): I propose to take Questions Nos. 245 and 250 together.

The White Paper on Defence of February 2000 sets out a figure of 10,500 personnel for the Permanent Defence Force, comprising 930 for the Air Corps, 1,144 for the Naval Service and 8,426 for the Army. It is my intention to maintain the established Government policy of ongoing recruitment to the Defence Forces. Recruitment into the Permanent Defence Force will continue to maintain the strength at the level set out in the White Paper as required to meet military needs. The Defence Forces continue to have a proactive approach to all aspects of recruiting.

The strength of the Army, Air Corps and Naval Service, as advised by the military authorities as on 30 October, 2005 is as follows:

	Total Officers	Total NCOs	Privates	Overall Total
Army	1,063	3,073	4,473	8,623
Air Corps	134	404	319	857
Naval Service	163	471	427	1,061

Common Security and Defence Policy.

246. **Mr. Durkan** asked the Minister for Defence the discussions he has had with his EU colleagues in the matter of co-operation or training with other EU forces; and if he will make a statement on the matter. [38416/05]

Minister for Defence (Mr. O'Dea): I have not had any discussions with my EU colleagues in the matter of co-operation or training with other EU forces. However, Defence Forces personnel have for many years attended workshops, training courses, desktop exercises, seminars and other events overseas as part of their military training and I expect that they will continue to do so. The Defence Forces have also attended training courses and workshops under PIP PARP, the purpose of which is to learn from best practices

in other defence forces and includes improving the level of interoperability between forces in the context of peace support operations and the Petersberg Tasks.

Overseas Missions.

247. **Mr. Durkan** asked the Minister for Defence the steps he proposes to take to increase the Defence Forces having regard to continued commitments overseas on UN missions and likely commitments arising from EU, Partnership for Peace or rapid response and battle group commitments in the future; and if he will make a statement on the matter. [38417/05]

248. **Mr. Durkan** asked the Minister for Defence if a decision has been made regarding the likely strength of Irish involvement in future

Partnership for Peace, rapid response or battle group forces; and if he will make a statement on the matter. [38418/05]

Minister for Defence (Mr. O’Dea): I propose to take Questions Nos. 247 and 248 together.

The White Paper on Defence of February 2000 sets out a figure of 10,500 personnel for the Permanent Defence Force, comprising 930 for the Air Corps, 1,144 for the Naval Service and 8,426 for the Army. It is my intention to maintain the established Government policy of ongoing recruitment to the Defence Forces. Recruitment into the Permanent Defence Force will continue to maintain the strength at the level set out in the White Paper as required to meet military needs both at home and abroad.

Ireland has offered, through the UN standby arrangements system, UNSAS, to provide up to 850 military personnel configured as a light infantry mounted battalion for overseas service at any one time. This figure equates to some 10% of Ireland’s standing Army — excluding Reserves — and demonstrates Ireland’s commitment to the cause of international peace. This is the maximum sustainable commitment that Ireland can make to overseas peacekeeping operations. There are no plans at this time to increase the level of our commitment to UNSAS and any commitment to EU led operations or to battle groups will be met from within the existing UNSAS arrangement.

Ireland supports the development of the EU’s rapid response capability in support of UN authorised missions and is positively disposed towards participation in the rapid response elements in this regard. However, it is important that the full implications of our participation are assessed and, to this end, I established an interdepartmental group which includes representatives of my Department, the Defence Forces, the Taoiseach’s Department, the Department of Foreign Affairs and the Attorney General’s office to consider the policy, legislative and operational issues arising from participation. I received the report from the interdepartmental group last week and I am currently reviewing it. Once I have had an opportunity to consider the matter, I plan to consult the Minister for Foreign Affairs with a view to bringing proposals to the Government. In the event of a positive decision by the Government to Defence Forces participation in a battle group, it will be necessary to enter into discussions with potential partners with regard to the nature and scale of our contribution. Until then, it is not possible to say what the size of our commitment might be.

Security Escort Service.

249. **Mr. Durkan** asked the Minister for Defence the amounts paid by the financial institutions for the money escort services provided by his Department in the past five years; if all payments have been made to date in 2005; if any are still outstanding; and if he will make a statement on the matter. [38419/05]

Minister for Defence (Mr. O’Dea): An annual contribution of €2.86 million has been paid by the banks to my Department in respect of the provision of cash escorts. This figure was set by the Department of Finance in the 1995 budget and had not been altered since. The contribution from the banks was designed to cover part of the total cost to the State of providing cash escorts. At that time, the contribution covered approximately 72% of the total cost arising to the Defence Forces. Based on annual costings by the Department, the relative level of the contribution had fallen in real terms over the years to the situation where it is only covering 43% of the total costs.

As the Deputy may be aware, I had a number of discussions with the Irish Bankers Federation, IBF, on this matter earlier this year, with a view to increasing the level of contribution by the banks in respect of the costs incurred by the Department in the provision of cash escorts. Following detailed and intensive discussions between officials of the IBF, the member banks and the Department, a detailed formal agreement was signed on 11 May 2005.

This agreement, which is for a five year period, provides that the banks will pay the total actual costs incurred by the Defence Forces in the provision of cash escorts. Costs in respect of each 12 month period to the end of December will be paid the following year on or before the 1 June. This is to allow for the compilation of returns from the brigades and allocation of costs following the year end. The total number of cash escorts provided by the Defence Forces for 2004 was 2,425 and the total cost of these was €7.5 million.

The first payment under the new system will be paid in June 2006. I have, at the banks’ request, agreed to defer the first payment to that date to meet the banks’ budgeting and accounting timeframe. In return for my agreement to this deferral, a transitional payment of €1 million, payable before end 2005, was negotiated as part of the overall agreement. In 2005, the banks will therefore make their annual payment of €2.86 million plus the additional €1 million, for a total contribution of €3.86 million. The costs for the banks in any future year will be determined by the actual costs incurred by the Defence Forces in the provision of the cash escorts in the previous year and thus are not available at this time. The payments by the banks will be paid directly to my Department.

We have now agreed an open and transparent system for agreeing the costs in respect of the Defence Forces and this should stand the test of time. The agreement resolves the issue of the banks’ contribution in respect of cash escort costs for the foreseeable future.

Question No. 250 answered with Question No. 245.

Defence Forces Equipment.

251. **Mr. Durkan** asked the Minister for Defence the full strength in terms of helicopters, personnel and rescue equipment available from the Defence Forces for air, sea or other rescue

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services; and if he will make a statement on the matter. [38421/05]

252. **Mr. Durkan** asked the Minister for Defence if he is satisfied regarding the adequacy and strength in terms of equipment and personnel of the air, sea and rescue services; and if he will make a statement on the matter. [38422/05]

Minister for Defence (Mr. O’Dea): I propose to take Questions Nos. 251 and 252 together.

The Defence Forces are committed to providing support to the civil authorities specifically with regard to search and rescue. The Irish Coast Guard has overall responsibility for the provision of maritime search and rescue services within the Irish search and rescue region, and the Naval Service and the Air Corps provide support to the Coast Guard in this regard as the need arises and within their available capability. While the Air Corps has withdrawn from the direct provision of search and rescue, Air Corps pilots continue to train in search and rescue techniques and to provide a limited non-maritime search and rescue response. The specification for the new helicopters being acquired for the Air Corps includes a search and rescue capability. That capability requires a wide range of available skills: piloting, winching, medical, vessel crewing, radar and so on. I am advised by the military authorities that the availability of these skills within the Defence Forces is sufficient to meet their continuing commitments in this area.

The White Paper on Defence of February 2000 sets out a figure of 10,500 personnel for the Permanent Defence Force, all ranks, comprising 930 for the Air Corps, 1,144 for the Naval Service and 8,426 for the Army. There are no proposals to increase the strength of the Permanent Defence Force above the White Paper figure of 10,500.

Recruitment into the Permanent Defence Force will continue to maintain the strength at the approved level.

Rural Development.

253. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government when formal approval will issue to Mayo County Council in respect of the proposed budget costs for a project in order that contractors can be appointed. [38259/05]

Minister of State at the Department of the Environment, Heritage and Local Government

(Mr. N. Ahern): My Department gave approval to Mayo County Council in September 2005 to accept tenders for the refurbishment of rural houses in the area in question subject to the submission of further documentation so as to determine an overall budget cost for the works. The council recently submitted further information on this issue. Following completion of the examination of this information an all in budget cost will be issued to the council.

Departmental Staff.

254. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the number of staff broken down by grade employed within the private and constituency office; the number of staff who are permanent civil servants; the number who are political appointees; the annual cost of each such office in terms of salary, overtime and expenses; and if he will make a statement on the matter. [38337/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The staffing composition of my private and constituency offices is set out in the following tables.

Private Office.

Permanent Civil Servants		Temporary Unestablished Civil Servants	
Full time Equivalent	Grade	Full time Equivalent	Title
1	Executive Officer (Private Secretary)	0.8	Special Adviser (Principal Officer grade)
3	Executive Officer		
3	Clerical Officer		

Annual salary costs for the above, based on the rates of pay at 1 December 2005, amounts to €316,042.18.

Constituency Office.

Permanent Civil Servants		Temporary Unestablished Civil Servants	
Full time Equivalent	Grade	Full time Equivalent	Title
2	Executive Officer	1	Personal Assistant (HEO grade)
2	Clerical Officer (Full time Equivalent)	1	Personal Secretary (Secretarial Assistant grade)

Annual salary costs for the above, based on the rates of pay at 1 December 2005, amount to €261,872.67.

Overtime and travel and subsistence are paid as the need arises, in accordance with the Department of Finance guidelines, and to date in 2005 have amounted to €27,199.34 and €11,744.54, respectively, for both offices.

Local Authority Funding.

255. **Mr. Ó Fearghail** asked the Minister for the Environment, Heritage and Local Government if his Department has received an application from Kildare County Council for funding for additional accommodation at a hostel (details supplied) in County Kildare; if payment will issue in this case; and if he will make a statement on the matter. [38364/05]

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. While the level of accommodation related funding applicable to this type of project is, in the first instance, a matter for decision by the local authority in whose area the project is situated, my Department recoups to the authority 90% of such funding. In this context, Kildare County Council has been requested to submit information to clarify certain aspects of the proposal to increase the funding for the project in question. On receipt of this information, the matter will be further considered.

Local Authority Housing.

256. **Mr. Ó Fearghail** asked the Minister for the Environment, Heritage and Local Government the number of units of housing accommodation provided under the capital loan and rental subsidy scheme to date in 2005 on a county basis; the number in planning; and if he will make a statement on the matter. [38365/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Available information on the number of units provided in each local authority area in respect of the voluntary housing schemes is published in my Department's Quarterly Housing Statistics Bulletins. Copies of the bulletins, including June 2005, are available in the Oireachtas Library and the information contained in the bulletins is also available on the Departments website at www.environ.ie. Figures for September 2005 will be published shortly. The information requested in regard to the number in planning is being compiled and will be forwarded to the Deputy as soon as possible.

Voluntary Housing Associations.

257. **Mr. Ó Fearghail** asked the Minister for the Environment, Heritage and Local Government the number of approved voluntary housing associations in existence here; the number of units being managed by each association; and if he will make a statement on the matter. [38366/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): There are currently 613 voluntary bodies with approved status from my Department and 18,600 units being managed by approved voluntary and co-operative housing associations. The information requested in regard to the number of units managed by each association is being compiled and will be forwarded to the Deputy as soon as possible.

Local Authority Staff.

258. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government, further to Question No. 292 of 30 November 2005, if the regulation that prevents persons employed as general operatives by local authorities from eligibility for interview for grade four level will be reviewed on the basis that they do not hold a leaving certificate and prevents the employing authority from accepting such applicant for interview. [38394/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 583 of 22 November 2005 and Question No. 292 of 30 November 2005. The qualifications declared for all local authority posts are kept under review in the light of experience of their operation. There are no proposals at present to amend the qualifications for the post of assistant staff officer.

Rental Accommodation Scheme.

259. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government the position regarding tenants if their landlords do not want to become part of the rental accommodation scheme; and if he will make a statement on the matter. [38423/05]

261. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government, further to Question No. 96 of 28 June 2005, his progress in meeting the target of housing 5,000 households which are long-term recipients of the rent supplement by the end of 2005; and if he will make a statement on the matter. [38481/05]

262. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government if his Department received €19 million from the Vote of the Department of Social and Family

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Affairs for a long-term accommodation initiative for rent supplement tenants; the amount of this transferred money that has been spent since his Department received it; the way in which the money was spent; and if he will make a statement on the matter. [38482/05]

263. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government the number of long-term rent supplement recipient households which have been housed to date in 2005 under the rent supplement initiative; the type of housing they received under this initiative; the breakdown of the number of households housed under each housing option; and if he will make a statement on the matter. [38483/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 259 and 261 to 263, inclusive, together.

Under the rental accommodation scheme, RAS, announced by the Government in July 2004, local authorities will progressively assume responsibility for accommodating supplementary welfare allowance, SWA, rent supplement recipients with a long-term housing need. The initial project to transfer existing rent supplement recipients of 18 months or more continuous duration is due to be completed by the end of 2008.

The RAS is a collaborative project between my Department, local authorities, the Department of Social and Family Affairs and the community welfare service. Roll-out has commenced in an initial group of lead authorities, namely Dublin, Galway and Limerick city councils, South Dublin, Donegal, Offaly-Westmeath county councils and Drogheda Borough Council. Cork city and county councils and South Tipperary County Council are also implementing the RAS.

I refer to the reply to Question No. 677 of 25 October which outlined the main actions taken to date in implementing the scheme. Some 305 households have so far transferred to the RAS from the SWA rent supplement scheme. Some 300 households are accommodated by voluntary and co-operative housing associations with the remainder accommodated in the private rented sector. The first transfers occurred in the Galway City Council area and households have now transferred to the scheme in Westmeath, Offaly and Dublin city. It is expected that some 500 households will have transferred to the RAS by the end of the year.

Some €19 million was transferred to my Department's Vote for 2005 from that of the Department of Social and Family Affairs to provide for the mobilisation of the new rent sup-

plement scheme. Some €600,000 has been spent to date by the implementing local authorities, including rent payments for transferred households, start-up costs and expenditure on the administrative arrangements to support implementation of the scheme.

Landlords are not obliged to participate in the scheme. Local authorities will seek to secure suitable alternative accommodation for eligible rent supplement recipients whose landlords do not wish to participate. In the meantime, eligible RAS households will continue in receipt of SWA rent supplement. Agreement between a local authority and a landlord also depends on the rent sought for the property, compliance with approved standards, registration of the tenancy with the Private Residential Tenancies Board and the landlord's tax affairs being in order.

Local Authority Housing.

260. **Mr. Hayes** asked the Minister for the Environment, Heritage and Local Government when a decision will issue in the case of persons (details supplied) in County Tipperary. [38433/05]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The Department of the Environment, Heritage and Local Government recently gave approval to South Tipperary County Council to proceed with the construction of a house for the family in question.

Questions Nos. 261 to 263, inclusive, answered with Question No. 259.

Planning Issues.

264. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government when he expects the survey he initiated into planning policies applied by local authorities as they relate to management companies to be complete; the measures he anticipates taking following the conclusions; and if he will make a statement on the matter. [38484/05]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Department of the Environment, Heritage and Local Government has asked planning authorities for a report on their policies on attaching conditions relating to management companies to planning permissions for various types of residential developments. It is anticipated that all responses will be received and collated shortly. When all the responses from the planning authorities have been considered, the Department will consider the need for further guidance in this area.