



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 21 February 2006.

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TUAIRISC OIFIGIÚIL OFFICIAL REPORT

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Dé Máirt, 21 Feabhra 2006.
Tuesday, 21 February 2006.

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

Paidir.
Prayer.

Ceisteanna — Questions.

Ministerial Staff.

1. **Mr. Kenny** asked the Taoiseach the duties and responsibilities of the special political advisers as appointed by him; and if he will make a statement on the matter. [39758/05]

2. **Mr. Sargent** asked the Taoiseach the duties and responsibilities of special political advisers appointed by him; and if he will make a statement on the matter. [6396/06]

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

There are six special advisers appointed by me. There has been no increase in their number since I took office. Under the direction of the programme manager, the primary function of the advisers is to monitor, facilitate and help secure the achievement of Government objectives and to ensure effective co-ordination in the implementation of the programme for Government. They are also tasked with giving me advice and keeping me informed on a wide range of issues,

including business, financial, economic, political, administrative and media matters and performing such other functions as may be directed by me from time to time.

Each of the advisers liaises with a number of Departments and acts as a point of contact in my office for Ministers and their advisers. My advisers attend meetings of Cabinet committees and cross-departmental teams relevant to their responsibilities. They also liaise, on my behalf, with organisations and interest groups outside of Government.

In addition, a number of my advisers have specific responsibilities in speech drafting. My programme manager meets other ministerial advisers on a weekly basis. He monitors and reports to me on progress in implementing the programme for Government.

Mr. Kenny: According to the Taoiseach's reply he has a programme manager, a special adviser and three other special advisers. Is that correct?

The Taoiseach: There are six.

Mr. Kenny: There are six, including the programme manager to the Tánaiste and so on. In

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terms of their salary scales, the first four cost €513,000, and good luck to them. When the Taoiseach states that their duties are partly to advise him on a wider range of issues, it seems strange that none of his political advisers brought up the matter of the former Minister of State, Deputy Callery, being removed from office.

An Ceann Comhairle: That matter does not arise.

Mr. Kenny: Good, sound political advice might have led the Taoiseach in a different direction. I am not privy, of course, to conversations the Taoiseach might have had with these people who cost a half a million euro, but he could have gone to any street in his constituency and got very clear advice for nothing as to when, how and where he might site a successor. Is the Taoiseach happy with the range of issues on which this quadrant of advisers is available to him? Does he consider that they fulfil their duties and functions properly, as laid out in their respective contracts?

The Taoiseach: I have one special adviser, a programme manager and four others. One of the advisers liaises with the Ministers of State. That adviser's role relates to them, given that Ministers of State do not have advisers. The total salaries of all advisers is €974,122.

Mr. Durkan: That is €1 million. They must give good advice.

The Taoiseach: I am satisfied with the work. Between them, they cover the entire range of Departments, with three or four each. They liaise with Ministers and Ministers of State as well as groups inside and outside the various Departments. This involves a range of meetings and I am satisfied with the work they do.

Mr. Kenny: I commended the Tánaiste on the speed with which the Government published the report commissioned by the HSE into the provision of children's hospital facilities in Dublin, in terms of the move from Temple Street, the Mater and so on. When they consult the Ministers and the Ministers of State, do the programme managers and advisers encourage them to bring reports to Cabinet for quick publication? The Minister for Education and Science, for instance, said there was an information deficit at the heart of the education system, yet half a dozen reports have been lying on her desk for a number of months which have not been published. In terms of their advice to the Taoiseach, as Head of Government, is it not appropriate that they should follow the example flagged by the children's hospital issue, for example, and allow for early publication of these reports? They are not secret and are not concerned with sensitive

tragedies or whatever. There is no reason they should be kept back——

An Ceann Comhairle: That does not arise out of this question.

Mr. Kenny: It does.

An Ceann Comhairle: No, the Deputy cannot go into detail.

Mr. Kenny: The Ceann Comhairle cannot stop me because——

An Ceann Comhairle: It is a general question.

Mr. Connaughton: In other words, say nothing.

Mr. Durkan: It is on a wider range of issues.

Mr. Kenny: The Taoiseach said these special advisers advise him on a wide range of issues.

An Ceann Comhairle: The Chair can accept a question on the reports, but not detailed questions that should be addressed elsewhere.

Mr. Kenny: I am asking about a wide range of issues, and the Ceann Comhairle appears to think, when he comes here on Tuesdays, that he has to concoct some method to prevent legitimate questions being asked.

An Ceann Comhairle: The Deputy is well aware——

Mr. Connaughton: It looks that way.

Mr. Kenny: I know some of the Taoiseach's advisers and they are very good people. In the interests of efficiency in Government and of giving the public information contained in reports that are locked away in Departments, do these advisers urge Ministers to publish reports quickly because the people would like to know what is in them? That is a fair question, which by any standards the Ceann Comhairle cannot rule out of order.

An Ceann Comhairle: The Chair will allow that but the Deputy cannot go into detail.

Mr. Connaughton: We are getting there.

The Taoiseach: I agree with Deputy Kenny that reports should be published quickly where issues of confidentiality are not involved, as is normally the case. There was an urgent reason the report he mentioned should be published quickly because it was holding up the decision on the release of the development of the hospital. It was correct that it was published immediately to allow for consultation and the health sector to input its views on the report.

Sometimes reports are held back for consultation or action but usually reports are published quickly. The normal procedure with the parts of the NESC and ESRI reports that go to my Department is that we bring them to the next Government meeting. We clear them in Cabinet or we bring them to it for information, as all reports do not necessarily require clearance. We then publish them and have the consultation process. It is the same with any of the other reports or research related to social partnership, which we circulate to the various social partners as soon as they are ready and publish them.

Mr. Sargent: The reply from the Taoiseach is, effectively, the same reply he gave on 18 October 2005. No new information has been provided to the Dáil. The only way new information can be elicited is by way of supplementary question so I hope the Ceann Comhairle will allow me to ask three questions.

Will the Taoiseach be more specific about the type of work and responsibilities given to his advisers? He needs to be a little more specific if we are to understand exactly what “helping to secure the achievement of Government objectives” means. Are special advisers involved in focus group work? A report on 30 January in *The Irish Times* gave a figure in the region of €1 million across a number of parties. Is that type of work part of the responsibility of advisers?

Are the Taoiseach’s advisers based in this country or are any based overseas? I understand that the former adviser, Mr. Peter McDonagh, lives abroad but his services have been retained. Will the Taoiseach outline Mr. McDonagh’s responsibilities and the cost of same?

The Taoiseach mentioned a figure of €974,400. Does he believe there should be specific and published guidelines for the work of special advisers and, perhaps, also a legislative base given that it is a fairly costly service? It is only fair to taxpayers that there would be some level of accountability. For example, do special advisers deal with constituency work? One can ask how much of this is properly the work of an adviser and, given that it is taxpayers’ money, should we be more specific than simply saying the work of advisers is to secure the achievement of Government objectives?

The Taoiseach: One of the special advisers is a programme manager and another co-ordinates directly with Ministers of State. Each of the special advisers has responsibility for a number of Departments and liaises with them on items of the Cabinet agenda and issues that are working through sub-committees of Cabinet. They also deal with groups that wish to make representations to me and with areas where there are difficulties across Departments in progressing issues. That is the kind of work they are doing. They

are linked directly to Departments. They are not involved in political work such as focus groups or in party headquarters.

Mr. McDonagh ceased duty in 2001 and he has not worked as a political adviser to Government since then. He took up a post in the Czech Republic, to which I think Deputy Sargent referred. He possibly keeps in contact with people in party headquarters but has nothing to do with the advisers.

We dropped the old system whereby every Minister had both programme managers and advisers. The co-ordination role of the four advisers involves effectively undertaking what was previously undertaken by special advisers and programme managers when every Minister had them. They liaise with Ministers and Departments to carry out this role across the 15 Departments, work which more than takes up their time and efforts.

The legislative base for advisers is in the Public Service Management Act 1997, section 11(1) of which makes provision for special advisers. It was also covered in the Public Service Management (Recruitment and Appointments) Act 2004. They are fully governed by compliance with the Ethics in Public Office Act 1995.

Mr. Rabbitte: I agree with Deputy Kenny about the helpfulness of the Taoiseach’s political advisers. However, they must have been on holidays over the last few weeks or the Taoiseach slipped off the leash because he is not as sure-footed as he used to be. There must be some explanation for it.

The Taoiseach: They do not all come from north Dublin.

Mr. Timmins: Obviously not.

Mr. Rabbitte: Is there an overlap between the political advisers and staff in constituency offices? There are eight people in the Taoiseach’s constituency office at a cost of €250,000 and there are 82 staff employed in Ministers’ constituency offices. Coming from this side of the House, one feels that it is not that difficult to get the name of a legendary constituency worker if one has eight people to back one up. Is there an overlap between the political and constituency office staffing? The Taoiseach tells us that the communications unit is basically a Civil Service function. Why is greater confidence not placed in the Civil Service, as opposed to excessively staffing constituency offices, which seems to be the case at the moment? Nobody objected when there were a few people in ministerial constituency offices but 82 staff appears to be excessive.

The Taoiseach: There is no overlap between advisers and constituency office staff. Practically all the people in my constituency office, with the

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possible exception of one junior person, are civil servants. Quite a few of the staff in a constituency office work on personal computers and carry out filing work so they would not be engaged in constituency work in terms of contacts. There is no overlap between the advisers who are working across Departments and people who work in constituency offices.

Mr. J. Higgins: Would the Taoiseach agree that employing six advisers costing just under €1 million per annum is exorbitant and excessive? When one combines this with the Taoiseach's other personal staff, it appears that an Arabian sheikh would hardly have such a large retinue as the Taoiseach now has advising him at every turn. Public sector workers are constantly berated in the private press about benchmarking. How does the Taoiseach benchmark the work and success of his advisers? Has he a particular standard by which he measures the quality of the advice received by him? Do they advise other Ministers and, speaking of benchmarking, do they carry responsibility for some of the debacles in which the Government has been involved such as the nursing home fees, electronic voting and PPARS? Given the cost of these advisers, why were these issues not flagged a long time ago, which would have saved a lot of public money? Perhaps then they would have earned the €1 million.

Whose idea was it that the Taoiseach should tell the Minister of State, Deputy de Valera, through the medium of Clare local radio, that she should spend more time in west Clare, rather than someone informing her in person?

An Ceann Comhairle: That question does not arise under the questions tabled.

Mr. Durkan: One adviser gone.

The Taoiseach: As the Deputy is aware, there are far fewer advisers and programme managers now than was the case previously. Both numerically and cost-wise, the numbers involved are now much lower, but I will not go into that matter. The people who remain in my Department co-ordinate the work which would have been carried out by advisers and programme managers in each Department. They deal with a number of Departments and liaise with Ministers, Ministers of State and my Department on the range of issues across each Department. A high proportion of the 40 or so advisers who work in the system are seconded from the Civil Service. Compared with the past, very few people come from outside the Civil Service. By and large, the system works efficiently.

The salaries of these people are directly linked to Civil Service grades. The posts are analysed and examined in the same way as public servants, including assistant principal officers or principal

officers. They are linked to a grade and not dealt with in isolation.

Mr. Durkan: Our hearts go out to the unfortunate, under-paid and over-stressed advisers, especially since they were not even consulted in the context of the recent crisis when they could have been very useful. It begs the question in what type of work they are involved. Do they deputise for Ministers? Do they attend meetings instead of Ministers? Do they do so at home or abroad? To what extent do they contact various agencies outside their respective Departments and the Oireachtas? For example, do they contact national or local radio stations or newspapers or advise on editorial policy? What did they do over the past month for €1 million, for example?

The Taoiseach: In a given period, legislation must be prepared across a range of Departments and there are ongoing meetings of Cabinet sub-committees with various items on the agenda. For example, on the cross-departmental team dealing with infrastructural issues, an adviser would work with the Minister and the officials in my Department to try to co-ordinate efforts on items on the agenda, including infrastructural and transport Bills. They do not work outside the country, except in the case of my adviser on European issues who works on European Council papers, data on foreign trips or visits of delegations to this country. Other than that, these people work in Government Buildings. They are confined to dealing with matters on the Government's agenda. They do not deputise for Ministers but rather liaise between Ministers and Departments. They co-ordinate the effort to keep the process of Government work moving as swiftly as possible by ensuring items on the programme for Government are moved forward.

Interdepartmental Committees.

3. **Mr. Kenny** asked the Taoiseach when the cross-departmental team on infrastructure and public-private partnerships will next meet; the number of meetings of the team planned for 2006; and if he will make a statement on the matter. [39760/05]

4. **Mr. J. Higgins** asked the Taoiseach the progress made by the cross-departmental team on infrastructure and public-private partnerships; and if he will make a statement on the matter. [1861/06]

5. **Caoimhghín Ó Caoláin** asked the Taoiseach if he will report on the work of the cross-departmental team on housing, infrastructure and public-private partnerships; and if he will make a statement on the matter. [3208/06]

6. **Mr. Sargent** asked the Taoiseach if he will report on the progress made by the cross-departmental team on infrastructure and public-private partnerships; and if he will make a statement on the matter. [6397/06]

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

The cross-departmental team on housing, infrastructure and public-private partnerships, PPPs, is scheduled to meet next on Wednesday, 1 March. While the agenda remains to be finalised, it will include Transport 21 and housing. These meetings are generally held on a monthly basis and there are eight more meetings planned for the remainder of 2006.

The team's role is to assist in progressing and resolving issues related to infrastructure planning and delivery. Given the significance of cross-departmental co-ordination in securing progress in this area, the team plays a valuable role in identifying appropriate issues to be addressed and, where necessary, in proposing possible solutions for consideration by the Cabinet committee and the Government. Such cross-departmental co-ordination has helped to improve significantly the capacity for the delivery of national infrastructure, especially in terms of time and cost.

Particular issues considered by the team in recent times include Transport 21, housing, the national spatial strategy and waste management. Lead responsibility remains with the relevant Minister and Department in respect of each infrastructure project.

Mr. Kenny: Has consideration been given to the continuation of the PPP process as it is currently operated? I made the point previously that it is a very expensive and technically complex tender system and that there is no claw-back for companies who are unsuccessful in tendering. We could end up with a small cartel of influential companies which could give rise to fears of inflated prices. In the case of the Cork School of Music, for example, I understand the cost is some €75 million while the maintenance fee is €8 million for 25 years thereafter. Given the strength of the economy, are we in a position to adopt a design-build approach as distinct from the PPP system as it currently operates?

The Taoiseach mentioned that Transport 21 will be discussed at the meeting of the cross-departmental team on 1 March. The launch of that document was well-flagged and an extraordinary amount of money is involved. It did not, however, include the proposed orbital route for the greater Dublin area. Based on current estimates, the sum involved will be truly extraordinary, depending on how far from the city boundaries it is built, whether 20 or 30 miles or whatever.

Will the cross-departmental committee make further recommendations about future tolling of roads? This is an issue of great concern to thousands of people, many of whom believe we have arrived at a stage economically where we can develop many of our roads. We have waited a long time to get these roads which are now being tolled. Will the infrastructure committee consider this issue, either at its meeting of 1 March or at subsequent meetings?

The Taoiseach: Deputy Kenny raised the first issue on a previous occasion at which time I told him the Minister for Finance was working on an initiative. That is now complete and I will give some details of it. It is aimed at accelerating PPP projects for key capital infrastructural projects in central Government areas. A new centre of expertise will be established under the National Development Finance Agency, NDFA, whose role will be expanded to include procurement functions on behalf of Departments. This will be in addition to its existing role as adviser to Departments on PPP procurement. The agency has commenced this new activity on an interim non-statutory basis and the Department of Finance is working with its legal advisers, in consultation with the NDFA, to bring forward any necessary legislative amendments without delay. The Minister for Finance appointed two additional members to the board of the National Development Finance Agency and the appointments are interim and non-statutory in the first instance pending amendment of the National Development Finance Agency Act 2002. The additional board members are Mr. Fred Barry, chief executive of the National Roads Authority, and Mr. Stuart Harrington, chartered surveyor and director of Killeen Properties.

The centre will provide the skills and capacity required to support the procurement of key infrastructural projects by public-private partnership in the central government area. This relates to the point raised by Deputy Kenny. By concentrating initially on three key Departments, namely, the Departments of Education and Science, Health and Children and Justice, Equality and Law Reform, an approved flow of PPP projects will be generated and resources will be focused on bringing these projects to completion. This relates to the point raised by the Deputy whereby companies had to invest in a major outlay for contracts with no return and incurred a sizeable hit in terms of their own costs.

Ministers will continue to be responsible for the assessment and approval of projects, including decisions to procure the project as a PPP, the setting of project budgets, output specifications and other service requirements. The NDFA's centre of expertise will be responsible for procuring the projects within these parameters and carrying out any negotiations needed to the turn-

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key stage. It will hand over the completed project to the Department concerned after construction.

This development resulted following consultation which, as Deputy Kenny will recall, involved the Minister listening to the agencies and companies concerned make the point about the cost. This development will lead to a much more efficient operation and give a centre of expertise where the process involved will be centralised as opposed to the existing position.

There is no new discussion on the tolling issue other than the decisions that have already been made. Only a small number of the roads, in respect of which €1.5 billion will be invested, are tolled.

With regard to Transport 21 issues related to the orbital route, the Deputy will recall that the National Roads Authority has carried out preliminary work on the orbital route but has not yet decided on a route. It has broadly indicated that it wants to proceed on an outer line but the exact location of it and the related cost specifications of it will take some time to establish. It has said it will report back but it will take some time before it does that in a meaningful way in terms of it being costed. It is important to commence preliminary work on the orbital route for the longer term.

Mr. J. Higgins: Does the Taoiseach agree that the use of public-private partnerships is not economically justified but politically motivated and that the Government, in its philosophy, essentially favours big business interests in major infrastructural projects for ideological reasons and because of the political closeness of Fianna Fáil and the Progressive Democrats to big business interests which also finance those parties?

Does the Taoiseach agree that in respect of group schools there is no great experience in this country as of yet of the alleged economic benefits of public-private partnership and that in the case of the provision of six schools which were agreed in 1999, the Comptroller and Auditor General found they were 8% to 13% more expensive to deliver than if they had been delivered under public stewardship? Does the Taoiseach agree that the effect of this process is that the taxpayers, in other guises as ordinary people, consumers, users of roads etc., will be hit for more to provide for the profits of the friends of the Government?

When the public-private partnership process gives a company a stake or a right in terms of the provision of a public service for up to the 20 or 25 years, does the Taoiseach agree that it is inevitable that many of those companies will move on, or may run into difficulties or have to offload their contracts and those public services become the subject of speculation in the capitalist marketplace? Is that any way to deliver public services on a secure basis for our people?

The Taoiseach: I do not agree with the Deputy's thinking on this matter. Public-private partnerships here and elsewhere are designed to involve the private sector more efficiently and speedily because it has expertise in undertaking such projects and to try to complete projects more quickly. There is a cost effect too because the State will always be able to make better loan arrangements than anyone else, provided its rating is healthy. The State, however, cannot do everything in one year or period.

There will always be a significant backlog of capital investment projects required. The State can engage the private sector through public-private partnerships, with proper procurement standards and arrangements which work well internationally. There is a good range of examples. The Deputy is correct to say we were late into this area. We can, however, see where others have made mistakes or where there are good models, and use proper procurement arrangements to enable strategic developments.

Whether in schools in 1999, or in some other areas, this involves a learning curve. Deputy Kenny mentioned the Cork School of Music which got into difficulties mainly because the original company pulled out and other companies were not interested in coming in. By and large people are interested in coming into road, sewage and water treatment projects. These are good examples of design, build and manage contracts which are good for the State. We have a range of these and they will build up over time. The State will not always have the expertise to carry out these projects within its ambit. If there are good quality private sector companies, Irish or other, which have international acclaim, which can carry out and finance these projects it is a good way to work. A relatively small element of the overall capital programme is under public-private partnership but it is good to deal with part of the capital programme in that way.

Caoimhghín Ó Caoláin: The Taoiseach referred earlier to tolling. Has the cross-departmental team addressed this in any substantive way? There is already an extensive demand on road users through vehicle registration tax, car tax, income tax, excise duties on fuel consumption and now tolling is an ever-increasing feature of our road infrastructure. Would it not be appropriate for the cross-departmental team to address this matter? What does the Taoiseach have to say to us on this issue?

Housing is one of the responsibilities of the cross-departmental team. Will the Taoiseach confirm that the team has addressed the issue of Traveller accommodation? I refer to the case brought by the elderly Traveller couple, one aged 70 the other 74, who are trying to ensure their squalid conditions are brought up to an acceptable standard in the twilight years of their lives.

If the cross-departmental team has not addressed the issue of Traveller accommodation will the Taoiseach in light of this case bring the issue to its attention?

The Taoiseach: This committee does not deal with that particular issue but the committee on social inclusion deals with the housing and infrastructural programme for Travellers. The Deputy should put down a question to the Minister of State at the Department of Health and Children, Deputy Fahey. There have been several discussions over the past six months not only at the Cabinet committee on that issue but also with the local authorities and the NGOs representing the Traveller community. The Minister of State would be glad to outline this process.

The questions submitted on the issue of tolling refer to the number of roads designated for this and the Minister for Transport, Deputy Cullen, will be glad to furnish those numbers. There have been no new discussions on the issue. The policy has been outlined and the Minister will deal with any questions. Nothing has changed in respect of tolling.

Mr. Sargent: The Taoiseach referred to the agenda for the cross-departmental team on infrastructure as including issues such as the Transport 21 plan and housing. Will a re-examination of the strategic infrastructure Bill be on the agenda? Has the Taoiseach and the Government any plans for a thermal power station or any other combustion installation with a total energy output of 300 MW or more?

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

Mr. Sargent: I ask whether this matter is on the agenda for the cross-departmental team. It has been suggested to me that such a proposal could cover a nuclear power station.

An Ceann Comhairle: The Deputy should confine himself to a question as there are a number of Deputies waiting.

Mr. Sargent: I am confining myself by being very specific. The agenda of the cross-departmental team is a subject which the Taoiseach has raised. The question of whether a nuclear power station is on the agenda would be of considerable interest to people. Will the Taoiseach amend the Bill to clarify the matter as people will want to know if this is what he has in mind?

Will the 1998 Aarhus Convention be on the agenda? This convention allows for public participation in decision-making. Is the cross-departmental team planning to ditch that convention or will the Taoiseach find a way of transposing it into Irish law as was supposed to happen by last month?

Is the Taoiseach aware of the report on broadband—

An Ceann Comhairle: The Minister responsible will follow shortly with his replies to questions.

Mr. Sargent: I do not wish to rain on the Minister's parade, I simply wish to ask the Taoiseach whether the matter is on the agenda.

An Ceann Comhairle: That matter does not arise out of these questions.

Mr. Sargent: The issue of broadband arises. Am I to receive a reply?

An Ceann Comhairle: The Deputy will receive replies to three questions.

Mr. Sargent: Broadband issues are on the agenda of the committee.

Mr. Rabbitte: I seek clarification of the announcement made by the Taoiseach about the new centre for excellence.

The Taoiseach: It is the centre for expertise.

Mr. Rabbitte: Is it an organisation, a quango, a committee or people? Is it the case that the National Development Finance Agency is responsible for identifying and driving infrastructure projects, whether by PPP or otherwise? Is there interaction between the agency and the cross-departmental team? Is the cross-departmental team merely trying to solve or flag problems? Where does the centre for expertise sit between the two? Is it reposed in the National Development Finance Agency? Does it consist of a number of people with expertise, whether in engineering, finance or accountancy?

Mr. Connaughton: What is the situation regarding the affordable housing projects to be built on State lands requisitioned from the Army, which the Taoiseach announced with great fanfare a few years ago? Is this project on target? When will the housing be available and what will be the selling price of the houses?

The Taoiseach: The Minister for Communications, Marine and Natural Resources will answer the question on broadband. The issue regarding the directive is being discussed and the Minister for the Environment, Heritage and Local Government, Deputy Roche, will shortly bring forward proposals on that matter. The Government is totally opposed to nuclear power and has no proposals on that.

Mr. Sargent: The Taoiseach should put down an amendment.

The Taoiseach: I note that many of the Deputy's European colleagues, the Greens, are beginning to press for nuclear power.

Mr. Sargent: Many of the Taoiseach's colleagues are as well.

The Taoiseach: However, I will resist it and hope that I can hold off the pressure as best I can from the Greens to bring nuclear power to Ireland—

Mr. Sargent: Does the Taoiseach have an amendment then?

The Taoiseach: —since it has been strongly forced by them.

On Deputy Rabbitte's question concerning the centre for expertise, Departments still have responsibility for identifying the project. The difficulty is that all of them went to different locations to get advice, with no co-ordination. It is brought together around the Cabinet sub-committee on infrastructure but, by and large, officials and public servants do not have the expertise. Issues that arose in examining public private partnerships included the appropriate expertise on how best to undertake a project, as the Deputy correctly said, how best to finance it, the engineering solution, where we could examine the model for best international practice and who could do so. To say the least it was not very coherent.

It has been decided that this centre for expertise will be located in one place, the National Development Finance Agency, whose role will be expanded to include a procurement function on behalf of the Departments. On an agency basis, therefore, the NDFA will be able to procure on behalf of Departments. Until now, it had an advisory role to Departments on PPP procurement and, as I said, the agency has started that work on a non-statutory basis.

The legislation governing the NDFA allows for far more flexibility to hire expert staff and interact at home and abroad with the appropriate people. The agency has taken on extra board members and will be able to hire additional experts in various areas. It will have a significant effect in being able to assist Departments to move the project forward. That is the idea. My understanding is that legislation will be required but the centre is being established on a non-statutory basis, at this stage at least.

Mr. Rabbitte: Is it a stand-alone entity or is it part of the NDFA?

The Taoiseach: It is part of the agency but involves an extension of the powers of the NDFA. Until now, the NDFA was able to give advice on the financing of the project, including relevant issues such as how best to finance it and

the timescales involved. Now it will have a role in procurement. In some cases it has expertise but in others it will be able to bring in expertise and source the best place to do so. This is being done on some of the PPP projects the Deputy and I would know best, including the redevelopment of rundown areas, such as Fatima Mansions, O'Devaney Gardens and other places. Compared to the other system, the timing of this one has been quite focused and very beneficial.

Deputies will be aware that the Minister has published the major infrastructural Bill, which will bring about greater efficiency in the consent process for major infrastructural projects in addition to providing a better service for stakeholders through a single agency.

As regards Deputy Connaughton's question on affordable housing, very good progress is being made in that regard. To date, over 70 projects are planned on State and local authority lands. Together with the projected 2,500 houses under Part 5 of the Planning and Development Act, the total projected delivery under the initiative is over 10,000 housing units.

Mr. Connaughton: How many of them are built?

An Ceann Comhairle: Please allow the Taoiseach to continue. He has gone well over the time allocated.

The Taoiseach: The initiative has delivered over 1,100 units to date, including those through Part 5.

Mr. Durkan: They are units, not houses.

The Taoiseach: It is estimated that over 2,000 houses will be provided under the initiative this year and 3,000 in 2007. Unfortunately, we have not yet found a way where one can hand over State land on Monday, get planning permission on Wednesday and build them on Friday. We have not yet found that mechanism.

Priority Questions.

Fisheries Protection.

63. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources further to a previous parliamentary question of 25 January 2006, if there is evidence to show that Spanish fishing efforts in the Irish Box are not increasing; if this practice is still in place; the amount of time Spanish vessels spent in the Irish Box in 2005, 2004 and 2003; if these figures are definite or approximate; the way in which the Government is ensuring that the maximum efforts allowed are

not being exceeded; and if he will make a statement on the matter. [6950/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): As previously explained to the Deputy, the fishing effort levels laid down in Council Regulation 1415 of 2004 are subject to detailed reporting requirements by all member states concerned. These maximum effort levels remain in place and are legislatively enforced at EU level. Any breach of those limits by the fishing fleets of any member state is subject to possible infringement proceedings by the European Commission against that state. Information from the Commission indicates that for the year to end November 2005 Spain is within all of its effort allocations and had used up 84% of its annual effort allocation for demersal species in the biologically sensitive area by the end of that month. For all of 2004 the effort consumption rate was 86%.

The issue of who should ensure compliance with the limits is at the core of the Deputy's question and I will focus specifically on that aspect. It is a prerequisite for an effective fishing effort regime that includes many member state zones that a co-ordinating body such as the European Commission should play the central role in monitoring the performance of each member state insofar as compliance with the fishing effort ceilings is concerned. Any suggestion that individual member states would somehow be better placed to undertake this task is ill-founded and based on a misunderstanding of the Common Fisheries Policy, CFP.

Under the CFP, each member state exercises responsibility for vessels flying its flag and this includes the requirement that its vessels complete and submit log sheet returns for all fishing operations irrespective of geographical location. Fishing effort reports by member states are compiled from these logbook records. Member states must maintain and make available to the Commission for audit purposes on request the log sheet returns which are a critical element in providing assurance on the levels of fishing effort in any given area. Through a combination of reporting and audit requirements, the Commission is thus ideally placed to monitor the situation and to take action in the event of non-compliance with the limits. I have every confidence in the Commission's capacity to discharge its function in this matter.

Mr. Perry: I congratulate the Minister of State, Deputy Browne, on his appointment, and wish him the very best.

Mr. Kenny: Hear, hear. Well done.

Mr. Durkan: I wish him tight nets.

Mr. Perry: The Minister of State has a difficult task in that regard, with the many loose ends left on the departure of the former Minister of State, Deputy Gallagher, though I recognise his efforts as well.

Mr. Kenny: Now he has tunnel difficulties.

Mr. Perry: In light of the concern expressed by the Minister for Communications, Marine and Natural Resources on over-fishing, how is time spent by Spanish trawlers in Irish waters gauged? I find it strange that stricter measures are not being imposed on Spanish vessels on fishing within the Irish Box. I tried to establish from the former Minister of State, Deputy Gallagher, if there was any evidence to show Spanish fishing effort in the Irish Box was not increasing. In his response, the Minister of State said he was not aware there had been an increase.

The new Minister of State at the Department, Deputy Browne, spoke of the EU role with regard to log sheet returns. Since fish up to the value of €2 billion is taken out of Irish waters annually, the methodology of controlling the entry of foreign vessels to Irish waters seems lax. With regard to the protection of Irish waters, the Irish Naval Service is given very little direction as to how it can ensure the log sheet figures are authentic.

Mr. Browne: It was agreed in 2004 that the EU would be the co-ordinating organisation. With regard to our own efforts, the Irish Naval Service is very involved and applies no distinction between Irish and non-Irish fishing vessels. All foreign vessels operating with the Irish fisheries patrol area are subject to checks by Irish control authorities at sea or in Irish ports. At sea, these checks include the inspection of fishing gear, and vessels boarded at sea also have their catches inspected for compliance with EU fishery legislation on the minimum size of fish. The proper recording of catches is also checked. At the land base, regular checks are also carried out by inspectors on all vessels landing into Irish ports. The Spanish ships within Irish waters would be under the same inspection regime as Irish boats.

Mr. Perry: Is it the case that for Spanish vessels fishing in the Irish Box, not going through Irish ports but going to their port of origin, there is little or no control on the quantities of fish they take from the Irish Box? The Minister of State has indicated it is the responsibility of the EU to monitor this, but in light of the concerns about substantial overfishing by foreign vessels in the Irish Box, has the Common Fisheries Policy been operational to the proper extent?

Mr. Browne: The evidence in that regard is anecdotal. I have in front of me a league table reporting to the EU, and Spain is currently one of the better countries in terms of reporting on effort and on catches to the EU, probably much better than Ireland.

Broadcasting Legislation.

64. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources when the Broadcasting Act will be brought forward; if he is bringing forward measures to establish a single regulatory body to regulate all aspects of the broadcasting sector; if the recent awarding of a license to a company (details supplied) indicates the need for a review of the BCI's licensing process; if there is sufficient variety in existing licenses; and if he will make a statement on the matter. [6800/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The priority issues to be addressed by the legislative proposals that will form the basis of a new broadcasting Bill include the establishment of a single content regulator for commercial, community and public service broadcasters, the establishment of RTE as a company under the Companies Acts, the provision of a statutory mechanism for future adjustments to the level of the television licence fee and the development of the right of reply mechanism, allowing persons whose reputation and good name have been damaged by an assertion of incorrect facts in a television or radio programme to gain redress.

Work on developing the legislative proposals needed to address these issues is continuing. I anticipate I will be in a position to bring my proposals to Government in the coming months, with publication of the Broadcasting Bill in 2006. My intention in framing the legislative proposals will be to ensure that the broadcasting regulatory environment continues to encourage the parallel development of high quality broadcasting by Irish public service, commercial and community broadcasters.

The licensing of radio and television broadcasters in Ireland is a matter for the independent Broadcasting Commission of Ireland, BCI. Under its statutory obligations the BCI determines issues such as the type and number of licences in any region. While I am considering new legislative proposals that are intended to develop the overall licensing framework, decisions on the actual nature of the services to be licensed and who is to be awarded licences should continue to remain the remit of an independent body.

Mr. Broughan: I too congratulate Deputy Browne on his appointment as Minister of State to the Department of Communications, Marine and Natural Resources.

The Minister has in effect decided there will be a single content regulator for the public sector broadcaster, RTE, as well as the private sector companies. What is the timeframe? Does the Minister intend to bring forward the Bill this year? Given that we will spend most of our time in the House tomorrow on the contentious Sea-Fisheries and Maritime Jurisdiction Bill, does the Minister intend to publish the broadcasting authority Bill at an early date and allow at least several months of consultation and discussion between the media broadcasters and ourselves, to avoid the kind of shambles which the Sea-Fisheries and Maritime Jurisdiction Bill has turned into at times?

Is the Minister concerned at the recent performance of the Broadcasting Commission of Ireland, especially as revealed in the court cases between Phantom FM and ZFM involving the alternative rock music licence? It is alleged that one company involved operated illegally for seven years, that it had illegal events licences, that it accepted advertising illegally, that it had no proper libel insurance and that it flouted the law consistently. Following the oral hearings in November 2004, that company was nevertheless given the licence for the alternative rock music franchise. Is it of concern that much comment has been made on that award? Deputies on both sides of the House have received complaints. There has been consistent criticism of the Broadcasting Commission of Ireland, with the Ox report and the Joint Committee on Communications, Marine and Natural Resources expressing the view that a review is needed. In this context, does the Minister plan to examine the issue of radio licensing?

Does the Minister agree with the comments made by his colleague, the Minister for Justice, Equality and Law Reform, Deputy McDowell, at a recent public lecture on broadcasting. He condemned RTE journalists for agenda setting, campaigning and their investigate reporting. Was it within the Minister for Justice, Equality and Law Reform's remit to do so and complain to the RTE authority about a "Prime Time Investigates" programme on the new prison to replace Mountjoy Prison when he did not take the trouble of going to the Broadcasting Complaints Commission? Does the Minister have any views on his colleague's lecture?

While travelling around my constituency between the hours of 9 a.m. and 10 a.m. I noticed something in relation to the variety of existing licences, as the Minister may also have done. Does he agree that, when one presses the buttons for the five or six most popular radio stations, one finds Ryan and Gerry, Ray and Orla, Dermot and Dave or, in one of our Dublin stations, Colm and Jim Jim?

Mr. Durkan: One should listen out for Jim Jim.

Mr. Broughan: They are basically doing something similar and there is a certain sameness about them. In cities such as Stockholm——

An Leas-Cheann Comhairle: I remind the Deputy that questions are limited to six minutes each. His time has concluded.

Mr. Broughan: Does the Minister agree we should investigate the possibility of having a more varied radio spectrum award?

Mr. N. Dempsey: I hope to have the broadcasting Bill published in the first part of 2006 and discussed and finalised by the end of the year.

Over the past three or four years there has been consultation on broadcasting, including extensive broadcasting fora around the country and a number of reports such as the Ox report referred to by the Deputy. Much of what is in the Bill will give effect to some of the reports emanating from the consultation process. Hopefully, the Bill will be part of an experiment in e-government put forward by the Chief Whip and approved by the Opposition Whips to provide interactive engagement between the public and legislators during the course of the Bill's passage.

I will not get involved in the specifics of the Phantom FM case. It is a matter for the Broadcasting Commission of Ireland, BCI, to award licences. The Deputy and his party would claim to be strongly of the view that there should be independent bodies rather than political people making decisions on licences. This is what happens with independent bodies, that is, they cannot be influenced in their decisions. We cannot have it both ways. We either agree to set up the body and trust in its judgment to do something right or we do not.

Mr. Broughan: Will the case influence legislation?

Mr. N. Dempsey: The review referred to by the Deputy has gone to the High Court and a judicial review has been carried out. The High Court found in favour of the BCI and the case is now before the Supreme Court.

Without referring to the rights and wrongs of the decision, this case raises the general question of whether a previous history of illegal broadcasting should in any way impact positively or negatively on the consideration of the award of a sound broadcasting contract. In this sense the case will have an influence. The matter will be considered under the legislative proposals.

Energy Resources.

65. **Dr. Cowley** asked the Minister for Communications, Marine and Natural Resources if he will call a halt to the Corrib gas pipeline project due to the non-viability of the project as

currently configured and as acknowledged by Shell and everyone else due to the lack of community consent to this project and health and safety fears and in light of there being no compelling need to proceed as a result of recent large gas finds, including the recent find in the north west that is reputed to have 12 times the gas reserves of the Corrib gas field, therefore strongly suggesting that Ireland will have no gas supply problems in the future; and if he will make a statement on the matter. [6802/06]

Mr. N. Dempsey: The Corrib gas project is a joint venture between three companies, Statoil, Shell E & P Ireland Limited and Marathon. It is not within my remit to call a halt to such a project provided the developers observe all obligations and discharge all responsibilities in accordance with the terms of the various consents and approvals given. When the petroleum lease for the Corrib development was granted by my predecessor, he was satisfied a viable commercial discovery had been made. I have had no information since then to the contrary.

As I have outlined to the House a number of times and most recently on 25 January, I commissioned an international consulting company, Advantica, on 25 August 2005 to carry out a thorough and independent safety review of the onshore upstream section of the Corrib gas pipeline. In parallel with this safety review I established a public consultation process, including a two-day public hearing in Geesala on the 12 and 13 October, during which the community was given the opportunity to express its concerns directly to the consultants. A draft of the safety review was published and presented to the community on 8 December and written submissions on it were invited. I have received Advantica's final report, which I intend to publish shortly.

The Deputy will be aware that after consultation with relevant parties, I have nominated a mediator, Mr. Peter Cassells, to work with the parties. I am hopeful the mediation process currently under way, augmented as needed by the results of the safety review, will allow all those concerned to work together to resolve the difficulties that have arisen. I will ensure the outcome of all of these initiatives is fully taken into account in making the necessary decisions.

What the Deputy refers to in his question as a "recent find in the north west" arises from an article in a business magazine reporting an estimate of the resource potential carried out for one operator. The reference is to the potential resources in that area and does not constitute a discovery, much less a commercial find. I note that the Deputy recognises the importance of the availability of indigenous gas in the context of security of supply and I inform him that the Corrib remains a key resource in this regard.

Dr. Cowley: I am puzzled by the Minister's reply as he states the mediation process is ongoing. The Minister knows the mediation process is scuppered as it was he who scuppered it. When it began, the Minister appeared on "Morning Ireland" and stated he had appointed a person agreeable to both sides to mediate between them and that he would leave the matter to the person and the sides to agree the format and framework of the mediation. He recently stated it was never presented, certainly by him——

An Leas-Cheann Comhairle: The Deputy cannot read from quotes during question time.

Dr. Cowley: The Minister stated on Mid-West Radio that he never presented mediation as anything except a very wide process. The Minister has consequently scuppered the entire process. What was the Minister's reason for misleading the House? On 4 October, he stated:

Following the debates, I contacted both sides in an effort to break the impasse and indicated to them that the Government would appoint a mediator if both sides were willing to participate in a mediation process. I then called on both parties to create the conditions which would allow such a process to commence immediately.

However, matters fell apart when the Minister responded to my parliamentary question on 25 January that "the role of the mediator is wider than just the gas project". What is the Minister about? He has misled the House and destroyed the mediation process by interfering at every opportunity. The Minister has not allowed Mr. Peter Cassells to do his job. Mr. Cassells has ended the process because it has become so diluted that the men's concerns have been lost.

Shell and the five men agree that the mediation was between them. However, the Minister has turned the issue around completely. What is the reason? What is the Minister's agenda? Does the Minister agree he has not only misled the House but has not acted as a Minister should? Is the Minister's situation untenable? He has spoken about mediation but has succeeded in destroying the process.

Mr. N. Dempsey: The Deputy has often told the House that Ministers should make their announcements here but I note the Deputy has been on the public airwaves calling for my resignation.

Mr. Durkan: That would be a shame.

Mr. Broughan: Not for the first time.

Mr. N. Dempsey: It is interesting.

Mr. F. McGrath: The Minister has made contradictory statements.

Dr. Cowley: I have the compact disc with recordings of the two contradictory statements the Minister made.

Mr. N. Dempsey: In case the Deputy is not aware, I have referred to two sides of the debate in this House and in press releases. One group favours the development of the Corrib and the other opposes it. What right does anyone have to abrogate the local community's right to be consulted? More than five people are involved in this process, a community is involved and no one has the right to claim to speak for the entire community.

Mr. F. McGrath: The Minister's strategy is to divide and conquer.

Mr. N. Dempsey: This is where the Deputy and the five men he speaks for——

Dr. Cowley: Nonsense. The Minister has treated this community in a terrible way.

Mr. N. Dempsey: Deputy Cowley will not bully and intimidate me like some of his friends tried to do in Mayo.

Dr. Cowley: The Minister made two contradictory statements. The Minister's spokesperson states in *The Irish Times* on 7 October 2005——

An Leas-Cheann Comhairle: Deputy Cowley should resume his seat.

Mr. N. Dempsey: I believe I have the floor. Deputy Cowley will not intimidate me like some of his friends intimidated people in Mayo.

Dr. Cowley: If the Corrib project was safe we would all support it. The Minister made two contradictory statements, which are recorded on this compact disc.

Mr. N. Dempsey: The Deputy can put the compact disc in his pocket.

Dr. Cowley: He should consider his position as he made two contradictory statements and is misleading the Dáil. It is a disgrace.

An Leas-Cheann Comhairle: The time for debate on Question No. 65 has elapsed. I ask the Minister to proceed with Question No. 66.

Mr. N. Dempsey: Is it a compact disc with a recording of Deputy Cowley welcoming the Corrib gas project with open arms, demanding that processing take place onshore in County Mayo?

Dr. Cowley: The Minister is jeopardising the entire community.

Mr. N. Dempsey: The Deputy should represent the entire community and not just a small group of people.

Dr. Cowley: The Minister is working for Shell. It is a disgrace.

Mr. N. Dempsey: We know for whom Deputy Cowley is working.

Dr. Cowley: For whom am I working? I am working for the people in my constituency. People wish to be safe in their houses. I ask the Minister to state for whom I am working.

An Leas-Cheann Comhairle: I ask the Minister to answer Question No. 66.

Mr. N. Dempsey: This is the anarchy Deputy Cowley wishes to support. This is typical of the intimidation and anarchy Deputy Cowley wishes to espouse.

Dr. Cowley: The Minister is talking complete nonsense. Those five men have the support of 99% of the community. People do not wish to be blown up in their houses.

Mr. N. Dempsey: It is a considerable task negotiating with Deputy Cowley, who will not listen to answers.

66. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the extent to which he has quantified Ireland's future energy needs and security of supply in view of the scale of economic growth and the increase in the population; his projections in the area of alternative renewable energy sources; his proposals and expectations in respect of the Corrib gas field; the discovery of further oil or gas finds on or offshore; the early use or availability of suitable interconnectors; if he is satisfied regarding the adequacy of supply to meet demand in the future; and if he will make a statement on the matter. [7090/06]

Mr. N. Dempsey: I will publish an energy policy consultation paper in the coming months that will set out medium and long-term perspectives for national energy policy. The policy proposals will be informed by projections for growth in energy demand and related economic and demographic trends as well as the key imperative to ensure sustainability and security of energy supplies and fuel diversity.

The current target for renewable energy is to more than double the contribution to electricity production from renewable energy technologies to 13.2% by 2010. Targets beyond the 2010 target will be determined in the context of the all-island electricity market. We are progressing an all-

island vision for renewable energy by 2020 and beyond that we will set future all-island targets.

The realisation of indigenous fuel supply potential, including Corrib, will make a critical contribution to national security of supply. We will continue to encourage further exploration for oil and gas. The development of the east-west electricity interconnector is a critical and immediate priority for Government. Decisions need to be made now to deliver on this strategic infrastructure by 2011. At my request, the Commission for Energy Regulation, CER, is finalising its advice to me on the legal, technical and financial arrangements for commissioning the development.

Following completion of the current technical and planning phase, the construction phase of the second North-South interconnector is set to begin in 2007, and the target date for having the interconnector operational is 2012.

The adequacy of supply to meet demand is analysed in the generation adequacy report by ESB national grid and by the gas capacity statement by the CER. The most recent assessments concluded that the gas transmission system will cope with forecast demand for the foreseeable future and the electricity generation capacity should be manageable up to 2009, predicated on the provision of planned new generating stations.

Mr. Durkan: When does the Minister expect to publish this consultation document to generate an adequate debate? Has the Minister studied the implication of various alternative energy suppliers exiting the Irish market? I refer to wind generated electricity and petroleum or gas. Why are energy suppliers exiting the market? In the case of electricity is it because excessive costs prohibit them from accessing the grid? Are there other reasons and, if so, has the Minister studied these? What type of interconnector is being used, in view of the fact that 2009 is the deadline? Will the interconnectors meet the same standard as those in mainland Europe?

Mr. N. Dempsey: We have some way to go before we put the interconnector in place. When we do so we will select an interconnector of at least 500 megawatts and the most modern that can be found. We considered two 500 megawatt interconnectors but most people are of the view that a single 500 megawatt interconnector would be sufficient for the moment.

I presume the Deputy's comment on players exiting the market refers to a statement by Airticity yesterday. Regulation of the energy market is a matter for the independent regulator, who will respond fully to the points raised by the company. I would be concerned if anything were to disrupt the progress we are making. We are making progress towards the target of 13.2% for renewable energy by 2010. The system caters for approximately 750 megawatts at present. Of that figure, approximately 490 megawatts is generated

[Mr. N. Dempsey.]

by wind energy, some 240 megawatts is generated by hydro energy and 20 megawatts is generated by biomass. We anticipate the additional 700 megawatts will be delivered in the main part by wind energy.

The company concerned has written to its domestic customers advising them it will pass on costs to customers but it is retaining the 40,000 small and medium enterprise customers and is continuing work on four wind energy plants. Supply will not be affected.

Concerning the Deputy's first question, the policy paper will be published in the first half of 2006.

Mr. Durkan: Does the Minister think it advisable to direct the regulator, particularly in view of the signals given to the industry generally by energy suppliers exiting the market in respect of the confidence required at present?

We have slipped by approximately 10% in our projections to meet the Kyoto targets. Does the Minister think that given the preparations now being made by alternative energy suppliers who are willing to come into the market but may be impeded from doing so, it will be possible for him to direct the regulator on how that should be handled? If so, what might that direction be?

Mr. N. Dempsey: I do not have powers to direct the regulator, except in extremely general terms. Under the Energy (Miscellaneous Provisions) Bill, which the Deputy will be pleased to hear will be published shortly—

Mr. Durkan: Very good. It is a long time coming.

Mr. N. Dempsey: —a provision will be included to enable a Minister in an emergency to direct the commission and individual market players to take appropriate safeguard measures in the area of security of supply. It will also extend the remit of CER in some areas, particularly safety and security of supply.

Regarding the point made by the Deputy on the Kyoto Protocol, I was involved in its final agreement. Subsequently, our share of the burden within Europe was our 1990 emissions plus 13% of that figure. The year after we secured that figure, it was estimated we would exceed the 13% figure by another 22%, in other words, it was estimated that by 2008 we would be 35% above the 1990 figure. We are another 10% above the agreed figure at present. While we have made major progress, that is not to say we do not need to do more. It is not that we slipped by 10%. We reduced the amount considerably during the intervening four or five years. At the time we signed it, we were approximately 29% above it. We were due to go to 35% above it, and we are now approximately 23% above it. The matter must be tended to and is a matter directly for the

Minister of the Environment, Heritage and Local Government. Obviously, as I have responsibility for energy, I have a role to play in this matter, as do several other Ministers.

Wild Salmon Stocks.

67. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources if he intends to follow the advice of the standing scientific committee of the National Salmon Commission to end mixed stock fishing for salmon from the end of 2006 due to the continued crisis in wild salmon stocks. [7137/06]

Mr. Browne: I thank the Deputies for their kind remarks. I look forward to working with them until the next general election in June 2007.

Mr. Broughan: It cannot be held in June.

Mr. Durkan: Be careful. Do not state that too often.

Mr. Browne: While there remains a surplus of salmon returning to Irish rivers, the Government has accepted the scientific advice that reductions in the overall fishing effort are required to sustain and rebuild salmon stocks nationwide. The question of how best to manage the future fishing of wild Atlantic salmon is being reviewed in the context of setting the total allowable catch, TAC, for 2006.

The National Salmon Commission, in accordance with its terms of reference, was asked to advise on how best to implement by 2007 an alignment of the exploitation of salmon with the scientific advice, bearing in mind the requirement to ensure the future biological viability of the salmon resource in all catchments and also the needs of all stakeholders, including those who derive their living from the wild salmon resource.

I am awaiting the advice of the National Salmon Commission in this regard and while it is disappointing that it did not arrive at a consensus at its meeting last week, I am hopeful it can reconvene in time to submit appropriate advice on a timely basis. I received the advice of the Standing Scientific Committee of the Commission and the advice tendered by the fisheries managers. It is my intention to publish these and any recommendations that emanate from the National Salmon Commission in the coming weeks and to make a decision. I will publish my proposed amendments to the wild salmon and sea trout tagging scheme in March so as to afford all interested parties an opportunity to consider them prior to their introduction in April 2006.

Additional information not given on the floor of the House.

It is clear that future policy must be designed to ensure the survival of the species, while balancing the interests of various stakeholders in relation to the quantum of catch that appears to

be possible within the independent scientific advice and taking account of the detail of that advice in relation to location and types of fishing.

Mr. Eamon Ryan: I welcome back the Minister of State. *Plus ça change, plus c'est la même chose.* It seems we have returned to the same issues we dealt with three years ago and the situation has got worse in the Minister of State's absence. The Minister of State did not answer my question. I asked whether he will follow the scientific advice. He does not need to publish it. It is as clear as day and available on the fishery board's website. That advice states we should end mixed stock fishing, also known as drift net fishing, at sea. If it too late to be done for this year, it should be done by the end of 2006. The Government can no longer prevaricate.

I am sure the Minister of State has read the scientific advice. I want a simple "yes" or "no" answer. Regarding the management of wild salmon stocks, does the Government believe in following scientific advice? At the start of the Minister of State's answer, he stated he had accepted scientific advice. However, the Government has utterly failed to take scientific advice. The Minister of State does not need to take my word for it. He should take the word of the most eminent civil servant in the history of the State, T.K. Whitaker, who is constantly baffled at how this Department can ignore simple straightforward scientific advice regarding the conservation of this most important stock.

Does the Minister of State intend to follow the scientific advice, which could not be clearer, by the end of this year? Our stocks are in crisis. We need an immediate response, which means an end to mixed stock fisheries. That would be greeted with great joy by other European countries because we catch their fish. Does the Minister of State intend to drag the issue out for another year and get into wrangles on compensation, which is a secondary issue? The key issue is the scientific advice to end mixed stock fisheries. Will that be done this year?

Mr. Browne: A commitment was given by the previous Minister of State to accept the advice by 2007. That is still on the table. I received advice from the fishery managers and scientific advice. It is quite normal, as was the case when I was previously in the Department, that the National Salmon Commission is asked to make recommendations. Unfortunately, when the commission met last week agreement was not reached between all of the parties. The chairman has called another meeting for next week. I hope, and I appeal to both sides, that a recommendation is made as quickly as possible. I will publish it in good time for all of the stakeholders to comment. We will then make a decision for fishing in 2006.

I hope the commission makes a decision on this issue next week.

Mr. Eamon Ryan: Unfortunately, I do not believe the National Salmon Commission will reach a consensus. It is impossible to even expect it. Two sides have a direct interest, in some cases financial, in the outcome of a decision that must be made by the Minister of State on scientific stocks. It is nonsense to put all of the emphasis on what the commission will state. The commission will not make the decision. The decision must be made by the Minister of State.

To revert back to his predecessor's mistake of stating he would ignore scientific advice until after the next election, is not the stance for the Minister of State to take as he re-enters office. It is time for the Government to be clear on whether it believes in the conservation of salmon stocks for the benefit of everyone, including the fishing community and anglers.

I am sure the Minister of State read the scientific report. That should be the cornerstone of conservation policy. Does the Minister of State accept the findings that we should end mixed stock fisheries as soon as possible? Does he accept that if it cannot be done for this season, we should at least commit not to continue it for another season? Does he agree with that central point which rings out from the scientific report?

Mr. Browne: It is only right that the National Salmon Commission, which represents all of the stakeholders, should have a chance to discuss the issue. The meeting broke down last week. I expect that when the members meet again next week, they will make a decision. If they do not do so, I will make the decision in the best interests of the salmon industry in this country. It is an extremely sensitive issue. We must balance the needs of the commercial sector, which is important for coastal communities, while at the same time recognising the importance of recreational users, including tourists. I will make that decision. I assure the Deputy we will not hang around or dilly dally. We will make the decision. However, I would like to hear the recommendations of the National Salmon Commission. It is only right that we give all the stakeholders an opportunity. Perhaps they will not arrive at a conclusion or agreement. If not, I will make that decision.

Other Questions.

Energy Resources.

68. **Ms Burton** asked the Minister for Communications, Marine and Natural Resources if he has reviewed the new EU strategy for bio-fuels which was presented on 8 February 2006;

[Ms Burton.]

the progress which has been made on implementing the 2003 EU biofuels directive; and if he will make a statement on the matter. [6716/06]

Mr. N. Dempsey: The communication on biofuels published on 8 February is part of the broader EU biomass action plan published in December 2005 and proposes a range of detailed policy measures to encourage biofuels and remove market barriers. I welcome this initiative by the Commission and my Department is examining the communication in conjunction with the Department of Agriculture and Food and the Department of Transport in the context of the policy debate on the overall biomass action plan.

The EC biofuels directive sets indicative targets to member states of 2% market penetration for biofuels by the end of 2005. Noting that we are starting from a very low current production base, we aim to meet the 2% target by 2008 through targeted fiscal measures designed to stimulate market development.

Under the 2005 scheme for mineral oil tax relief for biofuels, eight projects have been awarded excise relief, including four pure plant oil, three biodiesel or other biofuel and one bio-ethanol proposal. It is estimated that the pilot scheme will result in 16 million litres of biofuels being placed on the Irish transport market by next year.

Building on the success of the pilot biofuels scheme, I have agreed with the Minister for Finance a further targeted package of excise relief valued at €205 million, which was announced in the budget. The new excise relief programme, which is subject to state aid approval, will run to 2010 and will enable us to reach the initial target of 2% market penetration by biofuels by 2008. I am also providing funding towards the capital cost of developing biofuels processing facilities, which will critically underpin the excise relief package. Set in the context of EU developments, work is ongoing to put in place a policy framework for the development of the Irish biofuels market taking into account the perspectives of agriculture, transport and other relevant sectors.

Mr. Broughan: I thank the Minister for his answer. In his reply to a recent question he said the total contribution of biofuels to the transport sector is approximately 0.00002%. Will it not be an incredible challenge to meet the 2% target over the next few years and an even greater challenge to meet the EU target of 5.75% by 2010? Has the Government not had a deplorable record in this area?

The EU strategy presented on 8 February to which the Minister referred includes seven policy axes, one of which refers to possible mandatory targets for member states. Is it the Government's intention to pursue a policy that includes manda-

tory targets? On the forthcoming European Council does the Government have any views on the common energy policy for Europe? The fiscal reliefs mentioned by the Minister are welcome and I commend him on taking that step. The United Kingdom Government has introduced a renewable transport biofuels obligation which will demand that 5% of all petrol sold in the UK is biofuel-based. Has the Minister considered such an obligation?

Approximately one year ago I asked the Minister if he would lead by example and ask the Taoiseach to change the Government fleet to greener and more biofuel-oriented vehicles. This was asked later by another party. It was announced around the time I asked the question that the UK Prime Minister, Mr. Blair, had made a similar request to his Government and no less than eight Ministers abandoned their Rovers and Jaguars for high-tech and greener alternatives. Does the Irish Government intend to give up the Saabs, Mercedes and Volvos, transfer to biofuel or electric alternatives and lead by example—

Mr. Durkan: Hear, hear.

Mr. Perry: A Jaguar.

Mr. Broughan: —or, as is the case with so many other issues similar to the one I have raised, will the Government wait until this side of the House is in power and we show it what to do in this respect?

Mr. N. Dempsey: When I was in Government with the Labour Party, I did not notice a rush away from the Mercedes.

Mr. Broughan: This is a different Labour Party.

Mr. N. Dempsey: The Deputy will be pleased to note when I was in the Department of the Environment, Heritage and Local Government, I made inquiries about a Toyota Prius hybrid car and was informed that the purchase of the cars for the ministerial fleet was a matter for the Garda Commissioner. I think we might have been restricted to EU cars. The Deputy will be pleased to know I have again requested a hybrid car and hope that by approximately April I will be driven in a Lexus hybrid.

Mr. Broughan: I congratulate the Minister. I will have to save for one.

Mr. N. Dempsey: The figure for penetration of biofuels by the end of 2005 was approximately 0.06%. This will increase to 0.13% by the end of this year and the initiatives announced in the budget will bring us to our target of 2% by 2008. Few member states, approximately ten, have identified targets of more than 2% for 2005. I am supportive of moving this up but we have to

create the infrastructure. That is the design of the incentives introduced in the budget, to create the infrastructure and encourage the processing of biofuels and so on.

I am not enamoured of mandatory targets. This one-size-fits-all approach is taken in the EU in various areas and does not take factors such as the size of our market into account. We have the same approach in the energy market generally. I am not sure one can make mandatory targets that should apply across Europe.

Mr. Broughan: One needs targets.

Mr. N. Dempsey: I was about to say that. I agree with the Deputy that we should have firm targets and meet them. Although our EU targets in this area are not mandatory, the Commission is attempting to pursue us legally on that matter and we will resist that strongly.

Mr. Eamon Ryan: I support the Minister. For many years we have been calling for the building up of infrastructure for our own oil industry. I welcome that. I would be keen to see an ethanol industry established from the closure of our sugar industry among other possibilities.

In the long run, from after 2010, once we have established a basic industry and raised our percentage to 2% to 5%, rather than providing simple tax reliefs or duty exemptions for biofuels, we should set up a percentage requirement that all fuels would have to have, be it mixed in or in the form of biodiesels etc. This would move the costs, which can be significant in terms of lost tax revenue, from the Government and the people to the oil companies and fuel consumers. We should signal this now. Does the Minister agree that in the long run we must switch to such a system? While he may not agree with mandatory targets on a European level, it makes sense for us to have a mandatory biofuel requirement because that saves the taxpayer money as well as doing the right thing environmentally.

Mr. N. Dempsey: While I agree with the Deputy we first need to set up the infrastructure, create the demand, and afterwards explore the route he outlined. When I referred to mandatory targets I meant those that the Commission might set. I think we would follow the route he suggested and I anticipate that this could happen sooner rather than later.

Greenhouse Gas Emissions.

69. **Mr. G. Murphy** asked the Minister for Communications, Marine and Natural Resources the extent to which he expects his Department to contribute to achievement of targets set in the Kyoto Protocol; and if he will make a statement on the matter. [6604/06]

80. **Ms Enright** asked the Minister for Communications, Marine and Natural Resources his targets for a reduction in the importation of fossil fuels with a view to achieving compliance with Kyoto and improved economic performance; and if he will make a statement on the matter. [6618/06]

Mr. N. Dempsey: I propose to take Questions Nos. 69 and 80 together.

As I mentioned earlier, my colleague, the Minister for the Environment, Heritage and Local Government, has lead responsibility for Government policy on meeting Ireland's target under the Kyoto Protocol. The energy sector will make its contribution to meeting our obligations under Kyoto through participation in the EU emissions trading scheme. The problem of dealing with high fossil fuel dependence as carbon constraints become more pressing is not unique to Ireland. At EU and international levels, energy policy is focusing increasingly on the development of alternative renewable energy sources, increasing energy efficiency and managing energy demand in response to the need to limit CO₂ emissions.

There are also key imperatives for Irish energy policy. We are on target to meet our objective of increasing electricity generated from renewable sources to a minimum of 13.2% of total consumption by 2010. I expect that wind generation will remain the dominant technology in the short term for delivering this target. The forthcoming energy policy paper will address strategies to develop the renewable energy base. In addition, as announced in the recent budget, I am putting in place measures designed to complement and expand on initiatives already in place in the renewable electricity, transport and heat sectors. These new programmes will assist the enhanced deployment of renewable sources of energy over the next five years in the bioenergy, biofuels, CHP and domestic energy sectors.

Energy efficiency has a significant role to play in reducing both energy demand and lowering emissions and is often described as the cheapest and cleanest method of meeting these objectives. It is essential that we continue to raise awareness of this issue right across the economy and bring about a step-change in the way that we use energy. We intend to highlight this, within the Department in terms of an active campaign, towards the end of this year.

Mr. Durkan: Does the Minister accept that investment in research and development is likely to have the greatest impact in terms of broadening the base for renewable energy in the future? Will he agree that this is accepted by the recently published report of the European Commission? Does he not agree that €20 million or €100 million invested in research and development will have much more impact than carbon trading, in

[Mr. Durkan.]

terms of value and in terms of achievement of our targets?

Incidentally, if the Minister is getting that electric car, he should not use the Japanese model, the prototype of which was launched recently. It goes at 187 mph and accelerates from zero to 60 mph in three seconds. Even Ministers should be careful about something like that.

Mr. N. Dempsey: I agree with the Deputy that investment in energy research and development is extremely important. That is why we have focused on this. We are putting in place an energy research council to focus efforts on this and on other areas within the Department. It is extremely important, not just nationally. The EU, in its Seventh Framework Programme, has signalled clearly that it intends to focus on fuel diversity and energy research. That is most welcome and it is something in which we actively participate.

Mr. Eamon Ryan: I commend the Minister in having been willing to look at energy policy on a more cross-party partnership basis. I regret our discussions on areas such as this are limited to brief question periods occurring at two or three-monthly intervals but commend the Minister, nonetheless.

Having given the Minister that commendation, however, I am utterly critical of his rose-tinted glasses view of the greenhouse gas situation here and his assertion that we are not as bad as we thought we would be. What we were seeking to do in the cross-party energy analysis was to think long term and to be honest with the people. Will the Minister not agree, based on all the scientific information to hand, that we will be looking at a 60% to 80% reduction in emissions—

An Leas-Cheann Comhairle: I call on the Minister for a final reply.

Mr. N. Dempsey: I was not praising us too much in what I said earlier and the situation is not as bad as had been projected. I accept, absolutely, the point the Deputy is making, however. We need to do much better and to examine ways and means to ensure that our emissions are as near to the 13% plus as possible.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters.

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Broughan — the need to ensure that the local parish post office service is retained at Clonsaugh shopping centre, Dublin 17; (2)

Deputy Neville — Adare sewerage scheme; (3) Deputy Moynihan-Cronin — the ongoing delay in the provision of an extension to Kenmare Community Hospital; (4) Deputy McGuinness — that the Minister and the HSE carry out a local needs assessment prior to consideration regarding the sale of the site at St. Canice's Hospital, Kilkenny; (5) Deputy Allen — the funding of the new terminal at Cork Airport; (6) Deputy Joe Higgins — concern over Limerick County Council's proposed water scheme for the Pallaskenry area against the wishes of the local community; (7) Deputy Cowley — to ask the Minister the reason for the gross irregularities in the reporting of a fatal accident (details supplied); (8) Deputy Durkan — to discuss the deportation of a person (details supplied) in County Dublin, given the person's serious health condition and history of abuse; and (9) Deputy Catherine Murphy — the action the Minister is taking as regards financial provisions for adoptive parents and foster parents.

The matters raised by Deputies Moynihan-Cronin, McGuinness, Allen and Joe Higgins have been selected for discussion.

Leaders' Questions.

Mr. Kenny: I want to raise with the Taoiseach the issue of tax incentives. Last week we discussed in the House the question of tax reliefs given on various schemes. They have cost €1.56 billion over the past five years. It is obvious that the cost of the reliefs was twice the value of the benefits enjoyed. Most of these reliefs went to a small number of high-earning individuals, some of them developers, some land owners. The point made was that the Government's failure to properly evaluate incentives and undertake a full cost-benefit analysis has cost Irish taxpayers hundreds of millions of euro.

That is in stark contrast to the treatment of hard-working PAYE workers in respect of unclaimed tax rebates. Deputy Bruton has been promoting this campaign for several years. Fine Gael highlighted a strong campaign last year on this and the results were startling. In 2003 €185 million was paid back to 230,000 workers. Last year the figure rose to more than €300 million in respect of 386,000 workers and that is still a long way from tackling the overpayments due. It is estimated that in respect of medical expenses, bin charges and private rents, more than 60% of refunds are not claimed. In these three areas alone at least €250 million would be paid back to PAYE workers, were these claimed.

Why is there no really strong public information campaign in respect of the rights of PAYE workers and the simplicity that should be involved in making claims? If 60% greater compliance was due to the Revenue Commissioners, an all out attack would be made to secure the outstanding moneys. However, when the boot is

on the other foot, the Government is inclined to sit back and just let this happen. I know it is the responsibility of each taxpayer to claim back what he or she is due. Many of them may not be aware of their entitlements, however. In that sense the Government should run a strong information campaign for PAYE workers. In those three areas alone, medical expenses, private rents and bin charges, more than €250 million is outstanding. Perhaps the Taoiseach might give this matter some thought.

The Taoiseach: Targeted campaigns work. Last year in the case of the nursing homes, the Tánaiste highlighted the situation and there was an enormous take-up. On a number of occasions in recent years we have pointed to areas where reliefs could be availed of. It was done on the water rates issue and there was a significant take-up on that. I have no problem, in conjunction with the Department of Finance and the Revenue Commissioners, promoting a campaign to highlight the situation for PAYE people.

Most years the Revenue sends out brochures on people's rights along with P60s. There is also a tax charter on individual rights which it has enhanced in recent years. However, I will certainly take up with the Minister for Finance the matter of reliefs such as medical expenses which are not availed of, if that is what the Deputy is asking. These are moneys that are due to individuals under the laws passed in the House and provision is made for them. People have a right to claim these tax credits. If it is a case of highlighting them, as the VHI and other organisations do, we can get Revenue to run a more co-ordinated campaign. I have no problem with that.

Mr. Kenny: I wish to make a few suggestions to the Taoiseach in the interest of simplicity and greater effectiveness. Relief for medical expenses does not include routine dental and optical treatment, or the first €125 spent by an individual or €250 by a family in respect of medical expenses. Those restrictions only add to the difficulty people have in making claims. Perhaps if these restrictions were removed we could implement a simple system whereby claimants would sign at the time of payment a simple tax relief claim for return to Revenue.

A number of other simple changes could be made, such as a reduction in the threshold for relief on charitable donations to €100, the look-back period for claims could be increased from four to six years, the cap on relief for bin charges could be removed, in addition to the removal of tax relief on routine dental and optical treatment and the removal of the non-qualifying amount. This would make the system far more streamlined and effective and it would be easier for PAYE taxpayers to claim back these reliefs from Revenue.

I thank the Taoiseach for agreeing to run a campaign on this matter and offer him these four suggestions that would make the system more effective and streamlined for PAYE workers to claim back their tax relief. These amendments will be tabled by Deputy Bruton on the Finance Bill which is on Committee Stage. The Government should consent to these changes which would not cost a great deal and would be in the interests of 500,000 taxpayers.

The Taoiseach: A number of amendments will be discussed on Committee Stage of the Finance Bill, today, tomorrow and on Thursday. I cannot give any commitments to change any of the thresholds, as these will be discussed by the committee. A threshold was brought in some years ago for charitable donations. In fairness, there never was a tax allowance for this area previously. It was introduced to help charitable organisations and NGOs. Reliefs and thresholds relating to bin charges were introduced to help with the collection process by making people more compliant in paying to use the system. In so doing, we are giving relief to the ordinary compliant taxpayer.

Regarding the thresholds introduced in the case of medical expenses, the aim was to give relief, not to pay the entire bill. Significant tax relief is provided, which is a considerable help and alleviation of the burden, especially for those with very high medical expenses. The Minister for Finance is dealing with these issues on Committee Stage of the Finance Bill.

I will raise the issue of mounting a campaign targeted at reliefs, which form part of tax law, and when people are entitled to receive such refunds in a way that would improve the take-up of people getting back their entitlements. This is something we can do.

Mr. Rabbitte: With the Ceann Comhairle's permission, I will continue this theme. Is the Taoiseach aware that on Committee Stage of the Finance Bill today, the Minister has conceded that some 400,000 taxpayers out of a workforce of 2 million have not received their tax allowance and credit certificates yet? More than two months after budget day, the tax certificates for 20% of the workforce are late and have not issued yet.

The Taoiseach may be aware that all of us who are fortunate to be employed by the Houses of the Oireachtas got a communication today from the salaries unit of the personnel section of the Houses of the Oireachtas which advises:

Please be aware that an error has been encountered on the new Revenue System which has resulted in people both underpaying and overpaying tax. . . The Salaries Unit have intervened where they have discovered large discrepancies on tax certs which have issued and on the advice of the Revenue Commissioners have reverted staff to last years credits. . .

[Mr. Rabbitte.]

It goes on to explain the problem is in the Revenue system, not in the Houses of the Oireachtas. It would appear the Tánaiste is not the only one suffering this type of fault and incompetence.

How can it be justified that two and a half months after the budget that the tax certificates for 400,000 compliant taxpayers are late? A child care decision was announced on 7 December that cannot be implemented until August. Changes in the tax system that were to apply from 1 January have not been implemented yet. Tax certificates have not been issued yet. Social welfare changes were announced. The Minister published the Bill yesterday and purports to start the debate on it in the House today. What kind of incompetence is this and will the Taoiseach indicate how serious is the problem identified by the salaries unit of the personnel section in the Houses of the Oireachtas in the new Revenue system that has resulted in both underpaying and overpaying of tax?

If the underpayment or overpayment is large, people will notice it and act on it, but the problem lies with instances where the error is minor, as most people only check the bottom line. As we have seen from the figures supplied by Deputy Kenny in a different instance of under-claiming of entitlements, most people do not look at minor discrepancies. Is it the case that these minor discrepancies will continue for the rest of the year?

The Taoiseach: I am aware of the late arrival of tax certificates. The Minister has given a report on this today to the Select Committee on Finance and the Public Service. I am not aware of the underpayment-overpayment of tax by those on the Houses of the Oireachtas payroll. I will ask the Department of Finance to check this.

The new child care scheme which we have introduced will be ready by the due date, as I said in the House two weeks ago. A report suggested it was way behind schedule but my information is that it is on schedule. I am not aware of any major problem in Revenue. It usually takes them some time to issue all of their certificates. Revenue's computerised system is credited as being among the best and most efficient, not only here but abroad. They are well recognised for this.

In reply to Deputy Rabbitte's question on the Houses of the Oireachtas payroll issue, it has not been brought to my attention but I will ask the Department of Finance to check it.

Mr. Rabbitte: Many people around the country hope the Taoiseach is right, that Revenue's computer system is the best and most advanced. My perception of the efficacy of the Revenue Commissioners is that they have improved greatly in recent times but when one looks at this kind of statement from our own employer and the fact

that 20% of the workforce have not received their tax certificates, one wonders what is giving rise to these problems.

If one looks at any of the reliefs to which Deputy Kenny referred, for example, the relief on trade union subscriptions, the last figures available date to 2002 when it was indicated that 229,000 claims were made. There are somewhere between 650,000 and 700,000 trade unionists in the country. Medical expenses are similarly under-claimed. As head of Government, is there not a case for the Taoiseach committing to some kind of public information campaign that would advise people of their rights and entitlements? We can wake up to public service broadcasts telling us we must get our tax returns in by Friday. Why can similar broadcasts and public information campaigns not be produced which would advise people about their entitlements and what they can claim? It is clear that there is no such public service information when it comes to tax reliefs in minor areas for those on lower incomes — people in the PAYE net — unlike the kind of property tax-based incentives we spoke about last week. We cannot just brush aside the fact that tax certificates have not been issued two and a half months after the budget and the question mark over their accuracy, particularly in the case to which I referred.

The Taoiseach: The Revenue Commissioners do not exhort individuals to avail of the artists exemption tax relief scheme or other property-based tax reliefs under section 23 of the Taxes Consolidation Act 1997. It is solicitors and accountants who discover where tax reliefs exist and produce promotional literature on the night of, and the morning after, the budget. It is also untrue to say that no information exists about the tax reliefs people can obtain in respect of medical expenses, VHI, water tax or trade union subscriptions.

Following the last budget, the tax rate for a person on the average industrial wage is now 12 percentage points lower than it was a few years ago — it is now 15% compared to 27% a few years ago. Given that tax rates are not as high as they once were as a result of the tax policies of this Government, people do not see that. I have stated that I will take up this point. Comhairle and the citizens' information centres highlight the tax reliefs that exist. I accept that this work is possibly not as high profile as it should be. The Minister has issued the report into why the full tax certificates were not given to 2,000 out of the 1 million or so people who are income earners. Approximately 750,000 of these earners are now exempt from tax.

Mr. J. Higgins: I am concerned about how easily the phrase "water tax" slipped off the Taoiseach's tongue. I hope it was not a Freudian

slip. The Minister of State at the Department of Health and Children, Deputy Tim O'Malley, with the support of the Tánaiste and Minister for Health and Children, announced that the buildings and land around all or most of the 15 psychiatric hospitals are to be sold. The intention is clearly to transfer this invaluable public asset to developers who will seek to make yet another killing in land speculation, apartment development or the like. This follows the similar land sale mania of the Minister of State at the Department of Finance, Deputy Parlon, and the intention of the Tánaiste and Minister for Health and Children to facilitate a major privatisation in the health services through handing similar land around general hospitals to profit-seeking capitalists on considerable tax breaks from the Government, who will again seek to make significant profits out of human health and illness.

It appears that while Progressive Democrats Ministers sit on publicly owned assets in the Departments, they are like cats on a hot tin roof and cannot wait until they have flogged the assets to speculators and developers. All Independent Deputies in the Technical Group are extremely concerned about this departure. They speak with authority as health concerns played a very important role in the election of a number of them. Does the Taoiseach acknowledge the fear of many people, who are very concerned about the level of psychiatric care in this State, that the Progressive Democrats' rush to put the hospitals and land under the hammer will not be matched by a similar speed in providing the range of services urgently required by those needing psychiatric support services?

While it is agreed that the massive Victorian and Dickensian institutions do not represent the future for psychiatric care, does the Taoiseach not agree that these sites, which are publicly owned, should be seen as a major social and community asset rather than the subject of a quick property sale? Does he not agree that psychiatric services could be developed on these sites, taking account of modern conditions and ideas, and that other public medical services and services such as community and disability services could be developed as an alternative to simply getting rid of these sites and wondering what to do next? How far has this process gone and what has the Taoiseach approved in this regard?

The Taoiseach: The expert group on mental health policy has completed its work on the preparation of a new national policy framework for the future development of mental health services and its report has been published recently. The Health Act 2004 provided for the establishment of the Health Service Executive, which has responsibility for the management and delivery of health and personal social services, including mental health services. The report of the expert

group concluded that the large, old institutional psychiatric hospitals should be phased out over the remainder of this decade and the early years of the next decade and that the resources freed up by the sale of these assets should be used to develop community-based mental health services rather than institutional services. The report recommended a transfer of resources from mental health institutions either directly into the community or into the development of acute psychiatric care facilities linked to national teaching hospitals.

That is the basis for the report. It has been recognised since the publication of *Planning for the Future* in the mid-1980s that it is far better to move away from highly populated institutional facilities towards smaller units in the community which are akin to residential housing units. This trend has led to the almost total depopulation of St. Brendan's Hospital in Grangegorman, which has been transformed into a combined third level education institute under the control of the Dublin Institute of Technology. There is a cost factor involved in such exchanges. An exchange of resources took place between the Departments of Health and Children and Education and Science. The aim is to build up proper community-based services for these patients in the future, which appears to be a very progressive way of dealing with people with mental illness.

Mr. J. Higgins: What is the degree of co-ordination between the various Departments in respect of these issues and the question of land sale? Is the Taoiseach aware that the Office of Public Works knew about the policy decision concerning psychiatric hospitals? The OPW has sought sites around the country for decentralised offices for public servants. Whether anybody will be found to fill them is a matter which we will leave for another day. Land prices in the regions have been driven up by the fact that the State is in the market for land. The Government has refused to take measures to control the price of land. Was there co-ordination between the OPW and the Department of Health and Children? Any one of the 15 sites might be suitable for developing community or State offices, or whatever is required for decentralisation.

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

Mr. J. Higgins: What other investigation will take place to ascertain the community and other State services that could be located on these sites? In light of the Government's lamentable record on social housing, one could ask why an element of social housing could not be accommodated on these publicly owned sites? In many cases, these sites are located in areas which would be eminently suitable to social housing and other community services.

The Taoiseach: The work of the expert group on mental health policy has been completed and approved by the Government. It decided that the ten or 15 mental institutions around the country should be closed over the next five to seven years. The resources obtained should be transferred into the community and spent building a good and proper mental health service. This year we will spend approximately €800 million on mental health services but more resources will be required in order to develop the service within the community. The OPW is involved in all the property deals on behalf of the State. While issues may arise about its procurement policy for some other purpose, the State must realise the money to reinvest it in the service.

On the question of the availability of land, the Department of Health and Children has been one of the progressive Departments in handing over land to the State for the affordable housing initiative. Approximately 70 State-owned sites have been made available by a number of Departments to assist the affordable housing initiative. Approximately 1,100 of these houses have been completed. Approximately 2,000 will be built this year. Some of these involve land swaps so things can move more quickly. Others are going through the planning process.

More than €3 billion has been spent on social housing. Enormous sums of taxpayers' money is being spent on social housing. The recommendation of the expert group on mental health is to move these lands away from the old institutional arrangements and to develop quality community services for people suffering from mental illness.

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. F. McGrath: I seek the adjournment of the Dáil under Standing Order 31 to discuss an issue of urgent national importance, namely, the unfair decision to have the leaving certificate music examination and the religious examination taking place at the same time on Thursday, 22 June, as this will put some pupils at great disadvantage and under extreme pressure. I call on the Minister for Education and Science to intervene to preserve the integrity and fairness of our national examinations.

Mr. Healy: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of importance requiring urgent consideration, namely, the need for the Minister for Communications, Marine and Natural Resources to intervene with An Post to accept the offer by Cahir Development Association to purchase Cahir Post Office, County Tipperary, and to appoint a

member of the association as postmaster for the purposes of continuing the post office service in Cahir or, alternatively, to confirm that the current postal service in Cahir, operated by An Post, will continue as heretofore, and to ask the Minister to make a statement on the matter.

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

Order of Business.

The Taoiseach: It is proposed to take No. 8, motion re referral to joint committee of proposed approved by Dáil Éireann for a Council decision on the accession of the European Community to the Hague Conference on Private International Law; No. 9, motion re referral to joint committee of proposed approval by Dáil Éireann of a proposal that section 17A of the Diseases of Animals Act 1966 shall continue in force for the period ending 8 March 2007; and No. 1, Social Welfare Law Reform and Pensions Bill 2006 — Order for Second Stage and Second Stage.

It is proposed, notwithstanding anything in Standing Orders, that (1) the Dáil shall sit later than 8.30 p.m. tonight and business shall be interrupted on the adjournment of Private Members' business which shall be No. 44 — motion re Labour affairs: establishment of Department of and joint Oireachtas committee on, which shall be taken for 90 minutes at 7 p.m., or on the conclusion of the opening speeches of No. 1, whichever is the later; and (2) Nos. 8 and 9 shall be decided without debate.

An Ceann Comhairle: There are two proposals to put to the House. Is the proposal for the late sitting agreed?

Mr. Kenny: It is fine.

An Ceann Comhairle: Is the proposal for dealing with Nos. 8 and 9 without debate, motion re referrals to joint committee, agreed?

Mr. Kenny: I want to raise the issue of the Social Welfare Law Reform and Pensions Bill 2006, which is partly the reason for the late sitting. The Bill which includes 50 sections and nine Schedules is quite long. As it was only published yesterday and Second Stage is being taken today, I recommend that to be fair to Opposition spokespersons, Second Stage should be taken on Thursday. While I know the Minister was on radio and did a good deal of work reorganising some of the various schemes, in fairness to Opposition spokespersons who do not have available to them the resources that are available to the Government in preparing for the debate, we would have a much more structured debate if Second Stage were taken on Thursday.

Mr. Rabbitte: This does not happen just on the social welfare Bill. More frequently, this is happening on various Bills brought forward by the Government. What in Heaven's name is the justification for an annual Bill like this being published on Monday and taken in the House on Tuesday? There is no justification. The Minister told us frequently on the airwaves about the new innovations, how complex it is, the provision on pensions, new social welfare code, early child supplement and so on. If it proved so complex that the Minister could only manage to publish it yesterday, how is it proposed that the Opposition spokespersons can respond to it on the hoof on Tuesday? It demonstrates contempt for the House that the Government should continue to treat the House as a rubber stamp for legislation. This is no ordinary legislation, therefore, to publish it 24 hours before the debate begins is completely and utterly unacceptable. For that reason only, we are opposing the proposal for the late sitting because it is not conscionable that we can do business this way.

The Minister for Social and Family Affairs is following in the footsteps of so many of his colleagues. The Minister for Justice, Equality and Law Reform leaves one with the impression that he would rather be making announcements, giving interviews, sitting behind his desk, recruiting a Garda reserve, or not as the case may be, and that the House is an irritant because he has to come here to get approval. The Minister for Social and Family Affairs, who ought to know from his days as Chief Whip, should realise it is completely unfair to this side of the House to come in with a measure like this, at this notice, and require the Opposition spokespersons to respond to it off the top of their heads.

Mr. Sargent: It appears rushed once again for such a large and significant Bill to be dealt with in this way. Notwithstanding the late sitting, it

was not planned for. If we are to have a reasoned debate, I agree with the proposal that Thursday should be the day on which Second Stage is taken. I oppose the late sitting on that basis.

Aengus Ó Snodaigh: On No. 8—

An Ceann Comhairle: We are still dealing with the late sitting.

Aengus Ó Snodaigh: I thought it was agreed and we went on to the next item.

The Taoiseach: As I said many times, the Government always tries to publish the legislation as early as possible. We do so with most Bills.

As more than half of what is included under the 50 heads of the Bill was in the budget at the beginning of December, no one should be taken by surprise. Admittedly, the new child care allowance, which is not a normal element of the Social Welfare Bill, is a new aspect. This, together with some other changes the Minister has made to improve the various allowances, delayed the Bill and made it more complicated. It is scheduled for three days on Second Stage. I accept this puts more pressure on Opposition spokespersons. If we begin Second Stage today, however, we will have three days, until Thursday, to debate it.

Mr. Penrose: This Bill was not due until Thursday—

An Ceann Comhairle: There is no provision for a second contribution.

Mr. Penrose: —but is being dumped on us now. It is a hallmark of the incompetence and arrogance of the Government.

Question put: "That the proposal for dealing with the late sitting be agreed to."

The Dáil divided: Tá, 74; Níl, 63.

Tá

Ahern, Bertie.
Ahern, Dermot.
Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Blaney, Niall.
Brady, Martin.
Brennan, Seamus.
Callanan, Joe.
Callely, Ivor.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Cooper-Flynn, Beverley.
Cowen, Brian.
Cregan, John.
Cullen, Martin.
Curran, John.
Davern, Noel.

de Valera, Síle.
Dempsey, Tony.
Dennehy, John.
Devins, Jimmy.
Ellis, John.
Finneran, Michael.
Fitzpatrick, Dermot.
Fleming, Seán.
Fox, Mildred.
Gallagher, Pat The Cope.
Glennon, Jim.
Grealish, Noel.
Hanafin, Mary.
Harney, Mary.
Haughey, Seán.
Healy-Rae, Jackie.
Hector, Máire.
Jacob, Joe.
Keaveney, Cecilia.
Kelleher, Billy.

Tá—continued

Kelly, Peter.
 Killeen, Tony.
 Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 Martin, Micheál.
 McDowell, Michael.
 McEllistrim, Thomas.
 McGuinness, John.
 Moynihan, Donal.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Connor, Charlie.

O'Dea, Willie.
 O'Donnell, Liz.
 O'Donoghue, John.
 O'Donovan, Denis.
 O'Flynn, Noel.
 O'Keefe, Ned.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Roche, Dick.
 Sexton, Mae.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Dan.
 Wilkinson, Ollie.
 Woods, Michael.

Níl

Allen, Bernard.
 Boyle, Dan.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Costello, Joe.
 Cowley, Jerry.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 Enright, Olwyn.
 Gilmore, Eamon.
 Gormley, John.
 Gregory, Tony.
 Hayes, Tom.
 Healy, Seamus.
 Higgins, Joe.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.
 Lynch, Kathleen.
 McCormack, Pádraic.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Finian.
 McGrath, Paul.

McHugh, Paddy.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Moynihan-Cronin, Breeda.
 Murphy, Catherine.
 Murphy, Gerard.
 Naughten, Denis.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Dowd, Fergus.
 O'Keefe, 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.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Twomey, Liam.
 Upton, Mary.
 Wall, Jack.

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

Question declared carried.

An Ceann Comhairle: Is the proposal for dealing with Nos. 8 and 9, motions re referral to the joint committee, without debate agreed to?

Mr. Sargent: I ask that time be allocated to debate No. 9 rather than for it be passed without debate on the basis that the Oireachtas Joint Committee on Health and Children has been advised in regard to the avian flu situation. It is important that the Health Service Executive's concerns be addressed. The Minister concerned asked on a radio programme this morning that people dealing with poultry make themselves known to the authorities. This matter warrants

debate, albeit of a limited length, in this House and should not be referred to committee without debate.

Aengus Ó Snodaigh: No. 8 is a motion re referral to joint committee of a proposal relating to the Hague Conference on Private International Law. I object to the referral of this proposal to the joint committee without debate. We live in an era where there is hyperactivity around justice and home affairs internationally and at EU level in particular. Many of the proposals emanating from the EU in this area constitute an unjustifiable assault on our sovereignty. Ireland is a member of the Hague Conference and, as such, we have an autonomous vote during its pro-

ceedings. I am concerned that, under the terms of this proposal, the European Union may usurp that power and vote on behalf of all its members, including this State, thereby gravely undermining this State's sovereignty. Given the potential grievous consequences of this motion, it should not be referred to committee without first being debated in this House.

The Taoiseach: With regard to the first issue raised, this proposal lays the necessary resolution before the House to extend for a further 12 months the provisions of the Diseases of Animals Act 1966. This proposal relates to the legislation passed in this House to deal with the outbreak of foot and mouth disease. The Minister concerned requires a mechanism similar to the resolutions contained in that legislation to deal with related issues concerning avian flu. That is the reason we require them and we want to proceed with this proposal.

With regard to the matter raised by Deputy Ó Snodaigh, the Deputy is a member of the relevant committee and he can, therefore, attend a meeting of it. The committee is due to meet tomorrow and he has a right to attend that meeting.

Question, "That the proposal for dealing with Nos. 8 and 9 be agreed to without debate", put and declared carried.

Mr. Kenny: Great concern has been expressed by everybody arising from the most recent tragedy involving five non-national persons. Deputy Burton raised the issue of cars being brought in to this country from other countries that are not subject to the national car test. In that sense, I inquire about No. 77, the roads (miscellaneous provisions) Bill, dealing with traffic and standards. Will this issue be addressed in the context of that Bill?

There is a degree of concern among members of the public about the issue of sentencing and judicial conduct. When can we expect to see No. 67, the judicial council Bill?

I understand that there are more rumblings in the undergrowth in respect of the Abbotstown sports campus development authority Bill. Are we likely to see that Bill in the next few weeks? The Minister for Arts, Sport and Tourism probably has the answer to that question.

Mar a dúirt mé leis an Taoiseach an tseachtain seo chaite, tá cúpla tuarascáil ag an Aire Oideachais agus Eolaíochta, ceann amháin a tugadh di trí mhí ó shin, i leith caighdeán na Gaeilge labhartha sna bunscoileanna. Deirtear linn go bhfuil an stádas titithe i bhfad. Ba cheart go mbeadh an tuarascáil sin foilsithe. An gcuirfidh an Taoiseach brú ar an Aire an tuarascáil sin a fhoilsiú go luath i dtreo is go mbeidh a fhios ag chuile duine céard go díreach atá ann?

The Taoiseach: The Abbotstown sports campus development authority Bill will be published in a few days' time. The judicial council Bill will be ready later this year but not during this session. The impounding of the non-national registered vehicles will be covered in the road transport Bill.

Mr. Kenny: When will it be published?

The Taoiseach: It will be before the summer recess. My colleagues advise that the report on the schools is being examined and will be published. I take it that will happen shortly.

Mary Coughlan: Is ceist don Aire Oideachais agus Eolaíochta é.

Mr. Kenny: Tá sí in a suí air. Muna bhfuil an freagra agat, bí i do thost.

The Taoiseach: We will raise it with an tAire Oideachais agus Eolaíochta.

Mary Coughlan: Tá sé éasca ceist eile a chur síos.

Mr. Kenny: Ní ceist Dáil ach ceist don Aire Oideachais agus Eolaíochta í.

Mary Coughlan: Ní——

Mr. Rabbitte: The Taoiseach seems to be irrelevant to this exchange. Is legislation promised to refurbish and maintain the electoral register?

The Taoiseach: The Minister for the Environment, Heritage and Local Government has committed to a total examination of the present legislation and the process behind it. I understand that is almost complete as I heard the Minister answering questions on it at a recent meeting. I am not sure whether legislation is required to do that. The Minister is bringing forward proposals and it may also require legislation.

Mr. Rabbitte: If responsibility were being transferred to an agency other than local authorities——

The Taoiseach: To an outside agency.

Mr. Rabbitte: ——would that require legislation?

The Taoiseach: I am not certain but I got the impression from the Minister that he could bring forward these proposals without legislation, although I may be incorrect. One issue under consideration is whether there is a better and more efficient way of dealing with the register. The Deputy knows my view on that.

Mr. Sargent: I correct the record on the Taoiseach's earlier comment in that all Green parties oppose nuclear power. Will the Taoiseach

[Mr. Sargent.]

allow legislation to amend the Strategic Infrastructure Bill to ensure that nobody thinks the Taoiseach is trying to bring in nuclear power by the back door through this legislation?

In England, a charities conference is being held today, and there is a charities commissioner. We have waited 16 years since the Costello report for legislation to regulate charities. Will the legislation be brought forward immediately?

The Taoiseach: The charities Bill will be introduced later this year. The Deputy knows he cannot convince me to bring in nuclear——

Mr. Sargent: The Taoiseach is the one bringing it in.

Mr. Gormley: The Taoiseach is bringing it in by the back door. I can see it in his smile. I know what he is up to.

Mr. C. Lenihan: That could be open to many interpretations. The Taoiseach has been accused of many things on the floor of the House.

Mr. Martin: Will that be a campaign issue?

The Taoiseach: The European Greens will not force me to bring in nuclear——

Mr. Sargent: The Taoiseach should stop lying.

Mr. Martin: Bring back the guitar.

Mr. O'Donoghue: Deputy Gormley is an eternal optimist.

Mr. Sargent: The Taoiseach should start telling the truth.

Mr. Hogan: Does the Taoiseach have plans to bring forward an amendment to the Standards in Public Office Act 2001 given that civil servants seem to attend full-scale Fianna Fáil Parliamentary Party meetings?

Mr. Martin: Does this also apply to the Fine Gael Parliamentary Party?

Mr. Hogan: This is a very important issue. Does the Minister who brought the officials to the meeting have a statement to make to the House to apologise for the breach of codes of conduct laid down——

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

Mr. Hogan: It does arise. It is important for the integrity of the Civil Service.

An Ceann Comhairle: It does not arise on the Order of Business. The Deputy can find another way of raising the issue.

Mr. Hogan: Does the Taoiseach have plans to bring forward a robust amendment to the Standards in Public Office Act to keep his Minister intact? There is no answer.

Mr. Martin: Does this apply to the Fine Gael Parliamentary Party?

Mr. Hogan: The Taoiseach should answer the question.

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

The Taoiseach: I will do the Deputy a favour, I will not answer his question.

Mr. Hogan: Very well. I thank the Taoiseach for that. His silence is deafening.

The Taoiseach: I will tell the Deputy why afterwards.

Mr. Hogan: I will tell the Taoiseach why he should.

Mr. Sherlock: Is it necessary for the Taoiseach to introduce legislation to the House to ask the Minister for Agriculture and Food, who sold out on our sugar industry yesterday, to meet the wishes of the IFA?

Deputies: Hear, hear.

An Ceann Comhairle: To what legislation is the Deputy referring?

Mr. Sherlock: Is it necessary to bring in legislation to ask the Minister to step aside because she has failed our sugar industry?

Mr. Treacy: It is a disgrace the way it was treated, but not by us.

An Ceann Comhairle: That is not appropriate on the Order of Business at this stage, otherwise we will be here all day.

Mr. Naughten: When will the Animal Health Bill be introduced? There is a threat of avian flu here and it takes hours to contact the Department of Agriculture and Food to report a suspect case. When will there be a properly-manned hotline so that people can report incidents concerning an outbreak of avian flu here? The present situation is totally unacceptable. If we are to have confidence in the security integrity of the country it is important to address this issue immediately.

The Taoiseach: The Deputy was made aware several months ago why there was a delay in revising this legislation. He knows the answer to the question. The legislation is delayed.

Mr. Naughten: What about the delay in answering the telephone?

Mr. F. McGrath: The Taoiseach is chickening out.

Mr. Kenny: There is a bug on the line.

Mr. Costello: The Minister for Justice, Equality and Law Reform is making a mess in introducing the Garda Reserve and the relevant regulations, and dumping responsibility on the Commissioner by pretending it was his idea in the first place. Will the Taoiseach ensure that when the draft regulations are drawn up, as distinct from the rumours, they are brought into the House and are debated? The section in the Garda Síochána Act 2005 on the reserve Garda force consists of only 15 lines, containing no specific details, which has provoked a revolt by the Garda force.

The Minister continues to behave in the same fashion as he did with the Prison Officers Association. He has demoralised the Irish Prison Service and is about to demoralise the Garda service.

The Taoiseach: There is no legislation but the Minister stated that he would have a full conversation on this issue with all the interested stakeholders.

Mr. Costello: Will the legislation provide for regulations?

An Ceann Comhairle: We cannot have a debate on this issue. The Deputy should submit a question to the appropriate Minister.

Mr. Costello: This matter has not been dealt with properly.

An Ceann Comhairle: We cannot have a debate on it here.

Mr. Costello: We do not have an opportunity to discuss the draft regulations. Will the Minister control regulations?

An Ceann Comhairle: The Deputy's question was answered. I call Deputy Boyle.

Mr. Costello: Approximately 4,000—

An Ceann Comhairle: If Deputy Costello does not resume his seat we will move on to the next business because the House has agreed to sit late and we could have moved on to that business by now. I call Deputy Boyle.

Mr. Costello: May I ask a supplementary question? I am calling for a debate in the House on the matter.

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

Mr. Costello: I am calling for a debate.

An Ceann Comhairle: The Deputy should resume his seat. We are moving on to No. 8.

Mr. Costello: These are serious matters.

An Ceann Comhairle: Deputy Costello is being disorderly. He should resume his seat. Deputy Boyle will be called first tomorrow morning.

Mr. Costello: Why should these matters not concern us?

Mr. Stagg: On a point of order, a Member has asked about secondary legislation, about which he is entitled to ask.

An Ceann Comhairle: The Deputy asked a question which was answered and he got up to make a statement.

Mr. Stagg: He asked about secondary legislation but the Ceann Comhairle refused to let him speak. He is entitled to ask about secondary legislation.

An Ceann Comhairle: What is the Deputy's question on secondary legislation?

Mr. Costello: The Garda Commissioner must make proposals to the Minister for Justice, Equality and Law Reform on how the new Garda Reserve body will be constituted. The Minister must then draw up regulations.

An Ceann Comhairle: The Deputy cannot make another speech on this matter.

Mr. Costello: I am asking whether these regulations will be brought into the House for debate? We have had no forum at which to discuss the make-up and constitution of the Garda Reserve force.

The Taoiseach: There is no such legislation. The Garda Commissioner has given his views on the Garda reserve to the Minister for Justice, Equality and Law Reform. The Minister has stated he will discuss the issue with the Commissioner but also with the representative groups. Those discussions will need to be completed before the issue of regulations arise.

Mr. Costello: That was my question.

The Taoiseach: In the meantime, the framework has been passed by this House and the Minister will be engaged in the consultations.

Mr. Costello: He has not engaged with me.

The Taoiseach: He has committed himself.

Mr. Boyle: Given that Ireland's level of greenhouse gases has again started to go in the wrong direction—

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

Mr. Boyle: The Minister for Finance in his budget speech referred to the development of a sinking fund to counteract this problem but this is not included in the Finance Bill.

An Ceann Comhairle: The Deputy should submit a question to the Minister.

Mr. Boyle: This proposed legislation has been referred to by the Minister for Finance.

An Ceann Comhairle: Is legislation promised?

Mr. Boyle: When will the carbon fund Bill be introduced?

The Taoiseach: It will be introduced later this year.

EU Council Decisions: Referral to Joint Committee.

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

That the proposal that Dáil Éireann approve in accordance with Article 29.4.6° of Bunreacht na hÉireann, the exercise by the State of the option, provided by Article 3 of the fourth Protocol set out in the Treaty of Amsterdam, to notify the President of the Council of the European Union that it wishes to take part in the adoption and application of the following proposed measures:

proposal for a Council Decision on the accession of the European Community to the Hague Conference on Private International Law,

a copy of which proposed measure was laid before Dáil Éireann on 5 January 2006, be referred to the Joint Committee on Justice, Equality, Defence and Women's Rights in accordance with paragraph (2) of the Orders of Reference of that committee, which, not later than 9 March 2006, shall send a message to the Dáil in the manner prescribed in Standing Order 85, and Standing Order 84(2) shall accordingly apply.

Question put and declared carried.

Diseases of Animals Regulations: Referral to Joint Committee.

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

That the proposal that Dáil Éireann resolves that section 17A (inserted by section 2(1) of the Diseases of Animals (Amendment) Act 2001 (No. 3 of 2001) of the Diseases of Animals Act 1966 (No. 6 of 1966) shall continue in force

for the period ending on 8 March 2007, be referred to the Joint Committee on Agriculture and Food in accordance with paragraph (2) of the Orders of Reference of that committee which, not later than 7 March 2006, shall send a message to the Dáil in the manner prescribed in Standing Order 85, and Standing Order 84(2) shall accordingly apply.

Question put and declared carried.

Social Welfare Law Reform and Pensions Bill 2006: Order for Second Stage.

Bill entitled an Act to amend and extend the Social Welfare Acts, the Pensions Act 1990, the Combat Poverty Agency Act 1986, the Freedom of Information Act 1997, the Taxes Consolidation Act 1997 and the Carer's Leave Act 2001.

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

Question put and agreed to.

Social Welfare Law Reform and Pensions Bill 2006: Second Stage.

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

I am very pleased to introduce this, the second of two Bills intended to implement the €1.12 billion social welfare package announced last December in the budget for 2006. This substantial investment represents a €246 million, or almost 28%, increase on the 2005 package of €874 million. It brings the projected level of social welfare expenditure in 2006 to more than €13.5 billion, which is double what was spent in 2000.

Overall, Ireland is now making solid and steady progress in tackling the core issues that can blight people's lives and, too often, leave them vulnerable and marginalised in society. More than €13 billion on welfare supports and entitlements is a huge investment of taxpayers' money. It means that investment in welfare now accounts for €1 in every €3 the State will spend this year. Spending on this scale will have a significantly positive impact on the day-to-day lives of hundreds of thousands of men, women and children who are largely dependent on the safety net that welfare payments provide.

As I have said many times in this House, payments alone will not solve our social problems. That is the reason we must tackle the causes that trigger the need for the payments in the first place and the reason that reform is the common theme running through this Bill which represents another important milestone in a wide-ranging programme of reforms of social policy in this country. These reforms are about liberating, empowering, balancing rights and responsibilities,

activation and encouragement and, above all else, striving to ensure that the potential of any individual is not overlooked and that no one's contribution is written off.

The reforms are to help many of the 80,000 lone parents, caring for 130,000 children, who want to escape from welfare traps and start out on the paths to training, education and work. These reforms will help to confront the unacceptable blemish of child poverty in the Ireland of the 21st century, an Ireland of exceptional wealth. Child poverty is unacceptable and we must strive to banish it for good. It is about reforms that will help us to meet the impending pensions challenge, which brings with it threats of pensioner poverty, and to lay the foundations that will allow all citizens have a decent pension and dignity in their later years. It is about recognising the valued and valuable role of carers in society and rewarding their compassion and often their sacrifice with adequate supports and entitlements.

This Bill gives legislative effect to a range of reforms, improvements, incentives and increases and also includes an important number of measures to reinforce protection and extend investigative powers in the area of pensions. The welfare and social policy provisions and reforms in this Bill include the introduction of a standard and enhanced non-contributory pension scheme that will lift some 34,000 pensioners onto higher or full pensions; increased supports and entitlements for lone parents, carers and widows; changes to scheme names as part of a modernisation programme so that they more accurately reflect modern society and also the underlying purpose of the entitlements; increased emphasis on employment activation measures to ensure that every individual's potential and contribution is recognised; and the establishment of the legal structure for the payment of the early child care supplement, beginning later this year, to 260,000 families in respect of 350,000 children under the age of six.

There are new measures to strengthen protection for members' pension schemes as a way of further strengthening public confidence in the pensions industry. The measures include provision for the Pensions Board to impose a fine as an alternative to the prosecution of an offence; allowing the Pensions Ombudsman to bypass the internal dispute resolution procedure in cases where there is clearly nothing to be gained from this process; and powers to make regulations requiring a scheme actuary to have his or her work reviewed to ensure it complies with the provisions of the Pensions Act.

The Department of Social and Family Affairs has a pivotal role to play in ensuring that the fruits of our economic growth benefit all, particularly those who are most in need of supports, encouragement and life-enhancing opportunities and solutions. Central to this is ensuring that older people, especially those who are most vul-

nerable, have decent pensions and security in their later years. It is also important that those reaching pension age who wish to continue work should be encouraged to do so. While pensions to older people have increased by almost 100% in less than a decade, significantly ahead of increases in the consumer price index and gross earnings over the same period, further significant improvements are now being introduced.

In addition to significant weekly increases announced in the budget for 2006, this Bill provides for a number of important new measures which are designed to target resources at particular groups of older people aged 66 or over. These measures include combining non-contributory payments for people over 66 years of age, other than carer's allowance, into one standard and enhanced non-contributory pension scheme with a greatly improved means test that will lift some 34,000 pensioners onto higher or full pensions. The means disregard for this standard pension is being increased from €7.60 to €20 per week. To allow pensioners earn more income without having the value of their pension affected, a special earnings disregard of €100 per week will be introduced.

The weekly disregard of €20 ensures that a single person with no other means will be able to have up to €35,000 in capital and still qualify for a pension at the maximum rate. This rises to €70,000 in the case of a pensioner couple. The Bill also provides for the extension of the enhanced earnings arrangement in the new State non-contributory pension to particular persons aged under 66 years in receipt of widow or widower's pension, deserted wife's allowance, and prisoner's wife's allowance. This will introduce a special earnings disregard of €100 per week. It is estimated that this improvement will benefit more than 3,000 recipients of these payments.

On many occasions, I have identified child poverty as one of the key challenges of this Government and of society in general. The long-term cost of poverty in childhood for individual children, their families and communities and for society at large demands that we address this issue. The investment of more than €100 million in increases in child benefit will bring payment rates to €150 for the first two children and €185 for the third and each subsequent child. These increases will benefit more than 540,000 families in respect of more than 1 million children and fully honour the Government's commitment on child benefit.

The early child care supplement announced in the budget for 2006 and which will be payable to parents of children who are under six years of age, will also contribute significantly to assisting in the raising of children. Some 260,000 families receiving child benefit will be paid the supplement in respect of approximately 350,000 children under the age of six. This is equal to about 50% of all families receiving child benefit and some 33% of all children for whom payment of

[Mr. Brennan.]

child benefit is being made. The rate of payment is €1,000 per annum paid over four quarters, with three payments being made in 2006.

In general, payments will issue early in the month following the end of each quarter. It is the intention to issue the first payment in August 2006 for the quarter April-June, with further payments in October for the quarter July-September. Every effort will be made to make payments for the last quarter of 2006 in December. It is expected that similar payment arrangements will apply in 2007.

Payments will issue for full quarters only and that means a full quarter payment will be made in respect of an eligible child born during a quarter or a child reaching six years of age during a quarter. The estimated expenditure on early child care supplement payments in 2006 is €265 million and the estimated full-year expenditure in 2007 is €357 million.

The scheme for childminding relief was announced by the Minister for Finance in budget 2006 and the legislative approach will be underwritten as part of the Finance Bill. The scheme will exempt from taxation the childminding income of an individual who, subject to certain conditions, minds up to three children in his or her home, subject to a maximum income from child-minding of €10,000 per annum. This Bill deals with the social insurance aspects of this measure.

To ensure that all those who participate in this scheme are afforded the opportunity to build up a social insurance record which can, in turn and in time, have important advantages for benefits such as pensions and maternity benefit, the Bill will require that an annual PRSI contribution, at a rate of €253, is made in respect of this childminding income. This is in keeping with the Government's recognised policies of making every effort to encourage the extension of pension coverage, particularly to women who have emerged as especially vulnerable because of their lack of any, or adequate, pensions.

I am committed to significant reforms that deliver a better standard of living and fresh opportunities for lone parents and their children, with policies that are directed at the breaking down of existing obstacles to employment, increasing access to career enhancing education and training opportunities through targeted supports and enlightened social policies.

At present, income support is provided through the one-parent family payment to more than 80,000 lone parents at an estimated cost of more than €847 million in 2006. There has been no change to the income limits applying to the payment since it was introduced in 1997. The Bill includes changes that will give lone parents an opportunity to continue to increase their earnings without raising fears about entitlement to the payment. A provision in the Bill substantially increases the upper income limit for the one-parent family payment from €293 to €375 per

week. This should allow many lone parents to access employment and, in addition, lone parents working more than 19 hours per week may also be eligible for the family income supplement. Deputies will recall that the weekly income thresholds of that scheme were increased substantially from January this year.

In late 2004, the senior officials group on social inclusion was mandated to examine obstacles to employment for lone parents and to report back to the Cabinet sub-committee on social inclusion with specific proposals. As part of this work, my Department established a working group that undertook to look closely at income supports and how they can be adjusted better to address the social problems that can arise for those who receive these payments, including the cohabitation rule and the fact that the payment can act as a disincentive to the formation of partnerships.

I will publish the findings of both working groups in the near future and intend to engage in a consultation process with interested parties. It is my intention that the outcome of these reviews, together with initiatives already in place in my Department, will contribute to the development of proposals designed better to support and encourage both lone parents and those seeking work in achieving a better standard of living, employment and education opportunities, and a better future for themselves and their children.

Recognition of and support for carers must be at the core of a caring society. In recognition of the valued and valuable work of carers, the Bill makes provision for increasing the rate of the annual respite care grant by €200 to €1,200 from June. In 2005, more than 36,000 grants were awarded and it is expected that the number of beneficiaries will increase further this year.

The duration of the carer's benefit scheme has been extended from 15 months to two years for each care recipient. In addition, regulations will provide for increasing the number of hours a person can work while still receiving a carer's allowance, carer's benefit or respite care grant from ten to 15 hours per week. The Bill also contains the necessary amendments to the Carer's Leave Act 2001 to provide for the extension of the duration of a carer's leave from 15 months to two years.

Few people will disagree that Irish society is changing rapidly. At the same time, attitudes and expectations concerning welfare schemes and entitlements are also changing. To keep pace with that change and as part of a general welfare modernisation programme, the Bill makes provision for the titles of some schemes to be changed so that they more accurately reflect modern society. An example is the old age contributory and non-contributory pensions, first introduced in 1908 by Lloyd George, which are to be changed to the State pension. The old age pension reflected a time in history when life expectancy was in the early 70s. Today, the vast majority of people reaching pension age at 66 do not consider themselves old and regard the term "old age" to be

outdated and sometimes demeaning for people in their later years.

There has been widespread consultation with the relevant organisations and representative

bodies in advance of decisions being made on these changes. The scheme name changes provided for in the Bill are:

| Current Name | New Name |
|-------------------------------------|---------------------------------------|
| Old age (contributory) pension | State pension (contributory) |
| Old age (non-contributory) pension | State pension (non-contributory) |
| Retirement pension | State pension (transition) |
| Unemployment benefit | Jobseeker's benefit |
| Unemployment assistance | Jobseeker's allowance |
| Unemployability supplement | Incapacity supplement |
| Disability benefit | Illness benefit |
| Orphan's (contributory) allowance | Guardian's payment (contributory) |
| Orphan's (non-contributory) pension | Guardian's payment (non-contributory) |

If Ireland is to adequately address the major challenge of meeting the projected employment demands of a surging economy over the next decade and further into the future, then a wide range of reforms and initiatives is required as part of an overall employment activation strategy. Ireland is now close to full employment. However, at a time when the Central Statistics Office forecast that this country will require up to 50,000 immigrant workers per year for the next decade, in addition to home produced workers, to maintain our current levels of economic growth, Irish people remain on the live register, or elsewhere, who may not have had their talent and full employment potential properly assessed.

The Bill includes provision for the phasing out over the coming decade of the pre-retirement allowance, PRETA, scheme in view of the changed labour market condition since the introduction of the scheme in 1990 at a time of extremely high unemployment. It was introduced originally for long-term recipients of unemployment assistance who were aged 55 years and over and who had effectively retired from actively seeking employment. PRETA numbers have decreased from a high of almost 15,300 in 1994 to 11,000 at the end of 2005.

The Bill proposes that no new person will join the scheme, from a specified date, and that as a result the scheme will be phased out without impacting on any of the existing recipients. This would mean that those currently on the live register aged 55 to 66 who might have transferred to PRETA, will no longer be able to do so. As a result, this will lead in the short term to an increase of about 2,000 on the live register. However, this increase should, in time, be offset by the inclusion of the over 55s for intervention and support in the Government's employment action plan. In addition, my Department and other agencies have developed a wide range of employment support payments, services and initiatives to assist jobseekers and others who

may feel vulnerable, to return to employment, education or training.

I will now outline the main provisions of the Bill, which include new measures and amends the Social Welfare Consolidation Act 2005, the Pensions Act 1990 and a small number of other Acts. I am making amendments to the social welfare code as follows. In the area of child income support, the Government's policy is to concentrate resources on enhancing the child benefit scheme. Child benefit now accounts for some 67% of child income support, while in 1994 it constituted less than 30%. There are sound reasons for this policy. Child benefit is both neutral *vis-a-vis* the employment status of the child's parents and it does not contribute to poverty traps. As a near universal payment, child benefit is not taxable, is not assessed as means for other secondary benefits and is payable to the primary carer, usually the mother. When account is taken of these aspects of payment, child benefit is a most effective child income support mechanism. Expenditure on the child benefit scheme in 2006 is expected to be more than €2 billion.

Section 3 provides for increases in the monthly rates of child benefit as announced in the budget for 2006. The lower rate of benefit, payable in respect of each of the first two children, is being increased by €8.40 per month from €141.60 to €150. The rate for the third and each subsequent child is being increased by €7.70 per month, bringing the rate from €177.30 to €185. These increases come into effect from 1 April 2006.

As part of the wider objectives of making the social welfare system more accessible, modernising the social welfare code further and reflecting a more contemporary outlook, changed societal expectations of social welfare schemes and, to a greater extent, their underlying purpose, I am providing in section 4 and Schedule 1 to the Bill for changes to the titles of certain social welfare payments.

Deputies will be aware of the measures relating to childminding announced by the Minister for

[Mr. Brennan.]

Finance in the Budget Statement. Income of €10,000 per year will be disregarded in the assessment of liability to income tax where an individual minds up to three children who are not his or her own in his or her home. In keeping with the Government's policy of extending pension coverage, especially among women who are less likely to have pension provision, I am providing in sections 5 and 6 that where this relief is claimed on income earned by the self-employed home childminder, it will be liable for a social insurance contribution of €253 per annum. This will allow the childminder to build up a social insurance record which can in turn have important implications for benefits such as pensions and maternity benefit.

As outlined earlier, carer's benefit is payable for a maximum period of 15 months. Section 7 provides for the extension of the payment period to two years and provides that this improvement takes effect from budget day, December 7 last. This means that any carer who was in receipt of carer's benefit on or after 7 December 2005 will be entitled to receive an additional 39 weeks' of carer's benefit, subject to the carer continuing to fulfil the qualifying conditions. To minimise any disruption to carers affected by this measure, I am also making arrangements to commence the payment of the additional weeks as quickly as possible so that carers whose 65 weeks' payment expires prior to the enactment of this Bill will not suffer an interruption in their payment.

Sections 9 and 13 provide for the calculation of a daily rate to facilitate the payment of old age contributory pension and retirement pension from the actual date the customer attains 66 or 65 years respectively. These pensions are paid from the pension payday after the relevant age is reached. In addition, sections 11 and 12 provide for the automatic transfer from invalidity pension or retirement pension to old age contributory pension, or the State contributory pension as it will now be known, when the recipient reaches the age of 66.

Section 15 provides for the phasing out of the pre-retirement allowance scheme, the reasons for which I outlined. Section 16 provides the legislative basis for the establishment of the non-contributory State pension scheme from September 2006. Section 17 and Schedules 2 and 3 provide for a number of consequential amendments required on foot of the establishment of this pension.

As a consequence of the introduction of the non-contributory State pension for persons aged 66 years and over, the blind pension, widow's and widower's pension and one-parent family payment will no longer be payable after age 66. Accordingly, sections 20, 21, and 22 provide for consequential amendments to those schemes. Similar provision is made in section 23 for the

purposes of those who have continued entitlement to the deserted wife's allowance and prisoner's wife's allowance schemes.

Section 24 and Schedule 4 contain the rules governing the means test which will apply to the non-contributory State pension. In addition, certain amendments are required with regard to the provisions governing existing long-term payments. Section 25 and Schedule 5 provide for the collation of the rules governing the means test for those long-term schemes applicable to customers under pension age, including those in receipt of blind, widow's, widower's and orphan's non-contributory pensions, one-parent family payments and carer's allowance. Schedule 5 also contains a provision to disregard €100 per week from earnings in respect of recipients of widow's and widower's non-contributory pensions and those in receipt of deserted wife's and prisoner's wife's allowances who are aged under 66 years.

Section 27 provides for an increase in the upper earnings threshold for one-parent family payment from €293 to €375 per week. Sections 28, 29 and Schedule 6 provide the legislative basis for the introduction of the early child care supplement. On behalf of the office of the Minister of State with responsibility for children, my Department will administer the scheme which comes into operation on April 1.

Section 30 provides for an increase in the annual respite care grant paid to carers in June of each year from €1,000 to €1,200. Section 31 provides for the disregard of the amount of any contributions to personal retirement savings accounts for the purposes of the income thresholds applicable to the family income supplement scheme. Section 32 provides that a person who qualifies for an Irish invalidity pension under EU regulations will not suffer a reduction of pension if he or she subsequently becomes entitled under the EU regulations to a survivor's pension or a retirement pension from another EU member state.

Section 33 provides for amendments to the definitions contained in Schedule 3 to the Social Welfare Consolidation Act 2005 which contains the rules applied in assessing means for the purposes of certain social welfare schemes. This section further provides for the exclusion from the means test of certain payments such as the early child care supplement, the home care grant and home tuition scheme. Section 34 provides for the alignment from May 2006 of the treatment of benefit and privilege in respect of supplementary welfare allowance, where the person is living with parents, to that applying to other means-tested schemes.

Section 35 provides for the inclusion of the National Council of Special Education, the Teaching Council, the Private Security Authority and the Commission for Taxi Regulation in the list of specified bodies authorised by legislation

to use the personal public service or PPS number as a public service identifier.

As I have said on many occasions, there are no quick-fix solutions to the fact that almost half the country's current workforce of two million people do not have personal pensions and face a retirement in which their main source of income will be the State pension. As the House is aware, last month I launched the national pensions review, the comprehensive report produced by the Pensions Board to review the progress being made on our overall pensions strategy and targets. The report sets out our current position, the challenges we face and a range of measures we can consider for the future. In summary, the main recommendations of the report were for a State incentive for contributions to personal retirement savings accounts of a matching contribution, similar to the SSIA-type arrangements, tax relief at the higher rate for all personal pension contributions and an option to defer the State pension.

The measures announced by the Minister for Finance in the recently published Finance Bill to incentivise the transfer of SSIA funds into pensions show how seriously the Government is taking pensions and demonstrate its commitment to developing pension policy that will address critical issues facing this country on pensions coverage and adequacy. By paying a bonus of €1 for every €3 transferred directly into a pension account of SSIA holders who are taxed at 20% and, significantly, in the case of those who are not in the tax net to begin with, up to a maximum of €2,500, the Government is creating an ideal opportunity for thousands of people on middle and low incomes to improve their pensions position as it allows for a maximum once off contribution of up to €10,000. I urge people to avail of this opportunity as a way of investing in securing a decent income for their later years.

While the Pensions Board is in favour of a continuation of the existing voluntary system for supplementary pensions, the report has also highlighted the need for further consideration of mandatory pension provision, State-sponsored annuities and the introduction of a pension protection fund. I want this report to be considered and debated throughout society. In the weeks ahead I will call together all interested parties to a national forum to debate the central issues.

The main measures I am introducing in this Bill with regard to the Pensions Act will further enhance the regulatory regime governing supplementary pensions. Section 39 introduces an alternative so-called "pay-up and remedy or be fined" regime similar to that set out in the Company Law Enforcement Act. Under the new provision the Pensions Board may notify a person in writing that it is alleged that an offence has been committed and that if, within 21 days of the notice, the person has remedied the offence to the satisfaction of the board and paid the appro-

priate fine, a prosecution will not be instituted. Section 39 also provides that certain documentary evidence submitted in a prosecution is admissible without the attendance of the Pensions Board officer in court. The board believes this is a more economic and efficient approach.

Section 40 provides that as Minister, I may, in consultation with the Minister for Finance, indemnify Pensions Board members and the staff of the board against liability for damages or costs where they have discharged their functions in good faith. This is similar to legislation introduced in recent years establishing other boards.

Section 42 allows for regulations to be made requiring a scheme actuary's work to be reviewed to ensure it complies with the provisions of the Pensions Act 1990 and any professional guidance issued by the Society of Actuaries in Ireland. I recently met representatives of the society to discuss this issue. The matters to be prescribed in the regulations include the appointment of a reviewing actuary, the frequency of reviews and the timeframe for reviews.

In his annual report the Pensions Ombudsman highlighted areas of concern relating to the operation of the internal dispute resolution procedure. Section 43 of the Bill addresses these concerns. It provides that the Pensions Ombudsman may now bypass this procedure and investigate complaints in cases where there is clearly nothing to be gained from the process. An example of this would be where the complaint lies against the employer rather than the trustees of a scheme.

Section 44 and Schedule 8 to the Bill also provide for a number of miscellaneous amendments to the Pensions Act 1990 that are technical in nature. The Bill provides for a small number of amendments to other Acts. Section 45 contains an amendment to the Combat Poverty Agency Act 1986 to provide for an extension from three years to five years to the term of office for new appointments to the board of that agency. This will ensure the expertise developed by board members will be retained for a longer period, thereby making a more valuable contribution to the agency.

Section 46 amends the Freedom of Information Act 1997 to exclude for the purposes of that Act a secrecy clause in the Pensions Act 1990 in relation to the functions of the Pensions Ombudsman and a similar clause in the Comhairle Act 2000 relating to that agency's functions. Section 47 provides for an amendment to the Taxes Consolidation Act 1997 to exempt the early child care supplement from being reckonable as income for income tax purposes. Section 48 and Schedule 9 contain the necessary amendments to the Carer's Leave Act 2001 to provide for the extension of the duration of carer's leave from 15 months to two years.

The Social Welfare Law Reform and Pensions Bill 2006 builds further on the development of

[Mr. Brennan.]

social inclusion measures adopted by the Government in recent years. It safeguards the living standards of those who rely on social welfare income and other supports and prioritises the allocation of resources in favour of those most in need. Resources will continue to be targeted on helping those most in need, not only to raise standards of living but to ensure everyone is a valued citizen and can make his or her own individual contribution to society regardless of his or her particular circumstances.

However, the significant social issues we face can be eased but not solved by welfare and support payments alone. The easy route is to salve our conscience by signing the cheques and hoping the problems will go away. The honest route is to get behind the payments and confront the problems. It is vitally important that we do not view welfare as permanent. That is why a one size fits all system will not provide the answers. Welfare support systems must be tailored to the specific needs of individuals and should be seen as stepping stones to achieving a better quality of life.

Achieving the changes in social policy that reflect the needs of the Ireland of the 21st century will call for courageous reforms. The window of opportunity is there and, through this Bill and further changes planned over the coming months and years, we will shape the reforms that will introduce more enlightened and progressive social policies in a number of key areas. This Bill is an important milestone in that regard. I commend the Bill to the House and look forward to a constructive discussion.

Mr. Stanton: I thank the Minister's officials for giving us a briefing today. That is always useful, welcome and informative. However, I am sure the Minister is aware from previous comments that we on this side of the House are not pleased with the very short lead-in time we have had to study the Bill. I am informed this is not the Minister's fault, but if he is looking forward to a constructive debate, which is the style of those on this side of the House, particularly from Deputies Penrose, Boyle, me and others, it is difficult to be constructive when you have very little time to study what is put before you.

The Bill was published at lunch time yesterday. Given that I had other commitments today and needed to travel here, it was quite difficult to go through the Bill in any detail and to do it the justice it probably deserves. In future, will the Minister ensure we get a couple of days at least to study Bills and get advice on them to have a constructive debate on important matters, as the Minister has suggested? If the Government insists on behaving in this way, it is unfair to us and on the people we represent. As others said, the Government is treating Members of the House with contempt if it does not give us time to study

important legislation such as this, legislation on which we want to be positive and constructive. I feel strongly about this matter. From the Minister's comments, it seems he agrees. This is not the way to do business. It is indefensible and I urge that it does not happen again.

I apologise to the House for not being able to make as detailed a contribution as I would like as I did not have sufficient time to prepare. There are good measures in this Bill and I welcome them. Increases voted by the Oireachtas and made available by the Government to people in need are extremely welcome. In this day and age when so many resources are available to us, it is only right that we do what we can to improve the lot of everybody.

I took note of a number of comments in the Minister's speech. He stated: "As I have stated many times in this House, payments alone will not solve our social problems." I agree with that. Part of the Minister's conclusion was folksy and reminded me of Ronald Reagan speak. He stated:

To achieve the changes in social policy that reflect the needs of the Ireland of the 21st century will call for courageous reforms. The window of opportunity is there. . . .

It is fair that the names of schemes will be changed by the Bill but it is not what one would call courageous reform. The Bill does not indicate what the Minister means by courageous reforms.

I welcome the increase in payments, which are badly needed. The Combat Poverty Agency maintains "relative to our EU counterparts, Ireland has among the lowest levels of social expenditure as a proportion of national income." It also maintains that Ireland spends relatively small sums in areas such as old age expenditure and family services. It states: "Social expenditure should be increased where appropriate over the coming years to rectify the current deficits."

Before entering the House today, Deputy Penrose and I attended the Joint Committee on Social and Family Affairs, appearing before which was Dr. Maureen Gaffney. We needed to abandon the committee and come here because this Bill was introduced so urgently and we did not get a chance to go through business as we would have liked. Dr. Gaffney spoke about the need for a totally new paradigm and way of thinking where older people are concerned. The NESF's report on the care of older people includes some courageous ideas but, unfortunately, I do not see them reflected in this Bill. It has no ground-breaking measures.

The Minister has talked for a long time about courageous ideas but we have not seen them. He keeps referring to the issue of child poverty, but not much is happening. For example, in his budget speech in December 2004, the Minister announced the development of a targeted payment based on need to help combat child poverty.

He stated: "As part of the Sustaining Progress special initiative on ending child poverty, the National Economic and Social Council has been asked to undertake an in-depth examination of child income support arrangements with a view to developing a second tier payment targeted at low income families which, by combining family income supplement and CDAs, would have a neutral impact on employment options." We have still not seen this payment.

In other statements on the second tier payment, the Minister pondered — he is good at pondering — the possibility of including the back to school clothing and footwear allowance. However, as this was increased in this year's budget, it appears the Minister is no longer pondering the matter. We do not know. Despite referring to the new second tier payment at numerous stages in speeches and interviews with the media throughout 2005, the Minister has taken no action to introduce it.

In response to Questions Nos. 42, 55 and 67 on 9 February 2006 the Minister stated:

While the solutions to the problem of child poverty cover a wide range of measures, including income supports and services, I am committed to reviewing the role of child income supports in this regard. This includes examining the feasibility of merging the family income supplement and child dependant allowance into a second tier child income support taking account of an examination being carried out in this area by the National Economic and Social Council [NESC].

The NESC is currently considering its draft report and I look forward to receiving a finalised report which will be of significant assistance in informing the future direction of child income support policy.

I draw the attention of the House to what the Combat Poverty Agency states in its submission on a new national partnership agreement. It suggests significant improvements in the levels of support for second tier, means-tested child income support with a recommended medium-term move towards an employment neutral child benefit supplement to replace child dependant allowance and family income supplement.

The Minister has stated that child poverty is an unacceptable blemish on modern society. Such language is too mild as child poverty in this era is a disgrace. Some suggest 150,000 children live in poverty while other measures suggest up to 350,000 children are at risk of poverty. We must see some imaginative changes to tackle this matter. Time is running out as this Bill represents the last opportunity this year. It would be useful if the Minister implemented ground-breaking measures to tackle child poverty. We need joined-up government and the Minister is correct in stating that courageous moves are needed. As yet we

have not seen them and the window of opportunity, to which the Minister referred, is closing very quickly.

I welcome the improvements to several schemes. For many constituents social welfare benefits are like a maze. The ordinary person finds it difficult to understand his or her entitlements. Two low-income families have come to my attention who did not know of the existence of the family income supplement, despite being entitled to receive it. These families approached me because they were in dire straits. One man with a low income was not certain if he was entitled to a medical card. His child, who had not been able to breathe, spent four nights in hospital and he received a bill of €60 per night. He was under pressure as he could not pay the money on his low income. After assessing his income, I informed him he was entitled to a medical card and the family income supplement. He was very pleased when I told him that if he applied for the family income supplement, he would receive it.

It is incumbent on the Government to ensure people entitled to and in need of these supports are aware of them and receive assistance in accessing them. Application forms and methods of application should be made as simple as possible. The concept of the working poor and work poor households is coming to the fore. An increasing number of families can be classified in this way, highlighting the increasing inequality in Ireland. We referred to this during Question Time recently.

The Combat Poverty Agency informs us that indirect taxation accounts for 50% of Exchequer revenue and is a more dominant form of taxation. Such taxes are generally regressive, hitting the poor the hardest, and must be addressed. Politicians see increasing numbers of people at clinics, some of whom must be referred to the Society of St. Vincent de Paul as there is no other option if people cannot buy food for their children. With so much money available, this should not be happening.

I challenge the Minister to set a target to eliminate consistent poverty. We could all work to ensure that by 2010, consistent poverty would be eliminated in this country. This objective can be achieved and the Minister could announce his intention to do this in his next press release.

The Minister has said we should not only pay out money but should also set targets in education, health, housing, employment and community. It was a mistake to separate responsibility for the community from the Minister for Social and Family Affairs. Family and community are inextricably linked and assigning responsibility for these areas to two Departments was a mistake. According to the Combat Poverty Agency, families and communities are central to tackling the cumulative and inter-generational dimensions of poverty, and a proactive policy supporting

[Mr. Stanton.]

families and community development can contribute to this. It is more difficult to address this if the responsibility is divided between two Departments.

I referred to those living in poverty despite being in employment. The Combat Poverty Agency states that the rate of in-work poverty has doubled to 9%, affecting 157,000 people, the second largest market category after those with home duties and greater than those in poverty who are unemployed and ill. In New Zealand, a payment similar to the family income supplement has an uptake of 92% compared with 30-40% in Ireland. Much work must be done to increase this figure.

It is believed that 6.8% of the population or 270,000 people live in consistent poverty. Groups at high risk of poverty include children, adults and children in lone parent households. The issue of lone parents has been discussed on many occasions in this House and the Minister has referred to the residency clause. I refer to a family comprising two parents and two children aged three years and four months. All four live in one room of the children's grandmother's house. If the husband were to move out, the family would be eligible to receive the one-parent family payment but they do not wish to do so. There is pressure on the family to separate as the husband has a low income job. The temptation is to draw down the one-parent family supplement and pretend the parents have separated, which brings terrible pressure on a family. The Minister has referred to such cases and this area must be examined, with the Minister bringing forward courageous and imaginative ideas to deal with this problem. I am sure colleagues on all sides of the House have examples of this situation.

I welcome the changes the Bill brings to carer's benefit and carer's leave. It increases the time limit for both from 15 months to two years. I also welcome the increase in the number of hours a carer can work from ten to 15. However, this should rise to 18 hours to reflect the average part-time job of half the full working week of 39 or 40 hours.

Regarding the issue of improving community care services for older people in particular, the House is agreed that a key part of a care strategy is to allow as many elderly people as possible to remain in home-based community care. At this afternoon's meeting of the Oireachtas Joint Committee on Social and Family Affairs, the National Economic and Social Forum, NESF, chairperson, Dr. Gaffney, put forward models that the NESF has identified in other countries, particularly in the Netherlands.

A number of us travelled to Denmark recently to examine care for older people there. They are way ahead of us. They stopped building nursing homes in 1997 because home care is better. The

extent of support available there means that approximately 92% of older people die in their own homes. Home care visits take place as often as necessary. It was also stated by Dr. Gaffney that in the long run it is less expensive for the State to provide community and home care for people than it is to provide nursing home and institutional care. The State makes a profit by doing the right thing.

We provide an increasing number of tax incentives to build nursing homes. In Denmark, they stopped building nursing homes. When a person can no longer stay in his or her own home, he or she moves into a type of sheltered accommodation apartment. We visited some of them. We were not allowed into the apartment because it was the private residence of an older person who had his or her own possessions and familiar objects.

It was also stated at the committee meeting that if an older person can be sustained, encouraged and helped to live in his or her environment for as long as possible, that person will maintain both physical and mental health for longer. The danger is that older people will decline if they become dependent, and that is revealing. If any of us visit nursing homes, we see that people there are in decline. They are dependent and lose their get up and go, so to speak. We are told that we will all live longer so it is incumbent on us to ensure that the models in place now will be best for all of us. We have a vested interest in doing the right thing.

I suggest there is an anomaly and contradiction in Government policy. We build nursing homes, which in many cases are institutions and impersonal. We also state that we should have community and home support. We must make up our minds as to which way we want to go. We are not giving anything like the level of support necessary to community and home-based care. Improving family care services for older people is important and we should continue it.

I agree with the Minister on changing the old age pension. He referred to 1908 speech of David Lloyd George and stated it was time we moved on from there. I certainly agree with that. I suppose it was forward thinking at the time. Perhaps the Minister for Social and Family Affairs, Deputy Brennan, is the Lloyd George of today.

I have an issue with the term "State pension". The word "State" has connotations of eastern Europe. Perhaps "national pension" would be a better term. "State" implies one receives something from the State. If we called it a "national pension" instead of a "State pension" it might be a little less harsh. It is just a suggestion.

I like the idea of changing the name of "unemployment benefit" to "jobseeker's benefit". That is positive. Instead of a person being unemployed and dependent, it gives the impression of someone who is active and seeking a job. The word

“job” is old-fashioned. Perhaps we could call it a “work-seekers benefit”. In a thesaurus, “work” is a broader term than “job”. Perhaps we can examine that on Committee Stage.

I was also struck by the term “illness benefit”. It was called “disability benefit”. I know from my work in the disability sector that people with disabilities often state that while they have a disability, they are not ill. Perhaps we also need to examine that. I know that disability benefit is payable by the Department to those aged under 66 years who are incapable of work because of illness and who have enough social insurance contributions.

I understand employment legislation does not exist on the issue of sick pay or sick leave. This means that a person on sick leave from employment, with or without a medical certificate, is not automatically entitled to pay. Instead, it is at the discretion of the employer to decide policy on sick pay and sick leave, subject to the employment contract and terms and conditions. If the terms and conditions of employment do not include entitlement to paid sick leave, the employee may apply for disability benefit if he or she has enough social insurance contributions. Perhaps we should examine that area and debate it.

The Bill makes significant changes to the pension system in operation in this country. It brings all the pensions together in a new non-contributory pension for those aged over 66. I support that measure. The new pension will have an increased means disregard of €20, an increase from €7.60. That has not been increased for a considerable length of time. It is envisaged this new charge will mean approximately 34,000 pensioners will receive a higher pension or a full pension. The increase in the means disregard will mean a single person with no other means will be able to have capital of €35,000 and still qualify for a full rate pension.

The Minister stated the rules governing secondary benefits such as fuel allowance and the household benefits package will not be changed. Will he elaborate on how capital and income from work will affect these entitlements? We should examine that. There will be a new earnings disregard of €100 per week for all those in receipt of the new pension. It is hoped this will encourage people over the age of 66 who would like to remain in the workforce to do so. I believe that is the intention. Remaining in work can provide many older people with an opportunity for social interaction, especially if they live alone. I welcome any move to facilitate those who wish to remain in employment.

The earnings disregard will also be extended to widows under the age of 66. We had that debate in the House recently. It was raised with the Minister two weeks ago and I am pleased he took it on board. There is a need to introduce a similar

earnings disregard for people in receipt of a contributory pension as it would enable them to work after reaching 66 years of age. Any income they have from employment is added to their State and occupational pension and the entire amount is then taxed. We should examine that.

I understand this is also the case for widows in receipt of a contributory pension. They have any income from work added to their pension and the entire amount is liable for tax, in addition to any child dependent allowance they receive. Section 47 in Part 4 amends the Taxes Consolidation Act 1997 to exempt the early childhood supplement from being reckoned for income tax purposes. Can a similar exemption be introduced for widows?

I welcome any move the Government makes to ensure that pension schemes are compliant with pensions legislation. Recently we saw some worrying reports regarding abuses in this area. The changes the Minister is making whereby the Pensions Ombudsman can bypass internal dispute resolution procedures is a welcome move. If it is in the opinion of the Pensions Ombudsman that no internal dispute resolution procedure exists, he is unable to investigate a complaint regarding pension entitlements. This would appear to make the Pensions Act unworkable as all an employer would need to do to frustrate the Act would be to refuse to establish an internal dispute resolution procedure and thereby deny a citizen his or her right of appeal to the Pensions Ombudsman.

Wherever the internal dispute resolution exists there must be clear guidelines on how it operates and that it is not used to frustrate an inquiry by an ombudsman. I apologise for my contribution being disjointed. I did not have as much time to gather my thoughts as I would have liked. As we have two weeks before Committee Stage I may be able to make a better contribution then. I urge the Minister to give the Opposition a little time to get our heads around important legislation. We want to contribute in a positive way to it and do not have the same professional back-up or time as the Minister. He has had a number of months to prepare this while we have had a few hours.

Mr. Penrose: I am always glad to contribute on social welfare, particularly on reform and improvements to help people dependent on social welfare in all its forms. I regret that I must begin on a sour note. I am disappointed at the arrogant and contemptuous way the Government treats the Opposition spokespersons. The Government thinks the Opposition exists to rubber-stamp any legislation that emanates from its great mind and script writers, but that is not the way to do business. The hallmark of arrogance and contempt is to use the House to rubber-stamp a proposal. That is doormat treatment. We are not entitled to behave in that way. We are sent here by the people to scrutinise legislation with great care.

[Mr. Penrose.]

Many people say we are parish pump politicians. It is difficult to change that view and portray a view that we are here to represent strongly and forcefully the interests of the people who elected us and to make suggestions and proposals that improve legislation. The Government is not the sole font of wisdom on this. We have something to offer and the Opposition has always done that on a constructive basis.

The Labour Party is eager, particularly in this area, to help. We endorse a European model of social protection and the Lisbon Agenda, which focuses on high employment participation and social inclusion. We have focused increasingly on the Government's drift towards the Boston model. We have accentuated the importance of its being closer to the Lisbon model. That has found expression from us on the issue of how the proportion of national income devoted to social protection has fallen over the years despite the money available. Ireland's social welfare expenditure is much lower as a proportion of national income than the rest of Europe where the norm is for wealthy countries, such as Ireland, to spend proportionally more on social protection than poorer countries. According to last year's EUROSTAT data the EU average spend on social protection was over 25% while Ireland's was approximately 17% to 17.5%. At the other extreme Sweden spent over 31%. That is why those countries are more progressive on looking after their young and the elderly. Child poverty is no longer a problem in those countries.

Because of the way this Bill was introduced, Opposition Deputies could not question Professor Maureen Gaffney, chairman of the National Economic and Social Forum, at today's meeting of the Joint Committee on Social and Family Affairs. We had to let her go and come in here. We needed to explore that excellent NESF report on care of the elderly and provision for older people. Professor Gaffney spoke on the "wrap-around" model, by which instead of putting people into institutional care we should provide adequate supports and facilities at home and ensure that those people remain at home. The only way to do that is to increase the proportion of our income devoted to social protection. That will take a sea change in attitude.

The Labour Party strongly supports this and that distinguishes us from the other parties. That is why I am so rigid on the care issue and why the abolition of the means test is of critical importance. It recognises those who provide care 24 hours a day, seven days a week, 52 weeks a year and who get a small amount of respite. It is welcome that the Minister at least recognises that, and it is to be acknowledged and applauded. It is important in the context of the care they provide.

Ireland is over-reliant on means tests, which can be degrading and complex, and trap people

in poverty and unemployment. They are an example of an administrative burden and are costly. Our complex social welfare system remains a barrier to a rights-based approach to social inclusion. Fundamental reforms must be introduced to give people free access to social welfare. The universality of those payments is important. If the rich do not want to take them, so be it. It is important that the means test for the carers allowance is abolished. It is a fundamental of Labour Party policy and we will not pull back from it. It will cost only approximately €140 million or €150 million and it would be money well spent. We waste money on PPARS, electronic voting and other electronic gadgetry which is not required by the people and which makes no input into human endeavour, protection and enhancement. If the Labour Party ever goes into government this will be a fundamental objective and will not be up for negotiation in any circumstance.

As Deputy Stanton said, we would have liked the opportunity to analyse the issues in this Bill. I thank the Minister's officials, who are some of the best on the country and who do their best. It is not fair to them to have to talk Opposition Members through Bills. Without their help and elucidation we would know much less and I thank the Minister for their help.

I draw the Minister's attention to the title of the Bill: "Social Welfare, Law Reform and Pensions Bill 2006". The Bill does not live up to that grandiose title. I deal with law reform. There are some minor changes in the Bill, as announced in the budget, but it also includes semantic changes which the Minister thinks constitute reform. Changing the names of unemployment benefit and assistance does not change their substance. Why must we slavishly follow the United Kingdom in these name changes? Does anyone think that referring to people as "jobseekers" rather than "unemployed" improves their situation? The objective must be to improve their situation and the only way we can do that, to reduce the large number of people in poverty and eliminate child poverty, is to devote a significant amount of the income we generate to social protection. Instead of doing that we tinker at the edges, add little bits and feel smug and self-satisfied. That is not enough to eliminate the poverty traps, child poverty and homelessness.

While we tinker at the edges and feel we have achieved satisfaction they will always remain with us. We must radically tackle those issues. Is this renaming of the unemployed as "jobseekers" a triumph of spin over substance? It proved meaningless in the UK when similar changes were made approximately ten years ago and will prove meaningless here. Whatever they are called unemployed people are losing an entitlement in this Bill. They are losing the right to regard them-

selves as retired from the age of 55, and no spin or word change can disguise that.

I took a phone call today from a person in Dublin North-Central who was very angry and disturbed at the proposal to abolish the pre-retirement allowance. It is unfair. Why should people in this age group, vulnerable people who never had the chance to enjoy free education be focused upon? Very often their health is not taken into consideration. Why should they not have a certain level of protection and get social assistance when they are sick? This person, who is self-employed, reminded me of the words of James Connolly, one of the founders of the Labour Party. He said the poor never made laws and had no one to listen to them when they were being made. This man said this was a pre-emptive strike, a *fait accompli*, with no discussion. Why should such people be harassed? They are already means tested. He made a valid point in asking whether this was part of the social partnership involving the trade union movement. Have the unions bought into this concept? Why focus on this group? That was a person on the street just ringing in.

Name changes were proposed. NESC proposed making all nine social assistance schemes into a participation scheme or income support. It clearly rejected the concept and affirmed the continued negative fixation on the use of contingencies to label people. Why is that done? In differentiating between jobseekers and illnesses, what is the Minister trying to achieve? Is it trying to differentiate between deserving and non-deserving? It is somewhat ironic that 90 years after the Easter Rising we are trying to copy the British, ten years later, in terms of the term "jobseekers". They introduced it as a proxy for workfare and greater conditionality. Is this what is intended or are we playing with language and pretending to reform?

I perused this Bill for two hours until one o'clock last night and I returned to it again this morning. I dislike intensely some of the changes made in Britain. There is no Labour Government in Britain, it is a quasi-Conservative Government. Members should be in no doubt about that. I know because many members of my family live there. The Government there purports to be Labour while exercising and implementing Conservative policies. I would have no truck with that. Is this what we are doing in Ireland?

These questions must be asked because they are relevant. It is our job to raise these issues and seek the answers. On the other hand the UK Government's Green Paper proposes to abolish the language of incapacity benefit and focus on positive language about enabling ability and participation. It is ironic that we introduce it when they are about to change it, and we are referring to it as modernisation. Who do we believe we are codding?

As regards substance, spin and camouflage, I have no objection to renaming the old age pension as a State pension. Deputy Stanton has other views on this. Where is the sense in calling the retirement pension the State pension transition? Why does the Minister not go for real reform and remove the retirement condition from this payment?. On the one hand he is introducing a small incentive to work for those over 66 who receive a non-contributory pension while retaining a major disincentive for those aged 65 to 66. The incentive he is introducing is tiny. Most older people now qualify for a contributory pension so it is irrelevant for them. However, €100 a week would allow people to work for 12 hours maximum or thereabouts on the minimum wage.

Let us take an example which I believe is a major issue in the Minister's constituency of Dublin South. A grandparent who is minding grandchildren may be able to get €10,000 tax free, but €4,800 of that will be taken into account if he or she is on a non-contributory pension. Why then does the Minister not allow an earnings disregard of at least €10,000 a year, equivalent to the amount enjoyed by childminders?

In the minimum time available I am trying to do my job as a legislator on behalf of the Labour Party, to point out the issues and identify where another trap may be created under the guise of an aura of reform. It is no more that. The Minister has talked at length about addressing the problems of family income support, but where is the law reform in that area? There has been some minor tinkering with a dysfunctional system but no real reform.

I am delighted to see the introduction of the early child care supplement. That is one of the reasons I did not kick up a bigger row about the Social Welfare Bill. It was nicely tailored in and I did not want to raise objections in the circumstances because I am aware that everyone is being harassed in terms of the amount of money they are paying for child care. Only the other day a young woman asked me when it was to be introduced. However, why was it not simply part of child benefit? It is a universal non-means test payment, just like child benefit, for every child over six years of age. Why are we introducing a separate administrative arrangement when it might easily be incorporated into child benefit? Is a turf war going on between the Ministers or does the Government want all the country's parents to remember Fianna Fáil once every quarter? Are we reintroducing the concept of the quarter days, only this time for the bestowal of Government bounty in the hope of electoral return? I have to ask those questions. That is my duty.

The increases in child benefit in section 3(1) are very welcome, but do nothing to challenge high rates of child poverty. Deputy Stanton referred to 150,000 children in this regard. The

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Minister disputes that figure and says it might be 60,000 to 90,000 depending on the measurement parameters. What is missing, however, are increases in the child dependant allowance which have been frozen since 1994. There is no compensatory alternative reform to bring in a second-tier supplement aimed at low income and poor families. NESF gave the Minister a proposal some months ago on which he is moving, I understand. Nonetheless, people are extremely disappointed that it failed to see the light of day either in the budget or in this Bill.

Those are some of the issues that I have had a chance to look at. Section 27, which deals with the lone parent's allowance disregard is welcome, but that has remained frozen since its introduction in the 1990s. The increase, of course, does not fully restore previous value.

Why not index such disregards in the legislation so that this does not happen in the future? I will be gone and so will the Minister. Let whoever has the cheek to remove such a provision then attempt to do so. Indexing will help to protect the value of that benefit. Too many benefits in Ireland have remained at the same level at which they were introduced in 1994 or 1997. They have remained at that level without indexation so that their real value has collapsed virtually to zero. They are absolutely of no use. They need to be doubled or trebled to bring them up to current value and this should be enshrined in legislation. The Minister of the day should have no choice but to ensure that this is implemented to maintain its real value.

I welcome the changes in the pensions area that relate to women, the homemaker status and the PRSI payments for home-based child minders. This is important and I welcome this excellent move. There have been too many people with no contribution records who have dropped out of the system. This is one of the issues I intended to pursue with the Minister but, in fairness to him, he pre-empted me in this regard. This is an excellent move.

I do not see Ms Vaughan, who deals with pensions, among the Minister's officials this evening. She is aware of my views on the average rule, especially in regard to Irish people who went abroad. The Minister probably knows what is coming — I warned Ms Vaughan to tell him. To be forewarned is to be forearmed. I am sure he does not even have to write a note on this matter. The system by which one's entitlement to a full contributory old age pension is set is illogical and inequitable. One man contacted me, among others, to say that the changes made by successive Ministers have only succeeded in creating further anomalies.

Let us be clear, people were forced out of this country in the 1950s. They had no choice but to go as there was nothing for them here. They sent

billions home and kept this country going. Many of us would not have a shirt on our backs without their contributions back home. Why are they not given credits when they return for the periods which they were forced to spend in exile? We are penalising them for having had to go. We forced them out. We gave them one-way tickets. We put them on the mail boats and sometimes on cattle boats. We sent them out to make their living elsewhere and said to make sure to send home a few bob to the old sod and sing "Kevin Barry" on a Friday or Saturday night in the Crown. I was there so I know a bit about it.

When these people come home and apply for the pension we say they were missing for 20 or 25 years. Do not talk to me about *pro rata* contributions and so on. Some of those people were on the lump, they did not pay contributions and the few bob they sent home were the only savings they ever had. Why do we not recognise them for what they did and give them credit for their pensions?

I have details from people that outline the injustice of the average rule. It must be replaced by a more equitable method of assessment that will entitle people to a full contributory pension. This issue will not go away. The system is inequitable. Many returning emigrants were trained in new skills and on their return played a major role in developing new industries. They also passed on their skills to others so we gained on the treble.

Many people speak about emigration but the Labour Party, through the good offices of the party leader, Deputy Rabbitte, and Deputy Stagg, brought it to the floor of this House and recognised these people for the first time. We are proud of this fact. It is no use just raising issues, we must pursue them, be it for free travel or the beaming of television programmes to the UK.

I received correspondence from a man who said that many of the people who are legislating now probably left this country with a J1 visa in their pockets to work only until it was time to return to college where they continued their studies on Government grants. That is a good point. He stated that he and many others paid their way while in exile and returned to a State which penalised them for emigrating. My recommendation is that we should give all returned emigrants credit for their years spent abroad, compensate them for the deductions in their pensions to date and provide homes in Ireland for those who did not do so well abroad and who are now deserving of help as they end their days. I echo and support every sentiment expressed in this letter. It is important that we acknowledge these matters.

Another issue which we tried to raise as best we could was the clawback policy by the State from the estates of the deceased of non-contributory pensions where the assets were accrued exclusively or partly from savings for pensions. Something will have to be done in this regard.

Mr. Matt Moran from Waterfall in County Cork made a detailed case to the Oireachtas Joint Committee on Social and Family Affairs. Some of the answers given to him were not very clear. He proved this because he won his case in the Department's appeals system. There must have been some validity to his case when he won his appeal. This is a core issue. If somebody has money which they accumulated through a pension, which is clearly identifiable, it is inequitable and unfair for this money to be reclassified for the purposes of the State getting back money. This matter must be examined.

In the case of the 93 year old retired farmer, savings had accrued from his pension over 27 years but the Department would not entertain that argument. In this instance the Department ignored his funeral expenses in evaluating his case. This issue will not go away. We must examine it. We are capable of doing everything nowadays. The Revenue Commissioners are introducing computers that can almost point out where we are by satellite. The PPS system, which is being extended today, automatically applies to everybody. It should not be beyond the bounds of ingenuity of the Department officials to construct a system whereby the clawback would not arise, particularly in regard to money which has already been subjected to a means test because it is from a non-contributory pension. Much of this money has been saved by people who have been prudent and frugal, who have grown their own vegetables. Many of them are bachelors living on their own and their only outing may be one trip a week into the local village. This issue must be examined.

Another category of concern is self-employed people in receipt of the carer's allowance who are looking after ill spouses. Some of them have been forced to give up their business to do so. Another dreaded gap arises in these people's social welfare contributions because they are not in a position financially to make contributions. In one particular case, the person does not have the income to make a contribution and he is suffering a penalty for having undertaken the important role of providing care for his wife who is suffering from motor neurone disease.

The qualifying level for carer's allowance has been increased from ten hours to 15 hours. Calculated on the basis of 24 hours a day, seven days a week, 52 weeks of the year, these people get less than a euro an hour or one eighth of the minimum wage. Why can we not ensure that carers who provide the required number of hours would not also qualify for a carer's credit so they will not be penalised when they reach pension age in terms of their contribution record, especially in view of the dreaded averaging which I outlined of their overall contributions whereby under the current system they will find themselves receiving a significantly reduced pension? A carer's credit would help solve this issue. This should be con-

sidered in the interests of equity and fairness and in recognition of the important work these people do in looking after their loved ones.

I wish to raise a couple of other issues. I had some communication from people about lone parents trying to change their situation by participation in community educational issues. The moving on programme for young mothers in County Carlow has been very successful in engaging with its target group over the past nine years. It has helped participants to move from dependence on social welfare to sustainable employment. The programme takes a holistic approach, supports and values parenting and provides developmental child care. However, the real issue is rent supplement. For the first time in nine years, the training allowance is being assessed for rent supplement. A disregard of €60 is now being applied following a departmental circular issued in January 2005 and implemented locally following a second circular in autumn 2005. The Department is very busy issuing these circulars. In the 2005 budget, a 50% disregard of €68 was added. After this, it was decreased from the rent supplement euro for euro.

The increase in the FÁS training allowance from €85 to €95 in January 2006 does not benefit young mothers. Just over one third of the training allowance is being taken off the rent supplement. The programme's target group is three times more at risk of poverty than any other group in Ireland, according to the latest EU figures. While the figure might be small, it has significant financial implication for people on low budgets. The €20 which is now being deducted from rent supplement translates into more juggling of money and less heat, food and nappies. It wipes away the index-linked increase in the FÁS training allowance. The implications for the programme are serious. To date, it has been able to tell prospective participants that their benefits will not be affected by participation in the programme. It has been an effective tool in engaging with a group which is difficult to reach. The Minister should examine the matter.

The Minister should introduce an income disregard in respect of family income supplement when applying the means test to the spouse's income for the household benefits scheme. He should also ensure that parents on book benefit payments claim their final child benefit book payments, address the anomaly whereby having dependent children older than 22 years in full-time education prevents parental qualification for free schemes and establish a statutory process of reciprocal welfare arrangements with other EU states. He should also address the anomaly whereby if a carer looks after a spouse who is receiving social assistance and works ten hours per week, the spouse's payment is reduced. He should clarify the impact of the additional €100 per week in September on secondary benefits of

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people with the non-contributory old age pension. If fuel allowance thresholds are unchanged, many people could take up employment only to find that their entitlement to fuel allowance is affected. I ask the Minister to take note of these issues, which I will revisit on Committee Stage. I am glad to have had the opportunity to make a contribution to the debate on this Bill, even under current stringent circumstances.

Mr. Connolly: I propose to share time with Deputies Boyle and Crowe.

This Bill, which provides for a number of changes in social welfare arising out of the budget, arrived in my office yesterday morning. It should have been circulated a number of weeks ago, which would have given Deputies a reasonable amount of time to digest its contents and the implications for social welfare and those receiving social welfare payments. The fact that the Dáil is expected to debate this Bill within a few hours between now and Thursday afternoon is grossly inadequate. We should have been given a reasonable amount of time to examine the Bill. Deputies have only been given approximately 24 hours to consider and assemble their thoughts on what amounts to major and complex legislation with far-reaching consequences.

It is almost three months since the measures in this Bill were announced in the budget. The fact that this Bill has not been distributed sooner to Deputies, giving them greater time for reflection, means that the Dáil is being taken for granted. Such legislation should have been circulated to Deputies at least two months ago to allow them to subject the Bill to proper scrutiny and some form of analysis. Bringing this legislation before the House only 24 hours after it was circulated demonstrates an indifference to Deputies, who are expected to consider the Bill's various elements more or less *ex tempore*. What of the Government's previous commitment to the provision of adequate notice to the Dáil, from the Bill's publication to the point when the various Stages are taken? We have experienced such a situation before, where we were not given sufficient time to reflect on the legislation about which we were expected to comment.

One of the principal features of this Bill is the new early child care supplement of €1,000. This measure was welcomed, although I understand it will not now be paid until possibly September 2006. There are always delays in paying people but there are no apparent delays in respect of money coming the other way. The cost of formal child care is prohibitively expensive. Informal child care is estimated to account for upwards of 50% of all child care. In general, informal child care is provided by the extended family, neighbours or individuals undertaking it for additional

money and plays a major role in keeping many people at work.

The cost of child care can rise to a staggering €250 per week in some of the major cities. For those lucky enough to live in a small town or in the country where travelling times are not so significant, it can be as low as €100 but that is rare. Some parents pay much more than that, particularly for childminders who tend to be even more expensive than the expensive crèches. There are probably advantages to hiring childminders in that the child is cared for in his or her own home.

A supplement of €1,000 per child is helpful but a grant of less than €20 is hardly sufficient to put a dent in one's overall child care expenses. Many parents with two children are deeply resentful of the cost since some crèches discount the cost of caring for a second child by upwards of 10% but many others do not provide discounts. It is a large financial burden on parents. While the €1,000 supplement is welcome, the cut-off of six years is rather arbitrary. I hope the fact that the supplement has been introduced means that both it and the cut-off age will be increased in the future. We will certainly look forward to increases in future budgets.

Prior to now, the greatest expense borne by most families would have been a mortgage. However, for many parents, child care costs have become even more expensive than their mortgage. This explosion in the cost of child care has only come about in recent years. Most people must work to afford a home, but the knock-on effect is high child care costs. Some child care providers have expressed the view that the Government should provide a financial subsidy to parents to assist with their child care expenses. Many other suggestions have been made to cut the cost of child care, including the formation of co-operative groups of parents who would look after children on a rotational basis, thereby cutting down on their spiralling child care costs. This would be infinitely preferable to an annual Government subsidy of €1,000. It would be preferable if people could establish and finance child care co-operatives. The subsidy merely chips away at the overall expense, which can sometimes run to upwards of €16,000 per annum.

There are also income tax considerations for childminders, who may be taxed if their total income exceeds the €10,000 limit. If a childminder's income exceeds €10,000, his or her entire income will be taxable, which is totally at variance with the Government's declared intention of providing incentives for childminders to provide quality child care in their own homes. The €10,000 limit should be re-examined and further consideration should be given to keeping the first €10,000 tax free.

Over the years, rising child care costs have outstripped the rise in annual inflation, forcing many parents to take the ultimate step of giving up

work outside the home to make ends meet. Many women are forced to give up work leading to a major loss of talent. Women will frequently forego promotion or take time out to rear their families which affects their promotional prospects. This is why many top jobs, including those in the public service, are not held by women. A more realistic level of child care supplement should be paid to parents, together with child care tax credits. Parents throughout our EU counterparts are only required to pay an average of 30% of their total child care costs, while our Celtic tiger economy has displayed a breathtaking indifference to the plight of parents.

An Leas-Cheann Comhairle: Will the Deputy move the adjournment?

Mr. Boyle: The Order of Business allows the opening speakers to finish before Private Member's business begins.

An Leas-Cheann Comhairle: Deputy Connolly may proceed.

Mr. Connolly: On the BTEA and the BTWEA, the changes which bring the qualifying period for both allowances back to two years is to be welcomed. This has had the effect of undoing some of the drastic cuts that were made in 2002, even though I would regard the revised limit as a half-way house towards the provisional limit of one year and 15 months, respectively.

Many unemployed people will be enabled to avail of employment opportunities and perhaps even start their own business. I am happy to note that there has been a change in criteria so that the time in receipt of supplementary welfare allowance can be counted towards the qualification requirements for both the BTEA and BTWEA payments. The income limit threshold of €317 per week for the retention of secondary benefits has not been increased in this year's budget and this was the 12th budget in a row without an increase in the limit.

Inflation forces in the interim have warranted a considerable increase in this limit, which is long overdue. Relative income poverty or the "at risk of poverty" indicator identifies those on an income of less than 60% of the median income threshold for society as a whole and are regarded as at risk of poverty. Some 19.4% of the population was at risk of poverty in 2004, which was a slight reduction from the 2003 level of 19.7%. Households most at risk of poverty include lone parent households, large families, people living alone and people in rented accommodation. The first three of these groups are among those experiencing the highest levels of consistent poverty. It is clear that the social welfare transfers have the effect of halving the at risk of poverty rate from 39% to 19%. The importance of social

transfers for the 65 plus age group can be seen in that such transfers have reduced their risk of poverty from 87% to 27%.

I hope the additional powers that will allow the Pensions Ombudsman to investigate pension schemes on their own initiative will result in those firms who are acting fraudulently being exposed. The Minister referred earlier to building firms not getting public contracts, which is important. It is up to public representatives to monitor this.

Mr. Boyle: There are few certainties in life but death and taxes are supposed to be on that list. In this House, we can be sure there will be a Finance Bill and two Social Welfare Bills. We may not be certain when the Bill will be published or when those of us on this side of the House can consider it, but the Bill is here and the criticisms of the delay have already been made.

The first Social Welfare Bill gives effect the changes in rates that must come into force on 1 January each year. The second Bill allows for rates that come into effect at a later date, usually on 1 April. At one time it was June and sometimes it was October. We must acknowledge that the year has been streamlined in social welfare terms. The second Social Welfare Bill, with great imagination but a little degree of honesty, was often referred to as the Social Welfare (No. 2) Bill. When the Bills Office was less disenchanted with its lot, it might call it the Social Welfare (Miscellaneous Provisions) Bill. This year it is called the Social Welfare Law Reform and Pensions Bill, which sounds portentous and significant, but it is not the case. It seeks to bring about some change which must be acknowledged. However, in terms of its build-up and the media manipulation which is part and parcel of politics, it fails to deliver on what was promised over recent months.

The first significant section in the Bill relates to the increases in child benefit, which is the Government playing catch-up. The promise of 2001 has now largely been met. However, if one takes the three yearly increases and index link them from 2001, the Government is €5 a month short on the first and second child and €7 a month short on the second, third and subsequent children. If it is eventually to catch up, the Government must take this into account when introducing what I hope will be its final budget, but that is up to the electorate to decide.

The real changes are in section 4 where the Minister introduces some name changes to several social welfare payments. From where did the demand for these changes come? As a result of these name changes, the Minister may become known as the Minister who got rid of the old age pension. As a result of what he is proposing, there will no longer be an old age pension. My concern is that name changes of this type are an attempt to take attention away from more important

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issues. Playing around with language is almost Orwellian when there has not been a debate on whether these payments had appropriate titles.

I welcome the minimum €253 PRSI contribution for those who avail of the child care services relief. It remains to be seen whether the tax disregard of €10,000 is sufficient or appropriate. I suspect it will not be because it resigns people who offer child care services to a potential wage of less than the average industrial wage or the minimum wage. I am not sure whether we should legislate for this.

The Minister places a great deal of emphasis on the fact that the carer's benefit is increasing from 65 weeks to two years and that the respite grant is increasing to €1,200. However, this ignores many of the changes that need to be made in regard to carers in general. The reality is that the majority of those who qualify for either carer's benefit or carer's assistance do so under the carer's assistance category. Those who qualify at all are a significant minority of those involved in caring, given that more than 50% of people over the age of 55 are engaged in caring for older people. I would have thought that Bills such as this would provide an opportunity to address this inconsistency in our legislation and policies.

The Minister decided to discontinue the pre-retirement allowance. I have not heard much of a fight against this in other contributions because the reality is that the economic circumstances which brought about its introduction no longer exist. However, given that the Minister has decided not to specify the date from which the allowance will be phased out, the cynic in me might think that this is a decision that might be made after a general election. We will wait and see. However, the ministerial order will be examined with great interest.

In terms of bringing about a greater consolidation of social welfare payments, the Minister will have the support of my party. While he could have gone further and bolder decisions could have been made in that area, it is a step in the right direction. The Minister's Department being used as an incubator for the early childhood support payment is something we can comment on here, even though he has no policy responsibility in this area. While it is an additional sum and criticisms have been made that it should have been tied to child benefit, it will be welcomed by some people. The question is why this amount was chosen and why the payment will be discontinued once the child reaches six years of age. It is just a half a loaf approach to the child care issue. If the Government is considering child care in its wider sense, it should take a more holistic approach to child care needs. This measure does not go as far as it should.

The largest elements of the Bill relate to technical changes only in regard to pension pro-

visions. There is a need for the debate to which the Minister referred, in which my party will gladly participate. However, we already had the report by the Pensions Board. There appears to be an ongoing review by the new Pensions Board of its long-term vision for pensions. The introduction of the PRSA legislation by the Minister's predecessor means politics has been sold a pup in regard to private pensions. The first step we must take in terms of meeting the basic needs of our citizens in later years is to ensure the basic State pension is as substantial as possible. After that, we must consider how private pensions can augment this basic provision.

The Minister has inherited policy in this area from his predecessor and it seems the Government is committed to providing a meagre State pension. As a percentage of average incomes, Irish pensions are among the lowest in Europe. The Government must be bold and abandon the gimmicks involved in setting the State pension at £100 or €200 a week. The objective should be to link pensions to average incomes at a level of at least 30%. Annual budgetary increments are required to bring about the provision of an adequate basic income for those citizens who have given most to society. There is no evidence that such an approach will be taken.

There are concerns in regard to the operation of personal retirement savings accounts, PRSAs, which are structured so that funds cannot be accessed for a long period. Those who need the benefit of the additional augmented income find they are prevented from availing of it while those who sold these packages — the pension companies and intermediaries — can take 1% in every year a fund is in existence, perhaps as much as a 25% stake. There is a major dichotomy between what the Government says is its policy in regard to the uptake of PRSAs by those on low and middle incomes and the types of tax reliefs given to the richest members of society. The State now gives more in terms of tax foregone for private pensions than it pays in basic pensions. The Government's policies will ensure this gap grows ever wider. It is not something in which the Government or the Minister can take a great deal of pride.

I am disappointed the Government has played ducks and drakes with the lone parents issue. The new income threshold is welcome but the ongoing review means lone parents and the organisations which represent them are living in a state of anticipation that negative changes are in the offing. Decisions could have been made in regard to cohabitation in this Bill. It could also have dealt with issues relating to further education by enabling people to improve their lot and that of their families. Perhaps it is too close to an election for the Government to take such bold initiatives. This Bill represents a missed opportunity

and so far into the life of a Government, it disappoints.

Mr. Crowe: I join other Opposition speakers in expressing my disappointment that this Bill is being rushed through the House. We are not being given adequate time to respond to the detail of the legislation. That said, I thank the Ministers and his officials for the briefing they provided earlier today.

I welcome some aspects of the Bill. For instance, the increase in the child benefit monthly rates to €150 for the first two children and €185 for the third and subsequent children is welcome. The Government must proceed to increase child benefit progressively and in line with inflation. I also commend the progress in regard to child care in sections 5 and 6, which provide that income earned by a self-employed home childminder will be liable for a social insurance contribution of €253 per annum. Thankfully, the Government has listened to the urgings of the National Women's Council of Ireland in this regard.

This State is presided over by a Government awash with taxpayers' money but it is one of the most unequal countries in the so-called developed world. Inequality seeps through all areas. In health care we see a gross two-tier system where people are treated according to their ability to pay rather than need. In education, students from disadvantaged schools are less likely to make it through the unfair system into well paid employment. The careers of lawyers and doctors remain very much the reserve of the wealthy. A recent NESC report pointed out that the richest 20% of the working age population earn 12 times as much as the poorest 20%. Shamefully, this is one of the highest levels of market inequality among OECD countries.

The Minister describes the Bill as reforming social welfare policy but it does not achieve this end. While I welcome the increased supports that lift 34,000 pensioners onto higher pensions and the other increased entitlements, particularly the early child care supplement, the reality is that the Government still does not have an adequate child care strategy.

There have been major increases in electricity and gas prices. Fuel vouchers were already only a small contribution to these costs. This month, households across the State face substantially increased fuel bills that will eat into the promised social welfare increases. In addition, the Minister has not addressed the inefficiency of the social welfare appeals office, with some appeals taking more than three months to be resolved while vulnerable citizens wait in financial limbo. In a time of unprecedented wealth, this Government has failed the needy. To modernise the social welfare system, the Minister must do significantly more than change the titles of benefits. To modernise society, he should ensure the most vulnerable are

looked after, most notably children, the disabled and the elderly.

It is right that the guardian's payment has been renamed but when will the Minister move to recognise that many guardians are the grandparents, aunts and uncles of children whose parents have succumbed to drug addiction and the accompanying misery and disease? Such children exist in a limbo where grandparents and extended families, often living on limited resources and low incomes, take up their care while the State refuses to trigger payment of allowances due because of unworkable criteria regarding parental abandonment. I raised the issue of grandparents caring for children with the Minister in October 2004 and I have encountered many such cases in the meantime. The reality of grandparents being forced to care for their children's children with little or no resources available to them is shameful.

Another area of concern is pensions. The crux of the matter is whether a rich, so-called developed country should look after its citizens in old age. Some 50% of the existing workforce of 2 million are without a personal pension. Most young people in our rip-off Republic are more concerned with living in the present and using their money to pay for exorbitant mortgages and to maintain the general high cost of living. Many are living beyond their means. While pension savings have been boosted as higher paid employed and self-employed people take advantage of generous tax incentives to provide themselves with a tax-friendly stream of income in retirement, social inequality has simultaneously increased. Many workers have no second pillar coverage and will face old age relying solely on their social welfare pensions.

Further fuelling inequality is the fact that pension coverage is highest amongst top income earners. Those without second pillar cover are the marginalised and vulnerable — the unemployed, the lower paid and women. PRSAs were designed to increase pension coverage among a significant segment of the workforce but few employers and workers have made contributions to date. Employees are unlikely to contribute when employers are not obliged to do so.

Latest Central Statistics Office figures indicate pension cover is at a mere 51.5%. There are considerable tax incentives for pensions savings but not for the unemployed, those changing jobs or the many women who opt out of paid work during their child-rearing years. Pension tax relief is worthless for many of these people. The most efficient and cost-effective way of increasing income for those without pension cover is to increase social welfare provisions, reduce tax relief and redistribute State expenditure currently devoted to tax reliefs. That would result in greater fairness, ensuring that the well-off do not

[Mr. Crowe.]

benefit disproportionately from pension tax reliefs.

Sadly, the Bill does not address the problem of not enough people choosing PRSAs. Rather than the Minister introducing some form of mandatory provision to ensure people make adequate provision for their retirement, the Government should simply use the social welfare pension, the existing mandatory pension. With a growing percentage of the population reaching retirement age in the next two to three decades, this problem is set to get worse, yet there is no urgency to the Government response to any of these pensions issues. Time is literally running out.

Debate adjourned.

Private Members' Business.

Labour Affairs: Motion.

Mr. Morgan: I move:

That Dáil Éireann,

affirming the responsibility of the State to uphold the rights of workers and, in particular, to ensure, protect and uphold the realisation of the following workers' rights:

- the right to be free from exploitation;
- the right to a fair remuneration sufficient for a decent standard of living for themselves and their families and to equal pay for equal work;
- the right to form, join and be represented by trade unions, to negotiate contracts of employment and to engage in industrial action;
- the right to work in safe conditions that are not harmful to health and well-being; and
- the right to access lifelong learning opportunities and vocational training and retraining;

recognising:

- that the failure to give adequate priority and focus to labour affairs finds expression in a failure to fully uphold Ireland's obligations under Article 23 of the Universal Declaration of Human Rights, Articles 6, 7 and 8 of the International Covenant on Economic, Social and Cultural Rights and Articles 1 to 10 of the European Social Charter (Revised), and in the failure of the State to ratify the UN Convention on the Protection of the Rights of all Migrant

Workers and members of their Families;

- that the current configuration of labour affairs as a secondary responsibility within the Department of Enterprise, Trade and Employment, whose primary responsibilities are enterprise and competition policy, prevents the State from giving the required priority to the protection of workers' rights and to upholding labour standards;
- the inherent conflict of interest which exists within the Department of Enterprise, Trade and Employment as a result of that Department having responsibility for both enterprise policy, including competition policy, and labour affairs. This conflict is exemplified by the attack by the Competition Authority, which falls under the aegis of the Department of Enterprise, Trade and Employment, on the right of certain freelance workers, including musicians, actors and journalists, to be collectively represented;
- the failure of the State to prevent the exploitation of migrant workers as evidenced by the numerous incidences of abuse of these workers, which have come to public attention during the past 12 months;
- the failure of the Department of Enterprise, Trade and Employment to ensure that the State has a labour inspectorate of sufficient strength and with sufficient powers to enforce existing employment law; and
- the increasing priority that must be given to the protection of labour standards in light of the current push by certain employers to drive down pay and conditions;

shall, in order to ensure that appropriate priority and focus is given to the protection and promotion of workers' rights and in order to replace the current model of weak labour regulation and non-enforcement with comprehensive regulation, including the increased use of Employment Regulation Orders and Registered Employment Agreements, and stringent enforcement, establish:

- a separate and stand-alone Department of labour affairs whose primary responsibilities shall be the improvement and enforcement of employment rights and entitlements, the protection of labour standards, industrial relations, the promotion of health and safety at work and the implementation of poli-

cies to improve work-life balance and to promote lifelong learning; and

- an Oireachtas joint committee on labour affairs.

I wish to share time with Deputies Ó Snodaigh, Crowe, Gregory, Joe Higgins, Healy and Eamon Ryan.

An Ceann Comhairle: That is agreed.

Mr. Morgan: Sinn Féin has tabled this motion because we seek an end to the current regime of weak regulation and poor enforcement of workers' rights. The current configuration of employment as a secondary responsibility within the Department of Enterprise, Trade and Employment, while its primary focus is on enterprise and competition policy, is a major cause of the failure to give appropriate priority to workers' rights. We argue that to redress this position there must be an immediate decoupling of departmental responsibility for labour affairs from the Department of Enterprise, Trade and Employment.

The early 1990s saw a shift in the approach to labour affairs and industrial relations. This commenced with the enactment of the Industrial Relations Act 1990. This legislation hamstrung the development of trade unions and the ability of unions to act on behalf of their members. It put restrictions on strike action, ballots and secondary disputes. Then, in 1993, the Department of Labour was abolished completely under the then Fianna Fáil-Labour coalition Government. The Department of Enterprise and Employment was created, later becoming the Department of Enterprise, Trade and Employment. This represented a significant backward step, effectively demoting labour affairs and deprioritising the promotion and protection of workers' rights. Labour affairs is now handled primarily by a Minister of State.

The chief focus of the Department is on enterprise and competition policy. The largest proportion of the funding provided for the Department is allocated to these areas rather than to employment rights or industrial relations. The Labour Court is under-resourced, resulting in lengthy waiting times for processing cases. The labour inspectorate, with only 31 inspectors, falls far short of what is required to enforce existing labour law for an expanding workforce. Irish workers enjoy inferior work-life balance rights to their European counterparts. The plight of low paid workers is not being addressed given that the richest 20% earn 12 times as much as the poorest 20%. We do not have equal pay for equal work as gender pay differentials persist. Anecdotal evidence suggests that civil servants within the Department are often unsympathetic to workers' rights related issues.

Sinn Féin has brought this motion before the Dáil because there is a fundamental contradiction at the heart of the Department of Enterprise, Trade and Employment as it is structured; this is a contradiction which is harmful to the interests of workers. On one hand, the enterprise agencies and in particular IDA Ireland, when seeking to attract foreign direct investment, promote the State's weak regularity regime and absence of compulsory trade union recognition as positive attributes while, on the other hand, a unit within the Department has responsibility for the promotion of employment rights. Basically, one section of the Department brings in companies noted for their anti-union stance while another section, theoretically, is supposed to ensure that workers' rights are upheld. That is an impossible position.

This contradiction is exemplified in the attack by the Competition Authority, which falls under the aegis of the Department of Enterprise, Trade and Employment, on the right of certain freelance workers, including musicians, actors and journalists, to be collectively represented. The Competition Authority is treating these mainly low paid workers as commercial companies and using a measure designed to prevent price-fixing to attack their rights. Yet, there is no advocate in Government who is willing to act in defence of these workers.

The Department pursues a policy where workers' rights are sacrificed to increase competitiveness. The Department has clearly accepted the arguments of those who want us to emulate the low cost base in eastern Europe and developing states through cutting labour costs by interfering with workers' rights, standards and terms of employment and by the displacement of workers and their replacement with migrant workers on lower pay and diminished conditions. We all want a competitive economy but competitiveness achieved on such foundations is not acceptable.

It is worth noting that it is not customary in other European states for one Department to deal with these contradictory responsibilities, further demonstrating that it is not good practice. France has a Minister for Employment, Social Cohesion and Housing, Finland has a Minister for Labour Affairs, Norway has a Minister for Labour Affairs and Social Inclusion and Germany has a Department of Labour and Social Affairs. At EU level, labour affairs and workers' rights issues are dealt with by a Commissioner for Employment, Social Affairs and Equal Opportunities.

When the Minister of State contributes no doubt he will claim that enterprise and employment are complementary and not contradictory. There are those who support the current configuration and who have benefited from it. Those who benefit include the unscrupulous employers

[Mr. Morgan.]

who exploit a weak regulatory regime and insufficient enforcement to increase their profits by exploiting their workers. Another group who benefit are employers who risk their workers' health and safety by cutting corners and who make the calculation that the savings to be gained by risking the health and safety of their workers outweighs the penalties for non-compliance, if caught. SIPTU has described the penalties for non-compliance with employment rights legislation as "so paltry as to have absolutely no deterrent effect". The State's largest union has said it no longer has confidence in the current regime for the enforcement of workers' legal rights because of the grossly inadequate resources provided to the labour inspectorate.

The motion tabled by Sinn Féin sets out the rights which must be at the core of employment policy. We need a Department of labour affairs that is focused on upholding the rights of workers to ensure they are free from exploitation and have a right to a fair remuneration, sufficient for a decent standard of living; equal pay for equal work; and work in safe conditions that are not harmful to their health and well-being. The rights of workers to form, join and be represented by trade unions, negotiate contracts of employment and engage in industrial action must also be upheld and promoted. The State has obligations to uphold many of these rights under a number of international instruments, including the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the revised European social charter.

There must be a recognition of the need to reform the Government's approach to labour affairs. Economic growth has been accompanied by a growth in the exploitation of workers. In the face of globalisation and aggressive corporate greed, the necessity to protect workers has never been greater. Labour standards and workers' terms and conditions of employment are under increasing pressure and attack. This is obvious from the growing revelations of exploitation of workers and from the anti-union actions of an increasing number of employers.

Deputies Ó Snodaigh and Ferris will go into greater detail on these issues.

Sinn Féin rejects absolutely the notion that workers' rights must be bargained and fought for across the table at social partnership talks. The rights of workers are fundamental to society and, consequently, the Government has an absolute duty to ensure these rights are upheld. We cannot continue with the regime of weak regulation and feeble enforcement. It is vital that there is a voice at Cabinet making the case in defence of workers, a voice which is not compromised by other primary and contradictory responsibilities. There must be a robust and focused response to the race to the bottom. That must come through a stand-

alone department of labour driven by a minister for labour affairs and scrutinised by an Oireachtas joint committee on labour affairs. That is what is necessary and that is what the Taoiseach must deliver.

Aengus Ó Snodaigh: In Sinn Féin we believe that workers' rights are human rights. As such, all workers should be entitled to expect equal access to, and enforcement of, their rights.

In stark contrast, this Government is happy to create different levels of rights. Current Government policies have made migrant workers particularly vulnerable to exploitation by unscrupulous and greedy employers. Even within the category of migrant worker there exists a variety of different levels of rights regarding fair pay, the ability to change employer and the accompaniment of one's family. The top tier of migrant workers in this state, that is, those on higher incomes, have considerably greater rights and freedoms than lower income migrant workers. This Government's practice of discrimination on the basis of socioeconomic grounds runs contrary to Sinn Féin's belief in the equality of all workers.

The message from the Minister for Justice, Equality and Law Reform, Deputy McDowell, was that inequality is good for the economy. That was a signal to employers that they could go ahead and trample on the rights of workers.

Mr. Morgan: It was disgraceful.

Aengus Ó Snodaigh: The Minister's message was that only some workers' rights apply. That was from the Minister who is preparing the immigration and residency Bill. I wonder what will be included in that.

Mr. Morgan: The Minister should be sacked.

Aengus Ó Snodaigh: The State's failure to prevent the exploitation of migrant workers is clear from the numerous incidents of abuse that have come to public attention in the past year. I will remind the House of a few of them. Ms Oksana Karamjana, a Latvian crew member on the Irish Ferries ship the *MV Normandy*, told "Prime Time" that her three-month contract involved working seven days a week for 12 hours per day with no holidays or days off. Kilnaleck Mushrooms in County Cavan dismissed 14 female mushroom pickers in recent weeks after they complained about a change in their work procedures which involved working between 80 and 100 hours per week for an average of €250, about a third of the national minimum wage, and without any pay slips or contracts of employment. Everyone will remember the Gama workers and everything associated with that incident, which was and remains a scandal. Domestic workers who work alone in private homes are even more

open to exploitation because they have little access to trade unions or information about their rights.

Few of the all too frequent abuses of workers rights receive media or public attention. The most common complaints about employers' treatment of migrant workers involve the denial of work contracts, statutory break times, wages, days in lieu for working bank holidays and the refusal to award the correct minimum wage entitlement. Employers often fail to renew work permits while they tell their employees that they are in the process of renewing them. Many migrant workers are paid less than their Irish counterparts.

The State has facilitated many of these abuses by failing to take action on them, by refusing to provide a properly resourced labour inspectorate and by failing to ratify the UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. In 2004 the labour inspectorate carried out a mere 462 inspections under the National Minimum Wage Act 2000. That is a disgrace.

Our motion is straightforward, positive and constructive. It seeks to improve the enforcement of workers' rights and entitlements. It seeks substantially to increase penalties for non-compliance with employment rights legislation. This would mean a large increase in the labour inspectorate to at least 75 inspectors and the provision of proper legal and other professional support for the inspectors. All these issues should fall under the remit of a separate and stand-alone department of labour affairs. Work permits should be granted to employees rather than employers. All workers deserve protection of their rights. Sinn Féin's proposal would move this State in the right direction. I urge the House to support the motion.

Mr. Crowe: Last year 71 employees lost their lives. This is an increase of 21 from the previous year. The fact that workers lose their lives just because they turn up to carry out their day's work is a scandal. We believe that a greater focus and priority would be given to health and safety under a stand-alone department of labour affairs.

The majority of work related deaths occur in the construction industry which is the most dangerous industry for employees. In the past year the industry has witnessed a disturbing near 50% increase in fatalities, as the 16 deaths in 2004 were followed by a further 23 last year. Workplace safety is a basic entitlement that should not be sacrificed by greedy employers who cut corners at the expense of safety. Farmers are the next most prone to fatal accidents, with 17 deaths in the agricultural sector last year, including two child fatalities.

In September 2005 the Services, Industrial, Professional and Technical Union, SIPTU, warned that work related fatalities could be up to ten times higher than reported. For example,

those killed road in traffic accidents who were driving as part of their normal work are not included in occupational fatality statistics. SIPTU estimates that up to a third of all road accidents are work related. To get accurate figures, we also need an investigation into the number of respiratory illness contracted at work that have led to fatalities outside the workplace.

SIPTU represents 15,000 migrant workers and has two full-time staff to cater for the most vulnerable workers in our society. There has been great concern over the number of work related deaths among non-nationals. In 2005, such deaths accounted for roughly one eighth of total work related deaths. Employers should be forced into protecting all workers and should be obliged to provide non-nationals with safety information and training in their own language if they do not speak English.

Up to 70 health and safety labour inspectors are needed, but we have fewer than half this number. It is an indictment of this Government that the Health and Safety Authority is so under-resourced. Although Sinn Féin members welcomed the Safety, Health and Welfare at Work Act 2005, we had and still have grave reservations. Although the significant increase in fines and penalties to deter non-compliant employers is progressive, fines are not enough. Can a fine really be justified as a suitable punishment for an act of negligence that leads to a worker's death? As Deputy Morgan stated, some corporations make the calculation that the savings to be gained by risking the health and safety of their workers outweigh the penalties for non-compliance if they are caught.

Mr. Morgan: That is a scandal.

Mr. Crowe: Sinn Féin supports the Law Reform Commission's recommendations of 2003 that corporations should be subject to criminal liability for corporate killing. Fines are obviously not enough of a deterrent. I reiterate our policy and demand that the Government establish a crime of corporate killing in law, thereby ensuring that company directors adhere to health and safety regulations. We need severe penalties that constitute real deterrents.

The Building and Allied Trades Union, BATU, and others have slated the Revenue Commissioners for facilitating so-called self-employment. Bogus self-employment directly affects the health and safety of such workers because, if they are injured in the workplace, they have no entitlements or protections. That is scandalous.

I welcome the Government's announcement that it will finally implement the construction regulations that were drawn up by the Health and Safety Authority more than two years ago. However, the Government's procrastination in

[Mr. Crowe.]

failing to implement this legislation earlier has resulted in further tragedies.

We must all remember that most accidents are preventable. By working to secure all workers' health and safety rights, by increasing the number of labour inspectors and by establishing corporate killing as a crime, the majority of such accidents could be stopped. Workers' safety should take precedence over profit and greed. People should come before profit and workers should never have to pay with their blood or lives for their employers' neglect.

Mr. Gregory: Ba mhaith liom tacaíocht iomlán a thabhairt don tairiscint seo i dtaobh cearta oibríthe agus go háirithe don tairiscint gur cóir Roinn faoi leith a bheith ann mar Roinn gnothaí oibríthe, chun cearta oibríthe a fheabhsú agus a neartú agus a chur i gcrích.

I support this timely motion in favour of workers' rights. Workers throughout this country have good reason to be concerned that their rights are being increasingly undermined. Following the recent scandals at Gama and Irish Ferries is the Collen Brothers dispute, which has resulted in the jailing of workers, and now in my constituency the treatment of workers in the Gresham Hotel is developing in an indefensible way. The hotel management is orchestrating a deliberate policy to undermine the established pay and conditions of the workers. The staff have been served with letters telling them they must take turns in signing on the dole for periods of four weeks at a time. This is part of a novel cost-cutting exercise, at the State's expense, to benefit management at a time when the hotel is full to capacity every week. This policy is also aimed at intimidating the workers. Even the longest serving staff, including porters who have served for over 30 years, have been given notices obliging them to sign on the dole for periods of four weeks.

The scandal is that meanwhile the hotel is short-staffed and today managers cleaned 42 rooms rather than recall the five workers who had been laid off. The workers in the Gresham are fearful as to what will be the next move by management in this calculated attempt to force them to accept less favourable conditions of employment. There is no State intervention to defend the rights and the established pay and conditions of the Gresham staff.

This motion refers to the right to access lifelong learning and training opportunities. It is incredible that this country remains the only one in Europe that does not have a further education sector. The Government, particularly the Minister for Education and Science, continues to refuse the necessary resources and structures to the PLC colleges, the primary providers of second chance education. The Government has refused the €45 million they require to establish them-

selves as a specialist further education sector. This was recommended in the McIver report arising from a commitment in the Programme for Prosperity and Fairness. Ironically the same sum of money set aside for, and wasted on, electronic voting machines continues to be denied to the PLC colleges. As this motion states, this denies many disadvantaged people the right to access lifelong learning opportunities and training.

Today 320 workers in the NEC plant in Ballymor lost their jobs. This is part of a worrying trend, with these jobs moving to the Far East. What steps will Government take to ensure alternative employment for workers such as these?

Mr. J. Higgins: The issues of workers' rights raised in the Sinn Féin motion are vital and I agree with all the rights put forward that should belong to the workers. I do not object to the proposed Department of labour affairs standing alone. The main problem at the moment is not the lack of such a Department but that for nine years we have had a Fianna Fáil-Progressive Democrats Government, a right wing Government consciously pushing a neo-liberal agenda with serious repercussions for workers' rights, particularly an attempt to shove down workers' wages and conditions.

Sweden, Britain and Ireland did not embrace EU expansion out of generosity but because workers from eastern Europe could be brought in and utilised as an agent to force down the level of wages, particularly in construction and some other industries. I was amused by the Government amendment to the motion which refers to measures taken to achieve compliance by "a minority of employers who fail to fulfil their statutory responsibility towards workers", as if non-compliance was a minor problem. What about the 130,000 construction workers who, according to an estimate of the Pensions Ombudsman, who is no revolutionary socialist for sure, have been left non-compliant, bereft and negligent of a pension by the actions of the construction bosses by whom they are employed?

The Pensions Ombudsman added that this was a criminal offence punishable by jail and-or fines. Three building workers from a Collen building site are in jail tonight because they were pushing for certain rights and a certain measure of justice for local workers in the area. Dozens of gardaí have been employed on Collen picket sites to push non-union labour through the picket and the protest.

This company employs sub-contractors who blatantly defy pensions legislation and the pension rights of workers. Has a single garda interviewed one of these sub-contractors? What are the chances of these sub-contractors, engaged in a criminal action, rubbing shoulders with the three lads in Mountjoy before this week is out?

The chances are not very high. This is the level of hypocrisy we face in this Government.

In regard to Gama Construction, the labour inspectors conducted a thorough investigation. The Government was obliged, as a result of public pressure, to facilitate the struggle for justice. Incredibly, the High Court shielded Gama by suppressing the inspectors' report. I have not seen the report but I believe it would have told the workers' story. How ironic that their lordships in the Four Courts protected the exploiter. Where would the Gama workers be today if they depended on their lordships for such protection. Workers must rely on their own strength and their trade union organisations, yet we must push—

An Ceann Comhairle: It is not in order to criticise in this House decisions of the Judiciary.

Mr. J. Higgins: The Judiciary disgraced itself.

An Ceann Comhairle: It is not in order either to mention firms outside the House which are not here to defend themselves, particularly where the incidents are not in the public domain. This applies also to the previous speaker.

Mr. Morgan: The Judiciary should be criticised, especially in this House.

Mr. J. Higgins: The Judiciary's wig fell over its eyes when it came to dealing with Gama. It must be named truly. We fought a massive battle in very difficult circumstances and when the courts protect the exploiter, where does that leave us? We need more resources for the labour inspectorate and for measures to ensure compliance, but workers have to rely on their own organisation and particularly their trade union organisations.

Mr. Healy: I support this good and timely motion which deals with support for workers' rights. There is no doubt that the race to the bottom started when the Fianna Fáil-Progressive Democrats coalition came to power in 1997. This is evident in the Government's support for Irish Ferries and the *MV Normandy* and the support of the former Minister for Finance, Charlie McCreevy, for the services directive.

I concur with the previous speakers who condemned the jailing of three BATU members for demanding the right to have a reasonable amount of local labour on building sites and to ensure trade union members are employed. I compliment Joanna Delaney who was recently sacked by Dunnes Stores for wearing her union badge. Every worker should have the right to wear the emblem of the union of which he or she is a member.

I concur with the motion which states the need for a separate, stand-alone labour affairs ministry.

There is a serious conflict of interest between enterprise and trade and labour. Deputy Joe Higgins referred to the example of Gama as proof of this. A separate labour affairs ministry is required to stand up for workers' rights at the Cabinet table.

The labour inspectorate is understaffed and under-resourced. Good legislation is no use if its enforcement is not funded and if the people are not available to implement it. The number of on-site investigations has decreased significantly. A doubling or trebling of the labour inspectorate is required.

Deputy Gregory referred to life-long learning but the Minister for Education and Science de-prioritised this area. Funding for schemes such as Youthreach and the vocational training opportunities scheme, VTOS, adult education and Traveller education was increased by a mere 3.8%, whereas the overall education budget increased by more than 8.8%. I support the motion.

Mr. Eamon Ryan: As the representative of the Green Party I commend Sinn Féin on tabling this motion which the Green Party fully supports.

I am interested to hear the views from the other side of the House. The motion proposes that rights should be protected. The other proposal in the motion is most prescient and well thought out. It proposes the separation of the employment brief from the Department of Enterprise, Trade and Employment. There is a case to be made that a conflict of interest exists between the ambitions, effort and intention of the enterprise side of the Department and that of the employment side of the Department which should champion those rights. This conflict would be resolved by the separation of the employment section into a separate Department.

This could be termed a reshuffle which is a frightening word for the Government benches to hear. The Minister of State, Deputy Killeen, may laugh but the people behind him were crying all last week.

Caoimhghín Ó Caoláin: They have all cried off tonight.

Mr. Eamon Ryan: Yes. The Progressive Democrats Members are also noticeable by their absence. I wonder if this shows their level of interest in this debate.

I suggest a Department dealing with social, family and labour or employment affairs. This would provide an historic opportunity to connect those who are unemployed with those who are in the workforce. It would help provide a critical connection with our work-life balance and with families, those who undertake valuable voluntary work and those working as carers within families.

[Mr. Eamon Ryan.]

Such a Department would be a coherent and useful unit which would work very well.

I suggest the communications brief should be brought back into the Department dealing with enterprise and trade. It sits much better in a pro-enterprise culture and would facilitate the introduction of broadband technology and other infrastructure which would mark the country as an enterprise location. I recommend that Departments should be reshaped but not in the way the Taoiseach seems to do things, by trying to avoid hurting anyone's feelings or by trying to look after his own internecine needs in Fianna Fáil.

There does not necessarily need to be a conflict of interest within the present Department between the promotion of workers' rights and the development of an enterprise culture. This country must not participate in a race to the bottom by being one where products are processed without added value. It is recognised that the strategic development which must be undertaken is to add higher value to enterprise and aim for more creative, innovative and enterprising companies rather than relying on direct investment from foreign multinationals who use Ireland as a launching pad into the European Union. That policy has proved to be very successful but it is a risky policy especially if borne on the back of low wages and conditions in this country while the sales and intelligent marketing function take place outside the country.

We need to move in the direction of encouraging the brains of enterprise and creativity and innovation to stay here. This has been recommended in the latest enterprise strategy report. The conditions for those working under such a strategy should recognise workers' rights and allow them freedom, responsibility and the environment in which to be creative and innovative. Such workers will enable Irish enterprise to move forward. This is the opposite to a punitive and mean working environment looking to add the ha'pence to the pence as products are sold on to other countries. The right to access lifelong learning and opportunities and vocational training fits in perfectly with the higher value enterprise culture which we should look to develop.

Those on the other side of the House could not disagree with the right of all to work in safe conditions and must support the proposal to ensure such a right exists in every workplace and building site, office and factory. I doubt if anyone on the other side of the house would dispute the right of a person to form and be a member of a trade union. The right to fair play is a crucial provision, especially in a country which is changing and opening up. The real fear is not that workers will be displaced but that the Government would be happy to see wage levels driven down so that the minimum wage becomes the standard rather than what it should be, a protec-

tion for those at the very bottom. I also stand by the right to be free from exploitation. I refer to Deputy Joe Higgins who outlined some of the cases of exploitation.

I support this motion and it is a question of how the proposal can be achieved. I fear that on the other side of the House is a Government that believes its own propaganda. It is sitting pretty thinking it created the economic boom by looking after business at all costs. This is not the clever way forward in terms of enterprise or economic development. I commend the motion and will be interested to hear the Government's response and that of the Progressive Democrats to this useful and interesting debate.

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I wish to share time with Deputy O'Connor.

An Ceann Comhairle: Is that agreed? Agreed.

Mr. Killeen: I move amendment No. 1:

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

"welcomes,

- the commitment of the Government to uphold the rights of workers, which are set out in Irish labour law. These rights include:
 - statutory rates of pay;
 - limitations on hours worked;
 - health and safety provisions;
 - statutory redundancy; and
 - carers, maternity and adoptive leave;
- the record of the Government in introducing a comprehensive range of legislative and other measures which are aimed at and have significantly improved the terms and conditions available to workers in the Irish labour market, including health and safety, part-time and fixed-term workers, national minimum wage levels, substantial increases in redundancy entitlements and improvements for carers and parents;
- measures taken by the Government to improve compliance by a minority of employers who fail to fulfil their statutory obligations to their workers. These measures include:
 - a substantial increase in the number of labour inspectors; and
 - active engagement with the social partners to agree significant improvements

to the regime for employment rights compliance;

- the fact that the interests of both employers and employees are overseen by a single Department of Enterprise, Trade and Employment since enterprise and employment policies are complementary and not in competition with each other, and notes that it is only by growing our competitiveness, increasing our trade performance and expanding enterprise development that this Government in particular has produced sustainable high quality jobs while simultaneously ensuring that Ireland has a well-trained and confident workforce, which enjoys the protection of our health and safety and employment rights legislation;
- the efforts of the Government to promote the training and retraining of those in employment in the context of lifelong learning through its One Step Up and other initiatives;
- the commitment of the Government to uphold Irish and EU law and wider international conventions, where these are consistent with our EU obligations and with our social and economic objectives; and
- the Government's commitment to the social partnership model as the most appropriate mechanism for advancing these issues in the interests of both employees and employers."

I am delighted to have this opportunity to address the House this evening. As Minister of State with responsibility for labour affairs, I am acutely aware of the deep and unwavering commitment of the Government in the area of employment rights provision, as evidenced by the various actions and the legislative progress achieved over the past eight years. Particular highlights include the introduction of the national minimum wage in 2000, implementation of the fixed-term work provisions and the recent further strengthening of the labour inspectorate. The latter is an issue to which I will return because I believe that we are moving ever closer to a situation where some novel and innovative thinking is presenting us with options that will underpin a newly energised, modernised and formidable compliance model that will be more effective and efficient than current practice.

Our national minimum wage is the highest in the EU. Other protections and entitlements are provided for in legislation focused on equality, health and safety, working time, redundancy, maternity, parenting and caring. This is a vast

body of work and certainly cannot, by any stretch of the imagination, be characterised as reflective of a nation that does not protect and promote the rights of its workers, determine fair remuneration for a decent standard of living and uphold the principle of equal pay for equal work.

We are sometimes asked to react as if there were no social and employment protection framework in place in this State. This is clearly not the case as the impact of the body of legislation and the quality of our employment rights institutions refute any such assertion. The challenge in a rapidly growing economy is to ensure that there is adequate, timely and effective enforcement of compliance with the statutory provisions now in place.

The Carers Leave Act 2001 came into operation on 2 July 2001. The main purpose of the Act is to provide for an entitlement for employees to avail of up to 65 weeks unpaid leave from their employment to enable them to care personally for individuals who require full-time care and attention. This maximum entitlement will shortly be extended to 104 weeks. The Act fulfilled the Government commitment in budget 2000 and in the Programme for Prosperity and Fairness that legislation would be introduced to give effect to a carer's benefit payment and a parallel right to carer's leave.

The Protection of Employees (Part-Time Work) Act 2001 came into operation on 20 December 2001. The Act outlaws discrimination against part-time workers *vis-à-vis* comparable full-time workers on the ground of their part-time status. In line with the Government's commitments in the Programme for Prosperity and Fairness, the Act includes pay and pensions as part of the conditions of employment for part-time employees. These provisions also apply to posted workers. Thus, a person, irrespective of nationality or place of residence, who works in the State under a contract of employment, has the same rights under Irish employment law as Irish employees.

The Protection of Employees (Fixed-Term Work) Act 2003 came into operation on 14 July 2003. The Act provides for the improvement of the quality of fixed-term work by ensuring the application of the principle of non-discrimination.

A number of statutory instruments relating to various areas of employment rights legislation have also made over recent years. The Protection of Employees on Transfer of Undertakings Regulations came into effect from 11 April 2003 and implemented the mandatory provisions of the relevant EU directive. The regulations are aimed at protecting the rights of employees arising from an employment contract in the event of a transfer of a business or part of a business, in which they are employed, which entails a change of employer. Complaints that an employer has contravened these regulations may, generally, be referred in

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the first instance to a rights commissioner and, on appeal, to the Employment Appeals Tribunal.

A total of five statutory instruments under the Protection of Young Persons (Employment) Act 1996, concerning employment rights of young persons, have been made over the lifetime of this and the previous Administration — in this context, young persons are 16 and 17 years old.

In addition, the Department facilitated the drawing up of a code of practice under the aforementioned Act concerning the employment of young persons in licensed premises. The main purpose of the code of practice is to set out for the guidance of employers and employees the duties and responsibilities, including statutory obligations, concerning the employment of young persons on general duties in licensed premises. The code of practice covers young people who are 16 and 17 years old, including all second level students, excluding bar apprentices in the licensed trade, who are employed at any time in licensed premises, be it for summer, other holidays or part-time work.

From 1997, the Government, together with the previous Administration, made a total of 18 statutory instruments under the Organisation of Working Time Act 1997 relating to maximum weekly working hours, minimum daily and weekly rest periods, rest intervals at work and public holiday entitlements of employees.

I will now deal with the area of redundancy payments. Notwithstanding the exceptional economic success of our economy at present, we are ever vulnerable to global pressures on manufacturing and services activities. Some companies can no longer survive in this environment and they continue to close. Other companies survive by means of market diversification, technology and downsizing. Our improved redundancy legislation, benefits and service go some way to alleviate the immediate impact.

Extensive work has gone into improving the service side of processing redundancy application and payments. The redundancy review group, consisting of representatives of the social partners and Government, produced a comprehensive report in July 2002 on how best to simplify the redundancy payments system. It proposed amending legislation and commissioning of a new e-government-based IT system.

The Redundancy Payments Act 2003 was enacted in May 2003 and represents the most radical change to the redundancy payments scheme since the original Redundancy Payments Act 1967 which started the scheme. The 2003 Act provided the legislative framework for the significantly enhanced level of statutory redundancy payments of two weeks' pay per year of service, plus a bonus week, agreed by the social partners and Government under Sustaining Progress. The old payment level had been restricted to half a

week's pay for every year of service up to the age of 41 and a week's pay for every year over 41 years, together with a bonus week.

The 2003 Act also provided the legal basis for the new on-line redundancy payments IT system. Following agreement at the second phase of Sustaining Progress the enhanced payments level was further increased on 1 January 2005 by an upward revision of the ceiling on weekly pay for redundancy calculation purposes from €507.90 to €600.

The Minister for Justice Equality and Law Reform has published orders extending the periods of leave available under the Maternity Protection Act 1994 and the Adoptive Leave Act 1995. Both orders are effective from 1 March 2006. While these enactments fall outside the remit of the Department of Enterprise, Trade and Employment, it is no less indicative of the Government's positive attitude to the broad spectrum of employment rights issues, including the wider family friendly/work-life balance concerns which have been mentioned.

I wish to refer to the Department's employment rights-related functions that concern the International Labour Organisation. Since 1997, Ireland has continued to be represented at the annual international labour conference by a tripartite delegation, representing the Government, trade unions and employers. Ireland takes a vigorous stance on its membership of the ILO. In particular, as EU President, Ireland co-ordinated the EU's position on the various agenda items at the 92nd session of the ILO conference in June 2004.

During this period, Ireland continued to report annually, in accordance with the provisions of the ILO constitution, on the various ILO conventions ratified by Ireland since joining the ILO in 1923. Since 1997, a total of eight ILO conventions were ratified by Ireland. In 2005, Ireland was honoured to be elevated to the ILO's governing body for only the third time since 1923.

Ireland has continued to report regularly on how it implements the Council of Europe's 1961 social charter and revised social charter, and to answer questions at the governmental committee of the European social charter on its reports. A total of seven such reports on how we implement the European social charters were submitted since 1997. These are the subject of detailed discussions at meetings of the governmental committee of the European social charter, which meets three times per annum.

The enforcement of employment rights is too often characterised as a discrete function undertaken solely by the labour inspectorate. The reality is that there is a formidable corpus of legislation that provides for a range of obligations and entitlements both for employers and employees. The employment rights arena is populated by various bodies — for example, the Labour Court, the Employment Appeals Tri-

bunal and the rights commissioner service, to name just a few. Each is charged with the task of administering that considerable volume of employment law.

As always, there is scope for improvement but it is not a solution simply to appoint hundreds of labour inspectors. Additional labour inspectors have been appointed and since November 2005 there have been 31 officers serving in the position of labour inspector. This represents almost a doubling of the number of labour inspectors in recent years.

Mr. J. Higgins: It is still not enough.

Mr. Killeen: However, the real challenge for us in this dynamic workplace is to ensure that there is adequate, timely and effective enforcement of compliance with the statutory and other provisions already established. The Government gave recognition to this approach in Sustaining Progress. Arising from those commitments, it has completed reviews of the employment rights bodies, the mandate and resourcing of the labour inspectorate and the joint labour committee system.

The Government has established the employment rights group, in which the social partners and the employment rights bodies participate, to oversee the development of proposals for Government for a simplified body of employment rights legislation. The group also guides and drives the implementation of Government's decisions on the role and functions of the employment rights bodies themselves so as to ensure user-friendly and simplified complaint, appeal and enforcement procedures are put in place. All cases are dealt with initially by rights commissioners and only on appeal by the Employment Appeals Tribunal.

In accordance with the commitment in Sustaining Progress, the Government also completed a review of the mandate and resourcing of the labour inspectorate. The review, which was not prescriptive, presented the arguments for and against an extensive range of issues impacting on the labour inspectorate. It was circulated to the social partners in January 2005.

Last September, having obtained the views of the social partners, the Government established the employment rights compliance group, ERCG, to follow up that earlier work. Considerable consensus was achieved regarding the following: a streamlining of access to redress through the existing employment rights bodies, thus enabling individuals with the information and facility to vindicate their employment rights and entitlements more easily; greater emphasis on proper record keeping together with increased transparency regarding pay and the associated information provided to employees on payslips; organisational improvements in the service provided by

the employment rights compliance section of the Department of Enterprise, Trade and Employment, including the labour inspectorate and including a regionalised structure; and major investment in education and information dissemination on employment rights obligations and entitlements for both employers and employees.

In addition, the implications of a new employment rights compliance model involving a re-orientation of employment rights procedures away from the civil courts towards the rights commissioner service were teased out. The Government welcomes the good work completed by the employment rights compliance group and notes that the current social partnership talks are tasked with the objective of deciding the final shape of the future compliance model and the organisational restructuring that may be required as a consequence.

For about five years now, employment rights literature has been available in nine different languages distributed through the work permit system, through embassies in Ireland, through citizen information centres and through other outlets. This has been followed up by a pilot scheme, which is under way, whereby classes in basic employment rights are given to migrant workers in their own language. I commend the Irish Congress of Trade Unions on its initiative in this regard and I endorse greater support for the social partners and other key players for educational and promotional purposes. I anticipate development in this respect once the outcomes of current social partnership discussions have been concluded.

Many workers from overseas work in sectors which are covered by the joint labour committee system where their terms and conditions are negotiated and agreed by the social partners within the framework of the joint labour committee or JLC system. The resulting agreements become employment regulation orders once cleared by the Labour Court and are enforceable through the labour inspectorate or in certain respects directly with the employment rights bodies themselves. This is a robust approach which has worked well for many years. However, again as part of Sustaining Progress, the Government undertook a review of the JLC system by outside consultants. On completion of that exercise the Government entered into consultations with the social partners with a view to developing proposals to refine the system further. These proposals will feature in the current social partnership negotiations.

The Safety, Health and Welfare at Work Act 2005, which came into effect on 1 September 2005, is major new legislation in the area of safety and health in the workplace. The primary focus of this Act is on the prevention of deaths and injuries in the workplace. Safety at work is paramount and it is most disquieting to see the fatality

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statistics over recent years. This Act is a serious wake-up call to employers who do not do enough to prevent accidents at their places of employment. Workers also have a duty not to endanger themselves or others and to be alert to dangerous situations.

This Act marks a new era in workplace health and safety. It sets out to shift the focus away from viewing health and safety as an add-on but to integrate it into a management system. It involves both workers and employers working together to achieve a safer and healthier work environment. The Health and Safety Authority or HSA is committed to engaging in a process of consultation with key players to make it user-friendly to employers and workers, especially those in small companies.

One of the innovations in the Act is the power to make regulations for the imposition of on-the-spot fines for breaches of the health and safety code. I have asked the board of the HSA to undertake consultations and to come back to me with recommendations on what are considered to be the appropriate areas for the levying of on-the-spot fines. The Act places duties on both employers and workers alike and I envisage that the on-the-spot fines will apply to both where a HSA inspector finds clear breaches of the health and safety code. The HSA is empowered under the Act to compile and publish a list of the names and addresses of businesses where a fine has been imposed by a court, a prohibition notice served by the HSA or where a court has made an interim or interlocutory order. This is an important step in the direction of the public's right to know.

There is also protection in the Act for employees against dismissal or penalisation for carrying out their duty in regard to safety matters. Where an employee is victimised or otherwise penalised for legitimate health and safety activities, the Act provides for redress. An employee is entitled to appeal to a rights commissioner for a determination. In the event of a further appeal, this can be heard by the Labour Court. Both the construction regulations and the general application regulations are in the final phase of preparation by the HSA.

I turn now to the issue of lifelong learning and training. Ireland can best foster social inclusion by promoting an environment where sustainable employment is available for all job seekers. Our job creation record over the lifetime of this Government has been the envy of our European partners and we now have the lowest unemployment rate in Europe. There are now nearly two million people working in our economy compared with 1,468,000 when we came into office in 1997, so more than 500,000 new jobs have been created.

Sustaining our employment, particularly in the increasingly knowledge-based environment in

which we now compete, means that Ireland needs a workforce with higher level skills. Ireland is not alone in facing this requirement to upskill. Throughout the European Union, lifelong learning is important in the context of economic and social change, the rapid evolution of the knowledge society and demographic pressures resulting from an ageing population. The Lisbon Agenda aims to make the EU the most competitive and knowledge-based economy in the world by 2010.

Ireland has a long tradition of training people for entry into the labour market and we are close to EU averages in investment levels in this area. The Government has increased resources allocated to training people for employment consistently over recent years. This year FÁS will invest almost €250 million in this area, up from €230 million in 2005. The Department of Education and Science is also increasing its investment in the area of further and adult education. This will rise to approximately €146 million in 2006, an increase of €8 million on 2005, and will provide for an expansion on existing services in the sector in the coming year.

Increased funds have in recent years been provided to a number of programmes to support the one step up initiative through the training of those in employment. These include FÁS training initiatives for the employed, which have benefited from substantial increases in investment since 2004 when annual allocation rose from €8 million to the current annual levels of €35.6 million. This funding allows FÁS expand its existing competency development programme. It is also funding strategic alliances with the private sector in a new programme that saw FÁS commit €19 million in 2005 to 15 projects. These projects attracted a further €6 million in private sector funding and will see nearly 19,000 trainees benefiting from training that will focus on three key categories: basic skills provision for low skilled employees, occupationally specific upskilling for staff in certain sectors and management and entrepreneurial development. FÁS will seek further proposals for investment under this initiative later this year.

Skillnets Services Limited also receives funds from the Department to manage a networking programme that involves about 100 companies. It addresses general training needs as well as those of specific economic sectors. The public budget for this training in 2005 was €7.5 million and when allied to matching funds provided by employers, total funding available was significantly more. This year this budget is being increased to €8.5 million and will increase to €10 million in the years up to 2010.

Skillnets also manages the ACCEL or accelerated in-company skills initiative on behalf of my Department. This has a public budget of €16 million over the next two years. To date, 25 compan-

ies successfully bid for €9 million in grants in the first call for proposals in 2005. These projects are starting up now and it is expected that 20,000 employees from more than 2,000 companies will benefit from this training. ACCEL has launched a second call for proposals in 2006. Enterprise Ireland is also providing in-company training and 20 projects have been funded under its auspices since 2004. A total of about €6 million has been provided and the programme will run into 2007.

In addition to the above initiatives, specific funding has been made available from the national training fund for dedicated training purposes. This includes support for the continuing professional development of engineers, for promotion and training in the information and communications technology sector and for developing the range of skills required to work to the greatest effect in the community and voluntary sector. In summary, there has never been such a concentration of public funds devoted to training and skills development and this Government can be proud of its achievements to date.

I now propose to move on to social partnership and I am sure this House will agree that no Government other than this and the previous one led by the Taoiseach, Deputy Bertie Ahern, has been more committed to the social partnership process. No other Government has been prepared to utilise social partnership to the maximum in seeking to advance the social and economic objectives to which we all aspire.

I want to show this House how the Government and the social partners can work together to propose, negotiate and develop practical and achievable improvements in the workplace as well as the attainment of a fair and inclusive society. These are challenges which the Government set itself in its programme for Government. The Government is proud of its achievements and can point to commitments delivered and progress made in the social partnership process. The process is accepted by most in this House and by many countries and commentators overseas as being a major contributor to the attainment of our societal goals. This is how it should be, as it is an inclusive process that gives a voice and role to many constituencies, none more so than unions and employers, together with the farming sector and the community and voluntary grouping.

The scene has been set, the negotiations are under way and, as the Taoiseach has already made clear, the Government will not be found wanting in contributing to the negotiations and to the attainment of an agreement. It is entirely appropriate that the social partners play an important role in the evolution and development of employment rights. It has been the practice of this Government that legislative proposals, the transposition of EU directives or reviews of legislation or processes are conducted against a background of consultation with the social partners.

The development of employment and workplace entitlements always features in the social partnership discussions and agreements and has over recent times led to legislation, increased entitlements and additional resources towards enforcement.

As stated in our amendment, the Government is committed to the social partnership model as the most appropriate mechanism for advancing the interests of both employers and employees. I am confident the outcome will include a meaningful package in the area of employment rights standards, education, promotion, compliance and enforcement as well as a range of other priorities which will be identified and developed in a fashion that will embrace the demands and concerns of all parties.

Despite the magnificent performance of our economy and unprecedented levels of employment, the successful blending of labour and enterprise as manifested in the Department of Enterprise, Trade and Employment is questioned in the motion. It is irrefutable that our economy has been performing extremely well for the period of office of this and the immediately previous Administration. The image of our airports and seaports thronged with young people emigrating across the globe due to the lack of opportunity at home is a fading memory. Social partnership, underpinned by strong Government commitment and a genuine willingness by all concerned to identify the complementary and consensual areas between employers and employees, has in no small way contributed to that positive outcome and the success we experience today. That focus on complementary aspects is reflected in the ethos and functions of the Department, where enterprise and employment policies are seen as complementary and not in competition with each other.

In tracking the economic and labour force changes over the years since enterprise and employment were merged and with the addition of trade in 1997, it is clear the arrangement has worked very well. Unemployment rates are down from 1993 levels of 15.7% overall to 4.4% today, with long-term unemployment at just 1.4% compared to almost 9% in 1993. Over the same period the labour force grew by 43% from 1.4 million in 1993 to 2 million today.

Bringing together the interests of both employers and employees under one Minister is clearly in keeping with the partnership approach to decision and policy making and no clear argument has been advanced to date as to why this should be changed. The Department of Enterprise, Trade and Employment is structured in a way that recognises that enterprise and employment are not competing but complementary factors. Only by growing our competitiveness, increasing our trade performance and expanding enterprise performance can we

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produce sustainable high quality jobs. Similarly, only by ensuring we have a well trained and confident workforce that enjoys the protection of our health and safety and employment rights legislation can enterprise flourish.

Since 1993 when the Department was established in its current formation, jobs and real wages have grown at unprecedented rates, we have introduced the national minimum wage and seen a significant improvement in the legislative framework protecting workers. The welfare of workers, especially those most exposed to low incomes, has been transformed during this period. However, this has also helped sustain and been sustained by a parallel and unprecedented improvement in trade and enterprise performance, evidence that our pro-enterprise and pro-jobs policies have made a real difference. While the factors supporting this transformation are many and social partnership played its part, it is clear the current configuration of this Department is right for Ireland.

An Leas-Cheann Comhairle: The Minister of State's time concluded at 8.25 p.m.

Mr. Killeen: I would have liked to refer to the points made by Opposition speakers, many of which were constructive.

Mr. O'Connor: I would be happy to share my time with the Minister of State.

Mr. Killeen: There is no need. The Deputy can go ahead.

Mr. O'Connor: If the Minister of State mentions me a few times, he can have my time.

Mr. Killeen: That would not be fair.

Mr. Morgan: The Deputy should mention Tallaght.

Mr. O'Connor: I was not going to mention Tallaght.

An Leas-Cheann Comhairle: The Deputy has two minutes remaining.

Mr. O'Connor: I could say "Tallaght" a few times. In my few minutes—

An Leas-Cheann Comhairle: I apologise to the Deputy as he has six minutes.

Mr. Morgan: It would be better were the Deputy to sit down.

Mr. Killeen: The point made about the decoupling of the Department is interesting and a number of speakers spoke in that regard.

Important work is being done in the social partnership arrangements and discussions currently under way. Virtually every speaker referred to Gama, the Irish Ferries dispute and other difficulties, which must be addressed in the context of the social partnership negotiations in the first instance and subsequently in terms of the compliance model. Working together, we can achieve a significant amount in this area.

Mr. Morgan: The Minister of State should not need to negotiate.

Mr. Killeen: We have ensured that people coming into the country as migrant workers have, in law, exactly the same rights as Irish workers. We must ensure this continues to be the case, which I do not doubt we can do. Several other issues were mentioned by Deputies in their contributions. While it is not Deputy Joe Higgins's view, employers who treat their employees badly are in the minority.

Mr. J. Higgins: There are double standards.

Mr. Killeen: Nevertheless, it is a significant minority. We must learn lessons from its actions and provide the resources and mandate to deal with it.

Mr. J. Higgins: Workers are in jail and subbies, or sub-contractors, are going about their illegal activities with abandon.

Mr. Killeen: I have no doubt that is the case.

Mr. Morgan: The workers should have rights.

Mr. Killeen: I assure the House the Government is committed to ensuring rights are provided and vindicated and that the resources and mandate required to do so are put in place. I have every confidence we will be in a strong position to do this coming out of the current round of social partnership.

Mr. O'Connor: I compliment my colleagues in Sinn Féin for giving the House the opportunity to debate this issue. They have gone to a lot of trouble to table this motion. I support the Minister of State at the Department of Enterprise, Trade and Employment, Deputy Killeen. I have often put on record my admiration for his work. It was interesting to watch members of the Opposition listening so intently.

Mr. J. Higgins: Is there anyone the Deputy does not admire?

Mr. O'Connor: I would be happy to engage with the Deputy on another day but I only have a couple of minutes.

Mr. J. Higgins: Is there anyone the Deputy does not admire?

Mr. O'Connor: That is what one does, namely, work with people and get jobs done. The Deputy can see the progress being made in Tallaght, which is due to the fact that I am keeping in touch with the Government and trying to get decisions made in conjunction with other colleagues. We have all listened very careful to the Minister of State's comments. People were very attentive when he delivered his speech because he made a fine statement and many good points. Hopefully, people will examine his comments and build on them.

I bring my life's experiences to my Dáil work. I was an emigrant after leaving school as I could not get a job in Dublin. I went abroad and later returned.

Mr. Morgan: It did the Deputy no harm.

Mr. O'Connor: I was made redundant twice and I know what a terrible experience it is.

Mr. Killeen: There is no fear of that happening now.

Mr. O'Connor: I was lucky to get employment.

Mr. P. Breen: I hope the Deputy's constituents do not make him redundant next time.

Mr. O'Connor: While I am not sure about everyone in the House, I am happy to accept the will of the people.

I cut my political teeth in the early 1980s, when Tallaght had the population of a city but the status of a village. We were waiting on many facilities and had a considerable need for jobs. The Get Tallaght Working group was set up by a number of us in 1984 and is relevant to this subject. For this reason I will not stand on the Fianna Fáil backbenches and state that I am happy with a situation in which workers are being jailed.

In my experiences in the community and going about my business in Tallaght, I fought to make the point that, as large projects came on stream, local labour should be recognised and local jobs created. A number of workers informed me that, while they lived in Tallaght, if the above ideal came about, they would lose their jobs in Dún Laoghaire, Finglas, Blanchardstown and elsewhere. However, my point was reasonable.

The Minister of State has taken the opportunity to clarify where the Government stands on social partnership. At times in the House there is criticism of social partnership but where would we be without it? I will not lay out the line about how much progress we have made, our tremendous economy or the jobs being created. It is positive that, in all our constituencies, people are working and young people have hope.

I listened carefully to the Minister of State's comments. In fairness to him, he addressed many of the points made by members of the Opposition. This debate will continue for some time and more points will be made tomorrow. I have no difficulty in supporting the Minister of State in making the case for workers' rights. Let us not create a situation in which unemployment becomes an issue again. Successive Governments have dealt with unemployment and job creation should continue to be a part of the national agenda. We can each make a case for our respective communities. I am never afraid to make a case for Dublin South-West and will continue to do so. I thank my colleagues for their courtesy.

Aengus Ó Snodaigh: It was not a problem.

Mr. O'Connor: I should have mentioned Crumlin once.

Mr. P. Breen: I wish to share time with Deputy Perry. This Government's record on the protection of workers' rights is a disgrace. In the cases of Gama, Irish Ferries and immigration, it has failed to offer protection. It has allowed a bizarre level of hysteria about the services directive to permeate political discourse in this country without making any effort to dispel the myths that were circulating. Perhaps it did this to suggest Fine Gael and Labour were implacably opposed to each other's views. In the European Parliament the EPP, of which Fine Gael is a part, and the Party of European Socialists, to which the Labour Party is aligned, crafted an improved version of the directive and this is depressing news for those seeking to perpetuate that mischief.

This debate is framed by the European debate, exploitation of migrant workers, recent disturbing developments in Irish Ferries, the country's continuing deterioration in competitiveness and the declining manufacturing sector. Concerning the EU services directive, I am delighted the Single Market is finally being extended to this part of the economy. Fine Gael supports the directive for the following reasons. It will help boost economic growth and sustainable jobs.

Since 1993 the Internal Market has created almost €1 billion in prosperity and 2.5 million jobs. It can deliver much more if we can create a real Internal Market for services. It will make it easier for businesses, especially small and medium enterprises to provide services throughout the EU. This will increase cross-border competition in services markets, bringing down prices and improving quality and choice for consumers. It will remove pointless red tape by simplifying the authorisation and licensing regimes with which businesses must comply. Businesses will be able to complete any necessary formalities electronically and through one point of contact.

[Mr. P. Breen.]

It will improve co-operation between national authorities in different member states to protect and inform consumers and to combat rogue operators or illegal work. It will help stop discrimination against consumers on grounds of nationality. For example, differing entry fees to museums or cultural events could not be imposed on tourists on the basis of their nationality. It will clarify the conditions under which patients are entitled to reimbursement for medical care obtained in other member states to ensure that they can benefit from a better choice of high quality treatment.

I am delighted at the resolution of the problem surrounding the country of origin principle. This would have allowed for the employment of non-national labour at the minimum wage rates and employment standards of the employer's country of origin. This would have endangered the livelihoods of national workers and would have been unfair to non-national workers who deserve the same minimum standards as everyone else.

We have seen the danger this poses when a similar situation unfolded at Irish Ferries. Fine Gael watched the unfolding events at Irish Ferries last year with a real sense of disgust and horror. The actions of the company were an example of the worst type of Dickensian exploitation seen in this country. Irish Ferries is an Irish company based in Ireland and should be subject to the laws of this country, including legislation that provides for a minimum wage, employee protection and health and safety. As a result of legal nonsense, it was almost allowed to get away with industrial murder.

The debate on Irish Ferries was never about immigration, globalisation or free market economics. I believe in an open market, a flexible employment atmosphere and the value of non-nationals coming to this country to work. That debate was about a greedy, grubby company intent on maximising profits that was not just seeking a cheaper labour force but a criminally cheap labour force. Ireland has established an industrial relations infrastructure that ensures workers from new countries are paid a decent wage and are not exploited. That legislation protected Irish workers from having their jobs replaced by new arrivals to our shores.

For no good reason, Irish Ferries believed it did not have to obey those laws. It ran roughshod over 40 years of industrial diplomacy that had helped create the Celtic Tiger from which all of us, including Irish Ferries, have benefited. The Government had no solution to this problem. It empathised, showed concern and ticked off but it did not govern. In an effort to be helpful my colleague Deputy Perry suggested approaching our colleagues in the European Union to outlaw the practice of reflagging throughout the EU. It is only by doing this can we rid the seas and this

country of the cancer of exploitation that Irish Ferries was intent on spreading through the body politic.

The Irish people have repeatedly shown their support for the European Union. It is through the EU that we must approach this and ensure the activities of Irish Ferries are deemed illegal just as they have been deemed immoral by everyone in this country, with the exception of representatives of certain august bodies who should know better.

The management of Irish Ferries should have been loyal to the social partnership process. It should have been loyal to the people who helped it become the profitable company it is now. Can it count on the loyalty of Irish people, exporters, importers and tourists who have been so badly treated and inconvenienced throughout this whole sorry drama?

Fine Gael believes the country should be honest about the need for immigration, the benefits it can bring and the repercussions of not welcoming inward migration. Ireland must import the skills to ensure it remains a world class player. With performance fuelled by immigration, the economy has the potential to post cumulative growth of 45% between now and 2016 according to commentary from Goodbody Stockbrokers. Growth of this magnitude would see Ireland expanding at more than twice the rate of the average eurozone economy over the next decade. Goodbody stated that, for this trend to be achieved, inward migration will play a vitally important role. The Government must adopt an integrated, planned immigration policy. Today, immigration policy is shaped by political kite flying such as the recent news on a green card system, which might get a Minister through a news cycle but does not provide an alternative.

Let us be honest, establish the economic case for immigration, set a level and establish and enforce a sensible, compassionate immigration policy that will allow the engine of the economy to continue running. I note that the Economic and Social Research Institute has predicted growth of 5.7% this year and a similar figure next year and has called for immigrants to be given the fullest opportunity to contribute to the economy. It stated that research showed immigrants in Ireland were not using their qualifications to their full potential, with many holding jobs for which they were over-qualified. As a modern European nation, there exists an economic imperative as well as a moral duty for us to accept immigrants. The ESRI paints a picture of educated teachers, doctors and lawyers arriving here in an effort to improve their lot and failing to have their expertise recognised and valued.

We should never lose sight of the fact that to have social justice, fair wages and fair work practices, we also need jobs. We must improve our competitiveness to ensure those jobs are created.

Two years ago the Government promised to keep down personal and business taxes to strengthen and maintain the competitive position of the economy. In the following years it implemented 41 stealth tax rises which cost the average family €1,800 per year. The average tax contribution per household last year increased by €2,800. Between 2001 and 2002, Ireland overtook the UK and Sweden to become the third most expensive country in the EU for consumer goods and services. By 2003, Ireland was almost on a par with Finland as the most expensive country in the eurozone, with both countries significantly more expensive than the next group of eurozone countries. Dublin is the 21st most expensive city in the world, more expensive than Los Angeles, Paris, Miami, Singapore, Honolulu, Vienna, Helsinki and Abu Dhabi. It is the fourth most expensive capital in the EU, behind London, Paris and Copenhagen.

Ireland has dropped from fourth in 2000 to 26th this year in the world economic forum's global competitiveness report, owing mainly to the Government's failure to control prices. This has adversely hit the living standards of hard-pressed workers. The Government must shout "stop" and let anti-competitiveness die a death. Workers in the manufacturing sector are having an especially hard time. The loss of 180 jobs at GN Resound last month, including non-manufacturing jobs transferred to Denmark, was a serious blow to Cork. NEC announced the closure of its plant in Meath, with jobs being transferred to Malaysia. I extend my sympathies to all the workers affected as well as their families.

This is a worrying trend as manufacturing firms are reviewing operations in Ireland with a view to reducing costs by outsourcing to other jurisdictions. This process has been accelerated by the deterioration in our international competitiveness. Ireland has fallen from 4th to 26th in the global competitiveness tables. The most productive and efficient operations risk seeing their jobs transferred overseas. To date the Government has ignored the competitiveness challenge, in spite of repeated warnings from Fine Gael, the National Competitiveness Council and other agencies. The latest inflation figures confirmed that the Government remains one of the key factors in driving up costs, through a slew of stealth taxes on essential services.

The reality of outsourcing and the loss of jobs to cheaper overseas economies must be addressed. Fine Gael calls on the Government to implement a series of key measures to reverse the trend. These include appointing a single regulator to control costs and open up sheltered sectors of the economy; "business-proof" all legislation before it is passed into law; ensure adequate access to broadband throughout the country; and keep Government prices at or below inflation level.

Fine Gael cannot support this motion in its totality. Fine Gael is strongly supportive of good employment standards. We must ensure exploitation does not occur. We do not need a separate Department with responsibility for labour or mandatory trade union membership.

Mr. Perry: I thank Deputy Breen for sharing time. This is an important motion as it deals with sustainable employment and the issues mentioned by Deputy Breen, such as the high costs of maintaining jobs in light of recent job losses. Last week in Sligo, 91 jobs were lost at Saehan Media Ireland. Prior to that 67 jobs were lost at Kerry Foods, 120 were lost at Tractech a month ago and 500 jobs were lost at Hospira. The successful Donegal firm, Magee, closed last week with the loss of 60 jobs. While we have a successful economy, geared on growth within the economy, one must consider the cost to companies of maintaining employment here.

I am of the opinion that the key investment for any company is personnel. Any company which does not fully realise that does not operate its business efficiently. As Deputy Breen stated clearly, in considering our competitiveness within Europe we have lost sight of the customer when it comes to value for money. We all hear about large gross salaries. One must consider the amount of money taken out of the economy indirectly through PAYE, PRSI and, as we saw in the Irish Ferries case, reflagging. The derogation that existed for seafarers was mentioned previously. It is regrettable it was not in place prior to the job losses at Irish Ferries. If it had been in place the loss of €20 million which it would have meant for the company may have saved the possibility of alternative employment.

One must consider the growth in the economy. The issues this motion deals with, including statutory rates of pay with the minimum wage limitation, the hours' work to which the Minister of State alluded, health and safety provisions, statutory redundancy and carer, maternity and adoptive leave are all equally important in any company which invests in good staff. We should promote the growth of the services sector, including retail services, through the IT colleges. Regrettably, it is not emphasised in educational institutions. One must consider how the economy is being driven and the growth in tourism. Parents' perception of the tourism sector is of summer jobs and it is deemed to be only a "filler".

Lifelong learning is important in light of the job losses in many areas. People should have the opportunity to avail of lifelong learning and courses should be grant-aided. Working people should have an opportunity to upskill. The job losses in Sligo mean a great deal of upskilling must now take place there. Within certain companies, people have been given the opportunity

[Mr. Perry.]

to take part in upskilling programmes. It gives people several options and is good for personnel. We hear about job announcements. However, people who have worked in the same company for 20 years and who have lost their jobs will not necessarily get these new jobs.

I am critical of the lack of funding for small companies. The collective budget for the 26 enterprise boards throughout the State is approximately €25 million. In Sligo the budget is approximately €1 million. The definition of SME in Ireland is different from the European definition. The level of jobs and supports given to small companies is absolutely deplorable. Any company employing less than ten people does not receive any assistance. Companies in the services sector receive nothing. Creators of manufacturing jobs receive little and are referred to Enterprise Ireland. Foreign investment companies are referred to IDA Ireland.

It is regrettable that the small companies which are the backbone of this economy receive nothing. The people involved work a 40-hour weekend, not a 40 hour week. The proprietor takes all the risk and gains little of the profit. The definition of a small manufacturing company must be examined. To grow our economy, huge encouragement should be given to people establishing their own enterprises. Regrettably, few grants are given to small companies. I hope the Minister of State is listening to me. It is important that small companies are established in every county, such as Clare and Sligo.

I am sure the Minister of State will agree that the main emphasis is on foreign companies coming to Ireland. More support should be given to indigenous businesses in each county, which have done a business plan, a feasibility study and a comprehensive review of how the jobs created can be sustained. The longevity in business of a small company given that critical start is more sustainable than foreign companies which move to Malaysia or Mexico where the cost bases are considerably cheaper.

It is understandable that people examine the bottom line. Business is void of sentiment and these directors will take what they get here while they can get it. When the bottom line is questionable, they go to an economy where the conditions of employment are minimal, with no employment rights and where people will work for a fraction of the salary. To grow Ireland's economy, we must consider the small companies in every village in every town in every county.

The emphasis is on the large business parks. Enterprise Ireland will give a company ten reasons that it cannot give it money. IDA Ireland will give the same reasons, as will the enterprise boards. People decide not to go near these organisations because it is all about red tape, such as feasibility studies. Training sectors and colleges

should emphasise the importance of self-starters in the services sector, hotels, the retail trade, the business community, the caring sector and nursing homes. From a small acorn the large oak grows. The Government has been anti-enterprise. While it supports the big guru coming in, when it comes to the creation of small companies, very little is given.

Deputy Breen clearly stated the Fine Gael position on this in an effective manner. I am fully supportive of many aspects of this motion. However, membership of a trade union should not be mandatory. It should be optional, and people have that option at present. I compliment Sinn Féin on this motion. However, membership of a trade union should not be mandatory. I cannot support that aspect, although I support the tone of the motion.

Debate adjourned.

Message from Select Committee.

An Leas-Cheann Comhairle: The Select Committee on Enterprise and Small Business has completed its consideration of the Competition (Amendment) Bill 2005 and has made no amendments thereto.

Adjournment Debate.

Hospital Accommodation.

Ms B. Moynihan-Cronin: I thank the Leas-Cheann Comhairle for the opportunity to raise an important issue, namely, the ongoing delay in the provision of a long-promised 14-bed extension to Kenmare Community Hospital in County Kerry. Sadly this is not the first occasion on which I have had to bring this matter to the House.

The development of an extension to Kenmare Community Hospital was included in the then Southern Health Board's proposals under the National Development Plan 2001-2006. We have arrived at the year 2006 and the proposals for the speedy completion of this project are remote at best. This extension was promised by the Government under the National Development Plan 2001-2006. I have a press release from the then Southern Health Board dated 3 June 2000 hailing "major development". Included in its new programme of work the extension to Kenmare Community Hospital was costed at £2 million. The Health Service Executive submitted the draft accommodation brief for the extension to the Department of Health and Children in February 2003 and requested approval for the appointment of a design team for the project. Why has that request been gathering dust in the Department of Health and Children for three years?

The last reply I received to a parliamentary question from the Tánaiste and Minister for Health and Children, Deputy Harney, was evasive, to say the least. It seems the entire project has stalled because of the review of the national development plan and the projects under its umbrella. In her reply the Tánaiste advised me that it was not possible to say with any certainty how quickly the project would progress through the planning and construction approval stages.

This is unacceptable to me and to the people of the greater Kenmare area. Why is it not possible to say when the hospital extension will proceed? The provision of the 14-bed extension to Kenmare Community Hospital is badly needed. The population of Kenmare has risen by more than 30% since 1996. Many retired and elderly people have settled in the area and the demand for additional beds in the community hospital is growing. The hospital serves a huge area, including Sneem, Castlecove, Laragh, Tuosist, Kilgarvan, Blackwater and the Black Valley. If the Minister knew the geography of that area, he would realise the huge area it includes. The population of this area deserves and demands better than evasive and non-committal answers from the Government.

I want to know what is going on. A 14-bed extension should not require intensive planning and resourcing. As I said, in 2000 the then Southern Health Board estimated the cost at just £2 million. Now, six years on, there is no sign of the extension, only delay after delay in advancing the project. I hope the Minister of State will advise me and the people of Kenmare what the delay is and what is happening. I do not want a scripted answer. I want the Minister of State to tell me and the people of the Kenmare area when they will see the extension to their local hospital. I also want a commitment to put on the record of this House when the funding will be in place to make the extension possible and to remove any obstacles and delays. There are obstacles and delays and the people of Kenmare and I deserve to know that they are.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I am delighted to have the opportunity to answer this question on behalf of my colleague the Tánaiste and Minister for Health and Children. It is the Department's policy to maintain older people in dignity and independence at home in accordance with their wishes, and at the same time to provide high quality residential care for older people when living at home is no longer possible. The Government's commitment to the development of a comprehensive range of services for older people has been clearly demonstrated by the significantly increased resources made available in recent years. From 1997 to 2005, inclusive, additional spending on health care services was in excess of

€302 million. In the budget package announced for 2006, additional revenue funding of €150 million in full year costs was allocated for services for older people, that is, €110 million in 2006 and a further €40 million in 2007.

The prioritisation of all health capital developments is a matter for the Health Service Executive, HSE, under the Health Act 2004. The HSE has advised that the provision of a 14-bed extension to Kenmare Community Hospital has been considered for inclusion in its multi-annual capital programme for the period 2006 to 2010. The Kenmare project involves the re-planning of the existing accommodation and the addition of new accommodation to provide an integrated 40-bed hospital to meet present day standards of care. The HSE has completed a draft accommodation brief for the enlargement of the hospital from 26 beds to 40.

The HSE has confirmed that this project will not commence in 2006. This is owing to competing demands for capital funding, including other significant capital projects in the Kerry area, which will require investment in 2006. However, the HSE has advised that the capital programme will be reviewed and reprioritised annually. Depending on available resources and the progress of other projects, proposed developments such as the extension to Kenmare Community Hospital will be reconsidered by the HSE for inclusion in its revised future capital programme.

State Property.

Mr. McGuinness: I appreciate the matter I am about to raise is at an early stage in the context of its proposal relative to the sale of land in the ownership of the HSE. I know that throughout the country a considerable amount of land is available through the former health boards and now in the ownership of the HSE. As Vice Chairman of the Committee of Public Accounts, I recognise the opportunity to raise funds from the sale of these lands to reinvest in the health services.

Yesterday I sent an open letter to the chief executive of the HSE, Professor Brendan Drumm, and to the county manager of Kilkenny County Council regarding a site in Kilkenny at St. Canice's Hospital. I have asked that the widest consultation possible be engaged in on the issue of the site and that the consultation involve all the stakeholders in Kilkenny, the HSE, the local authority and the public. The site is important to Kilkenny city and there are many demands in the city and county for services such as an Alzheimer's unit, care for the elderly, which was mentioned in the Minister of State's previous reply, and services for those with autism. There are other issues relevant to the community such as the Butler Gallery, controlled private housing and the fact that because this site, which is almost

[Mr. McGuinness.]

central to the city, backs on to the River Nore, there is a possibility of private investment and a controlled private housing development. There is also a possibility of a public park. A wide range of activities and development could take place on that site. It is an unprecedented opportunity for Kilkenny to develop a site of this size.

I do not want it sold to the highest bidder. I do not want developers to come in and put in blocks and rows of houses. We need a radical approach that will realise the dreams of some on the services they provide for patients in Kilkenny. The funds from the sale of various pieces of the land should be invested in providing services directly to patients. There is an issue as regards the pitch and putt club, which forms part of that land. If the whole process is allowed to go too far there will be little room for consultation or debate and we will end up with another site that has high density housing, with very little regard for the civic and public interest in Kilkenny.

This is a unique opportunity. It is not one where we should seek the last euro from the developer, thus forcing him to opt for the highest possible density so that the profit bottom line may be upheld. The HSE should give a lead in this area. It should proactively involve the local authority. With the local authority it should set up some public forum. It should devise a plan relative to the community gain and the services that are needed. Arising from that, it should enter into the controlled sale and development of that enormous site. This is about the citizens of Kilkenny demanding that space be found for services, amenities and recreation that children and senior citizens' need.

In his last reply the Minister of State mentioned care of the elderly. That is one aspect of this development in which I am keenly interested. The HSE has invested in a care for the elderly unit — I believe the Minister of State was in it some time ago. It is time to extend that to a long-stay care unit for those in the community who are elderly and need that type of care now. We have a deficit as regards beds in that area. There is a heavy demand on the beds in Thomastown and Castlecomer. There are few if any beds in Kilkenny city for care of the elderly. Now that this opportunity has been presented, we should give the lead in this area. I urge the Minister of State to take the brave step and consult the local county manager, Kilkenny County Council, Kilkenny Borough Council and the other stakeholders in this area to make this plan a reality.

Mr. T. O'Malley: I thank Deputy Mc Guinness for raising this matter and assure him that the widest possible consultation will take place. I do not disagree with the comments he made because I am very clear as regards what we intend to do in this regard.

I have been advised by the HSE that all decisions regarding the disposal of lands attached to psychiatric hospitals will be taken in the context of the recommendations contained in the report of the expert group on mental health policy. This report, *A Vision for Change*, recommended that a plan to bring about the closure of all mental hospitals should be drawn up and implemented. The resources released by these closures should be protected for reinvestment in the mental health service. It also stated that the full economic value of psychiatric hospital buildings and lands should be professionally assessed and realised.

A Vision for Change envisions an active, flexible and community-based mental health service where the need for hospital admission will be greatly reduced. The expert group stated in the report that mental hospitals had been the mainstay of mental health services in Ireland for many years. It stated, however, that the type of person-centred, recovery-orientated care recommended could not be provided in institutions of this size or environment. On that basis, the group recommended that steps be taken to bring about the closure of all the remaining psychiatric hospitals which are a legacy of a bygone age and to reinvest the resources released by these closures in the mental health services.

The closure of large mental hospitals and the move to modern units attached to general hospitals, together with the expansion of community services, has been Government policy since the publication of *Planning for the Future* in 1984. A number of large psychiatric hospitals have already been closed — Our Lady's in Cork, St. Patrick's in Castlerea, St. Columba's in Sligo, St. Mary's in Castlebar and Our Lady's in Ennis. The reorganisation of services which these closures entailed has resulted in the expansion of community facilities, new acute psychiatric units attached to general hospitals, including St. Luke's Hospital in Kilkenny, and, most importantly, an overall improvement in the delivery of services for the service users, their families and carers. Most of the remaining stand-alone psychiatric hospitals cater in the main for long-stay patients, many of whom are over 65 years of age. I understand that this is also the case at St. Canice's Hospital, Kilkenny, where the majority of patients are cared for in wards for older people.

The report recommends that a plan be drawn up for the phased closure of each of the hospitals. It is recommended that this plan consist of a four-stage process, as follows: stage 1, identify measures required to enable admissions to cease and put these measures in place; stage 2, cease admissions to the hospital and draw up plans for relocation of existing patients; stage 3, implement plans for the relocation of existing patients; and stage 4, final closure of hospital.

It is emphasised that this process should take place on a phased basis, with wards closing

sequentially. It also makes clear that the process will require funding for training and upskilling of staff who will subsequently be redeployed to work within the mental health services provided in the community.

The HSE has welcomed the publication of this report and has stated that its national mental health directorate will immediately establish an implementation group to ensure that the recommendations are realised in a timely and co-ordinated manner. The HSE has also emphasised that hospitals can only close when the clinical needs of the remaining patients have been addressed in more appropriate settings.

I assure Deputy McGuinness that the Government is fully committed to the implementation of this report, which has been accepted as the basis for the future development of mental health services. The programme of investment has begun with an additional €25 million allocated to the HSE in the Estimates for 2006 for mental health services and I am confident that this level of investment will continue in the coming years. Significant capital investment will also be required to implement A Vision for Change, estimated by the expert group to be in the order of €796 million, for the provision of new and replacement facilities for the mental health services, and much of this could be realised from the value of existing hospitals and lands.

I reassure the Deputy that I should be delighted to consult him and others in Kilkenny and the other regions where hospitals will be closed. Our priority, obviously, is to ensure that the patients get suitable accommodation, either in the same location or in others. We are mindful of the fact, however, that the lands we have available are health assets and that they will be converted into mental health and other health assets as needed in the community.

Airport Development Projects.

Mr. Allen: I want to give two minutes of the time available to me to Deputy Stanton.

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

Mr. Allen: The former Minister for Transport, Deputy Brennan, clearly indicated that the construction costs of the new terminal at Cork Airport would not be a burden on the new Cork Airport Authority. In recent weeks, however, there is much concern that the Government is planning a U-turn on this commitment that could leave Cork Airport saddled with up to a €200 million debt, leaving the new authority with a severe financial burden. Despite these reports, no official explanation has been forthcoming from either the Minister for Transport, Deputy Cullen, or the Taoiseach. We have been informed, however, that a mediator has been appointed by the Minister to deal with this issue even though we have

not been given the terms of reference to which he or she will work.

An emergency meeting of the south-west regional authority airport consultative committee was held last Friday to discuss the former Minister's commitment, given in writing in late 2003. That commitment was that Cork Airport would be fully developed and that it would be debt-free. However, the Minister of State, Deputy Batt O'Keeffe, who is in the House this evening, at that meeting claimed that the former Minister for Transport, Deputy Brennan, may have made a mistake in promising that the new airport authority would start its independent operations without debt.

Mr. B. O'Keeffe: I did not, the Deputy should not misquote me. I said there might have been a proviso.

Mr. Allen: This nonsensical defence of a promise made and reneged on is incredible, especially when the Minister of State is suggesting that the former Minister, Deputy Brennan, would have given such a commitment without checking its legal status. Any decision on the future of the debt would have been made at Cabinet level and it seems that another political promise to the people of the southern region is being broken.

Failure to honour the commitments given would seriously inhibit Cork's capacity to develop the airport to its full potential. If this matter is not sorted out, the debt burden on Cork will have the most serious consequences and implications because it is inevitable that the burden will be passed on through increased costs to the carriers and travelling public. If this happens, I fear for the future of the relationship between the airport and the carriers that use the facility. I have been told that as of now, operators are being informed of increased charges and instead of attracting new carriers, operating new routes and offering new services to the public, Cork Airport will find it impossible to hold on to its current business, as a result of which we will lose operators and routes out of Cork. What about the Government's spatial strategy where Cork is identified as one of the main gateways? All we have seen is double dealing. I demand an immediate political decision that will allow Cork Airport to proceed with the development of its business without the burden of a massive debt.

The Minister, Deputy Cullen, should clear the air once and for all on this political issue. Political decisions were made to construct a new terminal at Cork Airport which we all applauded and supported. Political promises were made to the effect that the cost of the new terminal would not have to be borne by the Cork Airport Authority. This political commitment must now be delivered on by the Government.

Mr. Stanton: I thank Deputy Allen for allowing me to share time. I support him and congratulate

[Mr. Stanton.]

him on raising this issue. I wish to stress the importance of the airport, not just for the city but for the county and the wider Munster region. I, too, was at the meeting of the South West Regional Authority which was very well attended and where huge concern was expressed about the doubt regarding the debt and the burden it would place on the development and future operation of the airport. I call on the Minister to clarify the situation and to state clearly where the airport stands. It will be very difficult for the airport to format a business plan with this uncertainty hanging over it. Dublin and Shannon airports are way ahead in terms of development. Cork Airport is only catching up at this stage.

I was concerned initially when I heard about the break-up of Aer Rianta as to how future development would be financed because the airport has reached capacity. I do not know how management copes with the small terminal, which it has done up to now. Further development will be required. The area is expanding and it is important for the country as a whole that this happens because it will act as a counter-balance to Dublin. We know the problems Dublin has with traffic congestion and so on. Cork Airport is extremely important to the development of the area.

Promises were made and they should be kept. Cork Airport should be allowed to start debt-free and to move on from there. I am confident that if this were the case it would develop in a positive way in the future but I am worried that if the debt is imposed it would stifle growth and, as Deputy Allen has said, perhaps lead to the airport going into decline. We cannot allow this to happen.

I urge the Minister to clarify the situation about the future of Cork Airport in clear and unambiguous terms.

Minister for Transport (Mr. Cullen): I thank the Deputies for raising this matter. To be helpful, if they have not done so, I invite them to read the Second Stage speech of the then Minister during the State Airports Act when this issue was set out in great detail. It would be helpful if they did so because nothing has changed since the details were set out in that speech.

The major new airport development project which is currently being completed will effectively deliver a new landside airport to Cork and represent the first major upgrading of all facilities since the airport was built in the late 1950s. The project comprises a new terminal building development and also involves the construction of new multi-storey and surface level car parks, a new fire station, new internal road systems and the upgrading or replacement of all utility services — water, gas, electricity etc.

When completed, the new Cork Airport will have a passenger capacity of 3 million people with the facility to expand to 5 million, when needed.

It is important the debate about Cork Airport's future debt should not obscure this major development for the airport. Such facilities will greatly benefit the airport's users but will have to be funded. Cork Airport's future as an independent airport has to take account of a realistic assessment of what is commercially feasible, including the capacity of the airport to contribute to its capital investment programme.

In recognition of these commercial realities, the State Airports Act 2004 provides a framework for an orderly approach to the distribution of the assets of Shannon and Cork airports in conformity with the provisions of the Companies Acts. The Act also addresses business planning issues.

The boards of Cork and Shannon airports are now charged with making preparations to assume responsibility for the ownership and development of the airports. They are also empowered to undertake certain management and operational functions, on an agreed basis with the Dublin Airport Authority, during the interim period.

Under the Act, before any assets can transfer to either the Shannon or Cork airport authorities, the Ministers for Transport and Finance will have to be satisfied as to the financial and operational readiness of the airport authorities. Accordingly, each airport authority is required to prepare a comprehensive business plan and obtain the Ministers' approval for these plans before any assets can be transferred. Such plans would address the funding of capital investment and feed into decisions on determining the mechanisms for allocating airport assets among the three airports.

Cork Airport will benefit greatly from the major investment currently being made in the development of its facilities. The business planning process will provide a basis for determining the most feasible options for carrying through the restructuring. The ability of both Shannon and Cork airports to operate on a fully commercial basis will be fully assessed as part of this process and will be factored into the decisions made.

To clarify a point made by Deputy Allen, I have not appointed anybody. It is not my function to do so. I understand that both the Dublin Airport Authority and Cork Airport have agreed recently to retain an independent consultant to assist them in the finalisation of the Cork Airport business plan. I await the outcome of this work because of its importance in facilitating the development of a dynamic, independent and financially sustainable Cork Airport. The Government objective of airport restructuring must be achieved in a manner which underpins the financial sustainability of all three State airports, which fundamentally includes Cork Airport.

Water and Sewerage Schemes.

Mr. J. Higgins: I am very concerned that residents of Pallaskenry, County Limerick, are being

dragged into the High Court next week by Limerick County Council in order to compel them to stop a campaign to retain the clean water they have used for 50 years from Bleach Lough in their area. Residents benefitting from this water know from experience that it is a pure and unpolluted source that provides good quality water to their homes. The residents are threatened with jail in the coming weeks unless they acquiesce to a diktat from Limerick County Council to give up their campaign.

In contrast, the neighbouring areas, including Kilcornan parish, have suffered for decades from a supply of water of dreadful quality and urgently need and want a new water supply which Limerick County Council is harnessing from the River Deel. Unfortunately, the county council is also intent on bulldozing its way into the catchment area served by Bleach Lough and forcing the Deel water on the local community, as it intends to mix the two water supplies. Local people do not want this. While it would be a big improvement for the Kilcornan area the people in Pallaskenry are happier with the more local water supply they know and trust, which they believe would need less chemical input and is not as exposed to pollution sources as the alternative sources being developed by the council.

It is regrettable in the extreme that Limerick County Council has engineered a situation where it might seem that the Bleach Lough retention campaign is denying those in the adjoining areas who urgently need a new supply. This is not the case. It is the county council, which by its inflexible diktat has held up the situation for far too long. It is possible for Limerick County Council to allow the people of Pallaskenry to retain the Bleach Lough water while expediting the extension of the River Deel scheme to those who need it.

Local democracy and subsidiarity are terms often heard from Government and its Departments and agencies. If applied in practice, in this case it would mean respecting the residents of Pallaskenry who want to hold on to the Bleach Lough water supply while, as a matter of urgency, providing a new supply for those communities which have scandalously been left with water of inferior quality for far too long.

Will the Minister for the Environment, Heritage and Local Government and his Department refrain from rubber-stamping what Limerick County Council is attempting to do and listen to the community served by Bleach Lough? While the Department should support and expedite the extension of much cleaner water to the other communities which have been denied it for decades, it should allow the community in the Bleach Lough catchment area to maintain its source and the water it enjoys, wants and has confidence in. These objectives are not mutually exclusive and it is possible to implement both of them. Rather than merely giving me a script provided by the

Department, will the Minister of State genuinely examine this situation in a flexible manner, intervene and ensure the Department consults the communities involved and the county council so that the genuine democratic wishes and well-being of these communities can be served?

Minister of State at the Department of the Environment, Heritage and Local Government

(Mr. B. O'Keeffe): I thank the Deputy for raising this issue. I will inform him of the facts of this case. He is aware of how important the availability of a good quality water supply is for the development of all areas, including those of Pallaskenry and Kildimo. I am glad to say that my Department continues to promote investment in modern water services infrastructure to support social and economic development. Last December, we published the water services investment programme 2005-07 containing almost 900 water and sewerage schemes at different stages of development and planning.

The programme includes funding for more than 20 schemes with a value of nearly €158 million in Limerick, including the Pallaskenry-Kildimo water supply scheme, which is approved for construction. This scheme is estimated to cost approximately €1.4 million and involves an extension of the Shannon estuary water supply scheme to serve the Pallaskenry-Kildimo area. An advance section of it has already been completed in conjunction with roadworks on the N69. Approval was given to Limerick County Council's contract documents and the invitation of tenders for the remainder of the scheme in November 2004 and the works involved started last month.

As the Deputy is aware, the current water supply source for the bulk of the area to be served by the new scheme is Bleach Lough. There have been some local objections to the replacement of the Bleach Lough source by the Shannon estuary scheme extension which will instead use water from the River Deel. In this regard, I must point out to the Deputy that while my Department provides funding for a large number of public water supply schemes, actual responsibility for the planning and provision of such schemes rests with local authorities. However, as the Department was aware that there were objections in this case and to ensure that any objections were properly taken into account, the Department sought clarification from Limerick County Council.

Following a public consultation process, the council reported back to the Department in November 2002:

[A total of] 8.6% of the people who attended the public consultation and completed the questionnaires were against changing their water supply source, 34.6% had general or no comments and almost 57% required the new water supply source. In total, over 91% of people either had no comment or were in fav-

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our of being provided with a new water source because of difficulties experienced with the reliability of water quality, pressure, etc., of their existing supply.

Apart from the outcome of the consultation process, there were a range of other factors supporting the extension of the Shannon estuary scheme. These include the pressing need for additional water capacity to facilitate development in the area, the capacity limitations on the Bleach Lough supply which would affect its ability to meet future water demands fully, its vulnerability to pollution and the position of a number of group water schemes that were suffering from serious water quality problems and needed a new source. It was therefore decided in 2003 that the extension of the Shannon estuary scheme to Pallaskenry and Kildimo should go ahead as planned by Limerick County Council.

I am aware that there is a case relating to the scheme before the courts and I am anxious that I

would not say anything that would impinge on that case in any way. However, I understand that the Shannon estuary water supply scheme is in existence now since the early 1980s, that it has provided a consistently good quality and reliable water supply to more than 3,000 people in the Foynes, Shanagolden and Askeaton areas and that it has adequate capacity to supply the Pallaskenry and Kildimo areas with good quality water well into the foreseeable future.

I hope that what I have outlined confirms to the Deputy that my Department's approval of the scheme was only given after serious examination and consideration of the reasons put forward by the council in particular to meet fully existing and future water supply requirements in the Kildimo and Pallaskenry areas and of the limitations of the Bleach Lough source in this regard.

The Dáil adjourned at 9.25 p.m. until 10.30 a.m. on Wednesday, 22 February 2006.

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 6, inclusive, answered orally.

Questions Nos. 7 to 62, inclusive, resubmitted.

Questions Nos. 63 to 69, inclusive, answered orally.

Electricity Generation.

70. **Mr. McCormack** asked the Minister for Communications, Marine and Natural Resources if he is satisfied that current available generating capacity is adequate to meet requirements; if he proposes changes to ensure continuity of supply; and if he will make a statement on the matter. [6617/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Security of electricity supply is a matter for the Commission for Energy Regulation under Article 28 of the European Communities (Internal Market in Electricity) Regulations 2005.

In the performance of its monitoring and corrective functions the Commission is advised by ESB National Grid-EirGrid as the transmission system operator. The transmission system operator's report on generation adequacy 2006-2012 has indicated that the margin between capacity and demand is tighter than normal this winter.

In the medium term the generation adequacy position should be manageable from 2006 to 2008 provided new generation plant comes on stream as scheduled, plant availability performance improves and there are no unexpected closures of existing plant. The conclusion of the TSO is that in 2009 and beyond the addition of new generation capacity would be prudent. The importance of improving plant availability is emphasised in the report.

External generation can make a significant contribution to capacity in the future through the planned new North-South and east-west interconnectors. There is no room for complacency in relation to either plant capacity in the medium term and plant availability performance in the short term. I will look to the Commission for Energy Regulation and the transmission system operator to keep me regularly advised on the results of ongoing monitoring and analysis.

Mobile Telephony.

71. **Mr. Crowe** asked the Minister for Communications, Marine and Natural Resources his views on whether it is essentially businessmen

or businesswomen, with their post pay mobile phones, who are the real winners as pre-pay customers in view of a company's (details supplied) announcement regarding mobile phone roaming charges; and if so, the measures which are being used to combat same. [6699/06]

89. **Aengus Ó Snodaigh** asked the Minister for Communications, Marine and Natural Resources the measures being taken in view of a company's (details supplied) recent statement that it will abolish mobile phone roaming fees in order that the Border cannot be used as an excuse to over-charge customers. [6702/06]

102. **Mr. Morgan** asked the Minister for Communications, Marine and Natural Resources the measures which have been devised to encourage other Irish operators into following a company's (details supplied) lead regarding the positive moves on roaming charges from April 2006. [6700/06]

124. **Mr. Penrose** asked the Minister for Communications, Marine and Natural Resources re the recent abolishment of inadvertent mobile phone roaming charges between the Republic of Ireland and Northern Ireland; the measures he is proposing at EU level to tackle international roaming charges; his views on the recent advice of the British regulator (details supplied) for British mobile users to use pre-paid cards when abroad to avoid international roaming charges; and if he will make a statement on the matter. [6713/06]

132. **Mr. Cuffe** asked the Minister for Communications, Marine and Natural Resources if he has had communication with the Office of the Director of Consumer Affairs regarding the hidden charges of mobile phone companies; and if there are plans within his Department to examine the practice of delivery charges within the industry. [6744/06]

137. **Mr. G. Mitchell** asked the Minister for Communications, Marine and Natural Resources when he expects further progress in the development of integrated telecommunication networks on an all-island basis having particular regard to the welcome announcement of the abolition of roaming charges by a company (details supplied); the way in which he sees such developments progressing in the future; and if he will make a statement on the matter. [6612/06]

161. **Mr. Morgan** asked the Minister for Communications, Marine and Natural Resources if, due to the fact that EU pressure is being put on unscrupulous mobile phone operators to reduce or even remove their roaming costs, the pressure being put on Irish operators by the Government, following a company's (details supplied) recent announcement. [6701/06]

169. **Mr. Deasy** asked the Minister for Communications, Marine and Natural Resources the steps he intends to take to ensure that the quality of mobile phone services here are brought up to that available in other jurisdictions, notwithstanding recent progress by a company (details supplied) in regard to roaming charges; if he expects other service providers to follow this pattern; and if he will make a statement on the matter. [6641/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 71, 89, 102, 124, 132, 137, 161 and 169 together.

The regulation of telecommunications operators, including regulatory issues surrounding pricing for mobile services and quality, is the responsibility of the Commission for Communications Regulation in accordance with the requirements of the Communications (Regulation) Act 2002 and regulations made under the EU regulatory framework for electronic communications.

All our EU partners are also subject to the same EU regulatory framework. Under this framework telecommunications markets are regulated on a national basis by independent regulators who have an accountability to this House. Ofcom is responsible for the regulation of telecommunications operators in Northern Ireland and ComReg regulate the sector here.

Any changes to the existing EU regulatory framework would be subject to negotiations at EU level. The EU regulatory framework is currently being reviewed at EU level. I have already raised and will continue to raise the issue of roaming with my EU counterparts and Commissioner Reding. I am not satisfied the high levels of roaming charges — for voice and text — are justified and I would like to see a much greater focus by the Commission on this issue.

I welcome the EU initiative announced by Commissioner Reding whereby the Commission hopes to have a regulation in place by 2007, which will provide that international roaming charges should be no higher than national roaming charges. In addition to this, I point out that there is close co-operation between both regulators and Governments.

I have prioritised roaming charges as an issue that is of concern to people on the island. My Northern counterpart, Minister Angela Smith and I have had a number of meetings with the regulators who are working with the operators North and South and looking at ways to address the issue of inadvertent roaming. These discussions have focused on improving network coverage and exploring tariff options. I realise this is an issue that involves business decisions which is a matter for the operators but I consider that it is totally unacceptable for any person to be incorrectly charged for roaming.

For my part, I have already taken the opportunity in meetings with the operators to raise this issue and will continue to do so. I will also continue to pursue the issue with the Northern Ireland Minister Angela Smith. I welcome the recent announcement by O₂ that it will tackle the roaming issue both for bill pay and pay-as-you go users. O₂'s decision brings desirable competitive pressure on other mobile phone companies to also step up to the mark. However, I would like the broader issues addressed in relation to roaming as I consider the roaming charges generally are far too high.

My officials have written to the Office of the Director of Consumer Affairs and highlighted the issue of individuals being charged international rates for inadvertent cross-Border roaming when they were actually making national calls. The recent announcement by O₂ highlights that the solution to this matter rests with the operators.

Fisheries Protection.

72. **Mr. S. Ryan** asked the Minister for Communications, Marine and Natural Resources if measures will be brought forward to establish a buy-out scheme for drift-netting to protect Irish salmon stocks; and if he will make a statement on the matter. [6707/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The question of how best to manage the future fishing for wild Atlantic salmon is being reviewed in the context of setting the total allowable catch, TAC, for 2006. I am awaiting the advice of the National Salmon Commission in this regard and while it is disappointing that it did not arrive at a consensus at its meeting last week, I hope it can reconvene in time to submit appropriate advice on a timely basis.

The Government has to date consistently ruled out buyout as an effective means of achieving the restoration of salmon stocks and has instead, since 2002, promoted the application of quotas on commercial fishing and bag limits on angling to achieve catch reductions as the best instrument available to achieve this objective.

The Deputy will be aware of the Oireachtas joint committee's acknowledgement that any compensatory schemes should largely be funded by those stakeholders who would be the main economic beneficiaries of more salmon being free to return to the rivers. I also draw the Deputy's attention to the committee's comment that "public moneys spent must have, as a primary aim, ensuring the survival of the salmon species and that this precept must be regarded as more important than any economic gain to any sector that may accrue".

It is clear to me that future policy must be designed to ensure the survival of the species, while balancing the interests of various stakeholders in relation to the quantum of catch that

appears to be possible within the independent scientific advice and taking account of the detail of that advice in relation to location and types of fishing.

I found a note of caution about any possible compensatory scheme designed to address the financial impact of compliance with the scientific advice. There may be no legal requirement to introduce any compensation scheme in the event of a curtailment of fishing effort and in that context expectations of high levels of monetary compensation are unrealistic. Similarly and in consideration of equity in the matter, some meaningful contribution would be expected from the economic beneficiaries of a reduction in commercial fishing whether that is delivered in cash or in kind.

Energy Policy.

73. **Mr. Allen** asked the Minister for Communications, Marine and Natural Resources the position on an all-island energy policy; and if he will make a statement on the matter. [6602/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Government policy on the creation of an all-island energy market is set out in the all-island energy market development framework which I jointly published with my Northern counterpart in November 2004.

The framework document provides the policy context for the actions needed to create an all-island energy market. The process is overseen by a joint steering group comprising my Department, the Department of Enterprise, Trade and Investment in Northern Ireland and the two regulators.

The key priority within the framework is to have an all-island wholesale electricity market in place by 1 July 2007. The two regulators have already agreed the high-level principles governing the operation of this market and are now working on the detailed rules. This process involves close consultation with stakeholders.

A critical immediate priority for both Governments is to ensure that an appropriate legislative framework is in place to underpin the single electricity market. Delivery of the new single market by July 2007 presents a very challenging timeframe in which the necessary parallel legislation must be enacted. My officials are working intensively with their Northern colleagues and the two regulatory authorities to ensure that this target is met.

While the short-term priority is the creation of the single electricity market, the framework document also sets out a range of objectives requiring action in the short to medium term. The delivery of an all-island market in natural gas is one such objective and the two Departments are currently progressing the various actions to achieve this in conjunction with the two regulators.

Work is also under way to develop a long-term strategy for renewable energy on an all-island basis. A joint North-South public consultation on an all-island vision for renewable energy by 2020 and beyond has been undertaken. The aim is to develop an agreed joint policy paper this year on long-term sustainability of energy supplies, with a particular focus on renewable electricity generation.

Enhancement of gas and electricity infrastructure is a key enabler for the all-island energy market. Bord Gáis Éireann will complete the construction of the South-North gas pipeline from Gormanston to Belfast this year. The two electricity transmission system operators are also progressing the second North-South electricity interconnector project which is scheduled to be operational by 2012.

Co-operation on energy research and development and the coordination of energy emergency planning arrangements are also being advanced.

Mobile Telephony.

74. **Ms McManus** asked the Minister for Communications, Marine and Natural Resources if measures will be brought forward to incorporate the regulation of premium rate telephone services under the direction of the communications regulator, ComReg; and if he will make a statement on the matter. [6714/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Office of the Regulator of Premium Rate Telecoms Services, RegTel, which authorises and supervises the content and promotion of premium rate telecommunications services within the Irish market is independent and does not report to me as Minister for Communications, Marine and Natural Resources. I, therefore, have no plans to amend RegTel's statutory basis nor have I received any request to do so. In addition, the Commission for Communications Regulation, ComReg has no role in relation to content. The area of consumer protection within which RegTel operates falls mainly under the remit of my colleague the Minister for Enterprise, Trade and Employment and the Office of the Director of Consumer Affairs.

Postal Services.

75. **Mr. Coveney** asked the Minister for Communications, Marine and Natural Resources if all outstanding matters of concern at An Post have been resolved to the satisfaction of all; and if he will make a statement on the matter. [6607/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The recent developments at An Post, where the parties have accepted the Labour Court recommendations of 22 November last leading to a resolution to the

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industrial relations difficulties at An Post, are most welcome. I understand that both parties have recently signed off on the implementation plan which has given the green light to the implementation of the recovery strategy in line with the Labour Court's recommendation.

On foot of this recommendation, the company has paid the outstanding increases due last year under Sustaining Progress to all employees and pensioners and has agreed to pay all future increases as they fall due.

The company has also accepted the court's recommendation that all retrospective payments, relating to the 5% Sustaining Progress increase paid by An Post from 1 January last year, be made to its employees and pensioners as soon as the company is returned to reasonable and sustainable profit and when commercial circumstances permit.

I now look forward to the parties working together to implement the change programme that is so essential to the company's future financial viability and to providing the quality of service which customers are entitled to expect.

Energy Reserves.

76. **Mr. Boyle** asked the Minister for Communications, Marine and Natural Resources the procedures for reporting new oil and gas discoveries here; if his Department has received confirmation of new gas discoveries in the Lough Allen basin in the North West; and the potential reserves that might be involved and the returns which would accrue to the State as a result of such a find. [6741/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): A new discovery resulting from petroleum exploration is reported to the petroleum affairs division, PAD, of my Department. The PAD holds regular meetings with the operators of all exploration authorisations to monitor the progress of the work programmes attached to each authorisation.

What the Deputy refers to in his question as new gas discoveries in the Lough Allen Basin is an article in a business magazine reporting an estimate of the resource potential which was carried out for the operator. This is a stage in the exploration process and may form the basis or justification for further exploration. Unfortunately, this estimate does not constitute a discovery.

My Department has not yet had sight of the reserves estimate and the work supporting it and I am not, therefore, in a position to comment on the estimate. The main benefits to the State of such a discovery would be an indigenous energy reserve and consequent security of supply for our future energy needs. This would mean a reduced dependence on gas imports at a time when our

main supplier to date, the UK, is becoming a net importer as its reserves become depleted.

EU Directives.

77. **Mr. Gormley** asked the Minister for Communications, Marine and Natural Resources the measures he intends taking to ensure compliance with the proposed new European energy efficiency directive which will set a targeted 20% increase in energy efficiency by 2020; and if he will make a statement on the matter. [6748/06]

105. **Ms B. Moynihan-Cronin** asked the Minister for Communications, Marine and Natural Resources his proposals and targets for energy conservation and energy efficiency for the periods 2010 and 2020; and if he will make a statement on the matter. [6737/06]

153. **Ms Shortall** asked the Minister for Communications, Marine and Natural Resources if, in view of the European Commission directive on energy end-use efficiency and energy services that was adopted in December 2005 a national action plan has been drawn up; if not, the reason therefor; and if he will make a statement on the matter. [6706/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 77, 105 and 153 together.

The proposed directive on energy efficiency and energy services sets national indicative targets for energy saving and requires member states to produce energy efficiency action plans from 2007. The target is to save an annual quantity of energy equal to 1% of the quantity of energy supplied and-or sold to end customers, amounting to a 9% improvement in energy efficiency over the nine year period of application. We will meet this target through the accelerated development and promotion of targeted energy efficiency measures building on the programmes already successfully run by Sustainable Energy Ireland.

The Commission's Green Paper on energy efficiency sets a target of 20% increase in energy efficiency by 2020. The consultation phase of the Green Paper will conclude next month. Ireland fully supports the thrust of the Green Paper and I would not disagree with its conclusion that 20% energy efficiency target is both necessary and achievable for the EU.

In the context of the EU initiatives and our own national energy policy challenges, energy efficiency is a key strategic priority for me and the Government. I have mandated my Department and SEI to accelerate work in this area. In particular, work is under way to develop a comprehensive national energy efficiency campaign for 2006 and forward years which I will launch in the autumn.

Television Advertising.

78. **Mr. Gogarty** asked the Minister for Communications, Marine and Natural Resources if he intends to introduce legislation on the prohibition of television advertising of unhealthy foods to children to other media; if there has been progress at EU level in changing the Television Without Frontiers Directive in order that advertising restrictions could apply to the satellite broadcasters which insert advertising aimed at the market here but who are located outside the State. [6745/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There are no existing legislative provisions prohibiting television advertisements that are directed at children in relation to food products. Section 19(1)(c) of the Broadcasting Act 2001 provides that the Broadcasting Commission of Ireland shall prepare a code specifying standards to be complied with and rules and practices to be observed, in respect of advertising which relate to matters likely to be of direct or indirect interest to children.

The commission published a children's advertising code, which came into effect on 1 January 2005. The drafting, monitoring and review of the code, are functions which the Oireachtas has provided the commission with statutory responsibility for and in respect of which I have no role.

The principal aim of the EU Commission's proposal to amend the Television Without Frontiers Directive is to put in place a new regulatory framework that takes account of advances in technology and market developments in a platform neutral manner. In the area of jurisdiction over broadcasters, the Commission has not proposed any significant amendments. Accordingly, the amended directive would still provide that where a broadcaster in one member state operates a service that primarily targets an audience in another member state that it is the national rules of the member state in which the broadcaster is based that shall apply to that broadcasting service.

This does not address the concerns raised by Ireland along with a number of other member states. Ireland will continue to strongly make the case for amending the directive to ensure that broadcasting services that primarily target Irish audiences would be subject to Irish rules.

Postal Services.

79. **Ms O'Sullivan** asked the Minister for Communications, Marine and Natural Resources his views on the continuing deterioration in postal delivery service here; if the universal service obligation is being fully implemented; the steps he is taking to ensure the universal service obligation is upheld; and if he will make a statement on the matter. [6710/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no statutory function in this matter. Matters relating to quality and levels of postal service are a matter in the first instance for the management and board of An Post.

Question No. 80 answered with Question No. 69.

Consultancy Services.

81. **Mr. Timmins** asked the Minister for Communications, Marine and Natural Resources the extent to which he or his Department or subsidiary agencies rely on services offered by consultants; and if he will make a statement on the matter. [6647/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department is particularly mindful of the value for money imperative and the need to develop and deploy in-house skills as far as possible to minimise the requirement for consultancies. The Department also seeks to avail of skills and experiences of other Departments or other parts of the public sector where appropriate.

My Department's policy is to engage consultants or commission reports only in the following circumstances: where specialised knowledge or expertise not available in the Department or in the wider Civil or public service is required for a temporary period; where a need for objectivity and/or independence is deemed essential; where a consultancy study is required by an external body, for example, the EU; where a specialist study-project must be completed within a very short time scale; where the specialised knowledge or expertise may be available within the Department but an in-house solution would involve a prohibitive opportunity cost and/or would be impractical, for example, if staff would need to be diverted from other essential duties. The question of agencies' use of consultants is an operational matter which is outside my function.

Broadcasting Services.

82. **Mr. Connaughton** asked the Minister for Communications, Marine and Natural Resources the progress made in regard to the development of TG4 as a stand alone and independent broadcasting service; and if he will make a statement on the matter. [6614/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The external advisers appointed to assist in the preparation of a detailed implementation plan for the establishment of TG4 as an independent entity have submitted their final report to my Department. That report considers the most appropriate methodology and structure for giving effect to the separation of the assets and trade of TG4 from RTE

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and establishing TG4 as an independent entity. The report also considers issues relating to the transfer of staff, legal issues, taxation issues and funding issues. The consultants report has been considered by my Department which is in the process of finalising its recommendations to me.

Energy Reserves.

83. **Mr. Costello** asked the Minister for Communications, Marine and Natural Resources if, in view of the signing of an agreement between companies (details supplied) to explore the Dunquin project in the Porcupine Basin and the other reported major discovery in the County Sligo region, he will bring forward measures to change the licensing and regulatory regime for the exploration and exploitation of natural resources here; and if he will make a statement on the matter. [6705/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Dunquin prospect is situated in the Porcupine Basin off the south west coast. The acreage in which this prospect lies is currently held by Providence Resources plc and Sosina Exploration Limited under frontier exploration licence 3/04. Although this prospect looks promising, there is still a substantial amount of work required to establish the extent of the hydrocarbons in place and whether such hydrocarbons can be commercially exploited.

Similarly, in relation to the two onshore petroleum exploration licences in the north west, more work will be required before commerciality can be established. The history of this resource may be summarised. Gas was first discovered in the 1960s by Marathon which found it uneconomic to develop and subsequent exploration-appraisal efforts were made in the 1980s by Aran Energy and the early 2000s by Evergreen Resources Inc with similar unsuccessful results. Evergreen has a strong track record in developing similar gas basins. It drilled two wells of a planned three, then relinquished its licence. Neither of these events constitute a discovery let alone a commercial find.

In these circumstances, I see no basis to change the present terms governing petroleum exploration and development in Ireland and its offshore. However, these terms are kept under constant review by my Department in light of the international market in which Ireland seeks to attract exploration companies.

Alternative Energy Projects.

84. **Mr. Howlin** asked the Minister for Communications, Marine and Natural Resources if, in view of the reported bid by Bord na Móna to purchase EON's Edenderry power plant the

company is being transformed from a peat harvesting and production company to a broader based energy operation with renewable energy and waste management interests; if so, the implications for Bord na Móna's long-term commercial status; and if he will make a statement on the matter. [6715/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The current core businesses of Bord na Móna plc — peat stock supply and horticultural products — are finite businesses due mainly to economic and environmental factors. Bord na Móna will continue to operate its existing peat supply, solid fuels and horticultural businesses to optimise value to the group while implementing new strategic directives.

I agree with the company's board and management that Bord na Móna should move to strategically diversify to underpin sustainable long-term viability for the company and ongoing shareholder value. The company has identified a number of strategic opportunities in emerging and expanding sectors around which to develop, expand and diversify the group's business.

Bord na Móna has, therefore, developed detailed future strategy proposals which I recently approved in consultation with my colleague, the Minister for Finance. This future strategy aims to transform Bord na Móna to a group in the energy, environmental and waste management sectors.

The identified strategic opportunities focus on: development of a waste management business; the potential for co-fuelling with biomass to extend the life of the peat-fired generating stations beyond the lifetime of the existing public service obligation contracts; growth of the alternative and renewable energy business through joint ventures in wind farming and potential supply of biomass in place of peat-stock to the peat-fired generating stations; possible ownership of peat-fired power stations; and research and development.

The proposed new strategic direction reflects the maturity of Bord na Móna's current businesses and its requirement to generate new commercial activities. Bord na Móna has historically had a mandate to operate commercially and the approved strategy is fully consistent with that mandate.

The taking forward of individual projects under the strategy will be subject to board approval and the requisite shareholder approvals from myself and the Minister for Finance. I have not as yet received any formal proposals on individual projects including any which have been the subject of recent media speculation.

Broadcasting Services.

85. **Mr. Bruton** asked the Minister for Communications, Marine and Natural Resources

his preferred options on the future development of the television industry with particular reference to free to air coverage of specific sporting events, such as the Ryder Cup; his plans for the future of terrestrial television; and if he will make a statement on the matter. [6599/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In March 2003 the Broadcasting (Major Events Television Coverage) Act 1999 (Designation of Major Events) Order 2003 specified the events designated as events of major importance to society for which the right of a qualifying broadcaster to provide coverage on free television services should be provided in the public interest. Section 9 of the Broadcasting (Major Events Television Coverage) (Amendment) Act 2003 requires me to carry out a review of designated events not later than three years after the passing of the 2003 Act, that is to say, not later than April 2006. I announced my intention to commence this review in December 2005. The purpose of the review is to consider if the list of events designated in 2003 should be amended.

As part of the review, I initiated a public consultation process. My Department wrote to the sporting organisations that organise the events already designated, along with the European Tour and Ryder Cup, informing them of the review and seeking their views. My Department has also sought the views of broadcasters.

I have received submissions from event organisers, broadcasters and members of the public via written submission, e-mail and on an Internet forum. The submissions received have been made available on my Department's website. A report on the review is being prepared in my Department and I intend to complete the review shortly.

If, following the review, I decide to amend the list of designated events, then, in accordance with the provisions of the Broadcasting (Major Events Television Coverage) Act 1999, I will publish my intention to do so and seek the views of interested parties. This would involve a further formal consultation with event organisers and broadcasters. EU approval would also be required before I could lay an order before both Houses of the Oireachtas to give effect to the designation.

My core policy objectives for the development of the broadcasting sector are set down in my Department's statement of strategy 2005-07. This strategy was drawn up following consultation with key players in the industry and is available on my Department's website *www.dcmnr.ie*. Irish viewers will be best served by a broadcasting environment that includes a strong public service broadcasting presence, together with private broadcasters.

Departmental Schemes.

86. **Ms B. Moynihan-Cronin** asked the Minister

for Communications, Marine and Natural Resources the status of the lost at sea compensation scheme; the amount of compensation awarded to date under the scheme; and if he will make a statement on the matter. [6717/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Subject to specified criteria, a scheme to allow the capacity of a fishing vessel lost at sea before the coming into operation of the sea-fishing boat register to be accepted as replacement capacity, was launched in June 2001. The closing date for applications under the scheme was 31 December 2001.

It is incorrect to describe the scheme as a compensation scheme. It was not intended to and did not compensate qualifying applicants for the loss of life or of fishing vessels. Its purpose was to enable qualifying applicants, who were otherwise unable to do so for financial or related reasons, to provide replacement capacity for the purposes of introducing a replacement vessel to continue a family tradition of sea-fishing. The scheme did not provide financial support for the acquisition of a fishing vessel itself.

All applications received under the scheme were assessed and decisions made were communicated to the applicants. Some 68 applications were received and six were successful. The amount of capacity made available was based on the capacity of the lost vessel which was the subject of the application. There was no specified limit on the amount of capacity available for allocation under the scheme but the introduction of the scheme took into account the requirement that Ireland was required to keep within EU limits on the size of national fishing fleets. The total amount of replacement capacity made available to the six successful applicants was 283.7 gross tonnes and 1071.01 kilowatts.

Energy Policy.

87. **Mr. Sherlock** asked the Minister for Communications, Marine and Natural Resources if he is proposing to bring forward measures to develop cross-Border renewable energy supplies after recent comments by the Northern Secretary, Mr. Peter Hain; and if he will make a statement on the matter. [6726/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Northern Secretary recently underlined the imperative for Northern Ireland to develop a sustainable energy strategy which protects the environment, invests in renewables and delivers for consumers. We share those objectives North and South. We are progressing the sustainable agenda together in the context of the all-island energy market as well as driving ahead with our respective renewable energy funding schemes.

Both Governments are firmly committed to the creation of an all-island energy market to meet

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the challenge of ensuring safe, secure and sustainable energy supplies obtained through competitive energy markets. The all-island energy market development framework of 2004 gives concrete expression to that commitment. We have agreed a range of development priorities for the short to medium term.

The immediate priority is the establishment of the single electricity market by 2007 as a critical element of a successful all-island market. There are a number of medium term priorities which are also being progressed. These include maximising the benefits of sustainable energy in line with our respective and EU sustainable energy policies and targets. Work is well under way to create an all-island vision for renewable energy by 2020 and beyond. Targets post 2010 for the contribution of renewable energy to electricity production will be agreed in the framework of the all-island vision.

I will shortly launch the renewable energy grant scheme of €65 million which was announced in the budget and which will support domestic and industry take-up of biomass, geothermal and other renewables. The Northern Secretary has confirmed that he will be announcing a similar renewables package for Northern Ireland shortly.

Post Office Network.

88. **Mr. Quinn** asked the Minister for Communications, Marine and Natural Resources if he will report on the number of post offices which have been closed in the past year here; the implications of this for local communities and especially for senior citizens and people with disabilities; and if he will make a statement on the matter. [6709/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to the following table which outlines the post offices closed or converted in the past year. The matter of post office closures is in the first instance an operational matter for the board and management of An Post and one in which I have no statutory function.

Post Office closures — 1 Jan 2005 to 31 December 2005

| Sub-Office | County |
|--------------|-----------|
| Aghabog | MONAGHAN |
| Ardlogher | CAVAN |
| Brandon | KERRY |
| Brickens | MAYO |
| Broadford | KILDARE |
| Cadamstown | OFFALY |
| Clooneyquinn | ROSCOMMON |
| Coolbawn | KILKENNY |
| Cregganbaun | MAYO |

| Sub-Office | County |
|-----------------|-----------|
| Four Mile House | ROSCOMMON |
| Inch | WEXFORD |
| Killiney | DUBLIN |
| Loughan | MEATH |
| New Inn | CAVAN |
| Rahara | ROSCOMMON |
| Rathfeigh | MEATH |
| Strand | LIMERICK |
| Tagheen | MAYO |

Question No. 89 answered with Question No. 71.

Energy Policy.

90. **Mr. Hayes** asked the Minister for Communications, Marine and Natural Resources the full extent of grant aid available for energy production from biomass; and if he will make a statement on the matter. [6639/06]

98. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources the discussions he has had with the Departments of Agriculture and Food, Environment, Heritage and Local Government, Transport and Finance with a view to the development of an attractive energy policy; and if he will make a statement on the matter. [6628/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 90 and 98 together.

The renewable energy grants package includes funding support for domestic renewable heat technologies, including wood pellet boilers, as well as medium and large scale biomass boilers for the services, business and industrial sectors building on last year's pilot scheme. The detailed measures to roll out the programmes are being finalised and I intend to launch the schemes in the near future.

The majority of biomass energy in Ireland is derived from wood products converted into heat. The biomass sector has attracted the largest level of support under Sustainable Energy Ireland's renewable energy research and development programme. A number of headline projects have been supported under the measure which are stimulating interest in solar and wood heating systems around the country.

To date Ireland has also achieved just over 20 MW of installed generating capacity from renewable biomass technologies operational on the electricity network. This is a promising start and the objective is to steadily increase the contribution from renewable energy sources, including biomass, to total electricity production. I am putting in place a new support programme that will move from competitive tendering under the

Alternative Energy Requirement, AER, programme to a fixed price based system to be known as the Renewable Energy Feed In Tariff, REFIT. The support programme will underpin the growth of the renewable energy contribution to electricity generators.

My Department is working closely with all relevant Departments, State agencies, the energy sector and industry generally in the development of strategies to underpin renewable and alternative energy policy objectives. The work of the group on bioenergy strategy and the renewable energy development group have been two important mechanisms for developing cohesive policy options taking account of the various sectoral perspectives.

Corrib Gas Pipeline.

91. **Mr. Noonan** asked the Minister for Communications, Marine and Natural Resources the degree to which outstanding matters affecting the development of the Corrib gas project have been addressed to date; if particular recommendations have been made or accepted; if changes have been proposed or made with a view to early resolution and utilisation of the resource; and if he will make a statement on the matter. [6620/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): As the Deputy is aware, I commissioned an international consulting company, Advantica, on 25 August 2005, to carry out a thorough and independent safety review of the onshore, upstream section of the Corrib gas pipeline. Advantica are world leaders in the area of advanced hazard and risk assessment technologies for gas pipelines. The consultants were asked to conclude whether or not the proposed installations will comply with recognised international “best practice” and will deliver a facility that is “fit for purpose”.

In parallel with this safety review, I established a public consultation process to ensure that the concerns of the community would be fully addressed in this review. As part of this process, a two-day public hearing was held in Geesala on 12 and 13 October, chaired by Mr. John Gallagher SC, during which the community was given the opportunity to express its concerns directly to the consultants.

The safety review explicitly took into account the concerns expressed to the consultants at the public hearing and addressed each of these thoroughly. The final results of the safety review were recently forwarded to my Department by Avantica. My Department’s technical advisory group has considered them and made recommendations to me. I am considering the implications of these findings for the project as a whole. I hope to make the necessary decisions shortly, taking these reports and recommendations fully into account.

As the Deputy is also aware there is an ongoing mediation process put in place through which it is hoped to resolve any difficulties the parties might have in relation to the Corrib on-shore pipeline. I hope this process will conclude successfully in the near future.

Telecommunications Services.

92. **Mr. Kehoe** asked the Minister for Communications, Marine and Natural Resources the reason delivery of broadband services have been so slow; if he has given instructions or directives in this regard; and if he will make a statement on the matter. [6645/06]

96. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he proposes to take action to improve Ireland’s performance in regard to the provision of broadband facilities having particular regard to the need to keep pace with developments in other countries; and if he will make a statement on the matter. [6586/06]

106. **Ms Enright** asked the Minister for Communications, Marine and Natural Resources the steps he has taken or instructions he has given through ComReg or directly through service providers with a view to achieving a higher and accelerated performance in regard to provision of broadband services with the objective of bringing Ireland back into serious contention as a leader in the European context in the area of modern telecommunications such as broadband and mobile telephony; and if he will make a statement on the matter. [6619/06]

116. **Mr. Noonan** asked the Minister for Communications, Marine and Natural Resources when he expects broadband availability here to catch up with the leading European countries; and if he will make a statement on the matter. [6621/06]

146. **Mr. G. Mitchell** asked the Minister for Communications, Marine and Natural Resources if he has satisfied himself that the availability of broadband is adequate to meet industrial and domestic needs; and if he will make a statement on the matter. [6613/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 92, 96, 106, 116 and 146 together.

The development and roll-out of telecommunications technology is primarily a matter for the industry itself in a liberalised market. In comparison with other European countries, broadband service providers in Ireland were slow in launching competitive, affordable broadband. However, the situation is improving rapidly. In late 2004, the Government set a target of 400,000

[Mr. N. Dempsey.]

broadband subscribers to be achieved by the end of 2006. I have, however, challenged the industry to strive for 500,000 subscribers by that stage. The Government's broadband target is to be within the top half of EU countries by the end of 2007.

The rate of broadband uptake is dependent on a combination of factors including access by the private sector service providers to suitable infrastructure, as well as competition between broadband service providers and demand conditions for broadband in the economy. Since 2004, broadband subscriber numbers have more than doubled and the current take-up for broadband is in the region of 10,000 per month. Latest ComReg figures for broadband subscribers are 250,000.

In addition to setting challenging targets to the telecommunications industry, the Government has taken a number of policy and investment initiatives to improve broadband availability. In March 2004, a number of policy directions were issued to ComReg relating to competition, broadband, wholesale and retail line rental, interconnection-leased lines, and national and cross-Border roaming.

The direction on broadband required ComReg to use regulatory and enforcement tools, to support initiatives to develop broadband and to remove regulatory barriers, if any exist, to such initiatives. One significant barrier to the delivery of broadband services is the slow pace of local loop unbundling, LLU. Responsibility for LLU is a matter for ComReg. I have no powers to issue instructions to service providers in this matter.

The Government is addressing the lack of investment by the sector by building high-speed open access fibre-based metropolitan area networks, MANs, in 120 towns and cities nationwide, on a phased basis in association with the local and regional authorities using European and Government funding. Phase one of this programme has so far delivered fibre optic networks to 27 towns and cities throughout the country. This programme has been extended to over 90 towns in various locations nationwide. These networks will be completed during 2006 and 2007. They allow the private sector to offer world-class broadband services at competitive costs.

My Department also offers funding for smaller towns and rural communities through the county and group broadband scheme. The scheme is technology-neutral, allowing the community to select the most suitable broadband delivery platform for the area. To date, over 150 projects have been approved for funding under this programme. A joint industry-Government fund of €18 million has been established for the broadband for schools programme, which will provide every school in the country with broadband during 2006.

Broadcasting Services.

93. **Mr. Deenihan** asked the Minister for Communications, Marine and Natural Resources if he has received communications from representative groups requesting the provision of subtitling in respect of television services; if he intends to respond to such proposals; and if he will make a statement on the matter. [6632/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department has from time to time received communications from representative groups and interested parties to the matter of subtitling on television services. Section 19(11) of the Broadcasting Act 2001 provides that the Broadcasting Commission of Ireland shall make rules requiring each broadcaster to take specified steps to promote the understanding and enjoyment by persons who are deaf or hard of hearing of programmes transmitted by that broadcaster.

Section 53 of the Disability Act expands this provision and provides that the rules shall require each broadcaster to take specified steps to provide access to audio-visual material to people with sensory impairments by means of specified services. The Disability Act list a number of services, such as sign language, teletext, subtitling and audio description and requires that broadcasters have regard to whether the material is being provided daily or at other regular intervals, at popular viewing times and for news and news related matters as well as for other matters.

The access rules drawn up by the Broadcasting Commission of Ireland were developed following a comprehensive public consultation process and came into effect on 2005. As the Broadcasting Commission of Ireland is an independent statutory body, I had no role in the making of these rules.

Mobile Telephony.

94. **Mr. English** asked the Minister for Communications, Marine and Natural Resources the reason mobile telephone services in terms of quality and cost cannot compare favourably with services in other European countries; and if he will make a statement on the matter. [6635/06]

101. **Mr. Deasy** asked the Minister for Communications, Marine and Natural Resources the reason mobile telephone charges here should be higher than in the rest of Europe and have poorer quality of service; his proposals to address these issues; and if he will make a statement on the matter. [6640/06]

114. **Mr. P. McGrath** asked the Minister for Communications, Marine and Natural Resources the extent to which comparisons have been made in respect of electronic transmission costs here as compared with those throughout Europe; and if

he will make a statement on the matter.
[6642/06]

145. **Mr. G. Murphy** asked the Minister for Communications, Marine and Natural Resources when he expects deregulation in the telecoms industry to manifest itself in terms of increased competition and benefit to the consumer; and if he will make a statement on the matter.
[6605/06]

159. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his proposals to improve the quality and coverage of mobile telephony here and availability; and if he will make a statement on the matter.
[6585/06]

165. **Mr. McGinley** asked the Minister for Communications, Marine and Natural Resources if he has issued directives or intends to so do with the objective of improving the quality and coverage of the mobile telephone service; and if he will make a statement on the matter. [6608/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 94, 101, 114, 145, 159 and 165 together.

I have no function in regulating pricing for services or quality of service in the telecommunications market. The regulation of telecommunications operators, including regulating of pricing and quality for mobile phone services is the responsibility of the Commission for Communications Regulation, ComReg, in accordance with the requirements of the Communications Regulation Act 2002 and regulations which transpose the EU regulatory framework for electronic communications.

The provision of telecommunications services is a matter in the first instance for the private sector companies operating in a fully liberalised market regulated by the independent Commission for Communications Regulation, ComReg.

As Minister for Communications, Marine and Natural Resources, I have responsibility for overall telecoms policy. My main goal in this policy is to create conditions for sustainable growth and competition that will benefit the economic and social development of Ireland and facilitate competitive services.

Improving the market conditions to enhance competition is the best way to drive down mobile phone charges. The more competitive telecoms services that are on offer, the better in the long run for consumers, the sector and the economy.

In addition, ComReg has, as one of its key objectives, under the Communications Regulation Act 2002, the promotion of competition in the exercise of its functions. Competition in the

fixed and mobile markets will drive down prices for consumers.

I have no information to say that Irish mobile charges are generally the highest in Europe. However, ComReg's quarterly key data for the Irish communications market for quarter three 2005 indicate that the average revenue per user, ARPU, for Ireland is €47 per month, second only to Switzerland at €48 per month. The EU ARPU is €30 per month.

Consultancy Reports.

95. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources when the Deloitte & Touche report on the future of the ESB will be published; the reason there has been such a delay in its publication; and if he will make a statement on the matter. [6708/06]

158. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources when he expects to publish the Deloitte & Touche report; and if he will make a statement on the matter. [6624/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 95 and 158 together.

I recently received the Deloitte & Touche report on the electricity sector. I am currently considering the report in the context of the energy policy consultation paper which is being drawn up by my Department. I intend to publish the report in that context in the coming months.

Question No. 96 answered with Question No. 92.

Electricity Sector.

97. **Dr. Twomey** asked the Minister for Communications, Marine and Natural Resources the nature of discussions which have taken place between his Department, the ESB or other energy providers with particular reference to the ESB's role in the generation and transmission of electricity in the future; if it is intended to publish the Deloitte and Touche report; and if he will make a statement on the matter. [6653/06]

115. **Mr. Naughten** asked the Minister for Communications, Marine and Natural Resources the nature of discussions he has had with unions, management or other groups or interests in regard to the future structure and role of the ESB; and if he will make a statement on the matter. [6625/06]

338. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the extent to which he or his Department have had discussions with the ESB and other energy producers in regard to the future structures of the

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electricity industry here; and if he will make a statement on the matter. [6695/06]

369. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the nature of discussions which have taken place between his Department, the ESB or other energy providers with particular reference to the ESB's role in the generation and transmission of electricity in the future; if it is intended to publish the Deloitte and Touche report; and if he will make a statement on the matter. [7096/06]

381. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the extent to which he or his Department have had discussions with the ESB and other energy producers in regard to the future structures of the electricity industry here; and if he will make a statement on the matter. [7121/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 97, 115, 338, 369 and 381 together.

Last year I appointed Deloitte & Touche to carry out a comprehensive independent review of the electricity sector. The review included a detailed examination of ESB's vertically integrated utility structure and its dominance in the sector, particularly in the area of power generation. The consultants were also requested to make specific recommendations as to the most appropriate institutional arrangements and company structures, including ownership models, for the ESB and, to the extent appropriate, for the electricity sector in general. As part of their terms of reference the consultants also undertook a comprehensive consultation process with industry stakeholders, including the ESB to underpin the review.

I recently received the Deloitte review. I am currently considering the report in the context of the energy policy consultation paper being drawn up by my Department. I intend to publish the report in the context of the energy policy paper.

Question No. 98 answered with Question No. 90.

Broadcasting Services.

99. **Mr. O'Dowd** asked the Minister for Communications, Marine and Natural Resources the amount of surplus funds currently available to the Broadcasting Commission of Ireland; the manner in which it is anticipated to spend such funds in the context of the development of the broadcasting service; and if he will make a statement on the matter. [6627/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I assume

the Deputy is referring to the broadcasting funding scheme operated by the Broadcasting Commission of Ireland, BCI. The Broadcasting (Funding) Act 2003 provides that the Broadcasting Commission of Ireland prepare a scheme or schemes for the funding of grants to support certain television and radio programmes. The EU Commission notified Ireland in November 2005 of its decision that it considers the scheme to be compatible with the relevant provisions of the EU treaty. I subsequently wrote to the Broadcasting Commission of Ireland approving the scheme entitled Sound & Vision. I understand that the first round of applications under this scheme has taken place.

The amount payable annually under section 4(2) of the Broadcasting (Funding) Act 2003 is equal to 5% of net receipts of broadcasting licence fees. The amount available under the scheme now stands at in excess of €25 million.

100. **Ms Shortall** asked the Minister for Communications, Marine and Natural Resources when there will be a decision on the amending of the list of designated sporting events under the Broadcasting Amendment Act 2003, especially in relation to the upcoming 2006 Ryder Cup; when he expects the review to be completed; and if he will make a statement on the matter. [6727/06]

127. **Mr. Stanton** asked the Minister for Communications, Marine and Natural Resources if he has had discussions with the Ryder Cup promoters-organisers, television interests or other sporting authorities or agencies with a view to meeting the expressed wishes of various interests in respect of broadcasting rights for the Ryder Cup; and if he will make a statement on the matter. [6703/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 100 and 127 together.

I refer the Deputy to my reply to Parliamentary Question No. 85 of 21 February 2006.

Question No. 101 answered with Question No. 94.

Question No. 102 answered with Question No. 71.

Ministerial Appointments.

103. **Mr. Bruton** asked the Minister for Communications, Marine and Natural Resources the number of positions on boards, agencies or bodies under his aegis to which he has made appointments in recent times; the number of such appointments outstanding; his plans to fill same; and if he will make a statement on the matter. [6598/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The information requested by the Deputy on appointments made to the boards of State-sponsored bodies

since September 2004 is set out in the following table. The number of vacancies currently existing is set out in the second table. It is my intention to fill these vacancies at the earliest opportune time.

Appointments to the Boards of State-sponsored Bodies under the aegis of the Department of Communications, Marine & Natural Resources made since September 2004

An Post

| Board Member (Elected Employees) | Appointment Date | Expiry Date |
|----------------------------------|------------------|-------------|
| Mr. Jerry Condon | 01.11.2004 | 31.10.2008 |
| Mr. Patrick Compton | 01.11.2004 | 31.10.2008 |
| Mr. Patrick Davoren | 01.11.2004 | 31.10.2008 |
| Mr. Thomas Devlin | 01.11.2004 | 31.10.2008 |
| Mr. Terry Keller | 01.11.2004 | 31.10.2008 |

Aquaculture Licence Appeals Board

| Board Member | Date of Appointment | Expiry Date |
|------------------------|---------------------|-------------|
| Mr. Sean Murphy | 01.01.05 | 31.12.07 |
| Mr. Lorcan Ó Cinneide* | 01.01.05 | 31.12.07 |
| Mr. Mario J. Minehane* | 01.01.05 | 31.12.07 |
| Ms Mary McMahan | 01.01.05 | 31.12.06 |
| Ms Karin Dubsky | 01.01.05 | 31.12.06 |
| Mr. Damian McDonald | 01.01.05 | 31.12.06 |

Bord na Móna

| Board Member | Date of Appointment | Expiry Date |
|-------------------------------|---------------------|-------------|
| Mr. Fergus McArdle (Chairman) | 28.09.04 | 27.09.09 |
| Ms Anne Heraty | 28.09.04 | 27.09.09 |
| Mr. Gabriel Cribbin | 09.09.05 | 08.09.08 |

Bord Iascaigh Mhara

| Board Member | Date of Appointment | Expiry Date |
|----------------|---------------------|-------------|
| Ms Rose McHugh | 29.09.04 | 23.04.07 |

Broadcasting Complaints Commission

| Board Member | Date of Appointment | Expiry Date |
|-------------------------------|---------------------|-------------|
| Michael McGrath (Chairperson) | 18.10.05 | 17.10.10 |
| Sean O'Sullivan | 18.10.05 | 17.10.10 |
| Eucharía Meehan | 18.10.05 | 17.10.10 |
| David Tighe | 18.10.05 | 17.10.10 |
| Miriam O'Callaghan | 18.10.05 | 17.10.10 |
| Susan Nolan | 18.10.05 | 17.10.10 |
| Phil Brady | 18.10.05 | 17.10.10 |

[Mr. N. Dempsey.]

Central Fisheries Board

| Board Member | Date of Appointment | Expiry Date |
|-------------------------|---------------------|-------------|
| David Mackey (Chairman) | 24.06.05 | 24.06.2010 |
| Ms Mary Bohan | 24.06.05 | 24.06.2010 |
| Éamon de Buitléir | 24.06.05 | 24.06.2010 |
| Myles Kelly | 24.06.05 | 24.06.2010 |
| Naul McCole | 24.06.05 | 24.06.2010 |
| John Henry McLaughlin | 24.06.05 | 24.06.2010 |

Commission for Energy Regulation (CER)

| Board Member | Date of Appointment | Expiry Date |
|---------------------------|---------------------|-------------|
| Mr. Tom Reeves (Chairman) | 14.10.04 | 09.09.09 |
| Mr. Michael Tutty | 14.10.04 | 12.10.09 |
| Ms Regina Finn | 01.02.05 | 31.01.09 |

Commission for Communications Regulation (ComReg)

| Board Member | Date of Appointment | Expiry Date |
|----------------|---------------------|-------------|
| Mr. Mike Byrne | 01.12.2004 | 30.11.08 |

The Digital Hub

| Board Member | Date of Appointment | Expiry Date |
|----------------|---------------------|-------------|
| Mr. Joe Murphy | 29.09.04 | 29.09.07 |

Drogheda Harbour Board

| Board Member | Date of Appointment | Expiry Date |
|---------------------------------|---------------------|-------------|
| Mr. Paddy Traynor (Chairperson) | 20.12.04 | 19.12.09 |
| Ms Maria O'Brien Campbell | 23.05.05 | 22.05.10 |
| Mr. Cormac Bohan | 29.09.04 | 28.09.09 |
| Cllr. Paul Bell | 04.08.04 | 03.08.09 |

Dublin Port Company

| Board Member | Date of Appointment | Expiry Date |
|-----------------------|---------------------|-------------|
| Cllr. Kevin Humphries | 10.09.04 | 09.09.09 |
| Cllr. Christy Burke | 10.09.04 | 09.09.06 |
| Cllr. Paddy Bourke | 10.09.04 | 09.09.09 |

Dundalk Port Company

| Board Member | Date of Appointment | Expiry Date |
|------------------|---------------------|-------------|
| Mr. Kevin Meenan | 05.04.05 | 04.04.10 |

Electronic Communications Appeals Panel*

| Board Member | Date of Appointment | Expiry Date |
|----------------------|---------------------|------------------|
| Hugh Mohan SC | 21.09.04 | Contract expired |
| Margaret Heneghan BL | 21.09.04 | Contract expired |
| Catherine Woods BA | 21.09.04 | Contract expired |
| Mary Sadlier | 23.05.05 | 23.05.06 |
| Sean Barrett | 23.05.05 | 23.05.06 |
| Paul Burns SC | 23.05.05 | 23.05.06 |
| Finbarr Fox SC | 23.05.05 | 23.05.06 |
| Patrick Butler SC | 24.05.05 | 24.05.06 |
| Liam Cahill | 20.06.05 | 20.06.06 |
| Brian O'Moore SC | 14.07.05 | 14.07.06 |
| Eileen Barrington JC | 15.06.05 | 15.06.06 |

*Pool from which 3 persons will be appointed by Minister to an appeal panel. Two Panels currently exist, each with its own chairperson.

Eirgrid

| Board Member | Date of Appointment | Expiry Date |
|--|-------------------------|-------------|
| Ms Martina Moloney | 15.09.04 | 15.09.09 |
| Mr. Maurice Holly (staff representative) | 21.09.04 (re-appointed) | 21.09.09 |
| Ms Emer Daly | 20.03.05 (2nd term) | 19.03.08 |
| Mr. David Mackey | 20.03.05 (2nd term) | 19.03.08 |
| Mr. Dermot Byrne CEO (ex officio) | 04.07.05 | 03.07.12 |
| Ms Bernie Gray | 08.09.05 | 07.09.10 |

ESB

| Board Member | Date of Appointment | Expiry Date |
|----------------------|---------------------|-------------|
| Mr. Brendan Byrne | 01.09.04 | 31.08.09 |
| Mr. Tadhg O'Donoghue | 07.09.05 (2nd term) | 06.09.10 |
| Ms Georgina Kenny | 18.05.05 (2nd term) | 17.05.10 |

Galway Harbour Board

| Board Member | Date of Appointment | Expiry Date |
|-------------------|---------------------|-------------|
| Cllr. Joe Tierney | 13.08.04 | 12.08.09 |
| Cllr. Sean Kyne | 05.04.05 | 04.04.10 |

Marine Institute

| Board Member | Appointment Date | Expiry Date |
|--------------------------------|------------------|-------------|
| Ms. Terry Fleming | 29.09.04 | 28.09.09 |
| Mr. Kevin Bonner (Chairperson) | 24.06.05 | 23.06.08 |
| Ms Dairine McFadden | 19.12.05 | 18.12.10 |

[Mr. N. Dempsey.]

National Salmon Commission

| Board Member | Appointment Date | Expiry Date |
|-------------------------------|------------------|-------------|
| Mr. Joey Murrin (Chairperson) | 30.09.05 | 31.05.08 |
| Jim Curran | 30.09.05 | 31.05.08 |
| Brian Curran | 30.09.05 | 31.05.08 |
| John H. O'Brien | 30.09.05 | 31.05.08 |
| Peter Hunt | 30.09.05 | 31.05.08 |
| Vincent Roche | 30.09.05 | 31.05.08 |
| Michael Keatinge | 30.09.05 | 31.05.08 |
| Derick Anderson | 30.09.05 | 31.05.08 |
| Noel Carr | 30.09.05 | 31.05.08 |
| Lal Faherty | 30.09.05 | 31.05.08 |
| Martin McEnroe | 30.09.05 | 31.05.08 |
| Luke Boyle | 30.09.05 | 31.05.08 |
| Jerome Dowling | 30.09.05 | 31.05.08 |
| John Doherty | 30.09.05 | 31.05.08 |
| Michael Conners | 30.09.05 | 31.05.08 |
| Seamus De Burca | 30.09.05 | 31.05.08 |
| Carmel Lynn | 30.09.05 | 31.05.08 |
| Frank Flanagan | 30.09.05 | 31.05.08 |
| Peter Dunn | 30.09.05 | 31.05.08 |
| Richie Flynn | 30.09.05 | 31.05.08 |

New Ross Port Company

| Board Member | Date of Appointment | Expiry Date |
|---------------------|---------------------|-------------|
| Cllr. Larry O'Brien | 26.11.04 | 25.11.09 |

Port of Cork Company

| Board Member | Date of Appointment | Expiry Date |
|-----------------------|---------------------|-------------|
| Cllr. Michael Hegarty | 04.08.04 | 03.08.09 |

Port of Waterford Company

| Board Member | Date of Appointment | Expiry Date |
|--------------------|---------------------|-------------|
| Ms Lola O'Sullivan | 29.08.04 | 28.08.09 |
| Mr. Derek Madigan | 16.03.05 | 15.03.10 |

Radió Telefís Éireann Authority

| Board Member | Date of Appointment | Expiry Date |
|------------------|---------------------|-------------|
| Fintan Drury | 21.06.05 | 20.06.2008 |
| Maria Killian | 21.06.05 | 20.06.2008 |
| Patricia King | 21.06.05 | 20.06.2008 |
| Ian Malcolm | 21.06.05 | 20.06.2008 |
| Úna Ní Chonaire | 21.06.05 | 20.06.2008 |
| Stephen O'Byrnes | 29.06.05 (2nd term) | 20.06.2008 |
| Patrick Marron | 29.06.05 (2nd term) | 20.06.2008 |
| Emer Finnan | 14.09.05 | 20.06.2008 |
| Joe O'Brien | 14.09.05 | 20.06.2008 |

Southern Regional Fisheries Board

| Board Member | Date of Appointment | Expiry Date |
|--------------|---------------------|-------------|
| Mr. Pat Bowe | 14.12.04 | 31.12.05 |

Regional Harbour Authorities

Arklow Harbour

| Board Member | Date of Appointment | Expiry Date |
|------------------------|---------------------|---------------------------------|
| Cllr. Sylvester Bourke | 28.09.04 | At date of next local elections |
| Cllr. Pat Doran | 28.09.04 | |
| Cllr. Peter Dempsey | 28.09.04 | |
| Cllr. Donal O'Sullivan | 28.09.04 | |
| Mr. James Tyrell | 28.09.04 | |
| Mr. Lorcan O'Toole | 28.09.04 | |
| Mr. Austin Gaffney | 28.09.04 | |
| Ms. Ann Lee | 28.09.04 | |
| Mr. Paddy Mordaunt | 28.09.04 | |
| Cllr. Pat Fitzgerald | 28.09.04 | |
| Cllr. Pat Sweeney | 28.09.04 | |

Annagassan Harbour

| Board Member | Date of Appointment | Expiry Date |
|-----------------------|---------------------|---------------------------------|
| Cllr. Tommy Reilly | 28.09.04 | At date of next local elections |
| Cllr. Finnan McCoy | 28.09.04 | |
| Cllr. Pearse McGeough | 28.09.04 | |
| Cllr. Jim Lennon | 28.09.04 | |
| Mr. Terry Butterly | 28.09.04 | |
| Ms Rosemarie Coyle | 28.09.04 | |
| Mr. Liam Reilly | 28.09.04 | |
| Mr. Tommy McGrory | 28.09.04 | |
| Mr. Gerard Sheridan | 28.09.04 | |

Baltimore & Skibbereen Harbour

| Board Member | Date of Appointment | Expiry Date |
|------------------------|---------------------|---------------------------------|
| Cllr. Tadgh O'Donovan | 28.09.04 | At date of next local elections |
| Cllr. Joe Carroll | 28.09.04 | |
| Cllr. Brendan Leahy | 28.09.04 | |
| Cllr. Brendan McCarthy | 28.09.04 | |
| Mr. Michael Harte | 28.09.04 | |
| Mr. Vincent O'Driscoll | 28.09.04 | |
| Mr. Danny O'Driscoll | 28.09.04 | |
| Mr. Dermot Sheehy | 28.09.04 | |
| Mr. Kieron Cotter | 28.09.04 | |

[Mr. N. Dempsey.]

Bantry Harbour

| Board Member | Date of Appointment | Expiry Date |
|------------------------|---------------------|---------------------------------|
| Mr. John O'Riordan | 28.09.04 | At date of next local elections |
| Mr. Michael Hennebry | 28.09.04 | |
| Cllr. Eugene Cronin | 28.09.04 | |
| Cllr. Patrick Kelly | 28.09.04 | |
| Mr. John O'Shea | 28.09.04 | |
| Mr. Donal Casey | 28.09.04 | |
| Mr. Aiden McCarthy | 28.09.04 | |
| Mrs. Kathleen Tessyman | 28.09.04 | |
| Ms Letty Baker | 28.09.04 | |
| Mr. Mario Minehane | 28.09.04 | |
| Mr. Tim Minihane | 28.09.04 | |

Dingle Harbour

| Board Member | Date of Appointment | Expiry Date |
|-----------------------------|---------------------|---------------------------------|
| Mr. Tom Fitzgerald | 28.09.04 | At date of next local elections |
| Mr. Eoin Ó Catháin | 28.09.04 | |
| Mr. Paddy Flannery | 28.09.04 | |
| Mr. Denis O'Connor | 28.09.04 | |
| Mr. Tom Kennedy | 28.09.04 | |
| Cllr. Seamus Fitzgerald | 28.09.04 | |
| Cllr. Breandán Mac Gearailt | 28.09.04 | |
| Dr. Fionnbar O'Shea | 28.09.04 | |
| Mr. Timothy O'Sullivan | 28.09.04 | |

Kinsale Harbour

| Board Member | Date of Appointment | Expiry Date |
|------------------------|---------------------|---------------------------------|
| Mr. Billy Lynch | 28.09.04 | At date of next local elections |
| Mr. Charles Hendeson | 28.09.04 | |
| Mr. Kevin Murphy | 28.09.04 | |
| Cllr. Alan Coleman | 28.09.04 | |
| Mr. Eamon O'Neill | 28.09.04 | |
| Mr. Frank Kiernan | 28.09.04 | |
| Mr. John Twomey | 28.09.04 | |
| Mr. Courtney Good | 28.09.04 | |
| Mr. Michael T. Frawley | 28.09.04 | |

River Moy Harbour

| Board Member | Date of Appointment | Expiry Date |
|-----------------------|---------------------|---------------------------------|
| Mr. John Keane | 28.09.04 | At date of next local elections |
| Mr. Dessie Padden | 28.09.04 | |
| Mr. Jimmy Sheridan | 28.09.04 | |
| Cllr. Annie May Reape | 28.09.04 | |
| Mr. John Farrell | 28.09.04 | |
| Mr. Edward Melvin | 28.09.04 | |

| Board Member | Date of Appointment | Expiry Date |
|----------------------|---------------------|-------------|
| Mr. Tommy Ginley | 28.09.04 | |
| Mr. Paddy Jackson | 28.09.04 | |
| Mr. Judd Ruane | 28.09.04 | |
| Cllr. Jimmy Moloney | 28.09.04 | |
| Mr. Michael McDonagh | 28.09.04 | |

Sligo Harbour

| Board Member | Date of Appointment | Expiry Date |
|-------------------------|---------------------|---------------------------------|
| Mr. Albert Higgins | 28.09.04 | At date of next local elections |
| Mr. Patsy Barry | 28.09.04 | |
| Ms Veronica Cawley | 28.09.04 | |
| Mr. Jonathan McGoldrick | 28.09.04 | |
| Mr. Gerry McCanny | 28.09.04 | |
| Mr. Stephen Rundle | 28.09.04 | |
| Mr. Seamus Monaghan | 28.09.04 | |
| Mr. Jim McMorrow | 28.09.04 | |
| Mr. Gene O'Carroll | 28.09.04 | |
| Mr. Liam Gannon | 28.09.04 | |
| Mr. Pádraic Branley | 28.09.04 | |

Tralee & Fenit Harbour

| Board Member | Date of Appointment | Expiry Date |
|---------------------------|---------------------|---------------------------------|
| Mr. Roland Blennerhassett | 28.09.04 | At date of next local elections |
| Mr. Con Casey | 28.09.04 | |
| Mr. Dermot Crowley | 28.09.04 | |
| Mr. James Browne | 28.09.04 | |
| Ms Norma Foley | 28.09.04 | |
| Mr Michael Moriarity | 28.09.04 | |
| Mr. John Wall | 28.09.04 | |
| Ms Toireasa Ní Fhearaíosa | 28.09.04 | |
| Mr. Christopher Lynch | 28.09.04 | |
| Mr. Vincent Locke | 28.09.04 | |
| Mr. Liam Sullivan | 28.09.04 | |

Table 2

Vacancies currently outstanding on Boards of State-sponsored Bodies under the aegis of the Department of Communications, Marine and Natural Resources

| | Vacancies |
|---|-------------|
| <i>Communications</i> | |
| An Post | 2 vacancies |
| Broadcasting Complaints Commission | 1 vacancy |
| Digital Hub | 3 vacancies |
| Electronic Communications Appeals Panel | 4 vacancies |
| RTE | 1 vacancy |
| <i>Natural Resources</i> | |
| Bord Gáis | 2 vacancies |
| ESB | 2 vacancies |

[Mr. N. Dempsey.]

| | Vacancies |
|--|-------------|
| <i>Marine</i> | |
| BIM | 1 vacancy |
| Loughs Agency | 1 vacancy |
| <i>Regional Fisheries Boards (RFBs)*</i> | |
| Eastern RFB | 3 vacancies |
| Northern RFB | 1 vacancy |
| North-Western RFB | 1 vacancy |
| Southern RFB | 3 vacancies |
| South-Western RFB | 7 vacancies |
| Western RFB | 1 vacancy |

*Terms of office of all members of Regional Fisheries Boards terminated as of 31st December 2005. However this period of time was extended and will continue until midnight on the day on which the results of the next election for elected members of the Boards is declared or at such a time as the Board becomes a Regional Advisory Board under the proposed restructuring plans for the sector, whichever is earlier.

Broadcasting Services.

104. **Mr. Allen** asked the Minister for Communications, Marine and Natural Resources the position in regard to the development of digital terrestrial television; and if he will make a statement on the matter. [6603/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Parliamentary Question No. 144 on 25 January 2006.

Question No. 105 answered with Question No. 77.

Question No. 106 answered with Question No. 92.

Telecommunications Services.

107. **Mr. P. McGrath** asked the Minister for Communications, Marine and Natural Resources the schemes, groups or organisations deemed to have been most successful in the provision of broadband services; the extent to which delivery is taking place through such proposals; his plans for the future in this regard; and if he will make a statement on the matter. [6643/06]

122. **Mr. Hogan** asked the Minister for Communications, Marine and Natural Resources the number of areas currently having broadband access through the MANs or similar schemes; his future plans in this regard; and if he will make a statement on the matter. [6601/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 107 and 122 together.

The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully-liberalised market, regulated

by the independent Commission for Communications Regulation, ComReg.

A principal reason for the slow roll-out of broadband services generally has been the lack of investment by the private sector in the necessary infrastructure to deliver broadband to all areas. The Government is addressing the infrastructure deficit in the regions by building high-speed, open-access metropolitan area networks, MANs, in 120 towns and cities nationwide. Phase one of this programme has delivered fibre optic networks to 27 towns and cities throughout the country.

This programme has been extended to more than 90 towns in various locations nationwide. It is expected that these MANs will be completed during 2006 and 2007. These networks will allow the private sector to offer world-class broadband services at competitive costs.

My Department also offers funding assistance for smaller towns and rural communities through the county and group broadband scheme. The scheme is technology-neutral allowing the community to select the most suitable broadband delivery platform for the area. To date, more than 150 projects have been approved for funding under this programme.

A joint industry-Government fund of €18 million has been established for the broadband for schools programme, which will provide every school with broadband by the beginning of 2006. This is a crucial strand in the strategy of integrating ICT into teaching and learning and my Department's wider vision of promoting the use of broadband technologies in local communities. The construction-installation phase is now under way, and the project is on target for completion within the set timeframe.

In 2004 there were more than 80 Internet service providers, today there are more than 156 companies, with at least 45 different broadband offerings. Wireless broadband technology is improving rapidly, and the lowering of equipment prices has made this technology much more

attractive of late. The use of fixed wireless local access is increasing, especially in rural areas that cannot obtain ADSL connectivity, and the development of Wi-Max offers considerable potential in the future.

Post Office Network.

108. **Ms Lynch** asked the Minister for Communications, Marine and Natural Resources the proposals for An Post to establish a new banking operation in conjunction with a Belgian-Dutch financial services group (details supplied); and if he will make a statement on the matter. [6734/06]

113. **Ms O. Mitchell** asked the Minister for Communications, Marine and Natural Resources the number of bodies or agencies with whom discussions have taken place in regard to possible integration of services with An Post; if an evaluation has been done of the most likely compatible joint service providers with the prospect of ensuring the continuous viability of An Post; and if he will make a statement on the matter. [6610/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 108 and 113 together.

I asked An Post to bring forward a strategy for the long-term development of the post office network that satisfies the needs of existing customers, while attracting new customers into the post office. The overriding objective is to put the network on a long-term financially sustainable footing while maintaining a nationwide post office network.

An Post appointed consultants in early 2005 to identify a potential joint venture partner to establish and operate a jointly owned company to supply a wide range of retail financial services through the An Post branch network using the An Post brand and other An Post assets. Following a detailed process which saw 28 initial expressions of interest, the company identified a preferred bidder late last year.

The Government has recently approved the board and management of An Post to enter exclusive negotiations with the company's preferred bidder to expand the range of retail financial services available through the post office network with a view to increasing the levels of post office business. This proposal provides the company with the opportunity to generate a substantial and strategically important new revenue stream which could support the network of rural and urban post offices. It would also aim to support and grow the income of Irish postmasters. An Post is now entering exclusive negotiations with the preferred bidder and any proposal arising from the negotiations will be subject to Government approval.

Fisheries Protection.

109. **Mr. Wall** asked the Minister for Communications, Marine and Natural Resources if measures will be brought forward to establish a fisheries sustainability impact assessment based on consultation with all major stakeholders to be brought before Dáil Éireann on an annual basis; and if he will make a statement on the matter. [6721/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne):

Irish, EU and other international scientists collaborate on an ongoing basis in order to provide detailed assessments of the biological status of all relevant fish stocks, including those that are found around the Irish coast. Scientists from the Marine Institute, the agency charged with marine research and development in Ireland, participate extensively in this work. This co-ordinated work and the results emanating from the assessments are made available widely through the International Council for the Exploration of the Seas, ICES. The Marine Institute also publishes a stock book annually which provides the latest scientific advice on the commercially exploited fish stocks of interest to Ireland, and the levels of catches which can be sustainably exploited.

In recent years, in the context of the annual total allowable catch, TAC, negotiations at the Fisheries Council in December, the Marine Institute has made presentations on the scientific advice pertaining to fish stocks to the Oireachtas Joint Committee on Communications, Marine and Natural Resources. Consultations with the relevant stakeholders are also a regular feature of the work of the Marine Institute. These existing structures provide an effective approach to the assessment of fisheries sustainability and in these circumstances I have no plans to introduce further measures in this area.

Telecommunications Services.

110. **Mr. McEntee** asked the Minister for Communications, Marine and Natural Resources the number of occasions on which the electronic communications appeal panel have overturned decisions made by ComReg; the implications this has for the development of this industry; and if he will make a statement on the matter. [6655/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In total, 11 appeals have been referred to appeal panels. One appeal by Hutchison 3G Ireland Limited was determined by an appeal panel finding in favour of the appellant. Six appeals concluded following the annulment of ComReg's decisions by an appeals panel. These six appeals related to findings of Joint Dominance by ComReg against Vodafone and O₂. Four appeals were withdrawn prior to a determination by an appeal panel.

[Mr. N. Dempsey.]

These appeals were all brought by Eircom. Details of these appeals are available at www.ecap.ie. Matters arising from the outcome of ECAP appeals are primarily a matter for Com-Reg, which is independent in the exercise of its functions under the provisions of the Communications Regulation Act 2002.

However, as part of my overall policy-making role for the telecommunications sector, I keep the operations of all the bodies under the aegis of my Department under review and where improvements are necessary to develop the overall environment in which the sector operates I will make them.

Postal Services.

111. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources when he expects An Post to be in a position to meet the challenge of full liberalisation; and if he will make a statement on the matter. [6637/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Liberalisation of the postal sector, as set out in two European Union postal directives, has already commenced in Ireland with some sectors such as outbound international mail already fully subject to competition. An Post, like all other postal operators, will face more intense competition on full opening of the market, which the European directives propose to happen, subject to political approval, on 1 January 2009. It is imperative, therefore, that An Post is on a secure financial footing to successfully meet the challenges of competition.

The key imperative for An Post is to be in a position to offer products and services which meet customer needs in a competitive environment. The recently agreed restructuring plan will play an important part in the process of placing An Post on a more secure financial footing. It is imperative that all sides now work together to ensure that the plan is fully implemented.

112. **Mr. Timmins** asked the Minister for Communications, Marine and Natural Resources if he has issued instructions in regard to the future development of the postal services with particular reference to opening or closing post offices or extending or reducing the scale of services available through An Post; and if he will make a statement on the matter. [6646/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): This Government, as clearly set out in the programme for Government, and the board of An Post, are committed to the objective of securing a viable and sustainable nationwide post office network. The future development of the post office network and the delivery of services through that

network is the responsibility, in the first instance, of the board and management of the company. In regard to the closure of post offices specifically, this is an operational matter for the company and one in which I have no function.

It is the Government's objective to maintain the largest, economically sustainable post office network possible. The challenge for all stakeholders in An Post is to generate sufficient profitable business to maintain the network at its current size.

I have asked the company to ensure that any strategy for the development of the company should ensure the long-term viability of the post office network. In this light, An Post is currently working on a new initiative which would see the development of An Post financial services, APFS. Its aim is to supply a wide range of retail financial services through the branch network. If successful, it could lead to a significant increase in post office business and contribute to the viability of the network.

Question No. 113 answered with Question No. 108.

Question No. 114 answered with Question No. 94.

Question No. 115 answered with Question No. 97.

Question No. 116 answered with Question No. 92.

Corrib Gas Pipeline.

117. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources when he intends making a decision with regard to the provision of consent for the laying of the Corrib onshore gas pipeline. [6740/06]

147. **Mr. English** asked the Minister for Communications, Marine and Natural Resources the position in regard to the Corrib gas field; when he expects all the difficulties surrounding the project to be resolved to the satisfaction of all; and if he will make a statement on the matter. [6634/06]

164. **Mr. Sherlock** asked the Minister for Communications, Marine and Natural Resources the position regarding the Corrib gas pipeline dispute; the stage the mediation process is at; when an agreed resolution will allow the project to proceed; and if he will make a statement on the matter. [6712/06]

330. **Dr. Cowley** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the fact that a person (details supplied) has made contact with a company; if not, if contact will be made; if he has

instructed this person to do so; and if he will make a statement on the matter. [6496/06]

331. **Dr. Cowley** asked the Minister for Communications, Marine and Natural Resources if he will call a halt to the Corrib gas pipeline project due to the non-viability of the project as presently configured and as acknowledged by Shell and everyone else due to the lack of community consent for this project, due to health and safety fears and in view of their being no compelling need to proceed with this project due to recent large gas finds; and if he will make a statement on the matter. [6497/06]

332. **Dr. Cowley** asked the Minister for Communications, Marine and Natural Resources if he will refuse to give further consents for the Corrib gas project in view of the present non-viability of the project; and if he will make a statement on the matter. [6498/06]

333. **Dr. Cowley** asked the Minister for Communications, Marine and Natural Resources his views on whether proper mediation is the only way the Corrib gas project dispute can be resolved; his further views on whether proper mediation is necessary; and if he will make a statement on the matter. [6499/06]

356. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources when he expects issues affecting the Corrib gas pipeline to be resolved; and if he will make a statement on the matter. [7065/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 117, 147, 164, 330, 331, 332, 333 and 356 together.

I commissioned an international consulting company, Advantica, on 25 August 2005 to carry out a thorough and independent safety review of the onshore upstream section of the Corrib gas pipeline. Advantica are world leaders in the area of advanced hazard and risk assessment technologies for gas pipelines.

In parallel with this safety review, I established a public consultation process to ensure that the concerns of the community would be fully addressed in this review. As part of this process, a two day public hearing was held in Geesala on 12 and 13 October, chaired by Mr. John Gallagher SC, during which the community was given the opportunity to express its concerns directly to the consultants. The consultants also made a separate site inspection of the pipeline route.

The results of this review have now been forwarded to my Department and I am considering it and an additional report from my Department's technical advisory group in this regard. I hope to

make a decision regarding the outstanding consents for the pipeline in the near future.

Deputies will also be aware that following consultation with relevant parties Mr. Peter Cassells was engaged as a mediator in relation to the issues in dispute. The mediation process, including any role for the Mediators' Institute, is a matter for Mr. Cassells and I do not wish to comment on the process at this stage.

The reference in one question to recent large gas finds arises from an article in a business magazine reporting an estimate of the resource potential which was carried out for one operator and from reportage of a farm-in agreement in an offshore licence. Both references are to the potential resources in the areas and do not constitute discoveries, much less commercial finds.

Common Fisheries Policy.

118. **Mr. J. O'Keeffe** asked the Minister for Communications, Marine and Natural Resources the infringement proceedings which have been initiated or raised by the EU in relation to the obligation of Ireland under the Common Fisheries Policy over the past five years; and his views on same. [6656/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): There are four current cases in which the European Commission has initiated court action or infringement proceedings against Ireland in relation to alleged overfishing or inadequate implementation of the Common Fisheries Policy, CFP. Of these cases, the European Court of Justice, ECJ, has issued a recent judgment against Ireland in respect of one case, while the Commission has issued a reasoned opinion in one case and letters of formal notice in the other two, all three of which may proceed to the ECJ.

These cases are under Article 226 of the European Treaty but, where there is an adverse judgment, there is a possibility of further action by the Commission under Article 228 of the treaty. An adverse judgment under Article 228 may involve very substantial lump sum and periodic penalties being imposed by the ECJ, as occurred in a recent case involving another member state. It is, therefore, imperative that Ireland is able to maintain a vigorous and robust legal and operational framework in relation to control and enforcement under the CFP.

In respect of the case where a judgment has been delivered under Article 226, the Commission has written to Ireland under Article 228 of the treaty to enforce the earlier judgment. Ireland responded to this letter last week outlining details of the measures that either have been taken or will be taken in response to the judgment. These measures, which involve additional staff and new technology, will deliver systematic improvements.

[Mr. Browne.]

In respect of previous cases initiated by the Commission against Ireland in recent years, there has been one judgment issued by the ECJ under Article 226 which was delivered in 2004. In this case, the Commission also wrote to Ireland under Article 228 and I understand that the Commission, after consideration of Ireland's reply, decided against pursuing further proceedings under Article 228.

To address issues identified by the Commission in these infringement proceedings, the Department has invested heavily in fisheries control resources and information technology in recent years. It is also strengthening its legal framework with regard to enforcement of fisheries law through the Sea-Fisheries and Maritime Jurisdiction Bill which is currently before the House, as the current legal situation following recent Supreme Court judgments has left Ireland particularly vulnerable in respect of its obligations under the CFP.

Broadcasting Services.

119. **Mr. M. Higgins** asked the Minister for Communications, Marine and Natural Resources when consultants Deloitte & Touche and solicitors (details supplied) will report on an implementation plan for the establishment of TG4 as an independent statutory body; and if he will make a statement on the matter. [6720/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Parliamentary Question No. 82 of today.

120. **Dr. Twomey** asked the Minister for Communications, Marine and Natural Resources his plans to extend availability of radio and television transmissions outside this jurisdiction on a free to air basis or otherwise; and if he will make a statement on the matter. [6652/06]

150. **Ms O. Mitchell** asked the Minister for Communications, Marine and Natural Resources the progress which has taken place in regard to the provision of RTE television coverage abroad; and if he will make a statement on the matter. [6611/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 120 and 150 together.

I refer the Deputy to my reply to Question No. 115 of 16 November 2005.

Common Fisheries Policy.

121. **Mr. Sargent** asked the Minister for Communications, Marine and Natural Resources if he was able to raise concerns at the recent European Council meeting regarding the lack of

effective quota information in relation to foreign sea fishing boats being available to naval services in the policing of the Common Fisheries Policy; and if he received a commitment to a change in Common Fisheries Policy regulations in this regard. [6749/06]

Minister of State at the Department of Communications, Marine and Natural Resources

(Mr. Browne): Under the Common Fisheries Policy, CFP, each member state has delegated responsibility to manage its quotas as it sees fit. The system of allocating the quotas differs widely from member state to member state. Ireland allocates the fishing quotas for defined periods of time while other member states divide the national quota between fishing representative organisations or to individual fishing vessels. This mixture of systems does not lend itself to a situation whereby the entitlements of every fishing vessel may be known throughout the Community.

However, there are a number of systems already in place that facilitate control of fishing vessels of other member states. Certain information is available to the Irish control authorities on the fishing entitlements of other member states' vessels. For instance, member states inform each other of the fishing entitlements of individual vessels by way of circulated lists of fishing vessels with entitlement to participate in the individual fisheries. These lists are circulated to the Naval Service and land based inspectorate of the Department. Where a member state has put in place a prohibition on any fishery, for example, when the quota is exhausted, this is notified by the Commission to all member states so that the control authorities in the member states are aware that a fishing stop is in place for that species.

The reformed CFP contains a specific chapter dealing with control and sets a variety of requirements that all member states must implement to ensure that fisheries resources are adequately protected. In addition, the Fisheries Council agreed in 2005 to establish a Community Fisheries Control Agency to improve cooperation and co-ordination between the control authorities of member states. The agency is to be based in Vigo, Spain and is expected to become operational before the end of 2006. This will lead to a greater deal of information being available to member states' control authorities in respect of each other's fishing entitlements.

There should be greater information exchange on quotas and catches and I consider that this matter should be progressed as part of an overall effort of strengthened control at European level. In that regard, I wish to inform the Deputy that the subject was raised at our meeting with Commissioner Borg yesterday.

Question No. 122 answered with Question No. 107.

Energy Policy.

123. **Mr. Connaughton** asked the Minister for Communications, Marine and Natural Resources the extent to which he proposes to emulate the energy targets recently set in Sweden; and if he will make a statement on the matter. [6615/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): By international standards, Sweden and its economy has a small dependence on oil and has recently announced its intention to eliminate this dependency completely by 2020. In this context, it is important to compare like with like. For instance, in Sweden the fuel mix for electricity production is about 45% nuclear and 47% hydro which is in stark contrast to our situation where we have very limited natural resources and have decided against developing nuclear power.

In so far as oil dependence is concerned, Sweden has an indigenous car manufacturing base and consequently has the opportunity to influence the development of alternative fuel vehicles. I will publish an energy policy consultation paper in the coming months which will set out medium and long-term perspectives for national energy policy, including targets for increasing renewable energy and for increasing energy efficiency.

Question No. 124 answered with Question No. 71.

125. **Mr. Rabbitte** asked the Minister for Communications, Marine and Natural Resources the overall target for renewable energy supply for 2020 and 2050; and if he will make a statement on the matter. [6730/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The current target for the increased use of renewable energy technologies in the electricity market is to more than double the current contribution from approximately 5% of total consumption to 13% by 2010.

Targets beyond 2010 will be determined in the context of the development of an all-island electricity market. A joint North-South public consultation process on an all-island vision for renewable energy by 2020 and beyond has been undertaken. Work is ongoing to develop the process taking into account views of industry stakeholders. The aim is to develop a long term strategy for renewable energy on the island as a whole.

Fuel Storage Facilities.

126. **Mr. P. Breen** asked the Minister for Communications, Marine and Natural Resources

the full extent to which he envisages storage facilities in respect of gas and oil to be improved with a view to having a reasonable and improved stand-by supply; and if he will make a statement on the matter. [6650/06]

131. **Ms Burton** asked the Minister for Communications, Marine and Natural Resources his proposals for the development of natural gas storage facilities; and if he will make a statement on the matter. [6732/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 126 and 131 together.

As a member of the IEA, Ireland is required to maintain emergency oil stocks equivalent to at least 90 days of net imports of crude oil equivalent in the previous year. The EU imposes a similar requirement based on consumption. At 1 December 2005 Ireland's oil stock reserves were estimated at 102 days net imports — IEA methodology.

Since its establishment in 1995, the National Oil Reserves Agency, NORA, has acted as the agent of the Minister for Communications, Marine and Natural Resources and its function is to arrange for the holding of national strategic oil stocks at a level determined annually by the Minister. Such stocks may be held either at home and-or abroad directly by the agency and-or on its behalf by third parties. Ireland meets its EU and IEA obligations through a combination of: stocks owned and held by NORA, either in Ireland or abroad; stock tickets held by NORA under commercial contracts, in Ireland or abroad, which include an option to purchase the oil in the event of an emergency; and operational stocks held in Ireland by industry-large consumers but not including stocks within the distribution networks which are deemed to be consumed.

As part of Ireland's emergency oil reserves planning, a number of bi-lateral oil stockholding agreements have also been concluded with other European Union member states — Belgium, Denmark, France, the Netherlands, the United Kingdom and Sweden. Such agreements allow for the storing of Irish oil stocks within these jurisdictions under guarantee by the host country that it would not oppose the transfer of the oil in question to Ireland in the event of an emergency.

All oil stocks, including those held by NORA, are held in commercial tankage either in Ireland or abroad. I am satisfied that Ireland's emergency stock levels are sufficient to ensure that we would be in a position to participate effectively in any internationally co-ordinated response in the event of an international oil supply disruption, or manage any short-term disruption specifically impacting on the Irish market.

Turning to natural gas, in the context of the all-island energy market development framework, the scope for a common approach on storage and

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liquefied natural gas is being progressed jointly in conjunction with both regulatory authorities.

Under the Gas (Interim) (Regulation) Act 2002, the Commission for Energy Regulation, CER, has the function of licensing natural gas storage facilities. In carrying out its functions, the commission must have regard to the need to ensure that there is sufficient capacity in the natural gas system to enable reasonable expectations of demand to be met; and to secure the continuity, security and quality of supplies of natural gas.

CER is in discussion with Marathon Oil Ireland Limited in relation to the development of natural gas storage facilities at south west Kinsale. CER has recently completed a public consultation on the proposed regulatory regime for the storage facility. A further consultation on a natural gas storage licence will commence shortly. It is planned that the storage facility will be operational by the middle of 2006.

Question No. 127 answered with Question No. 100.

Common Fisheries Policy.

128. **Mr. Costello** asked the Minister for Communications, Marine and Natural Resources the reason over the past three years the Irish fisheries statistical returns and reports were not sent by his Department to the EU Commission as required under the Common Fisheries Policy of the EU; and if he will make a statement on the matter. [6735/06]

166. **Mr. J. O’Keeffe** asked the Minister for Communications, Marine and Natural Resources the reason he failed to provide the quota on fishing efforts in Ireland over a three year period since 2002 as highlighted in the most recent report of the EU on serious infringements of the Common Fisheries Policy and thereby exposed Ireland to major EU fines. [6657/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): I propose to take Questions Nos. 128 and 166 together.

The Court of Justice of the European Communities in case C-38/05 entered a judgment in December 2005 against Ireland which related to the provision of catch and fishing effort reports for the years 1999 and 2000. However, in so far as these reports are concerned, the Department had prior to that judgment submitted these to the Commission, first, on 29 April 2005 — effort reports under Article 19i of Council Regulation (EEC) No. 2847/93 of 12 October 1993 and, second, on 27 May 2005 — catch reports under Articles 15(4) and 18(1) of Council Regulation (EEC) No. 2847/93 of 12 October 1993.

The general situation is that due to staffing shortages and the need to develop new technology to respond to a greatly increased and more complex reporting requirement to the Commission, particularly in relation to fishing effort, it had not proved possible for some time to submit all of the various reports required under the Common Fisheries Policy within the various deadlines. The Department recognised that there was a need to secure improved delivery of the necessary reports and it kept the Commission periodically apprised of its plans to secure such improvement.

I am pleased to report that such improvement has now been secured. This has resulted from, first, advances in staffing terms from a complement of some 27 administrative and specialist control staff in 1999 to a planned 101 by early next year and, second, there has also been considerable investment on the installation of new technology in the form of the integrated fisheries information system, IFIS, which embraces all the key information requirements on catches and fleets. Through a combination of these two developments in particular, which have involved extensive work over a period of years, Ireland is now in a position to discharge its reporting obligations to a very large extent in a timely manner. Catch reports for 2005 were submitted on schedule throughout last year and insofar as the effort reports for 2005 are concerned, all 12 of these were submitted to the Commission last week as well as the January 2006 effort report.

It is appropriate to emphasise that the CFP reporting requirement is highly complex and extensive and it will continue to pose a strong organisational challenge in the future. The Department, therefore, intends to continue to develop the reporting functions of the new IFIS system so as to facilitate compliance with all reporting obligations in relation to the Common Fisheries Policy.

Telecommunications Services.

129. **Ms C. Murphy** asked the Minister for Communications, Marine and Natural Resources the investment, infrastructural or otherwise, which is planned to improve broadband service provision in Kildare; the place Kildare will take in the context of an overall national strategy concerning same; and if he will make a statement on the matter. [6560/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the Commission for Communications Regulation, ComReg, the independent regulator.

It has been clear for some time that the sector has failed to invest at the level necessary to keep

pace with the demand for broadband, so my Department's regional broadband programme is addressing the infrastructure deficit by building high speed open access broadband networks, in association with the local and regional authorities, in the major towns and cities. These metropolitan area networks, MANs, will allow the private sector to offer world-class broadband services at competitive costs.

Some 27 MANs have been completed under phase one and 24 are currently being operated by E-Net, the management services entity. The second phase of the programme involves the building of MANs in a further 93 towns with a population of 1,500 and above that do not have a satisfactory broadband offering from the sector. Kildare is developing nine projects in respect of the following towns: Kildare, Newbridge, Rathangan, Sallins, Maynooth, Clane, Monasterevan, Kilcock and Prosperous. The route designs are currently being finalised prior to issuing the detailed design invitation to tender. Construction on these projects is expected to commence in 2006.

For rural communities and the hinterlands of larger towns, my Department offers funding under the county and group broadband scheme to enable these communities to become self-sufficient in broadband, in association with the service providers. To date 12 schemes have been approved across Kildare County representing total capital investment of €396,750, making broadband available to 68 communities and 17,790 people. Full details of the scheme, including application procedures, are on the website www.gbs.gov.ie.

My Department's website www.broadband.gov.ie lists all service providers offering broadband services in all towns in Kildare and gives contact details for each company together with prices for the various service levels on offer.

Kildare Briefing

9 MANs projects

1. Kildare
2. Newbridge
3. Rathangan
4. Sallins
5. Maynooth
6. Clane
7. Monasterevan
8. Kilcock
9. Prosperous

12 GBS projects

1. Timahoe
2. Cloncurry
3. Balraheen

4. Cadamstown
5. Johnstown
6. Kilteel
7. Rathmore
8. Straffan
9. Castledermot
10. Kilkea
11. Kilbride
12. Clane

There are a large number of operators in the Kildare area. Names are not available by county. However, the providers in each town in Kildare are listed at www.broadband.gov.ie. For example, in Kildare town, the website lists: DSL — BT; UTV Internet; Digiweb DSL; Leap Broadband DSL; Netsource; Perlico Communications; Pure Telecom DSL; Strencom; COM1 DSL; Imagine Broadband; and Access Telecom. Satellite — Digiweb Satellite; Mediasat; Applied Solutions; Orbitlink; Pure Telecom Satellite; e3 Broadband; ehotspot; Avonline; eircom; BROADBAND4IRELAND; and Fastnet Broadband.

Electricity Generation.

130. **Mr. Stagg** asked the Minister for Communications, Marine and Natural Resources if he will provide details on the proposed development of a new 400 megawatt power station and a natural gas pipeline in the north west region; when this project will commence; and if he will make a statement on the matter. [6733/06]

148. **Mr. Boyle** asked the Minister for Communications, Marine and Natural Resources the process by which the location for new power plants is decided and the relevant role of his Department and the Commission for Energy Regulation is in that process in view of recent reports that the Government are due to appoint consultants to examine the feasibility of the building of a new gas fired power plant in the north west. [6742/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 130 and 148 together.

My Department has recently published a request for tenders for a gas to the north west study, in the context of the Government's objective for regional policy in the national development plan and having regard to the national spatial strategy.

The scope of work of this study is first to determine the feasibility of bringing gas from the Mayo-Galway pipeline to Donegal town via Sligo, considering three specified alternative routes, second to examine and assess options for and

[Mr. N. Dempsey.]

issues surrounding the development of gas-fired power generation along the pipeline routes and finally to present options for the provision of gas pipeline infrastructure and gas-fired power generation, with recommendations as to how best the options may be pursued.

The alternative pipeline routes under consideration to bring gas from the Mayo-Galway pipeline to Donegal town are: via Ballina and Sligo, via Castlebar, Claremorris, Knock and Sligo, or via Claremorris, Ballyhaunis, Ballaghaderreen and Sligo.

The tender document specifies that account will be taken of the regulatory framework for the development of new generation capacity, including the Commission for Energy Regulation's role in ensuring security of electricity supply and the development of competition in the power generation sector. The recommendations of the study will therefore be consistent with the regulatory framework.

Locations at the appropriate nodes in the high-voltage electricity grid will be assessed for their capacity to accommodate power generation and their potential to contribute to the economic viability of the proposed natural gas pipeline routes.

A range of gas-fired generation plant sizes and types will be considered for each location. These locations are in or close to Bellacorick, Ballina, Sligo Town, Donegal, Castlebar, Claremorris and Ballaghaderreen.

The cost benefit analysis will include consideration of the Government's regional development policy. In considering the benefits of the recommended options, the study will take into account the role of enhanced energy infrastructure in facilitating regional development and the national spatial strategy objectives.

In addition to considering the widest possible range of options for the provision of energy infrastructure in the north west region, this study will also deliver on the Government's commitment to consider extending the natural gas network to Sligo town. I expect that the gas to the north west study will be completed this year and will inform future policy decisions across the range of issues to be considered in relation to north west energy infrastructure.

Question No. 131 answered with Question No. 126.

Question No. 132 answered with Question No. 71.

Telecommunications Services.

133. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources if he will report on the MANs; the take-up on the MANs; the long-term strategy for managing the MANs in the context of the overall communi-

cations infrastructure; and if he will make a statement on the matter. [6725/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Government is addressing the local infrastructure deficit by building high-speed open access metropolitan area networks, MANs, in 120 towns and cities nationwide, on a phased basis in association with the local and regional authorities. Phase one of this programme has delivered fibre optic networks to 27 towns and cities throughout the country, which were built on time and under budget.

This programme has been extended to a further 90 towns in various locations nationwide. Design and procurement has already commenced in several regions and construction is due to start in 2006. It is expected that these MANs will be completed during 2006 and 2007. These metropolitan area networks will allow the private sector to offer world-class broadband services at competitive costs.

Further to a competitive, public tender process, E-Net was awarded the contract to manage, maintain, market and operate the phase one MANs for a period of 15 years in June 2004. E-Net is an independent company based in Limerick established solely for this purpose.

Under phase one of the MANs programme, 24 networks have now been completed and handed over to E-Net. A further three MANs are nearing completion and due for handover to E-Net in quarter one 2006. Activity has now begun on the networks with several customer contracts being signed by E-Net, including arrangements for backhaul and 19 of the 24 MANs have been lit to date. The details of these contracts are commercially sensitive and are a matter for E-Net.

E-Net's contractual obligations for the management, operation and maintenance of the MANs are set out in the concession agreement between my Department and E-Net. Tight controls exist within the concession agreement to closely monitor E-Net's performance. E-Net formally reports to my Department on a quarterly basis and is obliged to file various documents throughout the contract term dealing with its activities. E-Net also publishes an annual set of accounts. My officials closely monitor E-Net to ensure it is fulfilling its obligations in line with the concession agreement.

134. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources if measures will be brought forward to strengthen the regulation of the .ie domain including the .ie domain reseller programme in view of the recent successful launch of the .eu domain; and if he will make a statement on the matter. [6718/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The management of the .ie domain name is carried out by

the IE Domain Name Registry Limited, IEDR. It is responsible for the setting of the fees and for the day to day management of all aspects of the administration of the registry. I have no role in the day to day operation of the IEDR.

I recently concluded a consultation process, which contained proposals on the regulation of the .ie domain name. These proposals formed part of the Electronic Communications Miscellaneous Provisions Bill, which I hope to be in a position to bring to the House in the near future.

Energy Conservation.

135. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources the full extent of financial assistance available for installation or conversion purposes in respect of houses with low insulation or energy conservation ability; the full extent of such payments to date, those pending or required; and if he will make a statement on the matter. [6629/06]

156. **Mr. Gormley** asked the Minister for Communications, Marine and Natural Resources when the announcement of the multi-annual domestic energy package to support renewable energy as allocated by the Department of Finance can be expected; if he intends including domestic level wind energy turbines within the forthcoming package. [6747/06]

160. **Mr. Hogan** asked the Minister for Communications, Marine and Natural Resources his proposals for conservation measures in the area of domestic heating costs; and if he will make a statement on the matter. [6600/06]

321. **Mr. P. Breen** asked the Minister for Communications, Marine and Natural Resources his plans to provide grant aid for people buying stoves for burning wood chips, installing solar panels, installing geothermal heating systems and for other sources of renewable energy; and if he will make a statement on the matter. [6531/06]

328. **Mr. Morgan** asked the Minister for Communications, Marine and Natural Resources when he will roll out the promised grants for householders with regard to the €65 million made available in budget 2006 for renewable energy schemes; the details of such grants; and if certain projects will be given greater priority. [6457/06]

380. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the full extent of financial assistance available for installation or conversion purposes in respect of houses with low insulation or energy conservation ability; the full extent of such payments to date, those pending or required; and if he will make a statement on the matter. [7120/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 135, 156, 160, 321, 328 and 380 together.

The multi-annual financial package for renewable energy announced in budget 2006 includes a grant aid package for the domestic sector, which will provide for individual grants to install renewable energy technologies including wood pellet boilers, solar panels and geothermal heat pumps. All the technologies are being given equal priority as one comprehensive scheme. The scheme is aimed primarily at the renewable heat sector, rather than electricity generation projects such as turbines.

My Department, in conjunction with Sustainable Energy Ireland, SEI, is developing the necessary detailed measures to roll out the new programme, which will be announced shortly. Under the SEI House of Tomorrow research, development and demonstration programme, financial support is already directed at encouraging developers of housing, both new-build and refurbishment, to incorporate design and technology features, which deliver significantly superior energy and CO₂ performance. A total of €5 million was expended on research and development, international collaboration and public good research to December 2005 with outstanding commitments of €10.5 million. To date, 55 housing demonstration projects and 2,650 have benefited from this programme. The technologies installed include: condensing oil and gas boilers, 1,984 homes; solar water heating, 687 homes; heat recovery ventilation, 633 homes; ground source heat pumps, 392 homes; and wood pellet boilers, 344 homes.

SEI also runs a low income housing programme to assist with the establishment of a national plan of action to address the issue of fuel poverty in low-income households in Ireland. This provides the context for co-ordinated action to ensure such households have access to adequate cost effective heating and hot water, and energy efficient lighting and appliances. A total of €3.6 million has been expended on over 8,000 homes since the programme commenced. There are eight operational community based organisations that actively completed homes in 2005. An additional four groups were approved in December 2005 and they are currently recruiting staff and undergoing training. It was announced in the budget that an additional €2 million is to be made available under the low income housing programme to tackle fuel poverty.

Telecommunications Sector.

136. **Ms McManus** asked the Minister for Communications, Marine and Natural Resources if urgent measures for reform of the regulatory system of the telecommunications sector will be

[Ms McManus.]

brought forward; and if he will make a statement on the matter. [6728/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I will shortly bring forward proposals in the form of a Bill to enhance the regulatory powers of ComReg in relation to the telecommunications sector. In addition to these proposals, the EU Commission is undertaking a review of the telecoms regulatory framework and I will be contributing to that review in due course.

Question No. 137 answered with Question No. 71.

Digital Hub.

138. **Mr. Kehoe** asked the Minister for Communications, Marine and Natural Resources the position in regard to the development of the digital hub; and if he will make a statement on the matter. [6644/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Parliamentary Question No. 119 of 25 January 2006.

Telecommunications Services.

139. **Mr. Crawford** asked the Minister for Communications, Marine and Natural Resources the studies which have been carried out with a view to meeting the telecommunications requirements of the residents of the Black Valley, County Kerry, and other residents similarly affected here; if a determination has been made in respect of the most suitable technology in such circumstances; if suitable available funding has been identified with particular reference to public service obligations; and if he will make a statement on the matter. [6648/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): This is an operational issue for the service provider concerned. Responsibility for the regulation of electronic communication service providers rests with the independent regulator, the Commission for Communications Regulation, ComReg, in accordance with the requirements of the Communications Regulation Act 2002 and the regulations, which transpose the EU regulatory framework for electronic communications. I have no function in the matter.

140. **Mr. Crowe** asked the Minister for Communications, Marine and Natural Resources his views on the fact that the Commission for Communications Regulations most recent trends report recorded that home Internet penetration was static at 37% and that the EUROSTAT broadband survey has claimed Ireland has a

broadband penetration of only 1.7%; and if he will make a statement on the matter. [6698/06]

341. **Mr. Crowe** asked the Minister for Communications, Marine and Natural Resources what is creating the difficulty in the roll out of broadband here in view of the EUROSTAT broadband survey, which found Ireland's broadband penetration to be a mere 1.7%. [6791/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 140 and 341 together.

The development and roll-out of broadband technology is primarily a matter for the industry itself in a liberalised market.

In comparison to other European states, broadband providers in Ireland were slow in launching competitive, affordable broadband. The lack of competition between providers and the reduction in investment in the aftermath of the dotcom crash weakened the initial roll-out by providers here. However, the situation is improving rapidly and the current level of take-up is consistent with the stage of development of the market.

The rate of broadband uptake is dependent on a combination of factors including access by the providers to suitable infrastructure, competition between providers and demand conditions in the economy. Since 2004, broadband subscriber numbers have more than doubled and the current take-up is in the region of 10,000 per month. ComReg figures to end December 2005 are estimated at 250,000.

Another barrier to the delivery of broadband services is the slow pace of local loop unbundling, LLU. Responsibility for LLU is a matter for ComReg. I have no powers to issue instructions to service providers in this matter.

The Deputy will be aware of the broadband demand report which recently issued on my Departments website. This consultation document is an opportunity to assess the demand side, of the broadband market in Ireland. It reviews the level of demand in the market; key demand factors for consumers, and lists possible examples of demand measures including measures to increase PC ownership that could be introduced by Government and industry if they are necessary.

I encourage all interested parties to read the report and invite them to make submissions before the closing date of 1 March 2006.

Energy Resources.

141. **Mr. Gilmore** asked the Minister for Communications, Marine and Natural Resources his views on the development of a single regulator for the all-Ireland energy market which becomes effective in 2007; and if he will make a statement on the matter. [6738/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The all-island energy market development framework is the roadmap for the development of the all-island energy market across a range of strategic areas in the short and medium term.

In the context of the framework, the development of a single regulatory body is identified within the detailed development programme as a longer-term strategic goal. An examination of the benefits and requirements for the creation of an all-island regulatory body is scheduled for 2009-2010.

Broadcasting Services.

142. **Mr. McEntee** asked the Minister for Communications, Marine and Natural Resources the discussions he has had with the regulator or other interests in regard to the development of radio and television services here in the future with due regard for both the public and private sector; and if he will make a statement on the matter. [6654/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In drawing up my statement of strategy for the development of the broadcasting sector from 2005 to 2007, I consulted the key stakeholders in the industry. The statement of strategy is available on my Department's website.

In the day-to-day work of my Department there is ongoing engagement between my officials and the statutory bodies under the aegis of my Department in relation to a wide range of broadcasting issues.

Telecommunications Services.

143. **Mr. Howlin** asked the Minister for Communications, Marine and Natural Resources if, in view of the recent achievement of 100% availability of broadband in Northern Ireland the measures he is bringing forward to achieve the same level of availability in the Republic of Ireland; and if he will make a statement on the matter. [6723/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Parliamentary Question No. 189 of 25 January 2006.

Energy Resources.

144. **Mr. Hayes** asked the Minister for Communications, Marine and Natural Resources the status and potential capacity of east-west electricity interconnectors with particular reference to the availability of the means whereby energy that is surplus to needs can be disposed of economically and that incoming requirements can be equally facilitated; and if he will make a statement on the matter. [6638/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Security of energy supply is a key imperative for Ireland and the European Union. The relatively small size of the Irish electricity market underlines the need for greater interconnection as a means of enhancing security of supply, promoting competition and integrating the Irish electricity market into the wider European market. In this context, the east-west electricity interconnector project is a priority for the Government.

The Commission for Energy Regulation, CER, is finalising proposals on the financial, technical, commercial and procurement aspects of the development. A decision on how best to commission the east-west electricity interconnection project is the next step informed by the advice of CER. Decisions are needed now to ensure that the target date of 2011 for operation of the interconnector is met.

East-west electricity interconnection would also, in theory at least, allow for the export of wind-powered electricity which could be surplus to national requirements due to the variable nature of the wind resource. However, the overall amount of wind-powered capacity which could be safely connected to the national grid after the commissioning of an east-west electricity interconnector would depend on a variety of factors including the amount of wind-powered capacity connected in the UK, the nature and point of the interconnection and protocols for operating the interconnection and accessing or allocating the available capacity.

Question No. 145 answered with Question No. 94.

Question No. 146 answered with Question No. 92.

Question No. 147 answered with Question No. 117.

Question No. 148 answered with Question No. 130.

Fishing Industry Development.

149. **Mr. Cuffe** asked the Minister for Communications, Marine and Natural Resources the procedures for the allocation of funding under the fisheries harbour development fund; when it was decided to approve the €3.2 million grant allocation to works in Greencastle Harbour on 14 February 2006, the €300,000 allocated for works in Buncrana Harbour on 6 February 2006 and the €884,500 that was allocated to Burtonport Harbour on 24 January 2006; the cost benefit analysis conducted in relation to each of these approvals; the other funding which has been agreed for the 2006 programme; and when this funding was committed. [6743/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The National Development Plan 2000-2006 provides for an investment of €84.35 million over the period of the plan for the development and construction of fishery harbours and related facilities at key strategic fishery harbours and the construction and improvement of berthage at smaller harbours and landing places. Major fishery harbour projects proposed for funding are submitted in the Department's multi-annual capital programme and are approved for funding on that basis. Feasibility studies and-or cost benefit analyses are carried out in all cases before sanction is granted to proceed with these major projects. Funding of €22.5 million is available for the fishery harbours development programme in 2006, of which approximately €2 million is being assigned to the programme for funding of small fishery harbours.

The Greencastle development is estimated to cost in the region of €33 million. This project is being managed by the Department's engineering

division on behalf of Donegal County Council. A cost benefit analysis was carried out in 2005. Expenditure of €3.2 million this year, of which the Department's contribution is €2.4 million, has been approved to commence stage one of a four stage development.

Under the small fishery harbours programme, the Department receives proposals from local authorities in relation to harbours under their ownership on an ongoing basis. Local authorities tend to prioritise their proposals and Donegal County Council identified Burtonport and Buncrana as requiring urgent works. The Department allocated €225,000 for works at Buncrana to construct a breakwater at the harbour to improve access to the harbour by the fishing industry and the RNLI lifeboat. Some €585,000 is allocated to Burtonport to continue phase two of the dredging at the harbour. The remainder of the allocation for the small harbours programme is under consideration at present.

A list of projects approved under the fishery harbours development programme for 2006 follows.

Fishery Harbour Programme 2006

| Location | Project | Total Cost | DCMNR Contribution |
|-----------------------------|----------------------------------|------------|--------------------|
| | | € | € |
| Castletownbere FHC, Cork | Dinish Wharf extension & offices | 12,000,000 | 12,000,000 |
| Castletownbere FHC, Cork | Effluent treatment | 700,000 | 700,000 |
| Castletownbere FHC, Cork | Mainland Quay | 100,000 | 100,000 |
| Clogherhead, Co. Louth | Port Oriel development | 5,503,268 | 4,127,451 |
| Greencastle, Donegal | Harbour development | 3,200,000 | 2,400,000 |
| Cromane, Kerry | Development | 266,667 | 200,000 |
| Dunmore East FHC, Waterford | Development | 600,000 | 600,000 |
| Dunmore East FHC, Waterford | Repair to East Pier | 300,000 | 300,000 |
| Knightstown, Kerry | Co-funded with DCRGA | 800,000 | 400,000 |
| Buncrana, Donegal | Construction of breakwater | 300,000 | 225,000 |
| Burtonport, Donegal | Harbour dredging Phase 2 | 780,000 | 585,000 |
| Total | | 24,549,935 | 21,637,451 |

Question No. 150 answered with Question No. 120.

Telecommunications Services.

151. **Mr. Gogarty** asked the Minister for Communications, Marine and Natural Resources the steps he has taken to ensure an adequate provision of broadband to private and commercial users in the Inishowen Peninsula in Donegal. [6746/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully-liberalised market, regulated by the independent

Commission for Communications Regulation, ComReg.

Market forces, and the availability of suitable infrastructure and backhaul, will determine whether a company offers broadband in any area. A principal reason for the slow roll-out of broadband services generally has been the lack of investment by the private sector in the necessary infrastructure to deliver broadband to all areas.

My Department is addressing the infrastructure deficit by building high speed open access metropolitan area networks, MANs, in 120 towns and cities nationwide, in association with the local authorities, using Government and European Regional Development Fund funding under the National Development Plan 2000-2006. MANs have already been completed in Gaoth Dobhair

and Letterkenny, and are being operated by ENet, the management services entity. MANs for Buncrana and Carndonagh are at the detailed design stage and construction of these networks is due to commence during the summer months. These metropolitan area networks will allow the private sector to offer world-class broadband services at competitive costs.

The Government, last autumn, directed Departments to examine what could be done to alleviate the employment situation in the county, with particular focus on infrastructure development. Officials from my Department have since met with representatives from Donegal County Council as well as local interest groups and are currently examining a number of options.

My Department's website *www.broadband.gov.ie* gives full details of broadband availability in all areas, including digital subscriber lines, cable, fibre, satellite and fixed wireless. The website also lists prices of the various service levels on offer and contact details for each service provider.

Fish Quotas.

152. **Mr. Sargent** asked the Minister for Communications, Marine and Natural Resources if there will be reduction in the mackerel quota available to the fleet here in 2006 as a result of the alleged under reporting of mackerel landings by Irish vessels at the Scottish port of Peterhead in recent years. [6750/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): I met Commissioner Borg, EU Commissioner for Fisheries and Maritime Affairs yesterday with Minister Dempsey and advised him of information provided to the Department in relation to undeclared landings of mackerel by Irish fishing vessels landing into Scotland. The Commission is examining the information provided. Necessary actions, including a reduction in Ireland's 2006 mackerel quota, and further reductions in future years, are likely to be required in line with the provisions of Council Regulation 2371/2002 (Article 23(4)), Council Regulation 2847/93 (Article 23(1)) and Council Regulation 847/96 (Article 3).

Question No. 153 answered with Question No. 77.

Postal Services.

154. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the extent to which evaluation has been done in regard to the extension of facilities compatible to those currently provided by An Post with a view to preparation for liberalisation; and if he will make a statement on the matter. [6636/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no function in this matter. Decisions relating to products and services are operational matters for the board and management of An Post.

Environmental Policy.

155. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources if he will make a statement on the judgment by the EU Commission that the decision to use explosives for the laying of the pipeline across Broadhaven Bay was in contravention of Articles 12 and 16 of the habitats directive. [6688/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The administration of the habitats directive is a matter for the Minister for the Environment, Heritage and Local Government and not an area in which I have a function.

Question No. 156 answered with Question No. 135.

Telecommunications Services.

157. **Mr. S. Ryan** asked the Minister for Communications, Marine and Natural Resources the measures he is proposing to tackle the ongoing broadband deficit in view of the fact that his recent broadband demand report stated that only 17% of the long-term potential broadband market here had signed up for broadband by the end of 2005. [6724/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Deputy will be aware that the broadband demand report, which recently issued on my Department's website, is a consultation report. In that regard, no measures will be decided upon until all the submissions have been received, reviewed and evaluated.

I encourage all interested parties to read the demand report and invite them to make submissions before the closing date of 1 March 2006.

Question No. 158 answered with Question No. 95.

Question No. 159 answered with Question No. 94.

Question No. 160 answered with Question No. 135.

Question No. 161 answered with Question No. 71.

Energy Resources.

162. **Dr. Upton** asked the Minister for Communications, Marine and Natural Resources

[Dr. Upton.]

the proposals he is considering in relation to the development of wave and tidal power; the time-frame for the launch of the new national energy policy; and if he will make a statement on the matter. [6736/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I will publish an ocean energy strategy shortly, which will outline a development path for ocean energy technology in Ireland. The development of ocean energy possibilities is currently being progressed by Sustainable Energy Ireland, SEI, and the Marine Institute. Demonstration projects and studies funded to date include: research and development support for three separate wave energy device developers, including support for wave tank testing of model devices; assessment of the tidal energy resource; assessment of the wave energy resource; development of a quarter scale test site in Galway Bay; assessment of economic benefits from development of ocean energy; and participation in IEA ocean energy implementing agreement.

I will publish an energy policy consultation paper by mid year which will set out medium and long-term perspectives for national energy policy and which will take account of the considerable and complex challenges for future Irish energy policy.

Postal Services.

163. **Mr. P. Breen** asked the Minister for Communications, Marine and Natural Resources if he intends to issue guidelines in regard to the use of postcodes with particular reference to excluding the use of socioeconomic or personal information; and if he will make a statement on the matter. [6651/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Following from the recommendations of the working group report on postcodes, I asked the Commission for Communications Regulation, ComReg, to appoint project managers to support the postcode project by providing technical and economic advice including assessing the costs and benefits of the introduction of a postcode.

The terms of reference for the project managers stipulate that the code be structured spatially and consequently the code will not be based on any socio-economic or personal information.

Question No. 164 answered with Question No. 117.

Question No. 165 answered with Question No. 94.

Question No. 166 answered with Question No. 128.

Post Office Network.

167. **Mr. Neville** asked the Minister for Communications, Marine and Natural Resources his views on the optimum number of post offices to be retained, upgraded or downgraded by An Post; his further views on the way such proposals are likely to affect the delivery of services in the future; and if he will make a statement on the matter. [6622/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no statutory function in this matter. It is an operational issue for the board and management of An Post.

Postal Services.

168. **Mr. Crawford** asked the Minister for Communications, Marine and Natural Resources the way in which he envisages the development of the postal services in the future in view of the existence of competition, public service obligations and the availability of network and delivery services currently available or proposed; and if he will make a statement on the matter. [6649/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): An Post operates within a regulatory framework as enshrined in EU and Irish law and therefore, the universal service obligation, which includes nationwide postal delivery requirements, is a statutory requirement for An Post, as the designated universal service provider. This is set out in Statutory Instrument 616 of 2002 European Communities (Postal Services) Regulations. Furthermore, these regulations also provide for the liberalisation of the postal market.

A study is currently being undertaken by the European Union on the impact on the universal service of the full accomplishment of a liberalised postal market. Based on the outcome of this study, the Commission will present a report to the European Parliament and Council by 31 December 2006 accompanied by a proposal confirming, if appropriate, the date of 2009 for the full liberalisation of the postal market or to determine alternative steps in light of the study's conclusions.

Issues that will be important for Ireland in the context of this new directive will include the protection of the universal service in a liberalised market, ensuring that Irish citizens continue to receive a broad suite of postal services and the continued viability of An Post in the face of open competition. Competition has already arrived to certain parts of the sector and can be expected to intensify in the coming years and at present there are 29 firms operating in Ireland with a postal service authorisation from ComReg.

The postal sector in Ireland needs competition, especially in light of the many internationally

traded sectors operating in the country but it also needs An Post to be competitive. I believe that liberalisation and the expected increase in competition will ultimately be good for both An Post and consumers and that the company can continue to be a significant and strong player in the market post-liberalisation.

Question No. 169 answered with Question No. 71.

Energy Resources.

170. **Mr. Stanton** asked the Minister for Communications, Marine and Natural Resources if he has examined the implications of intention by some oil companies to cease business here; if this is likely to have implications for oil and gas exploration; and if he will make a statement on the matter. [6704/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The oil industry can be classified in terms of upstream exploration and production, E & P, and downstream distribution, including importation, and retail.

In terms of downstream activities, the oil industry in Ireland is fully privatised, liberalised and deregulated. There is free entry to the market subject to normal planning requirements, health and safety regulations, and customs and excise regulations. In this context decisions regarding entry and exit to the Irish market are made by companies based on their own commercial strategies. I have no function in the area. Companies have entered and exited the market over the years and such activities have not impacted adversely to the supply of oil into the Irish market.

Downstream activities in Ireland are undertaken by a combination of Irish affiliates of oil majors, Esso, Statoil, Texaco and ConocoPhillips, six medium sized Irish companies and some smaller Irish companies and independent retailers. With, to date, no indigenous oil, production companies located in Ireland source their oil requirements under commercial contracts with oil producers and refiners located overseas, primarily in the UK and Norway.

The decision by one oil company to sell its petroleum retail interests in Ireland is not expected to have any implications for that, or any other, company's interest in exploration offshore Ireland.

Broadcasting Services.

171. **Mr. Deenihan** asked the Minister for Communications, Marine and Natural Resources the extent to which he has discussed the various options available in regard to the future development of both the public and private broadcasting services with particular reference to the struc-

tures he has in mind and their likely impact on the industry in general; and if he will make a statement on the matter. [6633/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My core policy objectives for the development of the broadcasting sector are set down in my Department's statement of strategy, 2005-2007. This strategy was drawn up following consultation with key players in the industry. My objectives are: to create an environment that encourages the maintenance of high quality Irish radio and television services by both independent broadcasters and RTE; to secure a viable future for high quality public service broadcasting in the Irish market; and to seek to retain access to a range of high quality programming in analogue and digital form, on a universal and free-to-air basis.

Irish viewers will be best served by a broadcasting environment that includes a public service broadcasting presence, together with private broadcasters.

Fishing Industry Development.

172. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources his strategy for maintaining and developing fishery harbours here; the reason there has been such long delays in the appointment of harbour masters in certain harbours, including Howth; and if he will make a statement on the matter. [6729/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The National Development Plan 2000-2006 provides for an investment of €84.35 million over the period of the plan for the development and construction of fishery harbour and related facilities at key strategic fishery harbours and the construction and improvement of berthage at smaller harbours and landing places, with a key role in maintaining jobs in fishing, aquaculture and ancillary activities. Under the fishery harbours development programme a total of €120 million approximately was spent up to the end of 2005.

The criteria for selection of fishery harbour projects are: the development of infrastructure and facilities at priority fishery harbours, to cater for larger vessels and developments in landing and work practices, in particular in the context of EU requirements; the development of local harbours, and the upgrading of local harbour infrastructure with a key role in creating and maintaining jobs in fishing, aquaculture and ancillary activities; the protection and preservation of existing infrastructure at selected local harbours especially in remote coastal areas where fishing or aquaculture has an important socioeconomic role; and the establishment of an adequate and reliable ice supply network around the coast.

[Mr. Browne.]

There is substantial scope for increasing fishing activity operating out of Irish fishery harbours through exploiting our geographical competitive advantage. As energy costs increase the global fishing industry will have to change patterns of travelling long distances to fish off Ireland. There is an opportunity to capitalise on location and to attract a much greater proportion of EU landings and downstream activity through Irish fishing ports.

This points to the need for integrated seafood industry support centres with good harbour infrastructure, competitive purchasing structures and logistics services at the fishery harbour centres. Purchasing and marketing strategies also have to be developed to attract the additional landings from vessels operating off the Irish coast. The focus will be on value added from supply and support services to those vessels and processing the catches of those vessels.

A key policy objective is therefore to develop the infrastructure, operational efficiency and range of supply and support services at the five fishery harbour centres and other key fishery harbours with a view to maximising the levels of economic activity and returns from these facilities.

In addition, I am pleased to advise the Deputy that the three harbour master posts at Castletownbere, Dunmore East and Howth fishery harbour centres were filled last autumn. Harbour masters were already in place at Killybegs and Rossaveel fishery harbour centres. The assistant harbour master is currently filling the position in Killybegs in an acting capacity.

Common Fisheries Policy.

173. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the procedures which exist that would allow him to raise at head of Government level the need for further reform of the European common fisheries policy to ensure greater control across national boundaries of quota management and other enforcement regulations; and his views regarding the lack of such a co-ordinated control system at the upcoming European Council meeting. [6513/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Under the Common Fisheries Policy, CFP, each member state has delegated responsibility to manage its quotas as it sees fit. The system of allocating the quotas differs widely from member state to member state. Ireland allocates the fishing quotas for defined periods of time while other member states divide the national quota between fishing representative organisations or to individual fishing vessels. This mixture of systems does not lend itself easily to a situation whereby the entitlements of every fish-

ing vessel may be known throughout the Community.

However, there are a number of systems already in place that facilitate control of fishing vessels of other member states. Certain information is available to the Irish control authorities on the fishing entitlements of other member states' vessels. For instance, member states inform each other of the fishing entitlements of individual vessels by way of circulated lists of fishing vessels with entitlement to participate in the individual fisheries. These lists are circulated to the Naval Service and land-based inspectorate of the Department. Where a member state has put in place a prohibition on any fishery, for example when the quota is exhausted, this is notified by the Commission to all member states so that the control authorities in the member states are aware that a fishing stop is in place for that species.

As a general rule, I agree with the Deputy that it would be desirable to secure improved co-ordination and exchange of quota information between member states in order to combat over-fishing. While there is some scope available under current circumstances to exchange information on catches, it tends to be rather limited. In that regard, I want to clarify to the House a point made in a reply to a similar question from the Deputy on 25 January 2006 when reference was made to Ireland's control services advising the flag member state of the logged catches of vessels boarded. Currently, this is not established practise in all cases. This matter should be progressed as part of an overall effort of strengthened control at European level and I wish to inform the Deputy that the subject was raised at our meeting with Commissioner Borg yesterday.

The objective of securing a more co-ordinated control system was a key feature of the CFP reform process in 2002. The reformed CFP contains a specific chapter dealing with control and sets a variety of requirements that all member states must implement to ensure that fisheries resources are adequately protected. In addition, the Fisheries Council agreed in 2005 to establish a Community fisheries control agency to improve co-operation and co-ordination between the control authorities of member states. The agency is to be based in Vigo, Spain and is expected to become operational before the end of 2006. This agency may indeed provide a very useful mechanism to progress this issue of better information exchange on quotas and catches and I wish to inform the Deputy that at yesterday's meeting, the Commission indicated that it intended that this and related control issues should be discussed at an early date under the auspices of the agency.

Unemployment Levels.

174. **Mr. Naughten** asked the Taoiseach the number of persons on the live register in Counties Roscommon and Leitrim in each of the past five

years; and if he will make a statement on the matter. [6595/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The live register figures for the counties of Leitrim and Roscommon for the period 2001 to date as requested by the Deputy are set out in the following tables.

The live register series gives a monthly breakdown of the number of people claiming unemployment assistance, unemployment benefit and other claimants registered with the Department of Social and Family Affairs. Figures are pub-

lished for each county and each local social welfare office. The most recent information available is for January 2006.

It should be noted that: (a) the live register is not a definitive measure of unemployment as it includes part-time workers, seasonal and casual workers entitled to unemployment assistance or benefit. Statistics on unemployment are measured at regional level by the quarterly national household survey; (b) the exact area covered by each local office is not limited to the immediate locality of the particular office. For instance, in the Tallaght local office there may be registered, persons from the Blessington area.

Live Register: Co. Leitrim 2001 to 2006

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Average |
|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|---------|
| 2001 | 1,272 | 1,227 | 1,212 | 1,186 | 1,145 | 1,184 | 1,203 | 1,208 | 1,047 | 1,041 | 1,082 | 1,108 | 1,160 |
| 2002 | 1,144 | 1,112 | 1,128 | 1,099 | 1,212 | 1,306 | 1,384 | 1,363 | 1,278 | 1,218 | 1,212 | 1,247 | 1,225 |
| 2003 | 1,241 | 1,211 | 1,193 | 1,177 | 1,132 | 1,233 | 1,290 | 1,319 | 1,205 | 1,159 | 1,154 | 1,231 | 1,212 |
| 2004 | 1,205 | 1,196 | 1,197 | 1,152 | 1,115 | 1,169 | 1,244 | 1,244 | 1,095 | 1,009 | 976 | 1,028 | 1,136 |
| 2005 | 1,062 | 1,037 | 1,017 | 1,021 | 1,000 | 1,074 | 1,150 | 1,163 | 1,032 | 1,016 | 1,040 | 1,109 | 1,060 |
| 2006 | 1,132 | | | | | | | | | | | | |

Live Register: Co. Roscommon 2001 to 2006

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Average |
|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|---------|
| 2001 | 1,527 | 1,485 | 1,460 | 1,440 | 1,372 | 1,466 | 1,528 | 1,535 | 1,408 | 1,367 | 1,385 | 1,502 | 1,456 |
| 2002 | 1,569 | 1,545 | 1,534 | 1,482 | 1,477 | 1,564 | 1,627 | 1,657 | 1,472 | 1,438 | 1,435 | 1,513 | 1,526 |
| 2003 | 1,519 | 1,477 | 1,422 | 1,420 | 1,372 | 1,493 | 1,569 | 1,611 | 1,379 | 1,349 | 1,316 | 1,389 | 1,443 |
| 2004 | 1,403 | 1,366 | 1,322 | 1,314 | 1,285 | 1,332 | 1,453 | 1,486 | 1,274 | 1,232 | 1,191 | 1,266 | 1,327 |
| 2005 | 1,327 | 1,301 | 1,284 | 1,197 | 1,148 | 1,264 | 1,328 | 1,354 | 1,158 | 1,138 | 1,151 | 1,190 | 1,237 |
| 2006 | 1,223 | | | | | | | | | | | | |

Live Register: State total 2001 to 2006

| Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Average |
|------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| 2001 | 142,071 | 139,515 | 135,885 | 136,561 | 133,691 | 140,865 | 147,101 | 149,439 | 140,550 | 141,835 | 147,121 | 152,406 | 142,253 |
| 2002 | 159,960 | 162,337 | 162,252 | 156,237 | 154,944 | 164,277 | 172,098 | 173,563 | 161,432 | 157,706 | 158,636 | 166,142 | 162,465 |
| 2003 | 170,701 | 171,394 | 168,059 | 170,940 | 166,105 | 177,852 | 185,447 | 185,953 | 170,822 | 166,552 | 164,541 | 170,604 | 172,414 |
| 2004 | 174,529 | 173,127 | 168,880 | 164,660 | 161,972 | 168,952 | 177,501 | 175,816 | 160,466 | 155,476 | 151,966 | 158,816 | 166,013 |
| 2005 | 160,543 | 158,649 | 157,675 | 151,619 | 150,826 | 159,300 | 168,509 | 169,393 | 153,335 | 149,644 | 150,073 | 155,833 | 157,117 |
| 2006 | 160,139 | | | | | | | | | | | | |

Source: Live Register, Central Statistics Office.

Public Procurement Policy.

175. **Mr. Kenny** asked the Taoiseach if his Department has a corporate procurement plan; and if he will make a statement on the matter. [6341/06]

The Taoiseach: Existing procurement policies provide for procurement of the goods and services required by the Department in a manner which seeks to optimise the value for money of

the purchases concerned and which is in accordance with public procurement guidelines as set out by the Department of Finance.

There is a requirement to produce an annual corporate procurement plan as part of the national public procurement policy framework, which was issued by the Department of Finance in May 2005. In response to that requirement, my Department has commenced the process of developing a corporate procurement plan which

[The Taoiseach.]

will be completed this year. It is expected that the analysis and evaluation of current processes which this will entail will provide an opportunity to identify and subsequently introduce any improved procurement practices which would assist the Department in maximising value for money in its procurement of goods and services.

Departmental Expenditure.

176. **Mr. Kenny** asked the Taoiseach the progress made within his Department on reviewing existing contract specifications awarded by all Departments; and if he will make a statement on the matter. [6356/06]

The Taoiseach: Recent Department of Finance guidelines on public procurement and capital appraisal require formalised contract review of projects more than €30 million. My Department does not have any contracts which fall within the ambit of this requirement.

Immigration Issues.

177. **Mr. P. McGrath** asked the Taoiseach the estimated number of non-Irish citizens resident here; and if he will compare this with the findings of each of the past three census returns. [6385/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The 2002 census was the first in which a question was asked on nationality. According to the results of that census, some 224,300 persons, representing 5.8% of the usually resident population, indicated a nationality other than Irish.

Based on migration trends between April 2002 and April 2005 it is estimated that non-Irish nationals numbered about 330,000 in April 2005, that is, 8% of the total population of 4.13 million.

Northern Ireland Issues.

178. **Mr. F. McGrath** asked the Taoiseach if assistance will be given to the family of the late Mr. Pat Finucane in their efforts for truth and justice; and if the British Government will be challenged on this issue. [6392/06]

The Taoiseach: The family of Mr. Pat Finucane have our full and continuing support in their tireless efforts over many years to achieve the full truth in this disturbing case. The Government continues to support a full independent public inquiry into the murder of Mr. Patrick Finucane. We have made clear that we want to see the standard agreed at Weston Park and set by Judge Cory adhered to. We continue to share the concern of the Finucane family that the new Inquiries Act, under which the British Government intends to have the Finucane case investigated, will not

meet these standards. We have raised these concerns with the British Government.

179. **Mr. F. McGrath** asked the Taoiseach if he will urgently push for inclusive negotiations in getting the executive up and running in the North of Ireland. [6472/06]

The Taoiseach: The Government remains fully committed to the peace process and the full implementation of the Good Friday Agreement. I met the British Prime Minister, Mr. Blair, in Farmleigh on 26 January. The close and concerted co-operation between the two Governments remains vital as we seek to bring finality to outstanding issues and achieve the full implementation of the Good Friday Agreement. In our joint statement following this meeting, we emphasised the importance of making progress in 2006 and we indicated that the forthcoming talks with the Northern Ireland political parties would have the aim of setting out the arrangements and timetable for the restoration of the institutions as soon as possible. We made clear that the early restoration of the devolved institutions is in the best interests of everyone in Northern Ireland.

Unemployment Levels.

180. **Mr. Naughten** asked the Taoiseach the number of persons who were termed as long-term unemployed in counties Roscommon and Leitrim in each of the past five years; and if he will make a statement on the matter. [6594/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The exact information as requested by the Deputy is not available. Statistics on employment and unemployment are compiled from the quarterly national household survey. Sub-regional statistics of the kind requested by the Deputy are not available from the survey.

The live register, age by duration series, gives a bi-annual breakdown of the number of people claiming unemployment assistance, unemployment benefit and other claimants registered with the Department of Social and Family Affairs and is classified by duration on the register. Figures are available for each county and each local office. The most recent information available is for October 2005.

It should be noted that the live register is not a definitive measure of unemployment as it includes part-time workers, seasonal and casual workers entitled to unemployment assistance or benefit. Statistics on unemployment are measured at regional level by the quarterly national household survey.

Furthermore, the exact area covered by each local office is not limited to the immediate locality of the particular office. For instance,

there may be persons from the Blessington area registered in the Tallaght local office.

The live register, age by duration figures for counties Leitrim and Roscommon for the period 2001 to 2005, inclusive, as requested by the Deputy are set out in the following tables.

Live Register — Age by duration data for October each year 2001 to 2005

County Leitrim Total

| Year | On Register | | Total Register |
|--------------------|--------------|----------------|----------------|
| | Under 1 year | 1 year or more | |
| 2001 | 795 | 240 | 1,035 |
| 2002 | 984 | 248 | 1,232 |
| 2003 | 877 | 265 | 1,142 |
| 2004 | 629 | 383 | 1,012 |
| 2005 | 763 | 256 | 1,019 |
| <i>State Total</i> | | | |
| 2001 | 96,100 | 45,403 | 141,503 |
| 2002 | 114,692 | 42,973 | 157,665 |
| 2003 | 117,803 | 46,772 | 164,575 |
| 2004 | 109,367 | 44,677 | 154,044 |
| 2005 | 106,302 | 43,540 | 149,842 |

Source: Live Register Age by Duration, Central Statistics Office.

Live Register — Age by duration data for October each year 2001 to 2005

Country Roscommon Total

| Year | On Register | | Total Register |
|--------------------|--------------|----------------|----------------|
| | Under 1 year | 1 year or more | |
| 2001 | 922 | 450 | 1,372 |
| 2002 | 1,000 | 434 | 1,434 |
| 2003 | 961 | 378 | 1,339 |
| 2004 | 794 | 405 | 1,199 |
| 2005 | 854 | 311 | 1,165 |
| <i>State Total</i> | | | |
| 2001 | 96,100 | 45,403 | 141,503 |
| 2002 | 114,692 | 42,973 | 157,665 |
| 2003 | 117,803 | 46,772 | 164,575 |
| 2004 | 109,367 | 44,677 | 154,044 |
| 2005 | 106,302 | 43,540 | 149,842 |

Source: Live Register Age by Duration, Central Statistics Office.

Decentralisation Programme.

181. **Mr. Bruton** asked the Taoiseach the office or unit within his Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within his Department and associated agency

who have chosen to decentralise with their parent organisation; and the number of people willing to move who have been assigned their new posts. [6665/06]

The Taoiseach: There are no proposals to decentralise any part of my Department or any of the bodies under its aegis.

Social Partnership.

182. **Mr. Lowry** asked the Taoiseach his views on the absence of an organisation (details supplied) from partnership talks; his plans to ensure that the group return to the talks; and if he will make a statement on the matter. [6755/06]

The Taoiseach: The process of negotiations on a successor agreement to Sustaining Progress was formally launched with a plenary meeting of all of the social partners in Dublin Castle on Thursday, 2 February. This was followed by a round of bilateral meetings with each of the four pillars, trade union, business-employer, farming and community and voluntary, at which the pillars set out in greater detail their key issues and priorities for a new agreement.

The bilateral meeting with the farming pillar took place on the morning of Wednesday, 8 February. On the afternoon of that date, the named organisations informed my Department that they were suspending their participation in the negotiations as they had become aware that an advertisement was to be placed in the *Irish Farmers' Journal* regarding the implementation of the regulations introduced to implement the nitrates directive. The Government has noted this suspension.

The Government invites the social partners to participate in talks. It is for each organisation to decide if it will participate.

Child Care Services.

183. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children when funding will be allocated to the various county child care committees to enable those involved in the provision of child care facilities to plan for September 2006 onwards; if grants towards the building of such crèches are awarded retrospectively; and the maximum amount payable involved. [6422/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The national child care investment programme 2006-2010 is being implemented by the newly established office of the Minister of State with responsibility for children, under the Minister of State at the Department of Health and Children, Deputy Brian Lenihan. The new programme aims to provide a proactive response to the development

[Mr. B. Lenihan.]

of quality child care supports and services which are grounded in an understanding of local needs.

To achieve this, arrangements are being put in place with the city and county child care committees to facilitate the initial development stage of applications for grant assistance for child care facilities at local level. It is envisaged that both private and community or not-for-profit sector child care providers will apply for large-scale capital funding under the new programme through their local child care committees and that the committees will provide any necessary assistance to applicants in developing their application to the pre-appraisal stage.

To assist in correlating the distribution of funding with local child care needs at county level, a strategic mapping exercise is being undertaken to inform the approach of each child care committee in working to achieve the objectives of the programme. While this is being completed, the initial stages of the application process will continue to be dealt with at central level in the coming months. In addition to ensuring a more strategic approach to matching child care needs with child care services, the new approach is expected to bring increased efficiency to the application process and shorten the time-frame in which new child care places are provided. At the appropriate stage in the process, applications will be forwarded by the child care committees to Pobal, which administers the programme on behalf of the office of the Minister of State with responsibility for children and, in due course, will be decided on within the office, under the Department of Health and Children.

Private sector child care providers may apply for grant assistance of up to €100,000 towards the capital cost of developing a child care service facility in a catchment area where there is a demonstrated child care need. An applicant may apply for more than one grant under this scheme provided the subsequent child care facilities are in different catchment areas and subject to an overall ceiling of €500,000 per applicant. In each case, an applicant must provide at least 25% of the total funding for the project and all grant payments are subject to the relevant criteria having been met. Community or not-for-profit child care providers may apply for grant assistance up to €1 million per project based on a demonstrated child care need in the area. The level of funding granted will be determined by the number of places which the group proposes to provide and the sustainability of the project, and will be subject to the relevant criteria having been met.

Health Services.

184. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if her attention has been

drawn to the circumstances (details supplied); the avenues which are available for those involved to pursue regarding transport assistance; and if she will make a statement on the matter. [6445/06]

210. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the circumstances (details supplied); the avenues which are available for those involved to pursue regarding transport assistance; and if she will make a statement on the matter. [6446/06]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 184 and 210 together.

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this case investigated and to reply directly to the Deputy.

185. **Mr. G. Mitchell** asked the Tánaiste and Minister for Health and Children if she will arrange for an extra two hours per week home help to be provided to a person (details supplied) in Dublin 12; and if she will make a statement on the matter. [6309/06]

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 reply directly to the Deputy.

Food Labelling.

186. **Mr. J. O'Keefe** asked the Tánaiste and Minister for Health and Children her views on whether the food sold in country markets under the aegis of Country Markets Limited is healthy and wholesome and whether the labelling requirements such as those imposed on large commercial enterprises are not appropriate for the type of direct selling conducted by country markets; her further views on whether country markets have a track record of first-class produce with the highest standards of hygiene and quality control and that they also work within the guidelines published by the Food Safety Authority and welcome visits from environmental health officers; and her further views on whether in all these circumstances the labelling system operated by country markets gives sufficient information to

customers to comply with Irish and EU law. [6310/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Country Markets Limited and its associated operations fall within the definitions of a food business operator and a food business under food safety legislation. Food businesses bear the primary responsibility for food safety and are obliged to ensure that food they place on the market is safe and complies with relevant legislation, which includes labelling regulations. The general labelling of foodstuffs in Ireland is controlled by the European Communities (Labelling, Presentation and Advertising of Foodstuffs) Regulations 2002 to 2005.

Current labelling requirements are based on the principle that the labelling, presentation and advertising of food should not mislead consumers. Labelling rules are designed to inform consumers so that they can make informed choices. Consumers have the right to be adequately informed about the properties of the food they buy, for example, ingredients, presence of allergens, date of minimum durability and so forth, wherever that food is purchased. Current regulations apply to the labelling of all pre-packaged foodstuffs for sale to the ultimate or final consumer. Food sold at Country Markets Limited businesses is not exempt from these labelling requirements.

However, the Deputy should note that the full extent of labelling requirements does not apply in all circumstances. Foodstuffs sold loose without pre-packaging need only indicate the name of the food either on the label, or displayed on a notice near the food. Foodstuffs that are pre-packaged on the premises, for example, a stall from which they are sold, need only indicate the name of the food on the label. If the foodstuff is packed on the premises, for example, a stall, at the request of the consumer, for example, sandwiches made up at the customer's request, only the name of the food needs to be indicated on the label or on a notice near the food.

I have no reason to believe that food sold by Country Markets Limited is not of a high standard. However, as food business operators, Country Markets Limited, like all food business operators, must ensure that the food it produces is safe. Various sectors of the food industry have developed guides to good hygiene practice as a means of complying with the hygiene legislation and Country Markets Limited has worked closely with the National Standards Authority of Ireland and regulatory authorities to develop the Country Markets Limited guide to good hygiene practice. This guide is relevant to food producers working on a domestic scale in premises used primarily as a dwelling house and who prepare or produce food for sale or supply to the public.

The Food Safety Authority of Ireland and the official agencies, which work under a service contract arrangement with the authority, will continue to ensure that the legal requirements are being complied with in all food businesses to maintain and protect the interest of the consumer. The authority is willing to provide advice or further assistance to Country Markets Limited on labelling of foodstuffs should this be required.

Health Service Allowances.

187. **Mr. O'Dowd** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Meath has not been granted the domiciliary care allowance by the Health Service Executive. [6311/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have a reply on this issue sent directly to the Deputy.

Pension Provisions.

188. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children, further to Question No. 304 of 31 January 2006, if retired nurses should receive payment of deducted pensions during the period 1 May 2005 to 20 October 2005; and if she will make a statement on the matter. [6312/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Pensions (Abatement) Act 1965 provides the legislative basis for the suspension or reduction of an allowance or pension where, after retirement, a scheme pensioner is employed in an agency or organisation in which the superannuation scheme paying the pension applies. Remuneration plus pension for the specified period should not exceed the up-rated remuneration for the post from which the pensioner retired.

My Department issued circular 21/2005 in October 2005. The new arrangements mean that, in effect, pensioners working in agencies or organisations covered by the scheme from which their pensions are paid can earn up to 50% of the up-rated remuneration of the former post before abatement applies. The date of application is under review.

Hospital Services.

189. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if the Health Service Executive or former health boards had direct involvement in the management of hospitals that were penalised for failing to reach targets under the case mix system; and if she will make a statement on the matter. [6313/06]

Tánaiste and Minister for Health and Children (Ms Harney): Case mix analyses the mix of patients hospitals treat by collecting data on the diagnoses and procedures relating to individual patients and the cost of treating them and categorising them into diagnoses related groups. Case mix is used as part of the budgetary process in order that funding is based on measured costs and activity and to fund hospitals for the patients actually treated. In calculating these costs, account is taken of each hospital's unique issues and unique patients.

The case mix programme does not set hospital targets. Case mix hospitals are divided into four peer groups of similar hospitals. This is to allow fair clinical and cost comparison of like with like and take full account of each hospital's different mix of cases. Benchmarks such as cost per case, are generated by direct reference to both the national data and each hospital's peer group of hospitals, that is, the hospital's data sets the benchmarks used. A percentage of each hospital's budget is adjusted based on its peer group case mix performance. The consequence of this is that some hospitals may lose funding while others may gain.

As case mix quantifies the mix of cases each hospital treats, it is a hospital rather than a health board programme. However, the programme is managed with the active participation of all stakeholders, including individual hospitals and their respective hospital networks, the National Hospitals Office and the Health Service Executive. All stakeholders are actively encouraged to participate in the process. They are also encouraged to establish structures to advise on the operation and implementation of the programme.

As case mix allows for the collection, categorisation and interpretation of hospital patient data related to the types of cases treated to assist hospitals to define their products, measure their productivity and assess quality, a central tenet of the programme is that all data collected from individual hospitals is shared among all participating hospitals, the National Hospitals Office and the Health Service Executive. This ensures that the value-added benefit that accrues from such a comprehensive database of hospital data can be fully utilised.

There are 37 hospitals within the national case mix programme, comprising both voluntary and

former health board, now HSE hospitals. The Health Service Executive has responsibility for the funding of all 37 hospitals. Former health board hospitals come under the direct management of the HSE while voluntary hospitals have their own management structures. It is a matter for each hospital to review its case mix outturns in consultation with the HSE, as funder, and to take whatever action deemed appropriate.

I remain committed to rewarding good performance and, as case mix is the most internationally accepted performance related acute hospital activity programme, it is agreed between my Department and the Health Service Executive that case mix will be used as a central pillar in acute hospital funding policy.

Medicinal Products.

190. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children, further to Question No. 201 of 31 January 2006, if she will confirm that the recommendations referred to in this question are Government policy; and if the Health Service Executive has been instructed to implement same; and if she will make a statement on the matter. [6314/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004.

The report to which the Deputy's question refers was prepared by the benzodiazepine committee at the behest of the then Minister for Health and Children and published in 2002. The committee was comprised of representatives from the Department, former health boards and relevant professional bodies and was chaired by the then assistant chief executive officer of the East Coast Area Health Board, now the HSE eastern area.

The report, which was undertaken under action 41 of the National Drugs Strategy 2001-2008, contains 24 recommendations which are addressed to the Department, the Health Service Executive, the General Medical Services (Payments) Board, general practitioners and other professional bodies and fall to be considered for action by the body to which the action is addressed.

One of the key recommendations of this report was the dissemination of good practice guidelines to clinicians on the prescribing of benzodiazepines. These guidelines have been circulated widely to the Health Service Executive areas and to general practitioners throughout the country. In addition, arrangements have been put in place by Health Service Executive drug treatment clinics and general practitioners to reduce sources of

multi-prescribing to known drug users. The Department is also considering what legislative changes are appropriate in light of the UN convention.

Health Services.

191. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children the breakdown of capital spending by month and the current spend in each health board area of the Health Service Executive for 2005. [6315/06]

Tánaiste and Minister for Health and Children (Ms Harney): The latest figures available to me for spending by the Health Service Executive in 2005 were included in the executive's December 2005 returns to the Department of Finance, which were submitted to me on 17 January 2006. These figures fall to be revised when the executive consolidates figures for inclusion in the 2005 annual appropriation account for Vote 40.

The monthly spending from the capital subheads within the Health Service Executive's vote, Vote 40, for 2005 per the December 2005

return of voted capital expenditure is outlined in the following table.

| Month | Amount paid |
|-----------|-------------|
| | €m |
| January | 5.148 |
| February | 25.438 |
| March | 46.076 |
| April | 29.288 |
| May | 48.517 |
| June | 35.391 |
| July | 29.826 |
| August | 42.293 |
| September | 23.253 |
| October | 7.310 |
| November | 69.900 |
| December | 144.165 |
| Total | 506.605 |

The non-capital spending by each HSE regional area and HSE corporate for each month in 2005 per the December 2005 return of non-capital voted expenditure is set out in the following table.

| Month | HSE Corporate | Eastern | Midland | Mid Western | North Eastern | North Western | South Eastern | Southern | Western |
|-----------|---------------|---------|---------|-------------|---------------|---------------|---------------|----------|---------|
| | €m | €m | €m | €m | €m | €m | €m | €m | €m |
| January | 0.128 | 181.307 | 30.047 | 52.237 | 52.303 | 57.506 | 60.825 | 103.636 | 68.872 |
| February | 1.322 | 160.213 | 40.995 | 52.667 | 51.252 | 54.810 | 68.262 | 80.923 | 83.522 |
| March | 2.332 | 188.825 | 44.419 | 61.149 | 58.017 | 56.700 | 68.116 | 105.265 | 81.459 |
| April | 1.913 | 164.754 | 54.751 | 54.915 | 63.813 | 60.748 | 79.030 | 82.098 | 77.064 |
| May | 1.490 | 158.134 | 36.100 | 52.500 | 56.563 | 42.493 | 73.508 | 98.370 | 73.765 |
| June | 2.112 | 192.308 | 59.740 | 44.547 | 57.466 | 55.082 | 67.646 | 93.416 | 79.579 |
| July | 2.312 | 167.373 | 44.321 | 57.534 | 47.263 | 52.377 | 69.952 | 97.241 | 73.310 |
| August | 1.668 | 195.629 | 41.003 | 56.327 | 56.127 | 44.441 | 69.502 | 114.198 | 74.667 |
| September | 0.796 | 198.647 | 52.265 | 42.984 | 61.567 | 24.444 | 77.133 | 77.890 | 105.614 |
| October | 2.250 | 149.857 | 43.506 | 70.716 | 52.180 | 54.036 | 65.991 | 89.605 | 79.345 |
| November | 0.687 | 165.918 | 43.145 | 56.814 | 56.629 | 72.509 | 74.741 | 103.570 | 70.757 |
| December | (8.760) | 221.457 | 39.760 | 92.380 | 69.173 | 39.204 | 103.585 | 114.695 | 112.023 |

Clinical Indemnity Scheme.

192. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children, further to Question No. 231 of 31 January 2006, the cap on the extent of professional indemnity cover that is provided to consultants; and if she will make a statement on the matter. [6316/06]

Tánaiste and Minister for Health and Children (Ms Harney): The clinical indemnity scheme is based on the principle of enterprise liability. It therefore covers consultants employed in public hospitals for the treatment of their public and private patients in hospitals covered by the scheme. The cover is provided to the hospital

concerned rather than to the individual consultant. This cover is unlimited.

The scheme does not extend to the treatment of patients outside public hospitals and associated clinics. Consultants who see patients in private hospitals, off-site clinics or consulting rooms must arrange and pay for their own professional indemnity cover. To maintain the cost of this cover at an affordable level, the Government decided in January 2004 that limits should be placed on the level of cover that consultants would be required to purchase. There is a general limit of €1 million for each claim. A lower limit of €500,000 for each claim was put in place for consultant obstetricians. In addition, the limit on

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claims against consultant obstetricians is subject to an annual aggregate annual limit of €1.5 million per individual. Following the findings of a study undertaken in 2005 by consultant actuaries to the clinical indemnity scheme, the Government decided to apply the €500,000 limit on individual claims, including the annual aggregate limit of €1.5 million to consultant neurosurgeons and consultant orthopaedic surgeons undertaking spinal surgery.

193. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if consultants in public hospital must pay private medical insurance to look after private patients in public hospitals; and if she will make a statement on the matter. [6317/06]

Tánaiste and Minister for Health and Children (Ms Harney): Private patients in public hospitals are patients of the hospital as well as patients of the consultant treating them. As such, their treatment and care is covered by the clinical indemnity scheme. Consultants do not need to take out separate professional indemnity cover for this element of their practice. One of the objectives in establishing the clinical indemnity scheme was to eliminate the need for patients taking personal injury claims to name all the separate parties involved in their care in the claim. This measure will significantly reduce the legal costs involved in defending claims by eliminating the multiple parties on the defence side. It should also speed up the settlement of claims.

Hospital Services.

194. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children her plans for St. Luke's Hospital in Dublin if she follows through on closing the hospital and moving radiotherapy services to two other hospitals; and if she will make a statement on the matter. [6318/06]

195. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if in view of the excellent radiotherapy facilities available at St. Luke's Hospital, she will support the development of radiotherapy services in other regions first; and if she will make a statement on the matter. [6319/06]

Tánaiste and Minister for Health and Children

(Ms Harney): I propose to take Questions Nos. 194 and 195 together.

My objective in the development of a national network for radiation oncology services is to increase capacity as early as possible and to ensure that all cancer patients will receive care to the best international standards. St. Luke's Hospital board and its executive management team are fully committed to supporting the Government's decisions regarding the development of radiation oncology. In addition, all consultant radiation oncologists at St. Luke's have fully endorsed the decision to provide new centres on the campuses of St. James's and Beaumont hospitals.

The Government has decided that the capital investment involved will be funded mostly through public-private partnership on a design, build, finance, manage and partially operate basis. I am confident that this will have the advantage of offering greater synergies, innovation, transfer of risk and assurance that all centres will be compatible to deliver modern multi-modality integrated cancer care. I do not consider that the achievement of this objective should be delayed. The practical reality is that radiation oncology staff and services at St. Luke's Hospital will relocate to the St. James's Hospital facility on a managed and phased basis. It is important that the necessary planning encompasses continuity of care, human resources, professional development and change management. With regard to the future use of the site and facilities at St. Luke's, my objective will be to ensure that these resources are utilised in the best interest of the health service. I will discuss this issue in due course with the Health Service Executive and the hospital board.

Departmental Expenditure.

196. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children the organisations to which her Department or the Health Service Executive provided funding during 2005; the amount given to each organisation; and if she will make a statement on the matter. [6320/06]

Tánaiste and Minister for Health and Children

(Ms Harney): The amount of non-capital funding paid to each organisation by my Department in 2005 is set out in the following table.

| Organisation | Amount paid in 2005 |
|-----------------------------------|---------------------|
| | € million |
| Board for Employment of the Blind | 0.696 |
| BreastCheck | 10.606 |
| Crisis Pregnancy Agency | 7.399 |
| Food Safety Authority of Ireland | 17.160 |
| Food Safety Promotion Board | 6.370 |
| Health Research Board | 27.147 |

| Organisation | Amount paid in 2005 |
|--|---------------------|
| | € million |
| The Institute of Public Health in Ireland | 1.469 |
| Interim Health Information and Quality Authority | 0.335 |
| Irish Health Services Accreditation Board | 2.342 |
| Irish Medicines Board | 3.886 |
| Mental Health Commission | 5.980 |
| The National Cancer Registry Board | 1.870 |
| National Council on Ageing and Older People | 1.347 |
| National Council for the Professional Development of Nursing and Midwifery | 4.220 |
| National Social Work Qualifications Board | 0.511 |
| The National Treatment Purchase Fund | 64.000 |
| Office of Tobacco Control | 1.838 |
| Ombudsman for Children | 1.018 |
| Postgraduate Medical and Dental Board | 7.088 |
| Pre-Hospital Emergency Care Council | 2.236 |
| Special Residential Services Board | 2.101 |
| The Women's Health Council | 0.609 |

The capital grants paid to organisations funded by my Department in 2005 are set out in the accompanying table.

| Organisation | Amount paid in 2005 |
|--------------------------------------|---------------------|
| | € million |
| BreastCheck | 1.236 |
| Food Safety Authority of Ireland | 0.128 |
| Health Research Board | 2.066 |
| The National Treatment Purchase Fund | 1.759 |
| Office of Tobacco Control | 0.450 |
| Ombudsman for Children | 1.217 |
| Pre-Hospital Emergency Care Council | 0.850 |

Public Procurement Policy.

197. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children if her Department has a corporate procurement plan; and if she will make a statement on the matter. [6342/06]

Tánaiste and Minister for Health and Children (Ms Harney): The national public procurement policy framework which was published recently by the Department of Finance includes the requirement that public bodies should develop an annual corporate procurement plan. My Department is now working on this and will be developing and compiling its corporate procurement plan over the coming months.

Consultancy Contracts.

198. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the progress made within her Department on reviewing existing contract specifications awarded by all Departments; and if she will make a statement on the matter. [6357/06]

Tánaiste and Minister for Health and Children (Ms Harney): The directions issued by the Minister for Finance have been noted and circulated to all relevant agencies for appropriate action. At present, the Department of Finance is in consultation with the industry on the matter and further directions are awaited.

Health Services.

199. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the major public health issues involved concerning empty houses (details supplied) in County Limerick. [6378/06]

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 reply directly to the Deputy.

200. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) was left in a ward with MRSA patients; the procedures relating to same; and if this person will be transferred to St. Claire's Ward. [6379/06]

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 reply directly to the Deputy.

201. **Mr. G. Mitchell** asked the Tánaiste and Minister for Health and Children the funding which has been sought by the Health Service Executive to refurbish or rebuild a health care facility in Dublin 12; when it is proposed to complete these works; and if she will make a statement on the matter. [6386/06]

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 reply directly to the Deputy.

202. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children her plans to introduce insulin pump therapy for diabetics in the Mid-Western Health Service Executive area similar to that available in the greater Dublin area; the number of type one diabetics in the mid-western Health Service Executive area; her views on the introduction of such therapy if there are no existing plans; the number of times diabetic children must wait in the mid-western Health Service Executive area for check-ups; when she expects such waiting periods to be reduced to three months as an internationally recognised standard; and if she will make a statement on the matter. [6389/06]

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 reply directly to the Deputy.

203. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children if the Health Service Executive is liable for the acts of the former

health boards; and if she will make a statement on the matter. [6393/06]

Tánaiste and Minister for Health and Children (Ms Harney): Part 10 of the Health Act 2004, sections 56 to 72, inclusive, provides for the dissolution of certain health bodies, including health boards, and the transfer of functions and employees to the Health Service Executive. Sections 62 to 67, inclusive, in particular ensure that the executive is liable for property, contracts, legal proceedings, orders, notices, rules and records of the former health boards.

204. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children her estimate of the cost of providing one hour of home help during working hours and the cost of providing one hour in the evening and at the weekends; her estimate of the number of home help hours that should be funded in ordinary working hours and out of hours; and if she has made adjustments in her Department's budget allocation to the Health Service Executive to reflect same. [6408/06]

Minister of State at the Department of Health and Children (Mr. S. Power): An investment package of an additional €150 million has been put in place for services for older people and palliative care for 2006 and 2007, of which an additional €33 million full-year cost was allocated to the home help programme, €30 million of which will be for 2006. This funding will enable the Health Service Executive to provide an additional 1.75 million hours nationally in 2006. It should be noted that €55 million was also allocated towards the provision of an additional 2,000 home care packages in 2006, which may also include an element of home help service.

The funding outlined above was provided to the HSE, which is responsible for the delivery of the home help service. The Department has forwarded the Deputy's question to the parliamentary affairs division of the executive and has requested that it reply to her directly.

205. **Mr. Allen** asked the Tánaiste and Minister for Health and Children if she will confirm that the number of dentists operating from the Grattan Street health centre in Cork under the Health Service Executive has been reduced from three to one and, as a result, children attending national schools in the Donoughmore and surrounding areas are not having dental inspections as in the past; and if she will make a statement on the matter. [6409/06]

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 reply directly to the Deputy.

Medical Aids and Appliances.

206. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the qualifying conditions for people with special needs to acquire aids and appliances; if only people with medical cards qualify; and if she will make a statement on the matter. [6410/06]

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. Part of this responsibility covers the assessment of and entitlement to aids and appliances.

Health Services.

207. **Mr. Wall** asked the Tánaiste and Minister for Health and Children if, where general practitioners have entered into a co-operative agreement to deal with after hours calls from 7 p.m. to 8 a.m. and cover for weekends, it is mandatory that the general practitioner on cover or call attends persons who, while on holiday or visiting the region where the agreement is in place, take ill; and if she will make a statement on the matter. [6432/06]

Tánaiste and Minister for Health and Children (Ms Harney): General practitioners who hold general medical services scheme contracts for service with the Health Service Executive undertake to provide general practitioner services for their assigned patients for a total of 40 hours to cover surgery and domiciliary visits on five or more days per week as agreed with the executive. They are also obliged to put in place arrangements that enable contact to be made with them or a deputy or locum for emergencies outside these times. Their contract also includes a requirement to treat eligible persons temporarily resident in their area or visitors to Ireland covered under EU regulations.

To fulfil their out-of-hours commitment as specified in the general medical services scheme contract, general practitioners may choose to participate in co-operative arrangements where cover is provided for attendance on the patients of the participating general practitioners.

Mental Health Services.

208. **Mr. Perry** asked the Tánaiste and Minister for Health and Children the direction she has issued to the Health Service Executive officials in the north west region concerning St. Columba's Hospital Sligo and the provision of a psychiatric unit on the campus of Sligo General Hospital, which has been planned for a number of years

with tender document issued; her views on whether the development of psychiatric services there has been ignored for too long; and if she will make a statement on the matter. [6442/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to reply directly to the Deputy.

209. **Mr. Perry** asked the Tánaiste and Minister for Health and Children the steps she will take to further develop psychiatric services where it is accepted that one in four of the population will suffer a psychiatric or psychological condition at some stage in their lives, which reflects the enormous level of suffering for too many families, in view of the recent announcement regarding mental health institutions here; and if she will make a statement on the matter. [6443/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The report of the expert group on mental health policy, *A Vision for Change*, was launched on 24 January 2006. The report proposes a holistic view of mental illness and recommends an integrated, multi-disciplinary approach to addressing the biological, psychological and social factors that contribute to mental health problems. It proposes a person-centred treatment approach which addresses each of these elements through an integrated care plan reflecting best practice and evolved and agreed with service users and their carers. Special emphasis is given to the need to involve service users and their families and carers at every level of service provision.

This policy envisions an active, flexible and community-based mental health service where the need for hospital admission will be greatly reduced. It will require substantial funding but there is considerable equity in buildings and lands within the current mental health system which could be realised to fund this plan. Therefore, the report recommends that steps be taken to bring about the closure of all psychiatric hospitals and to invest the resources released by these closures in the mental health service. The closure of large mental hospitals and the move to modern units attached to general hospitals, together with the expansion of community services, has been Government policy since the publication of *Planning for the Future* in 1984.

The Health Service Executive, which has primary responsibility for implementing the recommendations of the expert report, has stated that the national mental health directorate within

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the executive will immediately establish an implementation group to ensure that the recommendations are realised in a timely and co-ordinated manner.

Question No. 210 answered with Question No. 184.

General Register Office.

211. **Mr. Perry** asked the Tánaiste and Minister for Health and Children the avenues which are available to a person to obtain his birth certificate (details supplied). [6453/06]

Tánaiste and Minister for Health and Children (Ms Harney): An tArd-Chláraitheoir, the Registrar General, is the person with statutory responsibility for the administration of the civil registration system in Ireland. I have made enquiries of the Registrar General and the position is as follows.

Under current civil registration legislation, any life event, including a birth, that occurred in England cannot be registered in Ireland, irrespective of whether the event was registered in England or not. Births occurring in England fall to be registered there and any birth that was not registered at the time of the event may be registered by the appropriate British authority. To have his birth registered and to obtain a birth certificate, I am advised that the person should contact the General Register Office in the United Kingdom where he will be advised of the procedures involved. The contact details for that office are Births and Deaths Section, Room D209, General Register Office, Trafalgar Road, Southport, PR8 2HH; telephone +44 0 151 471 4805, from 9 a.m. to 5 p.m., Monday to Friday.

Health Service Staff.

212. **Ms Harkin** asked the Tánaiste and Minister for Health and Children the number of Parkinson's nurse specialists here and their location. [6460/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

213. **Ms Harkin** asked the Tánaiste and Minister for Health and Children if there are provisions in place to increase the number of Parkinson's nurse specialists here. [6461/06]

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 a reply on this issue sent directly to the Deputy.

214. **Ms Harkin** asked the Tánaiste and Minister for Health and Children if there are provisions in place for extra training for Parkinson's nurse specialists. [6462/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Child Care Services.

215. **Ms McManus** asked the Tánaiste and Minister for Health and Children the number of licensed crèches or child care facilities; the number of inspections carried out during 2005 to ensure that appropriate standards were being maintained; the number of prosecutions initiated as a result of such inspections in respect of each county; and if she will make a statement on the matter. [6463/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medicinal Products.

216. **Mr. Allen** asked the Tánaiste and Minister for Health and Children if a situation regarding a person (details supplied) in County Cork will be investigated; and if the Health Service Executive will be instructed to provide the coated steroids. [6474/06]

Tánaiste and Minister for Health and Children (Ms Harney): There is a common list of reimbursable medicines for the general medical services and drug payment schemes. This list is reviewed and amended monthly as new products become available and deletions are notified. The product

referred to by the Deputy has not been deleted from the list.

An agreement is in place between the Department of Health and Children, the Irish Pharmaceutical Healthcare Association, IPHA, and the Association of Pharmaceutical Manufacturers of Ireland, APMI, which sets out the supply terms and prices of medicines supplied to the health services. The agreement covers all reimbursable prescription medicines in the general medical services and community drug schemes as well as all medicines supplied to hospitals and the Health Service Executive. A price freeze is in place for products supplied under the terms of the agreement.

The original manufacturers of the product referred to by the Deputy divested ownership of the product to another company. The new owner subsequently increased the price of the product without prior consultation with my Department and in breach of the pricing agreement. Following negotiations with the company concerned, agreement has been reached on a revised price which will come into effect in March. In the meantime, people with a medical card who are experiencing financial difficulty in obtaining this medicine should contact the local office of the Health Service Executive.

Services for People with Disabilities.

217. **Mr. McHugh** asked the Tánaiste and Minister for Health and Children the progress which has been made to begin the process of core funding community employment positions supporting personal social services for people with disabilities; and if she will make a statement on the matter. [6489/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): In the Estimates for 2006, significant additional funding totalling €100 million has been included for the improvement of health services for people with disabilities. As part of this provision, funding of €10 million has been made available to address core under-funding and core staffing issues in services provided by the non-statutory sector. The Health Service Executive has been asked to allocate this funding on an equitable basis having regard to the needs of people with disabilities. I expect that the executive's consideration of these needs will take into account any urgent case for funding of necessary services which may be made by the Irish Wheelchair Association.

Hospital Services.

218. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children if the €70 million allocated to her ten-point plan for the accident and emergency crisis in 2005 is a recurring annual cost; and if she will make a statement on the matter. [6490/06]

Tánaiste and Minister for Health and Children (Ms Harney): Additional funding of €70 million was provided in 2005 to support the actions identified in the ten-point plan for accident and emergency services. This funding remains in the Health Service Executive's Vote.

Health Services.

219. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the amount of rent in arrears for the new health centre in Ballymun; and if she will make a statement on the matter. [6491/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

220. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the number of staff within the Health Service Executive who are on paid leave for more than a year; the breakdown of the titles of persons on paid leave for more than a year; and if she will make a statement on the matter. [6492/06]

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 this is a matter for the executive under the Health Act 2004, my Department has requested its parliamentary affairs division to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

221. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the number of new Health Service Executive managerial or administrative posts that have been created since the establishment of the Health Service Executive; the number and breakdown of posts that have been abolished since the Health Service Executive's establishment; and if she will make a statement on the matter. [6493/06]

Tánaiste and Minister for Health and Children (Ms Harney): The human resource management issues raised by the Deputy are a matter for the Health Service Executive under the Health Act 2004. The executive's parliamentary affairs division has been asked to investigate the issues raised and to reply directly to the Deputy.

222. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the number of people in the public health services who are in receipt of an on-call allowance; the breakdown of the titles and grade of the staff in receipt of this allowance; and if she will make a statement on the matter. [6494/06]

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 this is a matter for the executive under the Health Act 2004, my Department has requested its parliamentary affairs division to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

223. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the number of Health Service Executive staff who have the title "co-ordinator and facilitator"; the salaries for such posts; and if she will make a statement on the matter. [6495/06]

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 this is a matter for the executive under the Health Act 2004, my Department has requested its parliamentary affairs division to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Nursing Home Subventions.

224. **Mr. McGinley** asked the Tánaiste and Minister for Health and Children the reason for the delay in the payment of the nursing home refunds; and if she will make a statement on the matter. [6508/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Government has agreed the key elements of a scheme for the repayment of long-stay charges for publicly funded residential care. All those fully eligible persons who were wrongly charged and are alive and the estates of all those who were wrongly charged and have died since 9 December 1998 will have the charges repaid in full. The scheme will not allow for repayments to the estates of those who died prior to that date. The repayments will include both the actual charge paid and an amount to take account of inflation, using the consumer price index, since the time the person involved was charged.

Draft heads of a Bill for a repayment scheme were submitted to the Government in December and were approved. The draft heads have been submitted to the Office of the Parliamentary Counsel for drafting and it is my intention to have the Bill published in the current parliamentary session and to have repayments commencing

shortly after the Bill is approved and signed into law.

In the preparation of the legislation there were many complex issues which required clarification. My Department had consultations with a wide range of Departments and agencies to ensure that the provisions of the scheme adequately addressed these issues. These provisions included exempting repayments to those who are alive from income tax, to allow for repayments to take account of inflation by use of the consumer price index and to allow repayments to living persons and their spouses to be disregarded in means assessment for health and social welfare benefits. Consultation with the probate office of the High Court has also resulted in a streamlined process where a grant of probate is required for an application on behalf of a deceased person. The provisions of the Bill will also provide appropriate safeguards for those who are not in a position to manage their own affairs.

There has also been extensive consultation with the oversight committee appointed to provide an independent input into the design and monitoring of the scheme. The committee is fully briefed on all aspects of the scheme and has provided valuable input into the legislative process to date.

The scheme will be designed and managed with the aim of ensuring that those who are eligible for repayments receive them as soon as possible and with the minimum possible imposition in terms of bureaucracy. Priority will be given to those who are still alive. Many of those eligible for repayments have already been identified as a result of initial payments made following my announcement in December 2004. The scheme will include an independent transparent and thorough appeals process.

Irish Blood Transfusion Service.

225. **Mr. Deasy** asked the Tánaiste and Minister for Health and Children if the Irish Blood Transfusion Service has received the results of the tests requested by them from the University of Edinburgh for a person (details supplied) in County Kerry; when these will be released to the family; and if she will make a statement on the matter. [6512/06]

Tánaiste and Minister for Health and Children (Ms Harney): The issue of test results is a clinical matter and is personal to the individuals concerned as well as or instead of their physicians. The Irish Blood Transfusion Service has advised that it will contact the person directly regarding their test results.

Decentralisation Programme.

226. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the location of the health information and quality authority, HIQA,

headquarters; if it is to be fully or partially decentralised to County Cork; the progress to date in 2006 on this project; and if she will make a statement on the matter. [6516/06]

Tánaiste and Minister for Health and Children (Ms Harney): On 8 July 2004, the Minister for Finance announced the locations for the decentralised health sector and information and communications technology, ICT, jobs. As part of this decentralisation programme, the headquarters of the health information and quality authority, HIQA, will be located in Cork city involving the decentralisation of 50 jobs.

The new authority has not yet been established. However, heads of a Bill to provide for the establishment of the HIQA and the establishment of the social services inspectorate function, as part of the HIQA, on a statutory basis, are at an advanced stage of drafting in my Department. I will be submitting these draft heads to the Government shortly, following which my intention is to engage in a consultation process on the proposals prior to commencing the drafting of the Bill.

In March 2005, I established the interim health information and quality authority, iHIQA, to make the organisational plans and preparations for the new authority. Among the matters being attended to by the iHIQA are consultation with the National Cancer Registry and the Irish Health Services Accreditation Board, the functions of which bodies will be amalgamated with the new authority. Additionally, the iHIQA has been in discussion with the Department of Finance about the decentralisation programme and is liaising with the Office of Public Works in identifying suitable accommodation in Cork for the new authority.

227. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children the number of jobs that have been decentralised to the Health Service Executive headquarters in Naas, County Kildare; and if she will make a statement on the matter. [6517/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Government decided on 6 July 2004 that up to 300 staff of the Health Service Executive would locate to Naas under the decentralisation programme. Section 6 of the Health Act 2004 states that the Health Service Executive is a corporate body. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

228. **Ms Shortall** asked the Tánaiste and Minister for Health and Children if she will seek an explanation from the medical bureau as to the

reason persons (details supplied) in Dublin 9 of a flat complex were told they would have to bring their sick child to the bottom of the complex staircase to be seen by the visiting doctor if the lift wasn't working; and if she will make a statement on the matter. [6518/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

229. **Mr. McGinley** asked the Tánaiste and Minister for Health and Children if core funding for community employment staff supporting essential services will be made available; and if she will make a statement on the matter. [6521/06]

280. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children when the core funding promised in the 2006 Estimates and referred to by her in Question No. 202 of 29 November 2005 will be provided to the Irish Wheelchair Association to mainstream services provided by community employment participants; and if she will make a statement on the matter. [6948/06]

286. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children if further funding can or will be offered for community employment positions supporting personal social services for people with disability in the Irish Wheelchair Association sector; and if she will make a statement on the matter. [7067/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 229, 280 and 286 together.

In the Estimates for 2006, significant additional funding totalling €100 million has been included for the improvement of health services for people with disabilities. As part of this provision, funding of €10 million has been made available to address core under-funding and core staffing issues in services provided by the non-statutory sector. The Health Service Executive has been asked to allocate this funding on an equitable basis having regard to the needs of people with disabilities. I expect that the executive's consideration of these needs will take into account any urgent case for funding of necessary services which may be made by the Irish Wheelchair Association.

Health Services.

230. **Mr. Callely** asked the Tánaiste and Minister for Health and Children the waiting list for a centre (details supplied) in Dublin. [6527/06]

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.

231. **Mr. Callely** asked the Tánaiste and Minister for Health and Children the average waiting time for assessment and treatment of autistic children; and if there is a timeframe for assessment and treatment of autistic children. [6528/06]

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 a reply on this issue sent directly to the Deputy.

Accident and Emergency Services.

232. **Mr. Callely** asked the Tánaiste and Minister for Health and Children the average waiting time in accident and emergency in Beaumont and the Mater Hospitals. [6529/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

233. **Mr. Callely** asked the Tánaiste and Minister for Health and Children the measures that have been taken to improve waiting times; and if she will make a statement on the matter. [6530/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has

requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

234. **Ms McManus** asked the Tánaiste and Minister for Health and Children the position regarding the inadequate staffing levels for the treatment of cystic fibrosis as highlighted by the Pollock report and outlined in Question No. 52 of 21 June 2005; and if she will make a statement on the matter. [6535/06]

Tánaiste and Minister for Health and Children (Ms Harney): As part of the overall funding for health services in 2006, additional revenue funding of €4.78 million has been allocated specifically for the development of cystic fibrosis services.

I wish to see significant improvement this 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 examining this issue. My Department is advised that the working group is due to report shortly and will make specific recommendations regarding 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 throughout the country. As part of the implementation process I have asked the HSE to address in particular the identified deficits at the national adult referral centre at St. Vincent's University Hospital, Dublin.

General Medical Services Scheme.

235. **Mr. Carey** asked the Tánaiste and Minister for Health and Children if it is normal practice for over 70s to be charged a fee of €35 for a medical report which is necessary for a driving licence renewal; and if she will make a statement on the matter. [6548/06]

Tánaiste and Minister for Health and Children (Ms Harney): Under the terms of the general medical services scheme, GMS, contract, participating general practitioners undertake to provide a range of treatments and general practitioner services for the patients on their GMS panel. Their GMS contract obliges them to provide the first and last certificates to explain work absence for their patients. All other requested certificates in respect of requirements for driving licences or life assurance policies may incur charges.

Charitable Funding.

236. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the funding provided to a charity (details supplied) in County

Galway in 2005 and the projected allocation for 2006; the funding which will be provided in 2006 to address existing service deficits and to develop new services in the Ballinasloe area; and if she will make a statement on the matter. [6563/06]

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 a reply on this issue sent directly to the Deputy.

Health Services.

237. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children, further to the Health Service Executive reply to Question No. 361 of 28 September 2005, if she will provide an update for 2005 and the service provision for 2006; the new services planned for 2006; and if she will make a statement on the matter. [6566/06]

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.

Child Care Services.

238. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children, further to Question No. 334 of 26 January 2005, if the child care report has been finalised; if training issues for pre-school inspection staff will arise as a result of the requirements of the revised regulations; and if she will make a statement on the matter. [6567/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The review of the Child Care (Pre-School Services) Regulations 1996 and Child Care (Pre-School Services) (Amendment) Regulations 1997 has been completed. I expect to be in a position to introduce the revised regulations in the near future. I understand that work is in progress in the Health Service Executive to address training issues for pre-school inspection staff in anticipation of the introduction of the revised regulations.

Food Safety Authority.

239. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children, further to the

Adjournment debate of 14 February 2006, the action which was taken by the official agencies who were presented with a copy of the Food Safety Authority of Ireland report; the conclusions of such action in each case; and if she will make a statement on the matter. [6573/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The official agencies concerned are the Department of Agriculture and Food, the Department of Communications, Marine and Natural Resources, the Health Service Executive and various local authorities. The Food Safety Authority of Ireland, FSAI, provided each of these agencies with a report on the premises under their supervision which were visited as part of the audit and it has confirmed that they took follow-up action by way of additional visits and inspections and that the matters which required attention have been rectified.

A related outcome of the audit identified by the FSAI was the need to strengthen controls in the areas of recall, traceability and labelling. Subsequently, the authority devised and delivered training sessions to more than 500 field staff in the official agencies. This training was designed to allow enforcement officers to gain an improved understanding of the type of audit carried out, the issues which arose in the context of the audit and to enable them to carry out similar labelling, traceability and recall audits on an ongoing basis.

Consumers must be confident that Irish food business operators not only produce safe food but food which is properly labelled and traceable. The FSAI has informed me that it will continue to ensure that consumers' interests are protected by ensuring adequate enforcement of regulations in this area. In addition, my officials have asked the FSAI to consider how such reports may be made available routinely.

Health Services.

240. **Mr. O'Shea** asked the Tánaiste and Minister for Health and Children the chiropody service which is available to senior citizen medical card holders in Carrick-on-Suir, County Tipperary; her proposals for expanding chiropody provision for these patients; and if she will make a statement on the matter. [6574/06]

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.

Nursing Home Charges.

241. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children, further to Question No. 89 of 9 February 2006, if she will reply in detail to the question raised with particular reference to the individual circumstances; and if she will make a statement on the matter. [6587/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Government has agreed the key elements of a scheme for the repayment of long-stay charges for publicly funded residential care. All those fully eligible persons who were wrongly charged and are alive and the estates of all those who were wrongly charged and have died since 9 December 1998 will have the charges repaid in full. The scheme will not allow for repayments to the estates of those who died prior to that date. The repayments will include both the actual charge paid and an amount to take account of inflation, using the consumer price index, since the time the person involved was charged.

Draft heads of a Bill for a repayment scheme were submitted to the Government in December and were approved. The draft heads have been submitted to the Office of the Parliamentary Counsel for drafting and it is my intention to have the Bill published in the current parliamentary session and to have repayments commencing shortly after the Bill is approved and signed into law.

The scheme will be designed and managed with the aim of ensuring that those who are eligible for repayments receive them as soon as possible and with the minimum possible imposition in terms of bureaucracy. Priority will be given to those who are still alive. Many of those eligible for repayments have already been identified as a result of initial payments made following my announcement in December 2004. The scheme will include a transparent and thorough appeals process.

As the Health Service Executive has responsibility for administering the national repayment scheme, inquiries relating to individual cases are referred to the parliamentary affairs division of the executive. My Department has asked the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospitals Building Programme.

242. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the position regarding the provision of a new community hospital for Dingle, County Kerry; and if she will make a statement on the matter. [6658/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Dingle community hospital project is at pre-tender stage and is included in the HSE capital plan for 2006 as part of the rolling capital programme 2006 to

2010. The capital plan has been approved by the HSE board and was recently submitted to the Tánaiste for consideration. The Department is in discussion with the HSE on the plan.

Hospital Accommodation.

243. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the position regarding the provision of an extension to Kenmare Community Hospital; and if she will make a statement on the matter. [6659/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

244. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the number of applications to date from County Kerry for the doctor-only medical card; the number of applications which have been successful; and if she will make a statement on the matter. [6660/06]

245. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the number of persons in County Kerry in possession of a medical card; and if she will make a statement on the matter. [6661/06]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 244 and 245 together.

The Deputy's questions relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

Cancer Screening Programme.

246. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the position regarding the roll-out of BreastCheck to the south and west of the country; if the service will be nationwide in 2007; and if she will make a statement on the matter. [6662/06]

Tánaiste and Minister for Health and Children (Ms Harney): The roll-out of the national breast screening programme to the remaining regions in

the country is a major priority in the development of cancer services. BreastCheck has advertised for lead consultant radiologists and radiographers for the two new units at the South Infirmary and Victoria Hospital, Cork and University College Hospital, Galway. The recruitment of other key clinical posts will commence shortly.

The design process for the two new units is progressing. The applications for planning permission for both clinical units have been lodged with the relevant local authorities and decisions are expected in March. It is anticipated that the design process, including the preparation of tender documentation, will be completed by mid-2006. Following the selection of contractors, construction of the two units will commence. BreastCheck is confident that the target date of 2007 for commencement of the roll-out will be met.

Hospital Services.

247. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the estimate of the accident and emergency attendances, in-patient admissions and the number of day cases in 2005; and if she will make a statement on the matter. [6663/06]

Tánaiste and Minister for Health and Children (Ms Harney): The information sought by the Deputy is set out in the following table.

Acute Hospital Summary Activity Data, 2005

| | Number |
|-----------------------|-----------|
| A&E Attendances | 1,247,192 |
| In-Patient Admissions | 569,851 |
| Day Cases | 505,588 |

Note: All figures are provisional.

Source: Integrated Management Returns (IMRs) Dept of Health & Children.

248. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the number of inpatient beds and hospital day beds in publicly funded hospitals at year end 2005. [6664/06]

Tánaiste and Minister for Health and Children (Ms Harney): I refer the Deputy to the Health Services Executive's National Service Plan 2006 that has been laid before the Houses of the Oireachtas, which states that there are 53 public acute hospitals with a total of 13,771 beds — inpatient and day places — in October 2005.

Decentralisation Programme.

249. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the office or unit within her Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within her

Department and associated agency who have chosen to decentralise with their parent organisation; and the number of people willing to move who have been assigned their new posts. [6666/06]

Tánaiste and Minister for Health and Children (Ms Harney): My Department is not one of the Departments earmarked for decentralisation under the Civil Service decentralisation programme. Therefore, the issue of staff who have chosen to decentralise with my Department does not arise.

Health Services.

250. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children the number of home care packages made available in each Health Service Executive area and in Counties Roscommon and Leitrim in 2005 respectively; the corresponding numbers who availed of such packages via stepdown from the acute hospital services and who were either resident in a nursing home or in the community prior to availing of the scheme; the planned figures under each category for 2006; and if she will make a statement on the matter. [6689/06]

Minister of State at the Department of Health and Children (Mr. S. Power): A sum of €55 million was allocated to home care packages in the 2006 budget. This is a full year cost, €30 million of which is for 2006, during which an additional 2,000 packages will be provided by the Health Service Executive across the country. The priority will be older people living in the community or who are inpatients in an acute hospital who may otherwise require admission to residential care. The home care packages will also be available to those older people who have been admitted to long-term care and who now wish to return to the community.

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.

Nursing Home Subventions.

251. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children the changes made to the nursing home subvention scheme; the breakdown of changes for people who have applied for subvention; and if she will make a statement on the matter. [6758/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Nursing Home (Subvention) Regulations 1993 are administered by the Health Service Executive. There are cur-

[Mr. S. Power.]

rently three rates of subvention payable, that is, €114.30, €152.40 and €190.50, for the three levels of dependency which are medium, high and maximum.

The changes that were announced on budget day were incorporated into the Nursing Homes (Subvention) (Amendment) Regulations 2005. These regulations amended the thresholds contained in the 1993 regulations by increasing the value of assets to be disregarded for the purposes of subvention assessment from £6,000 or €7,618 to €11,000, increasing the asset threshold above which subvention may be refused from £20,000 or €25,394 to €36,000 and increasing the threshold of principal residence value above which subvention may be refused from £75,000 or €95,230 to €500,000 or more, where the residence is located in the Dublin area, or €300,000 or more, where the residence is located outside the Dublin area, provided that the applicant's income is greater than €9,000 — this was previously £5,000 or €6,349. These regulations were signed by the Tánaiste on 14 December 2005 and came into law effective from that date.

The HSE continues to retain the discretion to impute an income of 5% of the estimated market value of the principal residence of an applicant for subvention, unless the residence is occupied by a spouse or son or daughter aged less than 21 years or in full-time education or in receipt of the disabled person's maintenance allowance, blind person's pension, disability benefit, invalidity pension or old age non-contributory pension, and generally does so unless there are exceptional circumstances. However, the residence value above which it may automatically refuse to pay a subvention has been increased substantially, as outlined, to take account of increased property values.

The Department has discussed the regulations with the HSE, both during their preparation and since their coming into law, and it falls to the HSE to implement the regulations in the various HSE regions.

252. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children the criteria for assessing an application for enhanced nursing home subvention in each area of the Health Service Executive; and if she will make a statement on the matter. [6759/06]

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.

The nursing home subvention scheme was introduced in 1993 on foot of the Nursing Homes (Subvention) Regulations 1993 which were made under section 7 of the Health (Nursing Homes) Act 1990. These regulations laid down the criteria for assessing a person's eligibility for subvention, as well as the maximum amounts of subvention that may be paid to an eligible person. The Nursing Home (Subvention) Regulations 1993 are administered by the Health Service Executive. There are currently three rates of subvention payable, that is, €114.30, €152.40 and €190.50, for the three levels of dependency which are medium, high and maximum.

The HSE has discretion to pay more than the maximum rate of subvention relative to an individual's level of dependency in a case, for example, where personal funds are exhausted. The application of these provisions in an individual case is a matter for the HSE in the context of meeting increasing demands for subvention, subject to the provisions of the Health Act 2004. The average rate of subvention paid by the HSE generally exceeds the current approved basic rates.

253. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children the various levels of enhanced nursing home subvention in each area of the Health Service Executive; and if she will make a statement on the matter. [6760/06]

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. I have outlined details of subvention and, in particular, the criteria for assessing an application for enhanced subvention in a separate reply to another question from the Deputy.

Parliamentary Questions.

254. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if the reason no response has issued from the Health Service Executive in respect of a previous question (details supplied) which was asked almost a month ago will be investigated; and when a reply will issue to the query. [6780/06]

Tánaiste and Minister for Health and Children (Ms Harney): I understand that the Health Service Executive has issued a reply directly to the Deputy dated 20 February 2006.

Health Services.

255. **Mr. Naughten** asked the Tánaiste and

Minister for Health and Children when a reply will issue to correspondence (details supplied); the reason for the delay in same; and if she will make a statement on the matter. [6783/06]

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.

Hospitals Building Programme.

256. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children when confirmation of commitment to phase II PCCC capital developments at Our Lady's Hospital, Cashel, County Tipperary, will be given. [6794/06]

Minister of State at the Department of Health and Children (Mr. S. Power): Our Lady's Hospital, Cashel, is included in the HSE capital plan for 2006 as part of the rolling capital programme 2006-10. The capital plan has been approved by the HSE board and was recently submitted to the Tánaiste for consideration. The Department is in discussion with the HSE on the plan.

257. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children when confirmation of revenue funding for phase 1 PCCC developments at Our Lady's Hospital, Cashel, County Tipperary, will be given. [6795/06]

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.

Parliamentary Questions.

258. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children when a reply to Question No. 167 of 11 October 2005 will be issued; and if she will make a statement on the matter. [6865/06]

Tánaiste and Minister for Health and Children (Ms Harney): The information sought by the Deputy in Question No. 167 of 11 October 2005 related to the management and delivery of health and personal social services, which are the

responsibility of the Health Service Executive under the Health Act 2004. The HSE has advised my Department that it has provided the requested information to the Deputy.

Health Services.

259. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children the reason a dedicated transport system for cancer patients has been rejected by her; and if she will make a statement on the matter. [6866/06]

Tánaiste and Minister for Health and Children (Ms Harney): The executive has in place several options for the transportation of patients who require radiotherapy and other oncology services, including the use of designated oncology transport vehicles and transport by air. These services and their development relate to the management and delivery of health and personal social services, which are the responsibility of the executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to provide relevant details to the Deputy. I understand that the executive will review the transport needs of all patients, including cancer patients, and the associated resource requirements.

The National Service Plan 2006 of the Health Service Executive provides a commitment to develop proposals to support patients who have to travel long distances to access specialist services, with particular focus in 2006 on those travelling for radiotherapy treatment. I approved this plan in December and it was laid before both Houses of the Oireachtas last month. I made available an additional €9 million to the executive for developments in cancer services in 2006, *inter alia*, to facilitate better access to radiation oncology services, including dedicated transport arrangements.

Hospital Staff.

260. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children the number of orthopaedic surgeons who are present at Our Lady's Hospital for Sick Children; and if she will make a statement on the matter. [6867/06]

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.

261. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children the number of con-

[Dr. Twomey.]

sultant positions approved and the location of approved new posts by the Health Service Executive since it was established in January 2005; and if she will make a statement on the matter. [6869/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

262. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children the number of patients who were transferred from St. Luke's Hospital, Kilkenny, Wexford General Hospital and Clonmel Hospital to have an emergency CAT scan performed; the hospitals these sick patients were transferred to; the clinical indication for transfer; and if she will make a statement on the matter. [6870/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy.

Health Service Staff.

263. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if the public only contract means no private patients in public hospitals or no public only consultants in any private hospital whatever the location; and if she will make a statement on the matter. [6872/06]

Tánaiste and Minister for Health and Children (Ms Harney): Proposals for a new employment contract for consultants working in the public health system were recently tabled by the management side in the context of the consultants' contract negotiations. The new contract will be a first step towards the introduction of a consultant provided service and the appointment of large numbers of dedicated public hospital and community based consultants, working in teams. This will be matched by a reduction in the number of non-consultant hospital doctors.

A consultant provided service is dependent on consultants assuming a new role. The contract will set out the terms and conditions associated with employment as a consultant dedicated

exclusively to the public health service. It will recognise consultants as senior employees with lead responsibility, within established best practice, for decisions on patient care and treatment.

As part of a consultant provided service, consultants will treat all patients and will be remunerated exclusively on a salaried basis, that is, they will not receive additional remuneration for treatment delivered to insured patients. A commitment to public sector service alone means consultants treating patients only within the public hospital or public community facility.

Health Services.

264. **Mr. Stanton** asked the Tánaiste and Minister for Health and Children if the Health Service Executive will be requested to make speech therapy provision to a child (details supplied) in County Cork; when this service will be made available; and if she will make a statement on the matter. [6873/06]

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 a reply on this issue sent directly to the Deputy.

Bullying in the Workplace.

265. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children the changes which were made to the running of a hospital (details supplied) in County Dublin as a result of a court action for bullying in 2002 and subsequent allegations made regarding the treatment of elderly patients such as taping the mouths of elderly patients, which was known by the Health Service Executive; and if she will make a statement on the matter. [6882/06]

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 in a particular hospital, which is 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 on the points raised by him.

Specifically in regard to the allegations referred to by the Deputy, the HSE has advised that, following complaints made regarding the hospital, a review was carried out by the former health board in which the hospital is situated. A copy of the review findings was forwarded to the complainant. The file was then forwarded to the

director of complaints and appeals, who met the complainant. The complainant has agreed to meet the relevant local health office manager to discuss the matter relating to an independent review.

266. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if she has fully investigated allegations of lack of care and abuse of elderly patients at a hospital (details supplied) in County Dublin made by a former employee; if she is satisfied that this and previous allegations have been fully investigated; and if she will make a statement on the matter. [6883/06]

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 in a particular hospital, which is the responsibility of the Health Service Executive under the Health Act 2004. The HSE has advised that, following complaints made regarding the hospital, a review was carried out by the former health board in which the hospital is situated. A copy of the review findings was forwarded to the complainant. The file was then forwarded to the director of complaints and appeals who met with the complainant. The complainant has agreed to meet with the relevant local health office manager to discuss the matter relating to an independent review.

267. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if she received reports on the case of bullying of a person (details supplied); and if she will make a statement on the matter. [6884/06]

Tánaiste and Minister for Health and Children (Ms Harney): I have not received a report on this case, nor have I received correspondence from the person referred to by the Deputy. The Deputy's question relates to human resource management issues within the Health Service Executive. As this is a matter for the executive under the Health Act 2004, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Staff.

268. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if she ascertained the period of time that a significant number of porter staff at a hospital (details supplied) in County Dublin were not on duty due to their attendance in court in January and February 2002; and if she will make a statement on the matter. [6885/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's ques-

tion relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

269. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children her views on whether she is creating a management vacuum at the centre of the senior management systems in place in the health services with the establishment of the Health Service Executive under the Health Act 2004 and where the chief executive officer operates two distinct lines of managers in two different locations, and the risks this causes good corporate management if the present chief executive officer were to leave his post for any reason with no full-time deputy chief executive officer present; and if she will make a statement on the matter. [6891/06]

Tánaiste and Minister for Health and Children (Ms Harney): I would remind the Deputy that, as provided for in the Health Act 2004, the Health Service Executive, HSE, has taken over responsibility for the management and delivery of health and personal social services from the Eastern Regional Health Authority, the health boards and a number of other specified agencies. This single structure facilitates a more streamlined and effective organisational management system for the health service.

Organisational structures within the HSE are a matter for the chief executive officer and the board of the executive itself. I am advised by the HSE that it does not operate two distinct lines of managers in two different locations. The executive has three defined interdependent functional areas — health services, support services and reform and innovation. At its centre are three health service delivery units: primary, community and continuing care, PCCC; the National Hospitals Office, NHO; and population health.

The services delivered by the PCCC and NHO are organised through the same four administrative areas: western, southern, Dublin-north and Dublin-mid-Leinster. Personnel in these areas have a direct reporting line to their national office. Support services have a local presence in these four areas as required and personnel report directly to their national office. The HSE considers that this configuration of administrative areas will promote seamless integration between the three health service delivery units, while maintaining national consistency.

Under section 18(3) of the Health Act 2004, the board may appoint an employee from time to time to perform the functions of the chief execu-

[Ms Harney.]

tive officer when the chief executive officer is absent or the position is vacant.

270. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children if Comhairle na nOspidéal is still functioning as a separate body within the Health Service Executive; and if she will make a statement on the matter. [6892/06]

Tánaiste and Minister for Health and Children (Ms Harney): In line with section 57 of the Health Act 2004, the functions of Comhairle na nOspidéal were transferred to the Health Services Executive on its establishment on 1 January 2005. I requested the members of Comhairle na nOspidéal to remain in position under the national hospitals office during 2005 to complete outstanding reports. As the functions of Comhairle na nOspidéal have transferred to the Health Services Executive my Department has forwarded your question to the parliamentary affairs division for direct reply.

Hospital Waiting Lists.

271. **Mr. Perry** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Sligo will be called for a hip operation in Sligo General; and if she will make a statement on the matter. [6911/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

272. **Mr. Carey** asked the Tánaiste and Minister for Health and Children the progress which has been made by the Health Service Executive in addressing the increasingly common practice by chiropractors of charging a top-up fee of up to €35 for chiropractic treatment to medical card holders; and if she will make a statement on the matter. [6932/06]

Tánaiste and Minister for Health and Children (Ms Harney): There is no statutory obligation on the Health Service Executive, HSE, to provide chiropractic services to GMS patients. However, in practice arrangements are made to provide these services. Before the establishment of the HSE the nature of the arrangements for chiropractic and the level of service provided was a matter for individual health boards and so a degree of variation in practice developed over time. Priority is usually given to certain groups of people, including

people who are medical card holders aged 65 years and over. In several regions the service is provided by private chiropractors by arrangement with the HSE.

I consider that it is inappropriate for private chiropractors who are providing services on behalf of the HSE to charge patients a top-up fee, and I have conveyed this view formally to the HSE. My Department requested the HSE to initiate a review of the fee arrangements in place for the provision of chiropractic services, with a view to ensuring that such additional fees will no longer be levied on persons in receipt of this service. The HSE has recently advised me that it has initiated a review of chiropractic services.

273. **Mr. Carey** asked the Tánaiste and Minister for Health and Children if she will establish with the Health Service Executive the extent of present provision of speech and language therapy services and physiotherapy services; if she will confirm that there is a waiting time of 16 to 18 months to see consultants and specialists at Temple Street University Hospital, Dublin 8; and if she will make a statement on the matter. [6936/06]

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.

Nursing Home Subventions.

274. **Mr. McHugh** asked the Tánaiste and Minister for Health and Children when greater consistency will be brought to the different levels of enhanced nursing home subvention support throughout the country as outlined in the budget 2006 speech; and if she will make a statement on the matter. [6937/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Nursing Home (Subvention) Regulations 1993 are administered by the Health Service Executive. There are three rates of subvention payable — €114.30, €152.40 and €190.50 — for the three levels of dependency, which are medium, high and maximum. The HSE has discretion to pay more than the maximum rate of subvention relative to an individual's level of dependency in a case, for example, where personal funds are exhausted.

The application of these provisions in an individual case is a matter for the HSE in the context of meeting increasing demands for subvention subject to the provisions of the Health Act 2004. The average rate of subvention paid by the HSE

generally exceeds the current approved basic rates. An additional €20 million has been provided for subvention payments this year including addressing the variations in payments in different areas.

Health Services.

275. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when an authorisation form will issue for a person (details supplied) in County Mayo. [6938/06]

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.

Hospitals Building Programme.

276. **Mr. Deenihan** asked the Tánaiste and Minister for Health and Children when tenders will be invited for the proposed new hospital in Dingle, County Kerry, following the Government's announcement on 18 June 2005 that the hospital was approved; and if she will make a statement on the matter. [6939/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

277. **Mr. Deenihan** asked the Tánaiste and Minister for Health and Children the number of patients in Kerry awaiting hip replacement surgery, cataract operations and vascular surgery; the corresponding figures for February 1997; and if she will make a statement on the matter. [6940/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have a reply issued directly to the Deputy.

Health Services.

278. **Mr. Deenihan** asked the Tánaiste and Minister for Health and Children her views on the waiting time for orthodontic assessment; the waiting time for orthodontic treatment for persons in need of orthodontic assessment and treatment in Kerry; and if she will make a statement on the matter. [6941/06]

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.

Infectious Diseases.

279. **Mr. Deenihan** asked the Tánaiste and Minister for Health and Children the number of reported cases of MRSA infection at Kerry General Hospital in recent years; and if she will make a statement on the matter. [6942/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy.

Question No. 280 answered with Question No. 229.

Care of the Elderly.

281. **Mr. Quinn** asked the Tánaiste and Minister for Health and Children if the report of the working group, arising out of the Mercer report and the review of the nursing home subvention, on policy options for long-term care of the elderly has been received; if so its chief recommendations; the steps being taken to implement same; and if she will make a statement on the matter. [7010/06]

Minister of State at the Department of Health and Children (Mr. S. Power): As the Deputy will be aware the Tánaiste, Deputy Harney, and the Minister for Social and Family Affairs, Deputy Brennan, established a working group to identify the policy options for a financially sustainable system of long-term care, including improvements in community care and home care packages. The report of the working group on the future financing of long-term care has been

[Mr. S. Power.]

presented to Government and is being considered by the Cabinet.

Health Services.

282. **Mr. Quinn** asked the Tánaiste and Minister for Health and Children the status of the ten pilot primary care centres both individually and collectively; how successful they have been; her plans to extend the service; and if she will make a statement on the matter. [7011/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Hospital Accommodation.

283. **Mr. Quinn** asked the Tánaiste and Minister for Health and Children the number of trolley beds being counted as hospital beds; and if she will make a statement on the matter. [7012/06]

Tánaiste and Minister for Health and Children (Ms Harney): Trolleys in accident and emergency departments are not counted as inpatient beds or day beds. However, a trolley in a day ward which is used in the course of a day procedure is counted as a day place. My Department carried out a bed census in 2003 which identified 313 trolleys in acute hospitals which were being used in day wards to treat patients as day cases.

Hospital Services.

284. **Mr. O'Connor** asked the Tánaiste and Minister for Health and Children if commitments will be made to use additional resources to deal with the well publicised difficulties occurring at Tallaght Hospital, Dublin 24, in respect of the accident and emergency department; her views on whether effective action is clearly needed; and if she will make a statement on the matter. [7030/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Centres.

285. **Mr. O'Connor** asked the Tánaiste and Minister for Health and Children, further to previous parliamentary questions relating to Millbrook Lawns Health Centre, when works will commence; and the new services which will be provided at the redeveloped centre. [7031/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 286 answered with Question No. 229.

Health Services.

287. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children when the orthodontic appeal hearing will be heard in the case of a person (details supplied) in County Kildare who was identified as being in need of treatment nine years ago; and if she will make a statement on the matter. [7069/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

288. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that a person (details supplied) is undertaking work on a regular basis on behalf of the Health Service Executive; and her views on whether it is appropriate that the Health Service Executive should engage this person. [7083/06]

Tánaiste and Minister for Health and Children (Ms Harney): I am aware that the person referred to by the Deputy facilitated the agreement brokered between the Health Service Executive, HSE, and the IMPACT trade union in December 2004 with regard to the reassignment of senior managers from the health boards to positions under the new unitary structures of the HSE, and that

he is still involved on an occasional basis in dealing with residual issues under that agreement.

Section 24 of the Health Act 2004 empowers the HSE to engage such advisers as it considers necessary for the performance of its functions. Accordingly, it is entirely a matter for the executive to decide whom to engage to undertake work on its behalf.

Cancer Screening Programme.

289. **Ms Lynch** asked the Tánaiste and Minister for Health and Children how far advanced her plans are for the roll-out of a cervical screening programme; if her attention has been drawn to the fact that we have in Ireland one of the highest rates of cervical cancer in western Europe; and if she will make a statement on the matter. [7129/06]

Tánaiste and Minister for Health and Children (Ms Harney): Incidence and mortality rates for cervical cancer in Ireland are in the mid-range of rates observed across Europe. Data supplied by the national cancer registry for the period 1994 to 2002 show that the average annual incidence of cervical cancer in this country was 170 and the average annual number of deaths from the disease was 80.

I am fully committed to the national roll-out of a cervical screening programme in line with international best practice. My Department has requested the Health Service Executive to prepare a detailed implementation plan for a national programme. The plan is to have cervical screening managed as a national call and recall programme via effective governance structures that provide overall leadership and direction, in terms of quality assurance, accountability and value for money. All elements of the programme, call and recall, smear taking, laboratories and treatment services must be quality assured, organised and managed to deliver a single integrated service.

Significant preparatory work is well under way involving the introduction of new and improved cervical tests, improved quality assurance training and the preparation of a national population register. My Department made available an additional €9 million to the executive for cancer services development in 2006, including the continuation of preparations for the roll-out.

I consider that the programme should be best rolled out in the primary care setting, subject to affordable and acceptable arrangements being agreed. A review of the contractual arrangements for the provision by general practitioners of publicly funded primary care services is being conducted at present, under the auspices of the Labour Relations Commission. I have requested that the general practitioner elements of a national cervical screening programme be tabled

at these discussions. Any remuneration arrangements agreed must be capable of delivering a high uptake among women. Payments must be primarily based on reaching acceptable targets.

Emergency Care Services.

290. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the terms of reference of the review of the Dublin fire brigade services which is under way; when she expects to receive the report; and her priorities for the development of policy in this area. [7130/06]

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. Pre-hospital emergency care services in the eastern region are provided by the executive and Dublin City Council through Dublin fire brigade.

My Department is advised by the executive that a review of command and control arrangements in the eastern region is being undertaken by representatives from the executive and Dublin City Council. My Department has requested the parliamentary affairs division of the executive to arrange to have a reply prepared and issued directly to the Deputy with regard to the review.

Smoking Ban.

291. **Mr. Naughten** asked the Tánaiste and Minister for Health and Children if she will review the legislation covering the smoking ban to consider the introduction of a fine for persons found breaking the law on licensed premises; and if she will make a statement on the matter. [7131/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Public Health (Tobacco) Acts 2002 and 2004 provide for the imposition of a fine on a person found guilty by the courts of a breach of the smoke-free workplace legislation: the maximum fine that may be imposed is €3000. The decision to prosecute a person for an alleged breach of the legislation is a matter for the authorised officers from the appropriate enforcement agencies. As individual smokers are already liable to prosecution, I have no plans to review this legislation.

Hospital Waiting Lists.

292. **Ms Shortall** asked the Tánaiste and Minister for Health and Children her views on the case of a person (details supplied) in Dublin 11 who has waited two years for an appointment with an eye specialist in the Mater Hospital and who has had that appointment for 14 February

[Ms Shortall.]

2006 postponed until August 2006; her views on whether such delays indicate unacceptable inadequacies in the provision of specialist eye services; the action open to this person to secure earlier medical attention; and if she will make a statement on the matter. [7133/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

293. **Mr. Ferris** asked the Tánaiste and Minister for Health and Children if there was a uniform pay scale for managers and child care workers in residential homes after 1985; and if so, the salary scale between 1985 and 2000. [7134/06]

Tánaiste and Minister for Health and Children (Ms Harney): Full details of the pay scales sanctioned by my Department for child care worker, or house parent, grades in respect of the years 1985 to 2000 are given in the attached table. Details of the pay scales sanctioned by my Department for grades of managers of children's residential centres are shown for the years 1997 to 2000. This grade had not been included in my Department's consolidated pay scales prior to this time. However, the Deputy will wish to be aware that an earlier agreement in 1987 had provided for the application to resident managers of the salary rates for clerical grades v and vi.

House Parent, Assistant

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| | | | | | | | | | | |
| 01/01/1985 | 01/07/1985 | 01/09/1985 | 01/05/1986 | 01/01/1987 | 01/05/1987 | 01/01/0988 | 01/01/1989 | 01/07/1989 | 01/01/1990 | 01/04/1990 |
| 8,089 | 8,341 | 8,517 | 8,773 | 8,948 | 9,127 | 9,372 | 9,622 | 9,853 | 10,113 | 10,286 |
| 8,325 | 8,575 | 8,756 | 9,019 | 9,199 | 9,383 | 9,633 | 9,888 | 10,125 | 10,390 | 10,568 |
| 8,552 | 8,809 | 8,993 | 9,263 | 9,448 | 9,637 | 9,892 | 10,152 | 10,396 | 10,667 | 10,850 |
| 8,779 | 9,042 | 9,231 | 9,508 | 9,698 | 9,892 | 10,152 | 10,418 | 10,668 | 10,944 | 11,132 |
| 9,002 | 9,272 | 9,468 | 9,752 | 9,947 | 10,146 | 10,412 | 10,683 | 10,939 | 11,220 | 11,412 |
| 9,230 | 9,507 | 9,705 | 9,996 | 10,196 | 10,400 | 10,617 | 10,952 | 11,215 | 11,502 | 11,703 |
| *9455 | *9,739 | *9943 | *10,241 | *10,446 | 10,655 | 10,931 | 11,212 | 11,481 | 11,773 | 11,970 |
| 9,680 | 9,970 | 10,179 | 10,484 | 10,694 | 10,908 | 11,189 | 11,475 | 11,750 | 12,048 | 12,250 |
| 9,909 | 10,206 | 10,421 | 10,734 | 10,949 | 11,168 | 11,454 | 11,746 | 12,028 | 12,331 | 12,542 |
| 01/10/1990 | 01/01/1991 | 01/05/1991 | 01/01/1992 | 01/03/1992 | 01/09/1992 | 01/12/1992 | 01/01/1993 | 01/12/2003 | 01/06/1994 | 01/06/1995 |
| 10,466 | 10,885 | 11,320 | 11,581 | 11,908 | 12,235 | 12,333 | 12,672 | 12,795 | 13,051 | 13,312 |
| 10,754 | 11,184 | 11,631 | 11,892 | 12,228 | 12,563 | 12,671 | 13,010 | 13,146 | 13,409 | 13,677 |
| 11,039 | 11,481 | 11,940 | 12,201 | 12,546 | 12,890 | 13,008 | 13,347 | 13,496 | 13,766 | 14,041 |
| 11,327 | 11,780 | 12,251 | 12,512 | 12,866 | 13,219 | 13,347 | 13,686 | 13,848 | 14,125 | 14,408 |
| 11,613 | 12,078 | 12,561 | 12,822 | 13,184 | 13,547 | 13,685 | 14,024 | 14,198 | 14,482 | 14,772 |
| 11,903 | 12,379 | 12,874 | 13,135 | 13,507 | 13,878 | 14,026 | *14,365 | *14,552 | *14,843 | 15,140 |
| 12,185 | 12,672 | 13,179 | 13,440 | 13,820 | 14,200 | 14,357 | 14,696 | 14,895 | 15,193 | *15,497 |
| 12,469 | 12,968 | 13,487 | 13,748 | 14,137 | 14,526 | 14,693 | 15,032 | 15,244 | 15,549 | 15,860 |
| 12,762 | 13,272 | 13,803 | 14,064 | 14,462 | 14,860 | 15,037 | 15,376 | 15,601 | 15,913 | 16,231 |
| 01/06/1996 | 01/10/1996 | 01/01/1997 | 01/04/1997 | 01/07/1997 | 01/04/1998 | 01/07/1998 | 01/07/1999 | 01/07/1999 | 01/04/2000 | 01/10/2000 |
| 13,647 | 13,852 | 13,991 | 14,761 | 15,022 | 15,130 | 15,470 | 15,702 | 16,016 | 16,176 | 17,066 |
| 14,021 | 14,231 | 14,373 | 15,324 | 15,585 | 15,707 | 16,060 | 16,301 | 16,627 | 16,793 | 17,717 |
| 14,395 | 14,611 | 14,757 | 15,815 | 16,076 | 16,210 | 16,575 | 16,824 | 17,160 | 17,332 | 18,285 |
| 14,769 | 14,991 | 15,141 | 16,310 | 16,571 | 16,718 | 17,094 | 17,350 | 17,697 | 17,874 | 18,857 |
| 15,144 | 15,371 | 15,525 | 16,810 | 17,071 | 17,230 | 17,618 | 17,882 | 18,240 | 18,422 | 19,435 |
| 15,521 | 15,754 | 15,912 | 17,317 | 17,578 | 17,750 | 18,149 | 18,421 | 18,789 | 18,977 | 20,021 |
| *15,887 | *16,125 | *16,286 | *17,815 | *18,076 | *18,260 | *18,671 | *18,951 | *19,330 | *19,523 | *20,597 |
| 16,258 | 16,502 | 16,667 | 18,325 | 18,586 | 18,783 | 19,206 | 19,494 | 19,884 | 20,083 | 21,188 |
| 16,639 | 16,889 | 17,058 | 18,849 | 19,110 | 19,320 | 19,755 | 20,051 | 20,452 | 20,657 | 21,793 |
| | | LSI: | 19,226 | 19,487 | 19,707 | 20,150 | 20,452 | 20,861 | 21,070 | 22,229 |

House Parent

| | | | | | | | | | | |
|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| 01/01/1985 | 01/07/1985 | 01/09/1985 | 01/05/1986 | 01/01/1987 | 01/05/1987 | 01/01/1988 | 01/01/1989 | 01/07/1989 | 01/01/1990 | 01/04/1990 |
| 8,656 | 8,916 | 9,103 | 9,376 | 9,564 | 9,564 | 10,013 | 10,276 | 10,523 | 10,796 | 10,981 |
| 8,935 | 9,203 | 9,397 | 9,679 | 9,873 | 9,873 | 10,334 | 10,603 | 10,857 | 11,137 | 11,327 |
| 9,214 | 9,490 | 9,689 | 9,980 | 10,180 | 10,180 | 10,654 | 10,930 | 11,192 | 11,478 | 11,675 |
| 9,495 | 9,780 | 9,984 | 10,284 | 10,490 | 10,490 | 10,977 | 11,259 | 11,529 | 11,822 | 12,025 |
| 9,773 | 10,066 | 10,278 | 10,586 | 10,798 | 10,798 | 11,297 | 11,586 | 11,864 | 12,164 | 12,373 |
| 10,053 | 10,355 | 10,572 | 10,889 | 11,107 | 11,107 | 11,613 | 11,913 | 12,199 | 12,506 | 12,720 |
| 10,334 | 10,644 | 10,867 | 11,193 | 11,417 | 11,417 | 11,741 | 12,242 | 12,536 | 12,849 | 13,069 |
| 10,613 | 10,931 | 11,162 | 11,497 | 11,727 | 11,727 | 12,264 | 12,572 | 12,874 | 13,194 | 13,420 |
| 10,892 | 11,219 | 11,455 | 11,799 | 12,035 | 12,035 | 12,584 | 12,898 | 13,208 | 13,535 | 13,767 |
| 01/10/1990 | 01/01/1991 | 01/05/1991 | 01/01/1992 | 01/03/1992 | 01/09/1992 | 01/12/1992 | 01/01/1993 | 01/12/2003 | 01/06/1994 | 01/06/1995 |
| 11,173 | 11,620 | 12,085 | 12,346 | 12,694 | 13,043 | 13,165 | 13,504 | 13,659 | 13,932 | 14,211 |
| 11,527 | 11,988 | 12,468 | 12,729 | 13,088 | 13,448 | 13,583 | 13,922 | 14,092 | 14,374 | 14,661 |
| 11,880 | 12,355 | 12,849 | 13,110 | 13,481 | 13,852 | 13,999 | 14,338 | 14,524 | 14,814 | 15,110 |
| 12,235 | 12,724 | 13,233 | 13,494 | 13,876 | 14,257 | 14,416 | 14,755 | 14,957 | 15,256 | 15,561 |
| 12,589 | 13,093 | 13,617 | 13,878 | 14,271 | 14,663 | 16,834 | 15,173 | 15,390 | 15,698 | 16,012 |
| 12,943 | 13,461 | 13,999 | 14,260 | 14,664 | 15,068 | 15,251 | 15,590 | 15,823 | 16,139 | 16,462 |
| 13,299 | 13,831 | 14,384 | 14,645 | 15,060 | 15,475 | 15,670 | 16,009 | 16,258 | 16,583 | 16,915 |
| 13,655 | 14,201 | 14,769 | 15,030 | 15,456 | 15,882 | 16,090 | 16,429 | 16,693 | 17,027 | 17,368 |
| 14,008 | 14,568 | 15,151 | 15,412 | 15,849 | 16,286 | 16,506 | 16,845 | 17,125 | 17,468 | 17,817 |
| 01/06/1996 | 01/10/1996 | 01/01/1997 | 01/04/1997 | 01/07/1997 | 01/04/1998 | 01/07/1998 | 01/07/1999 | 01/07/1999 | 01/04/2000 | 01/10/2000 |
| 14,568 | 14,787 | 14,935 | 15,756 | 16,017 | 16,150 | 16,513 | 16,761 | 17,096 | 17,267 | 18,217 |
| 15,030 | 15,255 | 15,408 | 16,426 | 16,687 | 16,837 | 17,216 | 17,474 | 17,823 | 18,002 | 18,992 |
| 15,490 | 15,722 | 15,879 | 17,017 | 17,278 | 17,442 | 17,834 | 18,102 | 18,464 | 18,649 | 19,675 |
| 15,953 | 16,192 | 16,354 | 17,616 | 17,877 | 18,056 | 18,462 | 18,739 | 19,114 | 19,305 | 20,367 |
| 16,415 | 16,661 | 16,828 | 18,221 | 18,482 | 18,677 | 19,097 | 19,383 | 19,771 | 19,968 | 21,066 |
| 16,876 | 17,129 | 17,300 | 18,829 | 19,090 | 19,300 | 19,734 | 20,030 | 20,431 | 20,635 | 21,770 |
| 17,340 | 17,600 | 17,776 | 19,445 | 19,706 | 19,931 | 20,379 | 20,685 | 21,099 | 21,310 | 22,482 |
| 17,804 | 18,071 | 18,252 | 20,067 | 20,328 | 20,569 | 21,032 | 21,347 | 21,774 | 21,992 | 23,202 |
| 18,265 | 18,539 | 18,724 | 20,690 | 20,951 | 21,207 | 21,684 | 22,009 | 22,449 | 22,674 | 23,921 |
| | | LSI: | 21,104 | 21,365 | 21,632 | 22,119 | 22,451 | 22,900 | 23,129 | 24,401 |

*Qualification Bar

Manager Childrens Residential Centre

| | | | | | | | |
|---------|------------|------------|------------|------------|------------|------------|------------|
| | 01/01/1997 | 01/07/1997 | 01/04/1998 | 01/07/1998 | 01/07/1999 | 01/04/2000 | 01/10/2000 |
| | 23,230 | 23,491 | 23,811 | 24,346 | 25,206 | 25,458 | 26,858 |
| | 23,735 | 23,996 | 24,328 | 24,876 | 25,754 | 26,012 | 27,443 |
| Cat — 1 | 24,341 | 24,602 | 24,950 | 25,511 | 26,411 | 26,675 | 28,142 |
| | 24,846 | 25,107 | 25,467 | 26,040 | 26,959 | 27,229 | 28,727 |
| | 25,351 | 25,612 | 25,985 | 26,569 | 27,507 | 27,782 | 29,310 |
| | 25,856 | 26,117 | 26,502 | 27,099 | 28,055 | 28,336 | 29,894 |
| | 01/01/1997 | 01/07/1997 | 01/04/1998 | 01/07/1998 | 01/07/1999 | 01/04/2000 | 01/10/2000 |
| | 24,240 | 24,501 | 24,846 | 25,405 | 26,302 | 26,565 | 28,065 |
| | 24,846 | 25,107 | 25,467 | 26,040 | 26,959 | 27,229 | 28,727 |
| Cat — 2 | 25,351 | 25,612 | 25,985 | 26,569 | 27,507 | 27,782 | 29,310 |
| | 25,957 | 26,218 | 26,602 | 27,205 | 28,165 | 28,447 | 30,012 |
| | 26,563 | 26,824 | 27,227 | 27,840 | 28,822 | 29,110 | 30,711 |
| | 27,169 | 27,430 | 27,848 | 28,475 | 29,480 | 29,775 | 31,413 |

[Ms Harney.]

| | | | | | | | |
|---------|------------|------------|------------|------------|------------|------------|------------|
| | 01/01/1997 | 01/07/1997 | 01/04/1998 | 01/07/1998 | 01/07/1999 | 01/04/2000 | 01/10/2000 |
| | 25,351 | 25,612 | 25,985 | 26,569 | 27,507 | 27,782 | 29,310 |
| | 25,957 | 26,218 | 26,606 | 27,205 | 28,165 | 28,447 | 30,012 |
| Cat — 3 | 26,563 | 26,824 | 27,227 | 27,840 | 28,822 | 29,110 | 30,711 |
| | 26,159 | 26,420 | 27,813 | 27,416 | 29,480 | 29,775 | 31,413 |
| | 27,775 | 28,036 | 28,469 | 29,110 | 30,138 | 30,439 | 32,113 |
| | 28,381 | 28,642 | 29,091 | 29,745 | 30,795 | 31,103 | 32,814 |

Hospital Accommodation.

294. **Ms Lynch** asked the Tánaiste and Minister for Health and Children the measures she is taking to alleviate overcrowding at Cork University Hospital; if her attention has been drawn to the fact that on the week commencing 6 February 2006 there were 35 patients on trolleys waiting for beds in the hospital; and if she will make a statement on the matter. [7140/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to have a reply issued directly to the Deputy.

Services for People with Disabilities.

295. **Mr. Boyle** asked the Tánaiste and Minister for Health and Children her plans to introduce a weekly cost of disability payment to address the reality that people with disabilities have higher fuel, transport and general cost of living expenses. [7146/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Under the Programme for Prosperity and Fairness, an inter-departmental working group, chaired by the Department of Health and Children, was established to examine the feasibility of introducing a cost of disability payment — PPF3.10.11. The National Disability Authority, on behalf of the working group, and in line with its own remit, commissioned research into the feasibility of a cost of disability payment in Ireland. The purpose of this research was to advise regarding: the additional costs incurred by people with disabilities, owing specifically to the direct or indirect costs of the disability; and the appropriate mechanisms, or instruments by which to address identified additional costs. The resultant report, Disability and the Cost of Living, was published by the NDA early in 2004.

The working group in March of 2005 produced a position paper, which gave an overview of the

work they have undertaken to date. It outlined the group's current thinking and also gave an indication of the next steps the working group intends taking. The working group recommended that urgent steps be taken to improve the quality of data relating to disability in Ireland, for example, adjustment of existing data gathering exercises undertaken by the Central Statistics Office or other relevant bodies to include questions on the numbers per household with disabilities, the nature of the disability, severity of impairment etc.

The working group considers that it is vital that comprehensive data are available on which to base consideration of the feasibility of a cost of disability payment. Given its advisory and research remit, the working group considers that the National Disability Authority has an important role to play in addressing these data gaps with other relevant bodies.

The working group acknowledges that a number of Departments and agencies have previously carried out reviews of the various supports and payments for people with disabilities. However, these reviews have tended to focus solely on the operation of individual schemes, without taking a broader overview of how these measures fit into the overall system of disability supports. The working group is examining the scope for rationalising and streamlining the various disability supports measures, with a particular focus on mitigating the additional costs of disability for a greater number of people with disabilities, particularly in the case of those who wish to move from a position of total welfare dependence to one of greater economic independence.

Care of the Elderly.

296. **Mr. Boyle** asked the Tánaiste and Minister for Health and Children her plans to introduce an automatic right to an assessment of need for older people as was recommended in the recent national economic and social forum report on care for older people. [7147/06]

Minister of State at the Department of Health and Children (Mr. S. Power): As the Deputy will be aware, the NESF report on care for older people was launched on 29 January 2006. The

Tánaiste and Minister for Health and Children and I have received copies, as have officials in the Department, and we will consider the report in the context of overall policy development around services for older people.

As the Deputy will be aware, the Tánaiste and the Minister for Social and Family Affairs, Deputy Brennan, established a working group to identify the policy options for a financially sustainable system of long-term care, including improvements in community care and home care packages. The report of the working group on the future financing of long-term care has been presented to Government and is being considered by Cabinet.

Tax Code.

297. **Mr. McGinley** asked the Minister for Finance his views on removing the VAT on non-resident artists who perform in border counties; and if he will make a statement on the matter. [6591/06]

312. **Mr. McGinley** asked the Minister for Finance his views on removing the VAT on non-resident artists who perform in border counties; and if he will make a statement on the matter. [6592/06]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 297 and 312 together.

The VAT treatment of goods and services is governed by EU law with which Irish VAT law must comply. European law does not allow for the zero rating or exemption of these fees. Performance fees charged by musical or theatrical performers are therefore liable to VAT at the standard rate of 21 per cent.

The VAT Act lists a range of activities that are exempt from VAT. Included in the list is the promotion of and admissions to live theatrical or musical performances. This very broad exemption is allowed under Article 13(1)(n) of the sixth VAT directive. In effect this means that the promoter realises the full value of admission fees as no VAT is applied to them. In this regard, the current exemption is very generous and covers a broad range of activities accessible to the wider public.

298. **Mr. O'Dowd** asked the Minister for Finance the amount raised in VAT revenue by privately purchased school coaches in 2005; and his views on introducing a VAT waiver for schools as they seek to upgrade their vehicles to higher safety standards. [6906/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the amount of VAT collected in respect of the sale of school coaches cannot be identified in the overall

yield of VAT, as the information furnished on VAT returns does not require this to be identified.

On introducing a VAT waiver for schools, educational institutions recognised by the State are exempt from VAT under the EU sixth VAT directive. This means that they do not charge VAT on the services they supply and cannot recover VAT on the goods and services that they purchase. Essentially, only VAT-registered businesses which charge VAT are able to recover VAT.

It is normal for State funded services, such as schools or hospitals, to bear VAT on their purchases. However, Exchequer funding for such services, including primary and secondary schools, takes account of VAT when allocations are being made by the Government.

Public Sector Pay.

299. **Mr. Kehoe** asked the Minister for Finance if bonuses were paid to higher civil servants in the Garda Síochána; if so, the amounts paid; and if he will provide details of recipients and the reason for such payments. [6340/06]

Minister for Finance (Mr. Cowen): I understand that the Deputy is asking about performance-related awards paid to the members of the Garda Síochána. Following recommendations made by the review body on higher remuneration in the public sector, a scheme of performance-related awards was introduced for the deputy commissioner and assistant commissioner ranks in the Garda Síochána. Similar schemes of performance-related awards were introduced for the levels of deputy secretary and assistant secretary in the Civil Service and the ranks of brigadier general and major general in the Defence Forces.

The awards schemes are based on performance by reference to demanding targets. The pool for performance awards is 10% of the pay bill for the group concerned. Within that overall limit individuals can receive payments of up to 20% of pay. Decisions on awards are made by the committee for performance awards, CPA, which includes a majority of private sector members. The main roles of the committee are to monitor the application of the scheme of performance-related awards and to bring independent judgment to bear in approving objectives for the persons covered by the scheme and in approving recommendations for awards.

Details of the procedures, the numbers covered by the schemes, the range of awards and the total amounts paid in the Garda Síochána, the Defence Forces and Civil Service Departments are outlined in the annual reports of the committee, available on the website www.finance.gov.ie. The committee does not identify the amount paid to

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individuals as this is regarded as personal information.

Departmental Expenditure.

300. **Mr. Kenny** asked the Minister for Finance if his Department has a corporate procurement plan; and if he will make a statement on the matter. [6343/06]

Minister for Finance (Mr. Cowen): My Department is taking steps to produce a corporate procurement plan for 2006.

Departmental Contracts.

301. **Mr. Kenny** asked the Minister for Finance the progress made within his Department in reviewing existing contract specifications awarded by all Departments; and if he will make a statement on the matter. [6358/06]

Minister for Finance (Mr. Cowen): I take it that the Deputy is referring to the action taken in respect of contracts within my Department arising from particular aspects of my address to the Dublin Chamber of Commerce on 20 October 2005 on value for money and the peer review process for ICT projects over €5 million announced by the Government on 11 October 2005.

I also assume that the particular aspects of my address to which the Deputy refers are formalised contract review of projects over €30 million, and retendering of extension of service contracts where the extension would be more than 50% of the original contract or would exceed €250,000, whichever is the lower. My Department does not have capital projects over €30 million or ICT projects costing €5 million or more. As regards extension of service contracts, arrangements are being put in place in my Department to ensure compliance with the terms of the circular letter of 25 January 2006.

Tax Code.

302. **Mr. Wall** asked the Minister for Finance the reason a person (details supplied) in County Kildare is not being allowed income tax relief in respect of tuition fees; and if he will make a statement on the matter. [6371/06]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that the college for whose tuition fees the taxpayer is claiming relief has not been approved by the Minister for Education and Science for the purposes of the relief.

Departmental Expenditure.

303. **Mr. Kenny** asked the Minister for Finance the progress made on the reform process

announced by him on 20 October 2005, focused on achieving value for money in public expenditure; and if he will make a statement on the matter. [6372/06]

304. **Mr. Kenny** asked the Minister for Finance if he has instructed all Departments to produce performance tables for the extent of project outcomes versus budgets on contracts; and if he will make a statement on the matter. [6373/06]

Minister for Finance (Mr. Cowen): I propose to take Questions Nos. 303 and 304 together.

I wrote to my ministerial colleagues on 20 October 2005 enclosing a copy of my address of the same date to the Dublin Chamber of Commerce and requesting them to ensure that their Departments take all necessary steps to implement measures set out in my address.

My Department issued a circular letter to all Departments on 25 January outlining in detail the requirements to give effect to the measures in my address of 20 October 2005, as well as decisions made by Government on ICT and consultancy procurement. The circular letter included a requirement for project performance tables with particular reference to project outcomes versus budgets. These will in future be incorporated in the annual reports of Departments and agencies and in the public capital programme published by my Department.

Disabled Drivers.

305. **Mr. Kehoe** asked the Minister for Finance the reason a person with one arm does not qualify for VAT exemption on a motor vehicle, while a person with one leg does; and if he will make a statement on the matter. [6411/06]

Minister for Finance (Mr. Cowen): I presume the Deputy is referring to the disabled drivers and disabled passengers tax concessions scheme that provides relief from VAT and VRT on the purchase of a car adapted for the transport of a person with certain disabilities, as well as relief from excise on the fuel used in the car up to a certain limit.

The disability criteria for eligibility for the tax concessions under this scheme are set out in the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994. A person must be severely and permanently disabled and satisfy one of the following conditions: a) be wholly or almost wholly without the use of both legs; b) be wholly without the use of one leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the lower limbs; c) be without both hands or without both arms; d) be without one or both legs; e) be wholly or almost wholly without the use of both hands or arms and wholly or almost

wholly without the use of one leg; f) have the medical condition of dwarfism and have serious difficulties of movement of the lower limbs.

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, and to consider the feasibility of alternative schemes, with a view to assisting the Minister for Finance in determining the future direction of the scheme.

The group's report, published on my Department's website in July 2004, sets out in detail the genesis and development of the scheme. It examines the current benefits, the qualifying medical criteria, the Exchequer costs, its relationship with other schemes and similar schemes in other countries. The report also makes a number of recommendations, both immediate and long-term, encompassing the operation of the appeals process and options for the future development of the scheme.

In respect of the long-term recommendations, which included the qualifying disability criteria, 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 interdepartmental review group in the context of the annual budgetary process, having regard to the existing and prospective cost of the scheme. The best way of addressing the transport needs of people with disabilities, including the effectiveness, suitability or otherwise of the disabled drivers scheme in that regard, will be progressed in consultation with the other Departments who have responsibility in this area. A car tax concession scheme can obviously only play a partial role in dealing with this serious issue.

Financial Services Regulation.

306. **Mr. O'Shea** asked the Minister for Finance his proposals to meet the concerns of the Waterford League of Credit Unions in regard to the IFSRA proposed restrictions of the investment options available to credit unions (details supplied); and if he will make a statement on the matter. [6438/06]

Minister for Finance (Mr. Cowen): My Department has been informed by the Registrar of Credit Unions that he is continuing his review of the appropriate investment framework for credit unions, in consultation with the representative bodies for credit unions. Once submitted to my Department, the registrar's recommendations on a revised investment framework for credit unions will be examined by the Credit Union Advisory

Committee, the advisory body on credit union matters under the Credit Union Act 1997.

Decentralisation Programme.

307. **Mr. Bruton** asked the Minister for Finance the estimated cost of site purchases where contracts for sale in seven of the proposed decentralised locations have been received; and the estimated cost of site purchases where sites and properties are under negotiation under the proposed decentralisation programme. [6449/06]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works have informed me that prices have been agreed for the purchase of sites in the locations listed by the Deputy. The price agreed, excluding VAT, in Knock and Dungarvan, where the contracts have been signed by both sides, is €390,000 and €2,100,000 respectively.

In the remaining five locations, however, because the contracts have yet to be formally executed by both sides, it would be inappropriate to reveal the individual prices at this stage. Similarly, in cases where negotiations are ongoing, it is not normal practice to reveal what the Commissioners are prepared to pay.

Tax Code.

308. **Mr. Deasy** asked the Minister for Finance the reason for the delay by the Revenue Commissioners in issuing a refund of tax overpaid for a person (details supplied) in County Waterford; and when payment will issue. [6464/06]

Minister for Finance (Mr. Cowen): I am informed by the Revenue Commissioners that the refund has been approved in this case and will issue shortly. A further repayment has also been approved in respect of an additional claim for medical expenses and will issue shortly. The Revenue Commissioners regret the delay in issuing these refunds which was due to increased end of year volumes.

Decentralisation Programme.

309. **Mr. Deenihan** asked the Minister for Finance if a building has been acquired for the decentralisation of Revenue Commissioners' jobs to Listowel, County Kerry; when the process of moving the staff to Listowel will commence; and if he will make a statement on the matter. [6542/06]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that the Office of Public Works has identified a suitable property solution for the accommodation of 50 Revenue staff due to decentralise to Listowel. The indicative timeframe for the provision of the building is the last quarter of 2006. The move-

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ment of staff to Listowel will be commenced by the Revenue Commissioners as soon as the building is available.

310. **Mr. Naughten** asked the Minister for Finance the number of locations which have been fully or over-subscribed in the decentralisation programme; the timetable for relocation in each case; if a property has been earmarked for the decentralised office; and if he will make a statement on the matter. [6565/06]

Minister for Finance (Mr. Cowen): To date, there are 22 locations where the total number of applicants on the central applications facility exceeds the number of posts on offer. I draw the Deputy's attention to the fact that the position is not static as applicants may opt to change preferences at any stage during the transition phase. He will be aware also that there may not be a precise grade match in each case between advertised posts and CAF applicants. These issues are being worked through as the programme is rolled out.

Property has been acquired by the Office of Public Works, or a State-owned site has been selected, in ten of these locations to date with a building purchased in one further location. A site or lease is under negotiation in a further six locations. The remaining five locations are at site assessment stage.

The July 2005 report of the decentralisation implementation group provided indicative construction start and completion dates for the procurement of office accommodation in the new locations. The full contents of this report can be accessed at www.decentralisation.gov.ie. The final construction dates will be confirmed when the tender process has been completed in respect of each location and are contingent on successful acquisition of suitable sites, receipt of acceptable planning permissions, timely completion of briefs, the level and quality of market interest in respect of each site and successful negotiation of contracts. I understand that the OPW are currently updating the position on the property aspects of the programme in light of experience to date.

Departmental Staff.

311. **Dr. Upton** asked the Minister for Finance if he is satisfied that statements made by his Department over the period 1988 to 1997 regarding a person (details supplied) were accurate and comprehensive; if not, his views on same; and if he will make a statement on the matter. [6584/06]

Minister for Finance (Mr. Cowen): It is not my Department's normal practice to make statements on current or former members of staff of

the Department. However, my Department was engaged in extended personal correspondence over the period 1988 to 1997 with the person referred to and, on occasion, by her legal advisers. There have also been a number of parliamentary questions in recent years concerning this person and 20 requests for information under the provisions of the freedom of information legislation by the person. In accordance with the exclusion provisions prescribed in the Freedom of Information Acts 1997-2003, certain material which must be withheld was not released in response to these requests.

Other than as outlined above, I have no reason to believe that any statement made by my Department in any of these circumstances was not accurate or was not comprehensive.

Question No. 312 answered with Question No. 297.

Decentralisation Programme.

313. **Mr. Bruton** asked the Minister for Finance the offices or units within his Department and associated units that are due to be decentralised; the number of posts and staff in tabular form from each unit within his Department and associated agency who have chosen to decentralise with their parent organisations; and the number of people willing to move who have been assigned their new posts. [6667/06]

Minister for Finance (Mr. Cowen): The details regarding the number of posts decentralising under the programme of decentralisation announced by the Government in December 2003 are published on the central application facility at www.publicjobs.ie. For my Department and bodies under its aegis, the locations, number of posts decentralising, the number of staff within the decentralising business units who have chosen to decentralise with their own organisations and the number of staff who have been assigned to date are set out in the following table.

The Deputy should note that the figures included in the table are subject to change as further assignments under the decentralisation programme are made. The table does not include applicants who have accepted offers to transfer but have not yet been assigned, for example, in the case of the Revenue Commissioners, 50 people have accepted offers of transfer to Kiltrush, 48 people have accepted offers of transfer to Newcastle West and 51 people have accepted offers of transfer to Listowel. I am advised by the Revenue Commissioners that there were 81 internal applicants for Kildare and 86 internal applicants for Athy, including the 65 and 27, respectively, in the business units decentralising to those locations. No formal offers have yet been made for these locations.

| Name of Organisation | Location | Number of Posts decentralising | Number of staff within the decentralising Business Units who have chosen to decentralise | Number of staff who have been assigned to decentralising business units (includes figures from previous column) |
|-----------------------------|---------------|--------------------------------|--|---|
| Department of Finance | Tullamore | 131 | 10 | 82 |
| | Kildare | 33 | 3 | 13 |
| Office of Public Works | Trim | 349 | 95* | 137 |
| | Claremorris | 150 | 10* | 10 |
| | Kanturk | 100 | 7* | 7 |
| Ordnance Survey Ireland | Dungarvan | 210 | 15 | 25 |
| Public Appointments Service | Youghal | 100 | 2 | 2 |
| Valuation Office | Youghal | 100 | 3 | 1 |
| Revenue Commissioners | Kilrush | 50 | 0 | 0 |
| | NewcastleWest | 50 | 0 | 0 |
| | Listowel | 50 | 1 | 1 |
| | Kildare | 379 | 65 | 0 |
| | Athy | 250 | 27 | 0 |

* These figures represent the number of internal applicants for Trim, Claremorris and Kanturk. However the applicants may not necessarily be employed in posts moving to those locations.

Garda Stations.

314. **Mr. Durkan** asked the Minister for Finance the total costs from 1997 to date associated with the provision of the promised new Garda station in Leixlip, County Kildare, including advertisements, costs associated with tenders, site inspection, preparation of plans and all other costs associated with the proposal; the number of sites examined; the location of other outlays since the inception of the proposal; and if he will make a statement on the matter. [6797/06]

Minister of State at the Department of Finance (Mr. Parlon): The total cost, including site purchase, associated with the provision of the proposed new Garda station in Leixlip from 1997 to date amounts to €670,574. All of the 16 sites investigated were located within a reasonable distance from the centre of Leixlip in line with OPW's understanding of Garda Síochána operational requirements.

Departmental Properties.

315. **Mr. G. Murphy** asked the Minister for Finance the position with regard to a company (details supplied); and if he will make a statement on the matter. [6896/06]

Minister of State at the Department of Finance (Mr. Parlon): An applicant has furnished an affidavit to the CSSO claiming adverse possession against the company, as a result of which it would now appear that the property may not be vested in the Minister. For the avoidance of doubt, the State is considering waiving whatever interest it may hold to this individual. The State does not

necessarily accept that the property or any part of it has vested in the State under the State Property Act 1954. In the event that the claim for adverse possession is not lodged in the Land Registry within two months, the State will reconsider its position.

Traffic Management.

316. **Mr. O'Dowd** asked the Minister for Finance if an independent study has been carried out on the impact on traffic in the Navan Road area of the implementation of one-way plans in the Phoenix Park. [6905/06]

Minister of State at the Department of Finance (Mr. Parlon): A traffic management study commissioned by the Office of Public Works will be focused on the Phoenix Park and on traffic within the park. It will also review and assess the impact of any changes within the park on traffic in the adjoining areas.

Garda Stations.

317. **Mr. O'Connor** asked the Minister for Finance the schedule being followed in respect of the recently announced plans for the redevelopment of Tallaght Garda station in Dublin 24; the details of same; and if he will make a statement on the matter. [7042/06]

Minister of State at the Department of Finance (Mr. Parlon): The brief of requirements submitted by the Department of Justice, Equality and Law Reform is being examined and a sketch scheme will be prepared as soon as consultations have been concluded.

Decentralisation Programme.

318. **Mr. Kenny** asked the Minister for Finance the number of times and the dates on which the decentralisation implementation group has met in 2005 and to date in 2006; and if he will make a statement on the matter. [7082/06]

Minister for Finance (Mr. Cowen): The decentralisation implementation group met on 22 occasions during 2005 and to date in 2006. The dates of its meetings are set out in the following table.

| |
|-----------------------|
| 2005 |
| February 3,17 |
| March 24 |
| April 12, 21 28 |
| May 4, 10, 20 |
| June 2 |
| July 7, 28 |
| October 7, 13, 19, 28 |
| November 10, 29 |
| December 6 |
| 2006 |
| January 17 |
| February 2, 15. |

Departmental Properties.

319. **Dr. Upton** asked the Minister for Finance the amount which has been raised by selling an Office of Public Works property in an area (details supplied); where the money thus received by the Government is allocated; and if he will make a statement on the matter. [7128/06]

Minister of State at the Department of Finance (Mr. Parlon): Details on the property disposed of in Dublin South Central are set out in the following table. The proceeds of this sale were forwarded to the Department of Finance as an Exchequer extra receipt.

| Building/Property | Method of Sale | Price |
|---------------------------------|----------------|----------------|
| St. John's Road site (Westgate) | Public Tender | €44,916,551.79 |

Traffic Management.

320. **Mr. Costello** asked the Minister for Finance the new traffic management proposals for the Phoenix Park; his views on establishing a second play area for young children adjacent to the Castleknock entrance; and if he will make a statement on the matter. [7141/06]

Minister of State at the Department of Finance (Mr. Parlon): A comprehensive traffic management study by an independent consultant is currently being commissioned by the Office of Public Works which will make recommendations for traffic initiatives within the park. It will also review and assess the impact of any changes within the park on traffic in the adjoining areas. The possibility of developing a second play area for children, located at the northwest end of the Phoenix Park, is at present being examined by the Commissioners of Public Works.

Question No. 321 answered with Question No. 135.

Proposed Legislation.

322. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources the stage of preparation of the electricity Bill; when he expects same to return to the Government's legislative programme; if the delay in bringing forward the electricity Bill will have implications for commercial and strategic decision making at the ESB; if the ESB will be permitted to bring forward a new generation plant; and if he will make a statement on the matter. [6801/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The draft heads of the electricity Bill to provide for the conversion of the ESB to PLC status are being progressed and the timeframe for its re-instatement on the Government's legislative programme will be kept under review during the year. I do not consider that the revised timetable for the Bill has implications for commercial or strategic decision making by the ESB. Key regulatory and restructuring issues, including market opening measures, universal service obligations and regulation by the CER of the ESB's tariffs which had been earmarked for the Bill have been separately implemented by statutory instrument.

The question of the ESB being permitted to bring forward new generation plant is a separate matter and has to be looked at in the context of the company's dominance in the power generation sector and the overall structure of the electricity sector. I recently received the final report on the electricity sector from Deloitte & Touche and it is currently being considered in the context of the energy policy paper which is being drawn up by my Department.

Telecommunications Services.

323. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the report by the Joint Committee on Communications, Marine

and Natural Resources into the issue of broadband availability here; if his attention has further been drawn to the fact that this report represents a damning indictment of the entire broadband development plan; if he is satisfied that it indicates a worsening situation in terms of availability and keeping pace with other European countries; if he proposes to take steps to address the issue raised therein in the near future; and if he will make a statement on the matter. [7091/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The report to which the Deputy refers is not yet published. However, I understand that the draft report makes several recommendations covering a wide range of issues. My officials will examine the detailed recommendations of the report upon publication. The development and roll-out of broadband technology is primarily a matter for the industry itself in a liberalised market.

In comparison to other European states, broadband providers in Ireland were slow in launching competitive, affordable broadband. The lack of competition between providers and the reduction in investment in the aftermath of the dot-com crash weakened the initial roll-out by providers here. However, the situation is improving rapidly and the current level of take up is consistent with the stage of development of the market.

The latest quarterly data report from ComReg on broadband delivery rates indicate that broadband subscriptions have grown by 19% to 208,000 as of September 2005. The proportion of broadband subscriptions delivered over access platforms other than DSL has increased in the past 12 months. The estimated end December 2005 figure for broadband subscribers is 250,000 according to the regulator.

The regional broadband programme launched by the Government in November 2003 is tackling supply side issues and was a direct response to the lack of investment by the private sector. The Government is addressing the infrastructure deficit in the regions by building high speed, open access metropolitan area networks in 120 towns and cities nationwide on a phased basis and in association with the local and regional authorities. Phase one of this programme has delivered fibre optic networks to 27 towns and cities on time and under budget. This programme has been extended to more than 90 towns nationwide. These metropolitan area networks will allow the private sector to offer worldclass broadband services at competitive costs. My Department also offers funding assistance for smaller towns and rural communities to become self-sufficient in broadband through the county and group broadband scheme. To date, over 150 projects have been approved for funding. A joint industry and Government fund of €18 million has been

established for the broadband for schools programme, which will provide every school in the country with broadband during 2006.

The Deputy will be aware that the broadband demand report, which recently issued on my Department's website, is a consultation report. I encourage all interested parties to read the demand report and to make submissions before the closing date of 1 March 2006.

Fisheries Protection.

324. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources if he intends following the advice of the standing scientific committee of the National Salmon Commission to end mixed stock fishing for salmon from the end of 2006 due to the continued crisis in wild salmon stocks. [6739/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. J. Browne): While there remains a surplus of salmon returning to Irish rivers, the Government has accepted the scientific advice that reductions in the overall fishing effort are required in order to sustain and rebuild salmon stocks nationwide. The question of how best to manage future fishing for wild Atlantic salmon is being reviewed at present in the context of setting the total allowable catch for 2006.

The National Salmon Commission, in accordance with its terms of reference, was asked to advise on how best the alignment of exploitation of salmon with scientific advice could be implemented by 2007, bearing in mind the requirement to ensure the future biological viability of salmon resources in all catchments and the needs of all stakeholders, including those who derive their living from wild salmon. I am awaiting the advice of the National Salmon Commission in this regard and, while it is disappointing that it did not arrive at a consensus at its meeting last week, I am hopeful that it can reconvene in time to submit appropriate advice on a timely basis.

I have received the advice of the Standing Scientific Committee of the Commission and the advice tendered by the fisheries managers. It is my intention to publish these and any recommendations that emanate from the National Salmon Commission in the coming weeks and to make a decision. I will publish my proposed amendments to the wild salmon and sea trout tagging scheme in March so as to afford all interested parties an opportunity to consider them prior to their introduction in April 2006.

It is clear to me that future policy must be designed to ensure the survival of the species, while balancing the interests of various stakeholders with regard to the quantum of catch that

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appears to be possible according to independent scientific advice on location and types of fishing.

Natural Gas Grid.

325. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources when he intends making a decision on the provision of consent for the laying of the Corrib onshore gas pipeline. [7138/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My predecessor gave consent to construct a pipeline on 15 April 2002, subject to a number of conditions, including, the requirement to subject all pipeline and umbilical installation operations to separate approval before being rolled out on a phased basis. With regard to the onshore pipeline, the preparatory works phase has been approved under this process and further consents for, *inter alia*, the installation phase of the onshore pipeline remain outstanding.

As the Deputy is aware, on 25 August 2005, I commissioned an international consulting company, Advantica, to carry out a thorough and independent safety review of the onshore upstream section of the Corrib gas pipeline. Advantica is a world leader in the area of advanced hazard and risk assessment technologies for gas pipelines. In parallel with this safety review, I established a public consultation process to ensure that the concerns of the community would be fully addressed in the review. As part of this process, a two-day public hearing was held in Geesala on the 12 and 13 of October and chaired by Mr. John Gallagher SC, during which the community was given the opportunity to express its concerns directly to the consultants. The consultants also made a separate site inspection of the pipeline route.

The results of this review have now been forwarded to my Department and I am at present considering it, along with an additional report from my Department's technical advisory group in this regard. I hope to make a decision regarding the outstanding consent for the onshore pipeline in the near future.

Departmental Expenditure.

326. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources if his Department has a corporate procurement plan; and if he will make a statement on the matter. [6344/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department has participated in a programme with the national public procurement policy unit

of the Department of Finance to build an in-house procurement planning capacity. As a result of that collaboration, the Department is developing a corporate procurement plan for 2006, which will profile current procurement spend and examine procurement practices with a view to securing goods and services which meet needs and provide best value for money. Starting in 2006, a corporate procurement plan will be prepared each year and will operate in support of the departmental strategy.

Departmental Contracts.

327. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the progress made within his Department with regard to reviewing existing contract specifications awarded by all Departments; and if he will make a statement on the matter. [6359/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): As the Deputy will be aware, in late October 2005, the Minister for Finance announced initiatives to ensure enhanced efficiency and accountability in large scale public expenditure projects. The Government also decided in October 2005 to establish a peer review process for major ICT projects. Detailed guidelines on the implementation of the measures outlined by the Government and the Minister for Finance were recently received in my Department.

My Department is examining the new guidelines, which outline the need to review projects valued in excess of €30 million. My Department has no existing contracts or projects meeting that criterion. The Department is committed to engagement in the peer review process of the Department of Finance as the need arises.

Question No. 328 answered with Question No. 135.

Fishing Industry.

329. **Mr. O'Shea** asked the Minister for Communications, Marine and Natural Resources the percentage of salmon/trout tags returned by commercial fishermen; the percentage returned by anglers; and if he will make a statement on the matter. [6459/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The management of the wild salmon and sea trout tagging scheme is an operational matter for the Central and Regional Fisheries Boards.

I am advised by the Central Fisheries Board that the database used to manage the issue of tags used under the scheme is not configured to record the number of tags returned to the fisheries

boards. The database is optimally configured to give information on the salmon and sea trout catches rather than details of returned tags.

Each year some unused tags are returned by commercial fishermen to fisheries officers and these may be reallocated, if required. The logbooks returned by fishermen record the catch and, therefore, the number of tags used. The CFB publishes full details of the harvest compared to the total allowable catch in its annual publication, *Wild Salmon and Sea Trout Tagging Scheme Fisheries Statistics Report*.

Each year unused tags, which are unique to that season, are returned by anglers with their logbooks — these are never reallocated. The Central Fisheries Board advises that 51% of licensed anglers returned tags in 2004, the latest year for which figures are available.

Questions Nos. 330 to 333, inclusive, answered with Question No. 117.

Environmental Policy.

334. **Mr. O'Dowd** asked the Minister for Communications, Marine and Natural Resources his views on Ireland's poor performance in terms of renewable energy in the Environment Performance Index 2006; and if he will make a statement on the matter. [6507/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Environment Performance Index 2006, prepared by the Center for International Earth Science Information and Yale Center for Environmental Law and Policy notes that the contribution of renewable energy to Ireland's energy mix in Ireland in the period 1994 to 2003 in Ireland is of the order of 1.9%.

This is consistent with national statistics and reflects our heavy reliance on peat as an indigenous energy resource and imported gas and oil. The data do not, however, demonstrate the actual growth rate of 54% in the output from renewable energy technology in the period 1990 to 2003 which kept pace with overall growth in the total primary energy requirement.

This meant that renewable growth outpaced the growth in primary energy consumption. The renewable energy share of gross electricity consumption was 5%, increasing from 4% the year before, and is on target to meet the target set in the renewables directive of 13% by 2010.

Inland Fisheries.

335. **Mr. McCormack** asked the Minister for Communications, Marine and Natural Resources his plans for the salmon weir fishery in Galway; his further plans to privatise the fishing on the

salmon weir fishery in Galway; and if he will make a statement on the matter. [6545/06]

Minister of State at the Department of Communications, Marine and Natural Resources

(Mr. Browne): The Galway fishery is owned by the Central Fisheries Board and is operated and managed by the Western Regional Fisheries Board. There are no plans to change this arrangement.

The Government has decided that a fundamental restructuring of the inland fisheries sector is required. As part of this process the Government decided to re-engage the consultants who undertook the review of the sector to identify in more detail the structures, resources, funding and policy approaches needed to restructure the sector. The key principle informing this process is that of empowering local users and beneficiaries to take effective ownership of the resource. This process will involve full, transparent, comprehensive and patient consultations with all of the stakeholders, during which the principles and structures to deliver the new model will be fleshed out. It will be an open and inclusive process aimed at achieving a consensus.

Decentralisation Programme.

336. **Mr. Bruton** asked the Minister for Communications, Marine and Natural Resources the office or unit within his Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within his Department and associated agency who have chosen to decentralise with their parent organisation; and the number of people willing to move who have been assigned their new posts. [6668/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):

The sea fisheries and certain other marine-related functions of the Department are due to decentralise to Clonakilty. The remaining areas of the Department currently in Dublin are due to relocate to Cavan.

Certain agencies or bodies under the aegis of my Department are also due to decentralise. Bord Iascaigh Mhara is due to move to Clonakilty, the Central Fisheries Board is relocating to Carrick-on-Shannon, and Sustainable Energy Ireland is decentralising to Dundalk.

The table provides the latest available data on the number of posts decentralising with the relevant organisations, the number of existing staff who have committed to decentralise with their parent organisation, and the number of existing staff who have opted to decentralise with their parent organisation who have already been assigned to decentralising posts.

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| Organisation | No. of posts decentralising | No. of existing staff decentralising with organisation | No. of existing staff already assigned to decentralising posts |
|--|-----------------------------|--|--|
| Sea fisheries and marine-related areas of Department | 91 | 9 | 9 |
| Remaining areas of Department | 366 | 31 ¹ | 31 |
| Bord Iascaigh Mhara | 93 | 0 | N/A ² |
| Central Fisheries Board | 62 | 2 ¹ | N/A ² |
| Sustainable Energy Ireland | 39 | 24 ¹ | N/A ² |

¹ These figures relate to expressions of interest in decentralising registered under the Central Applications Facility.

² The issue of transferring staff into decentralising posts is an operational matter for the agencies concerned.

Broadband Network.

337. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the work carried out on the construction of a modern directional HFC rebroadcast television advanced services network in Castlebar, County Mayo under EIOP2 in respect of structural funds for broadband telecommunications infrastructure projects; if he has satisfied himself that all aspects of the contract allocated and agreed were carried out in accordance with the terms of the contract; the number of houses passed by the network; the services provided as a result; the precise route of the network provided that is, street, townland and so on of the fibre and coax trunk network; and if he will make a statement on the matter. [6681/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Following an invitation to tender in July 1999, 12 projects were selected for funding under the broadband measure of the Economic Infrastructure Operational Programme 1994-99, one of which was the design and construction by Chorus Communications of a hybrid fibre coaxial network in Castlebar, County Mayo.

Construction of the infrastructure was completed, with more than 1,200 homes passed. The technical evaluation of the project was completed by North West Labs Limited, which furnished a completion report for each phase and a final report on the project.

The total grant paid to Chorus in respect of the Castlebar project was €615,627. Financial audits were carried out by Ernst and Young. The provision of services is an operational matter for the owners of the network.

Question No. 338 answered with Question No. 97.

Broadcasting Legislation.

339. **Mr. Lowry** asked the Minister for Communications, Marine and Natural Resources the steps he will take to ensure that high profile sports events are broadcast on free-to-air tele-

vision; and if he will make a statement on the matter. [6752/06]

340. **Mr. Lowry** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to plans to broadcast the 2007 European Rugby Cup on pay-per-view television; if he intends to ensure that such an event is maintained on free-to-air television; and if he will make a statement on the matter. [6753/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 339 and 340 together.

I refer the Deputy to the reply to Question No. 85 of 21 February 2006.

Question No. 341 answered with Question No. 140.

Alternative Energy Projects.

342. **Mr. Cuffe** asked the Minister for Communications, Marine and Natural Resources if he has satisfied himself that procedures for public consultation and the right to appeal are sufficiently protected in the granting of planning permission for off-shore wind farms; and if he will make a statement on the matter. [6799/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Permission under the Planning and Development Acts is not required for off-shore wind farms. A person who proposes to carry out such a development must, however, apply for a lease under the Foreshore Acts in respect of the area concerned.

An application for a foreshore lease for a proposed offshore wind farm must be accompanied by detailed plans and drawings and an environmental impact statement. The process for considering such an application involves making this documentation available for public consultation for a period of one month so that interested persons or organisations can make submissions or observations on the proposals. Submissions made in the course of this public consultation are taken into account in coming to a decision on the lease

application. The Foreshore Acts do not provide for appeals against decisions on lease applications.

Broadband Network.

343. **Mr. P. Breen** asked the Minister for Communications, Marine and Natural Resources the measures he proposes to take to provide grant aid or other forms of support for resident, home businesses and small to medium-sized enterprises located in areas remote from fixed line and wireless broadband services who wish to avail of satellite broadband services but are unable to meet the comparatively high costs of such services in view of the fact that he states on the Government website that broadband is an important tool for everybody in the 21st century; and if he will make a statement on the matter. [6921/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to the answer to Question No. 107 on 21 February 2006.

Television Licence Fee.

344. **Mr. Deenihan** asked the Minister for Communications, Marine and Natural Resources the net and gross incomes generated for RTÉ from television licence fees; and if he will make a statement on the matter. [6945/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Details of the moneys paid to RTÉ from television licence fee receipts are contained in RTÉ's annual reports. In 2005 my Department made payments of €172.2 million to RTÉ.

Fisheries Protection.

345. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the situation at present to stop undersized and berried lobsters being caught and sold; the number of fishery officers currently working here; the number of prosecutions which have been brought forward for the catching of undersized and berried lobsters; if he intends to bring in further measures to stop this practice; and if he will make a statement on the matter. [6954/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): As previously advised to the House, the enforcement of the European and national regulations prohibiting the taking of undersized and v-notched lobsters forms part of the inshore fisheries conservation work routinely carried out by the Department's sea fisheries protection officers. The Department is in the process of recruiting additional sea fishery officers and this will no doubt result in even more attention

being paid to the regulation of this valued and valuable fishery.

Inspections and checks are made at the landing places used by lobster fishermen, of lorries that collect catches of lobsters for export and at the storage facilities of those exporters engaged in the lobster trade. The conservation work is generally well supported by the fishermen concerned as the v-notching of lobsters and the routine enforcement of minimum landing sizes for lobsters is seen to have a positive impact on the recovery of the stock. All undersized lobsters detected are immediately confiscated and returned alive to the sea to grow on to a legally commercial size. There were no prosecutions brought forward during 2005 for alleged instances of landing undersized lobsters.

The regulation of lobster fisheries has also been well supported by a poster and information campaign conducted by Bord Iascaigh Mhara, in which fishermen are advised as to the legal provisions pertaining to lobster fishing. The lobster committee, established under the management framework for shell fisheries, is drafting a plan for the management of lobster fisheries in Ireland and I expect this plan, as it will include contributions from all the stakeholders, will prove to be a firm foundation for the sustainable exploitation of the lobster fisheries around Ireland.

346. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources if the Irish Naval Service finds gear that is dumped illegally, what can it do to retrieve same; if the Naval Service has the equipment to retrieve said gear; if EU fines will be imposed on member states which fail to retrieve gear; and if he will make a statement on the matter. [6955/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The ban on the use of deep water gill-nets requires the removal of such nets from the areas covered by the ban by 1 February 2006. The Naval Service is responsible for policing the ban within the Irish exclusive fisheries zone, EFZ, and monitors fishing activity in this zone to ensure the banned gear is not deployed. New EU rules came into force on 1 January 2006 which require that gill-nets must be marked with the identification of the vessel to which it belongs, which will facilitate the work of the Naval Service in this regard.

Where this type of gear has been abandoned, Naval Service vessels are not equipped to remove them. In any case, this would not be the best use of Naval Service resources given the heavy control and enforcement demands upon it. The recovery of abandoned gill nets may be undertaken by member states hiring commercial boats, as was done by BIM — the Irish Sea Fisheries Board — and the UK authorities in 2005. I will press for co-ordinated action at EU level to build

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upon this work. It will be a matter for the European Commission to decide whether to pursue action against member states which fail to control the activities of their fishermen in relation to the gill-net ban.

Alternative Energy Projects.

347. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he has had direct communications with wind generated or other alternative forms of electricity production with a view to determination of the extent of which he intends to support such production in the future; and if he will make a statement on the matter. [7055/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department is in regular contact with individual developers and representative associations of developers of renewable energy powered projects. The current target to increase the amount of renewable energy powered electricity production plant to 1,450 MW by 2010 was preceded by a public consultation programme open to all interested parties. Targets beyond 2010 will be determined in the context of the development of an all-island electricity market. This programme also conducted a joint North-South public consultation process to inform future decisions.

Electricity Generation.

348. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the position in regard to AER VII; if he has had discussions with the industry in regard to same; and if he will make a statement on the matter. [7056/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The renewable energy feed in tariff — REFIT — programme, the successor to the AER VI programme, was preceded by a public consultation programme to debate an appropriate support programme and target to 2010. All interested parties had an opportunity to contribute. After the public consultation concluded the detailed draft terms and conditions of the proposed REFIT programme were also put out to consultation and interested parties were invited to raise any queries or to request any clarifications prior to publication of a finalised programme. The views received have usefully informed the shape of the programme which is being finalised. In addition to these formal consultations my Department is in regular contact with all stakeholders within the industry on a variety of topical issues, including progress on the REFIT programme.

349. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his preferred options in regard to the future of ESB in the context of deregulation; and if he will make a statement on the matter. [7057/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Deloitte review of the electricity sector as part of its terms of reference has reviewed a range of alternative institutional arrangements and company structures, including ownership models for the ESB as a vertically integrated utility. I am considering the report in the context of the overall energy policy consultation paper and I intend to publish the Deloitte report in that context in the coming months.

Broadcasting Legislation.

350. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources when he expects to outline his preferred options in regard to both the public and private broadcasting sector; and if he will make a statement on the matter. [7058/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 171 of today.

Postal Services.

351. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the full extent of the examination of potential and complementary services most suitable for administration by An Post with objective of expanding the scale and profitability of the company in anticipation of full deregulation; and if he will make a statement on the matter. [7059/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no function in this matter. Decisions relating to products and services are operational matters for the board and management of An Post.

Alternative Energy Projects.

352. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources his preferred options in regard to the development of renewable fuels; and if he will make a statement on the matter. [7060/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Within the electricity market the current target is to more than double the contribution from renewable energy sources to total electricity production from 5% to 13% by 2010. Targets beyond 2010 will be settled within the context of an all-island vision for 2020 and beyond to develop a long-

term strategy for renewable energy on the island as a whole.

I am committed to the development and promotion of a biofuels market in the transport fuel sector and the development of alternative fuels which can contribute to emissions reductions and overall security of supply. My Department has set a target of 2% market penetration of biofuels by 2008, which will be achieved through a new programme of excise relief to be rolled out from this year to 2010, along with the provision of funding towards the capital cost of developing biofuels processing facilities.

Telecommunications Services.

353. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the discussions he has had with potential service providers in regard to the possibility of providing modern telecommunication services at the Black Valley, County Kerry and other similar locations here which are currently dependent on outdated battery supported communications systems; the extent to which improvements can be brought about through groups or MAN schemes; and if he will make a statement on the matter. [7061/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of broadband services is a matter in the first instance for the private sector companies operating in a fully liberalised market regulated by ComReg. It has been clear for some time that the telecommunications sector has failed to invest at the level necessary to keep pace with the demand for broadband. For this reason, my Department's regional broadband programme is addressing the infrastructure deficit by building high speed, open access broadband networks in association with the local and regional authorities in the major towns and cities. These metropolitan area networks, MANs, will allow the private sector to offer world-class broadband services at competitive costs.

Phase one of this programme has delivered fibre optic networks to 27 towns and cities throughout the country. These were built on time and under budget and the programme has been extended to more than 90 towns in various locations nationwide, with a population of 1,500 and above, which do not have a satisfactory broadband offering from the sector. County Kerry is developing projects in respect of the following towns: Castleisland, Dingle, Kenmare, Killarney, Listowel and Tralee. The route designs are being finalised prior to the appointment of the design and project managers. Construction on the projects is expected to commence in 2006.

My Department is administering the second call for the county and group broadband scheme, GBS. This scheme is designed to promote investment in broadband access infrastructure in rural communities with populations of 1,500 or less by

contributing grant aid of up to 55% of the infrastructure costs. The following GBS community projects in County Kerry have been approved to date: Ballyferriter, Boherbue, Brandon, Caherciveen, Kinard, Ventry, north Kerry, Sliabh Luachra and Tarbert. My Department's website, www.broadband.gov.ie, lists all service providers offering broadband services in all towns in County Kerry and gives contact details for each company, together with prices for the various service levels on offer.

Energy Resources.

354. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the storage capacity of oil, gas or other fuels; the optimum storage requirements in terms of days; his plans to improve the position; and if he will make a statement on the matter. [7062/06]

367. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the full extent to which he envisages storage facilities in respect of gas and oil to be improved with a view to having a reasonable and improved stand-by supply; and if he will make a statement on the matter. [7094/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 354 and 367 together.

I refer the Deputy to the reply to Questions Nos. 126 and 131 of 21 February 2006.

Telecommunications Services.

355. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the nature of discussions he has had directly or through the regulator with potential service providers in the telecom area; and if he will make a statement on the matter. [7063/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Any decision by potential service providers to join the telecoms market is ultimately a commercial matter for themselves in what is a fully liberalised market. As Minister for Communications, Marine and Natural Resources, I have responsibility for overall telecoms policy and legislation and my main goal in this area is to create conditions for sustainable growth and competition which will benefit economic and social development and facilitate competitive services. My officials and I meet representatives from the industry from time to time to exchange views and keep up to date with developments.

Question No. 356 answered with Question No. 117.

Energy Resources.

357. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if there have been oil, gas or other mineral finds indicating commercial potential in the past four years; the location or locations of same; and if he will make a statement on the matter. [7066/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Since 2002 there has only been one gas find with commercial potential. The Dooish prospect, which was drilled in 2002 by Enterprise Energy Ireland — now Shell E&P Ireland — 125 km off the Donegal coast in the Rockall Basin and which discovered a gas condensate accumulation, was re-entered and deepened in 2003. My Department and Shell E&P continue to analyse the well results and integrate them with other data from the area.

Although the Seven Heads gas field was declared commercial in 2002, it was originally discovered in 1984. This field lies west of the Kinsale Head gas field in the north Celtic Sea basin, about 45 km from the Cork coast. This field went into production in December 2003. Since then the Seven Heads field has experienced serious production difficulties and is producing at a fraction of the level originally planned. There have been no oil finds in the past four years.

With regard to non-petroleum minerals, new exploration is continuously undertaken as part of my requirements to holders of prospecting licences, of which there are currently 262. Details of these licences can be found in the six monthly report to the Oireachtas which I am obliged to lay before the House under the Minerals Development Acts 1940 to 1999. The last such report was in respect of the six month period ended 30 June 2005. The report for the six month period ended 31 December 2005 is being prepared and will be laid before the House in the coming weeks.

While no new economic deposits of non-petroleum minerals have been discovered in recent years, there have been some encouraging results. Exploration adjacent to existing base metal mines at Navan, County Meath, owned by Tara Mines Limited, and Galmoy, County Kilkenny, owned by Arcon Mines Limited, has discovered additional resources which have the potential to extend the life of the mines in question. I recently granted new State mining licences to Arcon for extraction of part of these additional resources.

Departmental Bodies.

358. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources if the Marine Institute tenders for research projects that it puts out to tender; if so, the projects it tendered for and those they were successful with in the years 2002, 2003, 2004 and 2005; and if the Marine Institute has representatives on the

independent committee processing the tenders. [7071/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): All tender competitions conducted by the Marine Institute observe Government procurement guidelines. The Marine Institute was successful in tendering for the following research projects:

2002

1. Biological Oceanography of Harmful Algal Blooms off the West Coast of Ireland (in partnership with NUIG and Woods Hole Oceanographic Institute, USA)
2. Isolation and purification of azaspiracids from naturally contaminated materials and evaluation of their toxicological effects (in partnership with UCC, the Centre for Coastal Environmental Research USA, Chiba University Japan, Tama Lab Japan and Tohoku University Japan)

2003

No projects

2004

1. Nucleic Acid Tests for Toxigenic Phytoplankton Species in Irish Waters (in partnership with NUIG)
2. SMART Water Quality Monitoring System (in partnership with DCU, Tyndall National Institute, Microelectronics Application Centre, SW Regional Fisheries Board and Marine Informatics)
3. Strategic Team in Ocean Energy and Related Technologies (in partnership with UCC)

2005

1. Site Investigations and Disease Management of the Pancreas Disease Virus in Irish Farmed Salmon (in partnership with Queens University Belfast, Vet Aqua, Muir Gheal Teo and Eany Fish Products Ltd)
2. Extension of the Marine Institute's Marine Data Repository to include Biological Data and development tools (in partnership with UCC and Oregon State University)

Out of a total of 87 projects, the Marine Institute tendered for 13 projects and was successful in seven of these and unsuccessful in six of them. The Marine Institute does not have, nor has it anyone from or representing it on the committees evaluating tenders for which it is competing.

Research Vessels.

359. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources further to Question No. 337 of 4 October 2005, the cost of each vessel to the Exchequer of the €5,015,471; if there is any of the latter amount recoverable from the European Union or other sources; if, with the shore support of €1,714,094, this includes the cost of input by Marine Institute staff; and the sources of that funding. [7072/06]

| | Celtic Explorer | Celtic Voyager |
|----------------------------|-----------------|----------------|
| Data Collection Regulation | 840,000 | 150,000 |
| MATSIS | 0 | 10,000 |

Furthermore, the following income was recovered from sources other than the Marine Institute Exchequer Vote:

| | Celtic Explorer | Celtic Voyager |
|--|-----------------|----------------|
| NUI Galway | 250,000 | 31,000 |
| Commercial Contracts | 130,000 | 42,000 |
| Other Irish Universities | | 1,025 |
| Southampton Oceanographic Centre | | 8,000 |
| Dublin City Council | | 4,000 |
| Radiological Protection Institute | | 8,000 |
| Total Income from Sources other than MI Exchequer Vote | 1,220,000 | 254,025 |

The shore support of €1,714,094 does not include the cost of input by Marine Institute staff. The costs of shore support are met through a combination of Exchequer funding and the funding detailed above.

Marine Institute.

360. **Mr. Ring** asked the Minister for Communications, Marine and Natural Resources if a value for money audit on the two Marine Institute vessels and supporting facilities has been undertaken by his Department or the Comptroller and Auditor General; if so, is a report available; if not, when it will be available. [7073/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): No recent evaluation of the two research vessels has been carried out either by the Department of Communications, Marine and Natural Resources or by the Controller and Auditor General. The question of carrying out such evaluations is kept under review.

Telecommunications Services.

361. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he has received indications of DSL failure rate

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): The running costs, including shore technical support costs and overheads such as insurance etc., for both vessels, as set out in the reply to the Deputy of 4 October 2005, were met from the Exchequer grant-in-aid to the Marine Institute. However, of the costs of €5,015,471 — 2004 operating costs — the following amounts were offset from EU sources:

here; and if he will make a statement on the matter. [7074/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 73 on 10 March 2005.

362. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the actions he can take to counter the problem regarding increased use of mobile telephone systems for child pornography; if his attention has been drawn to the potential damage to society to such abuses; and if he will make a statement on the matter. [7075/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Legislation to combat illegal pornographic material is already in place.

It is an offence under the section 13 of the Post Office (Amendment) Act 1951, as amended by the Postal and Telecommunications Services Act 1983, to send by phone any message or other matter that is grossly offensive or of an indecent, obscene or menacing character. It is also an offence under section 10 of the Non-Fatal Offences Against the Person Act 1997 to harass a person by use of any means including by use of

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a telephone. My colleague, the Minister for Justice, Equality and Law Reform, is responsible for policy on the protection of children from the transmission of pornographic images by phones and other media. Anyone who has information on these matters should bring it immediately to the attention of the Garda Síochána for criminal investigation.

363. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if at national or international level he has taken steps to combat spam on the Internet; and if he will make a statement on the matter. [7077/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Due to concerns raised by member states on the sending of unsolicited e-mails for direct marketing purposes via the Internet, mobile phones and other electronic communications media, the EU introduced Directive 2002/58/EC, Directive on Privacy and Electronic Communications. This directive was transposed into national law in November 2003 via the Data Protection and Privacy Regulations 2003, SI No. 535 of 2003. The regulations place restrictions on the sending of unsolicited e-mails for direct marketing purposes via the Internet, mobile phones and other electronic communications media.

Responsibility for the enforcement of the regulations rests with the Office of the Data Protection Commissioner. A person found guilty of a breach of the regulations is liable on summary conviction to a fine not exceeding €3,000 per message.

Spam is a global problem and the capacity of an individual member state to control it in isolation is very limited because spam can originate outside the member state's jurisdiction. The EU and the OECD have set up working groups to explore the options for controlling spam in the wider global context. The Department of Communications, Marine and Natural Resources and the Office of the Data Protection Commissioner are represented on the aforementioned groups. Both groups are co-operating with each other towards the development of measures, such as the adoption of the aforementioned directive by all EU member states; international co-operation in investigation and enforcement; education and awareness among consumers on prevention and the technical and legal solutions available to them to control spam; self-regulation among service providers, such as a code of practice; and the development of technical solutions by service providers such as blocking and filtering that will keep false positives, the blocking of legitimate e-mails, to a minimum.

Television Licence Fee.

364. **Mr. Durkan** asked the Minister for

Communications, Marine and Natural Resources his plans for the distribution of the television licence reserve fund; the full extent of this fund at present; if he expects to bring in the necessary legislation to deal with this issue in early course; and if he will make a statement on the matter. [7079/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 99 of 21 February 2006.

Telecommunications Services.

365. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the steps he intends to take to address deficiencies in the telecommunications network with particular reference to the need to bring the quality of service here into line with that in other neighbouring and competing jurisdictions; and if he will make a statement on the matter. [7080/06]

375. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the reason mobile telephone charges here should be higher than in the rest of Europe and have a poorer quality of service; his proposals to address these issues; and if he will make a statement on the matter. [7115/06]

383. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the reason mobile telephone services here, in terms of quality and cost, cannot compare favourably with services in other European countries; and if he will make a statement on the matter. [7123/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 365, 375 and 383 together.

I refer the Deputy to my reply to Question No. 94 on 21 February 2006.

Postal Services.

366. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he intends to issue guidelines regarding the use of postcodes with particular reference to excluding the use of socio-economic or personal information; and if he will make a statement on the matter. [7093/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 163 of today.

Question No. 367 answered with Question No. 354.

Broadcasting Legislation.

368. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the discussions he has had with the regulator or other interests in regard to the development of radio and television services here in the future with due regard for both the public and private sector; and if he will make a statement on the matter. [7095/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Parliamentary Question No. 142 of today.

Question No. 369 answered with Question No. 97.

Telecommunications Services.

370. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources when he expects further progress on the development of integrated telecommunication networks on an all-island basis having particular regard to the welcome announcement of the abolition of roaming charges by a company (details supplied); the way in which he sees such developments progressing in the future; and if he will make a statement on the matter. [7097/06]

376. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the steps he intends to take to ensure the quality of mobile phone services here are brought up to those available in other jurisdictions, notwithstanding recent progress by a company (details supplied) in regard to roaming charges; if he expects other service providers to follow this pattern; and if he will make a statement on the matter. [7116/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 370 and 376 together.

I wish to refer the Deputy to my reply to Question No. 71 of 21 February 2006.

371. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the steps he has taken or instructions he has given through ComReg or directly through service providers with a view to achieving a higher and accelerated performance in regard to provision of broadband services with the objective of bringing Ireland back into serious contention as a European leader in the area of modern telecommunications such as broadband and mobile telephony; and if he will make a statement on the matter. [7098/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband and mobile telephony, is a matter in the first instance for the fully liberalised private sector, regulated by ComReg, the independent Commission for Communications Regulation.

The Government is addressing the infrastructure deficit by building high-speed open access metropolitan area networks, MANs, in 120 towns and cities nationwide, on a phased basis in association with the local and regional authorities. Phase 1 of this programme has delivered fibre optic networks to 27 towns and cities throughout the country, which were built on time and under budget. This programme has been extended to over 90 towns in various locations nationwide with a population of 1,500 or greater that do not have a satisfactory broadband offering from the sector.

Ministerial Appointments.

372. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the number of positions on boards, agencies or bodies under his aegis to which he has made appointments in recent times; the number of such appointments outstanding; his plans to fill same; and if he will make a statement on the matter. [7099/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The information requested by the Deputy regarding appointments made to the boards of State-sponsored bodies since September 2004 is set out in the following tables.

Appointments to the boards of State-sponsored bodies under the aegis of the Department of Communications, Marine & Natural Resources made since September 2004

An Post

| Board Member (Elected Employees) | Appointment Date | Expiry Date |
|----------------------------------|------------------|-------------|
| Mr. Jerry Condon | 01.11.2004 | 31.10.2008 |
| Mr. Patrick Compton | 01.11.2004 | 31.10.2008 |
| Mr. Patrick Davoren | 01.11.2004 | 31.10.2008 |
| Mr. Thomas Devlin | 01.11.2004 | 31.10.2008 |
| Mr. Terry Keller | 01.11.2004 | 31.10.2008 |

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Aquaculture Licence Appeals Board

| Board Member | Date of Appointment | Expiry Date |
|------------------------|---------------------|-------------|
| Mr. Sean Murphy | 01.01.05 | 31.12.07 |
| Mr. Lorcan Ó Cinneide* | 01.01.05 | 31.12.07 |
| Mr. Mario J. Minehane* | 01.01.05 | 31.12.07 |
| Ms Mary McMahon | 01.01.05 | 31.12.06 |
| Ms Karin Dubsky | 01.01.05 | 31.12.06 |
| Mr. Damian McDonald | 01.01.05 | 31.12.06 |

Bord na Móna

| Board Member | Date of Appointment | Expiry Date |
|-------------------------------|---------------------|-------------|
| Mr. Fergus McArdle (Chairman) | 28.09.04 | 27.09.09 |
| Ms Anne Heraty | 28.09.04 | 27.09.09 |
| Mr. Gabriel Cribbin | 09.09.05 | 08.09.08 |

Bord Iascaigh Mhara

| Board Member | Date of Appointment | Expiry Date |
|----------------|---------------------|-------------|
| Ms Rose McHugh | 29.09.04 | 23.04.07 |

Broadcasting Complaints Commission

| Board Member | Date of Appointment | Expiry Date |
|-------------------------------|---------------------|-------------|
| Michael McGrath (Chairperson) | 18.10.05 | 17.10.10 |
| Seán O'Sullivan | 18.10.05 | 17.10.10 |
| Eucharía Meehan | 18.10.05 | 17.10.10 |
| David Tighe | 18.10.05 | 17.10.10 |
| Miriam O'Callaghan | 18.10.05 | 17.10.10 |
| Susan Nolan | 18.10.05 | 17.10.10 |
| Phil Brady | 18.10.05 | 17.10.10 |

Central Fisheries Board

| Board Member | Date of Appointment | Expiry Date |
|-------------------------|---------------------|-------------|
| David Mackey (Chairman) | 24.06.05 | 24.06.2010 |
| Ms Mary Bohan | 24.06.05 | 24.06.2010 |
| Éamon de Buitléir | 24.06.05 | 24.06.2010 |
| Myles Kelly | 24.06.05 | 24.06.2010 |
| Naul McCole | 24.06.05 | 24.06.2010 |
| John Henry McLaughlin | 24.06.05 | 24.06.2010 |

Commission for Energy Regulation (CER)

| Board Member | Date of Appointment | Expiry Date |
|---------------------------|---------------------|-------------|
| Mr. Tom Reeves (Chairman) | 14.10.04 | 09.09.09 |
| Mr. Michael Tutty | 14.10.04 | 12.10.09 |
| Ms Regina Finn | 01.02.05 | 31.01.09 |

Commission for Communications Regulation (ComReg)

| Board Member | Date of Appointment | Expiry Date |
|----------------|---------------------|-------------|
| Mr. Mike Byrne | 01.12.2004 | 30.11.08 |

The Digital Hub

| Board Member | Date of Appointment | Expiry Date |
|----------------|---------------------|-------------|
| Mr. Joe Murphy | 29.09.04 | 29.09.07 |

Drogheda Harbour Board

| Board Member | Date of Appointment | Expiry Date |
|---------------------------------|---------------------|-------------|
| Mr. Paddy Traynor (Chairperson) | 20.12.04 | 19.12.09 |
| Ms Maria O'Brien Campbell | 23.05.05 | 22.05.10 |
| Mr. Cormac Bohan | 29.09.04 | 28.09.09 |
| Cllr. Paul Bell | 04.08.04 | 03.08.09 |

Dublin Port Company

| Board Member | Date of Appointment | Expiry Date |
|-----------------------|---------------------|-------------|
| Cllr. Kevin Humphries | 10.09.04 | 09.09.09 |
| Cllr. Christy Burke | 10.09.04 | 09.09.06 |
| Cllr. Paddy Bourke | 10.09.04 | 09.09.09 |

Dundalk Port Company

| Board Member | Date of Appointment | Expiry Date |
|------------------|---------------------|-------------|
| Mr. Kevin Meenan | 05.04.05 | 04.04.10 |

Electronic Communications Appeals Panel*

| Board Member | Date of Appointment | Expiry Date |
|----------------------|---------------------|------------------|
| Hugh Mohan SC | 21.09.04 | Contract expired |
| Margaret Heneghan BL | 21.09.04 | Contract expired |
| Catherine Woods BA | 21.09.04 | Contract expired |
| Mary Sadlier | 23.05.05 | 23.05.06 |
| Sean Barrett | 23.05.05 | 23.05.06 |
| Paul Burns SC | 23.05.05 | 23.05.06 |
| Finbarr Fox SC | 23.05.05 | 23.05.06 |
| Patrick Butler SC | 24.05.05 | 24.05.06 |
| Liam Cahill | 20.06.05 | 20.06.06 |
| Brian O'Moore SC | 14.07.05 | 14.07.06 |
| Eileen Barrington JC | 15.06.05 | 15.06.06 |

*Pool from which 3 persons will be appointed by Minister to an appeal panel. Two Panels currently exist, each with its own chairperson.

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Eirgrid

| Board Member | Date of Appointment | Expiry Date |
|--|-------------------------|-------------|
| Ms Martina Moloney | 15.09.04 | 15.09.09 |
| Mr. Maurice Holly (staff representative) | 21.09.04 (re-appointed) | 21.09.09 |
| Ms Emer Daly | 20.03.05 (2nd term) | 19.03.08 |
| Mr. David Mackey | 20.03.05 (2nd term) | 19.03.08 |
| Mr. Dermot Byrne CEO (ex officio) | 04.07.05 | 03.07.12 |
| Ms Bernie Gray | 08.09.05 | 07.09.10 |

ESB

| Board Member | Date of Appointment | Expiry Date |
|----------------------|---------------------|-------------|
| Mr. Brendan Byrne | 01.09.04 | 31.08.09 |
| Mr. Tadhg O'Donoghue | 07.09.05 (2nd term) | 06.09.10 |
| Ms Georgina Kenny | 18.05.05 (2nd term) | 17.05.10 |

Galway Harbour Board

| Board Member | Date of Appointment | Expiry Date |
|-------------------|---------------------|-------------|
| Cllr. Joe Tierney | 13.08.04 | 12.08.09 |
| Cllr. Sean Kyne | 05.04.05 | 04.04.10 |

Marine Institute

| Board Member | Appointment Date | Expiry Date |
|--------------------------------|------------------|-------------|
| Ms Terry Fleming | 29.09.04 | 28.09.09 |
| Mr. Kevin Bonner (Chairperson) | 24.06.05 | 23.06.08 |
| Ms Dairine McFadden | 19.12.05 | 18.12.10 |

National Salmon Commission

| Board Member | Appointment Date | Expiry Date |
|-------------------------------|------------------|-------------|
| Mr. Joey Murrin (Chairperson) | 30.09.05 | 31.05.08 |
| Jim Curran | 30.09.05 | 31.05.08 |
| Brian Curran | 30.09.05 | 31.05.08 |
| John H. O'Brien | 30.09.05 | 31.05.08 |
| Peter Hunt | 30.09.05 | 31.05.08 |
| Vincent Roche | 30.09.05 | 31.05.08 |
| Michael Keatinge | 30.09.05 | 31.05.08 |
| Derick Anderson | 30.09.05 | 31.05.08 |
| Noel Carr | 30.09.05 | 31.05.08 |
| Lal Faherty | 30.09.05 | 31.05.08 |
| Martin McEnroe | 30.09.05 | 31.05.08 |
| Luke Boyle | 30.09.05 | 31.05.08 |
| Jerome Dowling | 30.09.05 | 31.05.08 |
| John Doherty | 30.09.05 | 31.05.08 |
| Michael Connors | 30.09.05 | 31.05.08 |
| Séamus de Búrca | 30.09.05 | 31.05.08 |

| Board Member | Appointment Date | Expiry Date |
|----------------|------------------|-------------|
| Carmel Lynn | 30.09.05 | 31.05.08 |
| Frank Flanagan | 30.09.05 | 31.05.08 |
| Peter Dunn | 30.09.05 | 31.05.08 |
| Richie Flynn | 30.09.05 | 31.05.08 |

New Ross Port Company

| Board Member | Date of Appointment | Expiry Date |
|---------------------|---------------------|-------------|
| Cllr. Larry O'Brien | 26.11.04 | 25.11.09 |

Port of Cork Company

| Board Member | Date of Appointment | Expiry Date |
|-----------------------|---------------------|-------------|
| Cllr. Michael Hegarty | 04.08.04 | 03.08.09 |

Port of Waterford Company

| Board Member | Date of Appointment | Expiry Date |
|--------------------|---------------------|-------------|
| Ms Lola O'Sullivan | 29.08.04 | 28.08.09 |
| Mr. Derek Madigan | 16.03.05 | 15.03.10 |

Radió Telefís Éireann Authority

| Board Member | Date of Appointment | Expiry Date |
|------------------|---------------------|-------------|
| Fintan Drury | 21.06.05 | 20.06.2008 |
| Maria Killian | 21.06.05 | 20.06.2008 |
| Patricia King | 21.06.05 | 20.06.2008 |
| Ian Malcolm | 21.06.05 | 20.06.2008 |
| Úna Ní Chonaire | 21.06.05 | 20.06.2008 |
| Stephen O'Byrnes | 29.06.05 (2nd term) | 20.06.2008 |
| Patrick Marron | 29.06.05 (2nd term) | 20.06.2008 |
| Emer Finnan | 14.09.05 | 20.06.2008 |
| Joe O'Brien | 14.09.05 | 20.06.2008 |

Southern Regional Fisheries Board

| Board Member | Date of Appointment | Expiry Date |
|--------------|---------------------|-------------|
| Mr. Pat Bowe | 14.12.04 | 31.12.05 |

Regional Harbour Authorities

Arklow Harbour

| Board Member | Date of Appointment | Expiry Date |
|------------------------|---------------------|---------------------------------|
| Cllr. Sylvester Bourke | 28.09.04 | At date of next local elections |
| Cllr. Pat Doran | 28.09.04 | |
| Cllr. Peter Dempsey | 28.09.04 | |
| Cllr. Donal O'Sullivan | 28.09.04 | |

[Mr. N. Dempsey.]

| Board Member | Date of Appointment | Expiry Date |
|----------------------|---------------------|-------------|
| Mr. James Tyrell | 28.09.04 | |
| Mr. Lorcan O'Toole | 28.09.04 | |
| Mr. Austin Gaffney | 28.09.04 | |
| Ms Ann Lee | 28.09.04 | |
| Mr. Paddy Mordaunt | 28.09.04 | |
| Cllr. Pat Fitzgerald | 28.09.04 | |
| Cllr. Pat Sweeney | 28.09.04 | |

Annagassan Harbour

| Board Member | Date of Appointment | Expiry Date |
|-----------------------|---------------------|---------------------------------|
| Cllr. Tommy Reilly | 28.09.04 | At date of next local elections |
| Cllr. Finnan McCoy | 28.09.04 | |
| Cllr. Pearse McGeough | 28.09.04 | |
| Cllr. Jim Lennon | 28.09.04 | |
| Mr. Terry Butterly | 28.09.04 | |
| Ms Rosemarie Coyle | 28.09.04 | |
| Mr. Liam Reilly | 28.09.04 | |
| Mr. Tommy McGrory | 28.09.04 | |
| Mr. Gerard Sheridan | 28.09.04 | |

Baltimore & Skibbereen Harbour

| Board Member | Date of Appointment | Expiry Date |
|------------------------|---------------------|---------------------------------|
| Cllr. Tadgh O'Donovan | 28.09.04 | At date of next local elections |
| Cllr. Joe Carroll | 28.09.04 | |
| Cllr. Brendan Leahy | 28.09.04 | |
| Cllr. Brendan McCarthy | 28.09.04 | |
| Mr. Michael Harte | 28.09.04 | |
| Mr. Vincent O'Driscoll | 28.09.04 | |
| Mr. Danny O'Driscoll | 28.09.04 | |
| Mr. Dermot Sheehy | 28.09.04 | |
| Mr. Kieron Cotter | 28.09.04 | |

Bantry Harbour

| Board Member | Date of Appointment | Expiry Date |
|------------------------|---------------------|---------------------------------|
| Mr. John O'Riordan | 28.09.04 | At date of next local elections |
| Mr. Michael Hennebry | 28.09.04 | |
| Cllr. Eugene Cronin | 28.09.04 | |
| Cllr. Patrick Kelly | 28.09.04 | |
| Mr. John O'Shea | 28.09.04 | |
| Mr. Donal Casey | 28.09.04 | |
| Mr. Aiden McCarthy | 28.09.04 | |
| Mrs. Kathleen Tessyman | 28.09.04 | |
| Ms Letty Baker | 28.09.04 | |
| Mr. Mario Minehane | 28.09.04 | |
| Mr. Tim Minihane | 28.09.04 | |

Dingle Harbour

| Board Member | Date of Appointment | Expiry Date |
|----------------------------|---------------------|---------------------------------|
| Mr. Tom Fitzgerald | 28.09.04 | At date of next local elections |
| Mr. Eoin Ó Catháin | 28.09.04 | |
| Mr. Paddy Flannery | 28.09.04 | |
| Mr. Denis O'Connor | 28.09.04 | |
| Mr. Tom Kennedy | 28.09.04 | |
| Cllr. Seamus Fitzgerald | 28.09.04 | |
| Cllr. Breandán MacGearailt | 28.09.04 | |
| Dr. Fionnbar O'Shea | 28.09.04 | |
| Mr. Timothy O'Sullivan | 28.09.04 | |

Kinsale Harbour

| Board Member | Date of Appointment | Expiry Date |
|------------------------|---------------------|---------------------------------|
| Mr. Billy Lynch | 28.09.04 | At date of next local elections |
| Mr. Charles Hendeson | 28.09.04 | |
| Mr. Kevin Murphy | 28.09.04 | |
| Cllr. Alan Coleman | 28.09.04 | |
| Mr. Eamon O'Neill | 28.09.04 | |
| Mr. Frank Kiernan | 28.09.04 | |
| Mr. John Twomey | 28.09.04 | |
| Mr. Courtney Good | 28.09.04 | |
| Mr. Michael T. Frawley | 28.09.04 | |

River Moy Harbour

| Board Member | Date of Appointment | Expiry Date |
|-----------------------|---------------------|---------------------------------|
| Mr. John Keane | 28.09.04 | At date of next local elections |
| Mr. Dessie Padden | 28.09.04 | |
| Mr. Jimmy Sheridan | 28.09.04 | |
| Cllr. Annie May Reape | 28.09.04 | |
| Mr. John Farrell | 28.09.04 | |
| Mr. Edward Melvin | 28.09.04 | |
| Mr. Tommy Ginley | 28.09.04 | |
| Mr. Paddy Jackson | 28.09.04 | |
| Mr. Judd Ruane | 28.09.04 | |
| Cllr. Jimmy Moloney | 28.09.04 | |
| Mr. Michael McDonagh | 28.09.04 | |

Sligo Harbour

| Board Member | Date of Appointment | Expiry Date |
|--------------------------|---------------------|---------------------------------|
| Mr. Albert Higgins | 28.09.04 | At date of next local elections |
| Mr. Patsy Barry | 28.09.04 | |
| Ms Veronica Cawley | 28.09.04 | |
| Mr. Johnathan McGoldrick | 28.09.04 | |
| Mr. Gerry McCanny | 28.09.04 | |
| Mr. Stephen Rundle | 28.09.04 | |
| Mr. Seamus Monaghan | 28.09.04 | |

[Mr. N. Dempsey.]

| Board Member | Date of Appointment | Expiry Date |
|---------------------|---------------------|-------------|
| Mr. Jim McMorrow | 28.09.04 | |
| Mr. Gene O'Carroll | 28.09.04 | |
| Mr. Liam Gannon | 28.09.04 | |
| Mr. Pádraic Branley | 28.09.04 | |

Tralee & Fenit Harbour

| Board Member | Date of Appointment | Expiry Date |
|---------------------------|---------------------|---------------------------------|
| Mr. Roland Blennerhassett | 28.09.04 | At date of next local elections |
| Mr. Con Casey | 28.09.04 | |
| Mr. Dermot Crowley | 28.09.04 | |
| Mr. James Browne | 28.09.04 | |
| Ms Norma Foley | 28.09.04 | |
| Mr. Michael Moriarity | 28.09.04 | |
| Mr. John Wall | 28.09.04 | |
| Ms Toireasa Ní Fhearaíosa | 28.09.04 | |
| Mr. Christopher Lynch | 28.09.04 | |
| Mr. Vincent Locke | 28.09.04 | |
| Mr. Liam Sullivan | 28.09.04 | |

Table 2

Vacancies currently outstanding on Boards of State-sponsored Bodies under the aegis of the Department of Communications, Marine and Natural Resources

| | Vacancies |
|--|-------------|
| <i>Communications</i> | |
| An Post | 2 vacancies |
| Broadcasting Complaints Commission | 1 vacancy |
| Digital Hub | 3 vacancies |
| Electronic Communications Appeals Panel | 4 vacancies |
| RTE | 1 vacancy |
| <i>Natural Resources</i> | |
| Bord Gáis | 2 vacancies |
| ESB | 2 vacancies |
| <i>Marine</i> | |
| BIM | 1 vacancy |
| Loughs Agency | 1 vacancy |
| <i>Regional Fisheries Boards (RFBs)*</i> | |
| Eastern RFB | 3 vacancies |
| Northern RFB | 1 vacancy |
| North-Western RFB | 1 vacancy |
| Southern RFB | 3 vacancies |
| South-Western RFB | 7 vacancies |
| Western RFB | 1 vacancy |

*Terms of office of all members of Regional Fisheries Boards terminated as of 31st December 2005. However this period of time was extended and will continue until midnight on the day on which the results of the next election for elected members of the Boards is declared or at such a time as the Board becomes a Regional Advisory Board under the proposed restructuring plans for the sector, whichever is earlier.

Telecommunications Services.373. **Mr. Durkan** asked the Minister for

Communications, Marine and Natural Resources if he is satisfied at the extent to which local loop unbundling has been completed; his views on

whether delays are restricting the provision of broadband and other state of the art telecommunication services; and if he will make a statement on the matter. [7100/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no function in the matter raised by the Deputy.

Local loop unbundling is regulated by the Commission for Communications Regulation, ComReg, under the Communications Regulation Act 2002 and the transposed EU regulatory framework for electronic communications networks and services.

Electricity Generation.

374. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the status and potential capacity of east/west electricity interconnectors with particular reference to the availability of the means whereby energy that is surplus to needs can be disposed of economically and that incoming requirements can be equally facilitated; and if he will make a statement on the matter. [7102/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 144 of today.

Question No. 375 answered with Question No. 365.

Question No. 376 answered with Question No. 370.

Telecommunications Services.

377. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the schemes, groups or organisations deemed to have been most successful in the provision of broadband services; the extent to which delivery is taking place through such proposals; his plans for the future in this regard; and if he will make a statement on the matter. [7117/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my answer to Question No. 107 of today.

Postal Services.

378. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he has issued instructions in regard to the future development of postal services with particular reference to opening or closing post offices or extending or reducing the scale of services available through An Post; and if he will make a statement on the matter. [7118/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 112 of today.

Telecommunications Services.

379. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the studies which have been carried out with a view to meeting the telecommunications requirements of the residents of the Black Valley, County Kerry and other residents similarly affected here; if a determination has been made in respect of the most suitable technology in such circumstances; if suitable available funding has been identified with particular reference to public service obligations; and if he will make a statement on the matter. [7119/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 139 of today.

Question No. 380 answered with Question No. 135.

Question No. 381 answered with Question No. 97.

Broadcasting Services.

382. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he has received communications from representative groups requesting the provision of subtitling in respect of television services; if he intends to respond to such proposals; and if he will make a statement on the matter. [7122/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my reply to Question No. 93 of today.

Question No. 383 answered with Question No. 365.

Telecommunications Services.

384. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources when he expects broadband availability here to catch up with the leading European countries; and if he will make a statement on the matter. [7124/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I refer the Deputy to my answer to Question No. 140 of today.

Postal Services.

385. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if he has knowledge of the optimum number of post offices to be retained, upgraded or

[Mr. Durkan.]

downgraded by An Post; his views on the way in which such proposals are likely to affect the delivery of services in the future; and if he will make a statement on the matter. [7125/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I have no statutory function in relation to this matter. It is an operational issue for the board and management of An Post.

Irish Emigrants.

386. **Mr. Ring** asked the Minister for Foreign Affairs the alternative plan the Government has to help legalise the Irish in the event that the Kennedy-McCain Bill does not succeed. [6874/06]

387. **Mr. Ring** asked the Minister for Foreign Affairs if he will give an assurance that the undocumented Irish will be his top priority when he meets President George Bush. [6875/06]

388. **Mr. Ring** asked the Minister for Foreign Affairs his views on whether a bilateral deal with the US involving the two Governments agreeing a similar number of work visas for each country can be achieved; and, if so, his further views on whether a waiver for the undocumented Irish in the US to avail of such visas can be achieved. [6877/06]

389. **Mr. Ring** asked the Minister for Foreign Affairs if an assurance will be given that all elected representatives who visit America on 17 March 2006 will make clear that solving the issue of the undocumented Irish is of the highest priority. [6878/06]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 386 to 389, inclusive, together.

The Government attaches the highest priority to the issue of the undocumented. We raise our concerns in all of our contacts with US political leaders and emphasise the importance of addressing the situation in a positive and sympathetic way. We welcome President Bush's engagement on this issue and the Taoiseach and I look forward to discussing the matter with him when next we meet him.

It is clear that legislating for immigration reform and the situation of undocumented people presents US legislators with a formidable challenge. The debate currently under way in the US Congress highlights the sensitive and divisive nature of this issue. Some members of the US Congress, for example, are strongly opposed to any proposals which would allow undocumented people the opportunity to regularise their status.

As the Deputy is aware, the US Senate has before it a number of proposals. Indications are

that the Senate Judiciary Committee will discuss the immigration issue again in early March. The proposals before them include the Bill sponsored by Senator Kennedy and Senator McCain, as well as the Kyl-Cornyn Bill and a compromise text proposed by Senator Specter, chairman of the Senate Judiciary Committee.

While the Government's primary focus at present has to be on the current legislative proposals before Congress, and in particular on trying to ensure that the core elements of the Kennedy-McCain Bill are contained in any final compromise text that emerges, we keep under ongoing review the possibility of other approaches that might improve the situation of our undocumented. Overall, and against a background of huge domestic sensitivity in the US on the immigration issue, the situation requires the most rigorous ongoing monitoring and assessment. The Deputy can be assured that the Government's views will be conveyed at the highest levels in the United States over the St. Patrick's Day period.

Northern Ireland Issues.

390. **Mr. Kenny** asked the Minister for Foreign Affairs if, prior to sending a personal message to the Colombian Foreign Minister reiterating the desirability of facilitation of the early departure from Colombia of persons referred to by him in Question No. 3 of 19 May 2004, his attention had been drawn to the fact that the persons were participating in the exchange of know-how in terrorism and explosives for massive amounts of cash, apparently to be spent on distorting democratic processes here; and if he will make a statement on the matter. [6338/06]

Minister for Foreign Affairs (Mr. D. Ahern): In the case referred to by the Deputy, the initial decision of the court on 26 April 2004 was to acquit the individuals concerned on the charge of training terrorists. It also permitted that they be released from prison under "conditional freedom". Due to serious concerns for the safety of the three men, my predecessor sent a message on 30 April 2004 to the Columbian Foreign Minister stressing our concern for their safety and suggesting that the facilitation of the early departure of the three men from Columbia was the best way to assure their security. The decision to send the message to the Columbian Foreign Minister was taken exclusively on consular grounds, in light of the concerns for the safety of the men.

As the Deputy will be aware, the Office of the Prosecutor General lodged an appeal against the initial court decision and the decision was overturned on 16 December 2004.

Procurement Policy.

391. **Mr. Kenny** asked the Minister for Foreign Affairs if his Department has a corporate pro-

curement plan; and if he will make a statement on the matter. [6345/06]

Minister for Foreign Affairs (Mr. D. Ahern): My Department has established a procurement management unit. One of its tasks is to prepare a corporate procurement plan, as recommended by the Department of Finance in its national public procurement policy framework document of May 2005. In accordance with the timeframe prescribed by the Department of Finance, the first corporate procurement plan for my Department will be adopted later this year. The plan will cover both Vote 28, Department of Foreign Affairs, and Vote 29, International Co-Operation, and will be prepared with the assistance and guidance of the Department of Finance.

Consultancy Contracts.

392. **Mr. Kenny** asked the Minister for Foreign Affairs the progress made within his Department in relation to reviewing existing contract specifications awarded by all Departments; and if he will make a statement on the matter. [6360/06]

Minister for Foreign Affairs (Mr. D. Ahern): The Department of Foreign Affairs is fully engaged in implementing the value for money measures announced by the Minister for Finance in his speech of 20 October 2005. One of those measures involves a requirement for Departments to review existing contract specifications for projects which exceed a value of €30 million. My Department is not involved in any projects above that threshold.

The Deputy may wish to note that the major capital project being undertaken by my Department in 2006 relates to the introduction of biometric features in passports. The passport biometric project is out to tender. At the contract stage, my Department will apply fully the range of performance criteria for such projects announced by the Minister for Finance. The project has also been the subject of a peer review process which will provide a further level of detailed examination and verification for such projects.

Irish Citizens Deportation.

393. **Caoimhghín Ó Caoláin** asked the Minister for Foreign Affairs if he has made representations to the US Government regarding the deportation of Irish citizens for minor road traffic offences such as driving without insurance; if he would do so if such a case were brought to his attention; and if he will make a statement on the matter. [6439/06]

Minister for Foreign Affairs (Mr. D. Ahern): Our missions in the United States, for whom the welfare of the undocumented Irish is of the highest priority, are not aware of any case of an Irish citizen being deported solely for the offence of

driving without insurance. However, there have been cases where Irish citizens have been arrested for such offences and then subsequently deported for being in the country without proper documentation. In this regard, and while Irish officials cannot interfere in the judicial processes of the United States, I can assure the Deputy that our missions offer every consular assistance to Irish citizens, including those before the courts and those facing deportation.

Birth Certificates.

394. **Mr. Perry** asked the Minister for Foreign Affairs the avenues which are available to a person to obtain his or her birth certificate (details supplied); and if he will make a statement on the matter. [6454/06]

Minister for Foreign Affairs (Mr. D. Ahern): To obtain the relevant birth certificate, the person in question should make contact with the certificate services section, General Register Office, PO Box 2, SOUTHPORT, PR8 2JD, telephone 0044 845 603 7788. In circumstances where a birth was not registered, there is a facility for late registration with the General Register Office at the address provided.

If, however, the General Register Office is unable to issue a birth certificate under this late registration process, the Passport Office may be able to accept alternative proof of Irish citizenship from the person in question. Should this option be required, the Deputy might ask the person in question to make contact with the Passport Officer, telephone no. 01 6733046, which would be happy to advise him on the best way forward.

Cuban Citizens.

395. **Mr. F. McGrath** asked the Minister for Foreign Affairs if a representative will be sent to the Miami five case hearings in the US; and the position regarding the case. [6467/06]

Minister for Foreign Affairs (Mr. D. Ahern): The case to which the Deputy refers relates to five Cuban citizens who were convicted in the US in 2001 on charges ranging from espionage to first degree murder. A panel of three judges from the 11th Circuit Court of Appeals in Atlanta overturned the 2001 convictions on 9 August 2005 and ordered a retrial based on new evidence. The Miami District Attorney duly filed an appeal against the decision of the 11th Circuit Court of Appeals. The appeal was heard on 14 February 2006 and the decision is expected by mid-April 2006.

As I have previously informed the House on a number of occasions, the Irish Government has no standing in this matter, which is a bilateral consular question between the US and the Cuban authorities and, consequently, I did not send a representative to the hearing.

International Agreements.

396. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will act as a broker in ending the US blockade of Cuba; and if he will use Ireland's international influence in dealing with this case. [6468/06]

Minister for Foreign Affairs (Mr. D. Ahern): The Government, in common with our partners in the European Union, believes that the US economic embargo on Cuba seriously hampers the economic development of Cuba and negatively affects all of its people. EU companies account for at least half of all Cuba's foreign trade, and the EU rejects unilateral measures against Cuba which are contrary to commonly accepted rules of international trade. In the United Nations General Assembly, Ireland and our EU partners again voted on 8 November 2005 in favour of the annual Cuban-tabled resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

The EU's policy on Cuba is as set out in the common position agreed on 2 December 1996, during the then Irish Presidency. The General Affairs and External Relations Council reaffirmed the validity of the 1996 common position on Cuba on 13 June 2005. The council's conclusions on Cuba, which were also adopted on 13 June 2005, reiterated that constructive engagement remains the basis of the EU's policy with the ultimate aim being to encourage a process of transition to pluralist democracy in Cuba. Unfortunately, the ongoing large-scale violation of human rights in Cuba and the unacceptable attitude of the Cuban Government towards some resident EU embassies in Havana are a serious

impediment to the further development of relations with Cuba.

Decentralisation Programme.

397. **Mr. Bruton** asked the Minister for Foreign Affairs the office or unit within his Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within his Department and associated agency who have chosen to decentralise with their parent organisation; and the number of people willing to move who have been assigned their new posts. [6669/06]

Minister for Foreign Affairs (Mr. D. Ahern): Under the Government's decentralisation programme, the Development Co-operation Directorate, DCD, of the Department of Foreign Affairs, currently based in Dublin, will decentralise to Limerick. This is scheduled to take place during the first quarter of 2007 and will involve the relocation to Limerick of 124 posts.

Already, a total of 26 posts in the directorate, including that of director general, are filled by officers who have signalled their intention to decentralise to Limerick. In addition, there are 15 officers serving elsewhere in the Department, mostly abroad, who have also expressed an interest in decentralising to Limerick. These officers will be assigned to the directorate on a phased basis. This total of 41 represents some 33% of the posts being transferred to Limerick. The process of recruiting further staff for Limerick via the central applications facility is also being accelerated. The aim is that, by the second half of 2006, most posts in the directorate will be filled by staff who will decentralise to Limerick.

Information regarding assignments is provided in the following tabular statement, as requested by the Deputy.

| Assignments to Development Co-operation Division for decentralisation | |
|--|----|
| Number of staff from within the Department who have opted to decentralise with the Directorate and are currently in situ in DCD: | 9 |
| Assignments made to DCD from the Central Applications Facility (CAF): | 11 |
| Assignments made to DCD from confined competition promotion panels for decentralisation: | 4 |
| Recruited for decentralisation: | 2 |
| Total Assigned to DCD to date: | 26 |
| Officers currently serving elsewhere in the Department who will transfer to DCD to decentralise: | 15 |
| Total number of officers currently serving in the Department who have signalled their intention to decentralise to Limerick: | 41 |

Passport Applications.

398. **Mr. Gilmore** asked the Minister for Foreign Affairs if, in view of the insistence by some countries that a passport is valid only if they are more than six months to the expiry date, he will

arrange to adjust the passport fee to reflect the fact that passport holders must now apply for passports more than six months before the expiry date. [6787/06]

Minister for Foreign Affairs (Mr. D. Ahern): Irish passports are normally issued with up to ten

years validity, though there are variations relating to the age of the applicant.

For travel to other EU member states, no minimum validity is required and the holder can travel on his or her passport up to its final day of validity. As regards non-EU countries, states impose varying immigration-visa regulations, including having a specific period of validity on one's passport.

It is a matter of regret that persons may, in some instances, have to change their passports with up to six months validity remaining. However, it would in my view impose an unreasonable and disproportionate administrative burden on the Passport Office to introduce a special regime in such cases. This would also include separating out a proposed new fee dimension for the above category, as distinct from changes for other purposes, for example, name change, damaged passport, etc., and for which the standard fee would be charged. Since my decision of 1 August 2005, passports for persons aged 65 and over are issued completely free of charge.

399. **Mr. Gilmore** asked the Minister for Foreign Affairs if, in view of the fact that no fee is charged for passports issued to persons aged over 65 years he will consider the position of persons who are close to the age of 65 and who are charged the full fee; his views on including in the three years passport category, persons who are aged 62-65 and including in the five year passport category, persons who are aged 60-62; and if he will make a statement on the matter. [6788/06]

Minister for Foreign Affairs (Mr. D. Ahern): The waiving of the passport fee for senior citizens, which I introduced with effect from 1 August last, was to further recognise the life-long contribution to society of our senior citizens. It builds on the existing free public transport, TV licence, telephone and electricity schemes for older people. All these schemes operate on the basis that they are available to those who have reached the required age.

In addition to the above, infants up to age three are issued with a three-year passport, and minors aged between three and 17 years are issued with a five-year passport. I believe all these arrangements are fair and innovative and, given the huge administrative burden on the Passport Office, some 750,000 passports are likely to be issued in 2006, I do not consider it reasonable or desirable to consider introducing further categories of fees at this time.

Election Observation Missions.

400. **Mr. O'Connor** asked the Minister for Foreign Affairs if Ireland intends to provide election monitoring personnel for the forthcoming Ukraine elections; and if he will make a statement on the matter. [7041/06]

Minister for Foreign Affairs (Mr. D. Ahern):

At the request of the Ukrainian Government, the Office for Democratic Institutions and Human Rights, ODIHR, in the Organisation for Security and Co-operation in Europe, OSCE, has established an election observation mission to observe the upcoming parliamentary elections in Ukraine, taking place on 26 March 2006. Participating states have been asked to second long-term and short-term observers to observe these elections.

The Department of Foreign Affairs has already arranged for one long-term observer from Ireland to take part in the OSCE-ODIHR mission, for a duration of ten weeks, and proposes to second a number of short-term observers, subject to agreement with the OSCE. I discussed the upcoming elections with the Ukrainian Foreign Minister, Mr. Borys Tarasyuk, during his visit to Ireland earlier this month. Minister Tarasyuk pointed to the fact that these elections would be an important test for Ukrainian democracy, and welcomed the fact that Ireland would be supporting the OSCE-ODIHR mission.

Consular Assistance.

401. **Mr. Allen** asked the Minister for Foreign Affairs the procedures which are applied, within his Department, when his Department undertakes to pay bail imposed by any court on an Irish citizen overseas; and if he will make a statement on the matter. [7084/06]

Minister for Foreign Affairs (Mr. D. Ahern):

Consular assistance is provided by my Department in a wide variety of circumstances and cases. However, my Department does not pay bail imposed by a court on an Irish citizen overseas. In certain cases, the Department of Foreign Affairs is prepared to advance funds to assist Irish citizens where this is judged to be urgent and necessary to ensure their security and safety, and where individuals concerned cannot gain immediate access to such funds. Funds are advanced based on an assurance of prompt repayment. All consular cases are assessed on a case-by-case basis, having regard to all the factors involved in each individual case.

My Department will continue to offer appropriate and sympathetic consular assistance to all Irish citizens abroad.

Human Rights Issues.

402. **Mr. Sargent** asked the Minister for Foreign Affairs if his Department has been contacted by the Council of Europe's Commissioner for Human Rights, Mr. Alvaro Gil-Robles, or other representatives of the Council of Europe, regarding the illegal transportation of prisoners through Shannon Airport; and if he will make a statement on the matter. [1232/06]

Minister for Foreign Affairs (Mr. D. Ahern):

The Department of Foreign Affairs has not been contacted in regard to this matter by Commissioner for Human Rights of the Council of Europe, Mr. Alvaro Gil-Robles.

Two investigations are under way under the aegis of the Council of Europe. The first is an investigation by Senator Dick Marty, a rapporteur appointed by the committee on legal affairs and human rights of the Parliamentary Assembly of the Council of Europe. The second takes the form of a questionnaire which has been sent to all member states of the Council of Europe by the Secretary General, Mr. Terry Davis.

In respect of the first investigation, the Department of Foreign Affairs has not been contacted by Senator Marty who, in his most recent information memorandum to the committee on legal affairs and human rights, accurately records the Government's "total condemnation" of the practice of extraordinary rendition.

In respect of the second investigation, as I informed the House on 14 December 2005, and more recently on 31 January 2006, the Government has co-operated fully with the secretary general's request, which he sent on 21 November 2005. Preparation of the Government's response has required input from a number of different Departments and Government bodies. This response, in which the Government emphatically answers in the negative the secretary general's questions on whether "unacknowledged deprivation of liberty" might have taken place in Ireland, is complete and was transmitted to the secretary general yesterday, before the deadline he had set.

Public Procurement Policy.

403. **Mr. Kenny** asked the Minister for Arts, Sport and Tourism if his Department has a corporate procurement plan; and if he will make a statement on the matter. [6346/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue):

The size of the Department and its limited direct purchasing requirements does not warrant the preparation of a formal annual procurement plan. Most of the Department's procurement is in the area of consultancies, IT and office systems and equipment and is conducted in compliance with Department of Finance guidelines for public procurement.

Departmental Contracts.

404. **Mr. Kenny** asked the Minister for Arts, Sport and Tourism the progress made within his Department in relation to reviewing existing contract specifications awarded by all Departments; and if he will make a statement on the matter. [6361/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue):

I take it that the Deputy is referring to the action taken in respect of contracts within my own Department arising from aspects of the address by the Minister for Finance to the Dublin Chamber of Commerce on 20 October 2005 on value for money and the peer review process for ICT projects over €5 million announced by the Government on 11 October last. Specifically, the address of the Minister for Finance of 20 October referred to formalised contracts review of projects over €30 million, retendering of extension of service contracts where the extension would be more than 50% of the original contract or would exceed €250,000, whichever is the lower.

While my Department administers and funds capital programmes involving grant aid to capital projects, the Department itself does not have capital projects over €30 million or ICT projects costing €5 million or more. As regards extension of service contracts, arrangements are being put in place in my Department to ensure compliance with the terms of the circular letter of the 25 January 2006 from the Department of Finance.

Sports Capital Programme.

405. **Mr. Durkan** asked the Minister for Arts, Sport and Tourism when a decision will be made on foot of an application under the sports capital grant scheme 2006 by a centre (details supplied) in County Kildare; and if he will make a statement on the matter. [6532/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue):

The national lottery-funded sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications for funding under the 2006 programme were invited through advertisements in the press on 27 and 28 November 2005. The closing date for receipt of applications was Friday, 20 January. All applications received before the deadline, including one from the organisation in question, are being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

Decentralisation Programme.

406. **Mr. Bruton** asked the Minister for Arts, Sport and Tourism the office or unit within his Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within his Department and associated agency who have chosen to decentralise with their parent organisation; and

the number of people willing to move who have been assigned their new posts. [6670/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): My Department, with the exception of the National Archives, will be transferring to Killarney under the Government's decentralisation programme. The number of first preference applications received under the central appli-

cations facility for approximately 130 posts exceeds the numbers required in the case of most of the grades.

The following table shows the number of internal and external assignments that have been made to posts in the Department that are decentralising to Killarney. Those who have been assigned already are officers who had Killarney as their first preference location on the central applications facility.

| Department of Arts, Sport and Tourism | |
|---|--|
| Number of posts in the Department that will decentralise to Killarney | 130 |
| Number of internal staff who have chosen to decentralise with the Department | 13 |
| Number of internal staff who have chosen to decentralise with the Department and who have been assigned to their posts | 12 |
| Number of external staff, who have chosen to relocate to Killarney, that have been taken in and assigned to their posts | 4 (9 further officers will be assigned in the next month) |

Three of my Department's agencies have also been selected to decentralise; the Sports Council to Killarney, Fáilte Ireland to Mallow and the Arts Council to Kilkenny. These agencies were

not identified as early movers. The following tables show details of staff who have been assigned in order to relocate to the designated locations.

| Irish Sports Council | |
|--|----|
| Number of posts in the agency that will decentralise to Killarney | 25 |
| Number of internal staff who have chosen to decentralise with the agency | 0 |
| Number of external staff, who have chosen to relocate to Killarney, who have been taken in and assigned to their posts | 7 |

| Arts Council | |
|--|------|
| Number of posts in the agency that will decentralise to Kilkenny | 43.5 |
| Number of internal staff who have chosen to decentralise with the agency | 0 |
| Number of external staff, who have chosen to relocate to Kilkenny, that have been taken in and assigned to their posts | 6 |

| Department of Arts, Sport and Tourism | |
|--|-----|
| Number of posts in the Department that will decentralise to Killarney | 130 |
| Number of internal staff who have chosen to decentralise with the Department | 13 |
| Number of internal staff who have chosen to decentralise with the Department and who have been assigned to their posts | 12 |

| Fáilte Ireland | |
|---|-----|
| Number of posts in the agency that will decentralise to Mallow | 178 |
| Number of internal staff who have chosen to decentralise with the agency | 0 |
| Number of external staff, who have chosen to relocate to Mallow, who have been taken in and assigned to their posts | 0 |

Sports Capital Programme.

407. **Dr. Upton** asked the Minister for Arts, Sport and Tourism the grants which are spon-

sored by his Department that would be appropriate to a club (details supplied); and if he will make a statement on the matter. [6858/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The national lottery-funded sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis. Applications for funding under the 2006 programme were invited through advertisements in the press on 27 and 28 November 2005. Application forms and guidelines, terms and conditions for the programme were available either directly from the sports capital unit of my Department or on-line on my Department's website, *www.dast.gov.ie*.

The deadline for receipt in my Department of application forms and all necessary supporting documentation was 5 p.m. on Friday, 20 January 2006. My Department has not received an application from the organisation referred to by the Deputy. All applications are assessed in accordance with the criteria detailed in the guidelines, terms and conditions of the programme. It is open to the club in question to make an application under future rounds of the sports capital programme and if it does so, such an application will be considered by my Department.

EU Charters.

408. **Aengus Ó Snodaigh** asked the Minister for Enterprise, Trade and Employment the reason the Government withheld information from the European Committee on Social Rights on the State's record in providing social and economic rights to its citizens in breach of its commitment to provide reports on its implementation of the revised European Social Charter since March 2004 to the Committee. [6553/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Council of Europe has standard reporting procedures regarding the revised social charter which apply to all contracting parties — that is, those member states that have signed and ratified the charter. Ireland signed and ratified the revised social charter on 4 November 2000. The revised social charter has 31 articles.

The reporting is done in a “two-cycle” process: (a) the nine “core” articles are Articles 1, 5, 6, 7, 12, 13, 16, 19 and 20 — these are the most important articles from the Council of Europe's perspective and were the subject of our first report on the implementation of the revised social charter, submitted to Strasbourg in May 2004 in respect of the period ending 31 December 2002; (b) the remaining 22 articles are the “non-core” articles of the revised social charter. These articles are the subject of our second report, due in 2004, on the implementation of the revised social charter. We have already submitted reports

on three of these articles to Strasbourg. The remainder of the articles will be reported upon as the material is received from Departments and agencies and edited by my Department.

In preparing reports, my Department consults both internally and with most other Departments in relation to updating material on any relevant legislative and/or administrative changes that have taken place which impact on our implementation of the revised social charter. Given the range of issues to be covered and the number of Departments to be consulted, gathering and clarifying up-to-date responses on a wide range of topics can be quite demanding, having regard to the steady growth in other reporting obligations on all Departments.

In light of the substantially increased reporting requirements under the revised social charter — involving 31 articles as opposed to 19 in the original social charter from 1961 — my Department undertook to review criticisms of Ireland made by the European Committee of Social Rights, which examines in detail, individual member states' reports on the implementation of the revised social charter, and how implementation might be made more effective in the future.

As part of this process, my officials had a meeting in Dublin on 4 October 2005 with a delegation from the Council of Europe, including its Secretariat and members of the European Committee of Social Rights. At that meeting, the delays in submitting our second and third reports on the implementation of the revised social charter were discussed. It was acknowledged by the Council of Europe delegation that some of the articles in our second report had already been submitted to Strasbourg. However, as we had in parallel done some work on our third report — which updates Ireland's reporting on the nine “core” articles for the period ending 31 December 2004 — my Department agreed to prioritise the completion of the third report before reverting to the completion of the second report.

The reason for this approach is that the third report is effectively an update of the first report on the nine “core” articles, and it was anticipated that this report could be completed quickly. In this regard, my Department now expects to submit the third report within the next few weeks. My Department will then complete the outstanding articles of the second report and this process should be completed over the coming months. Accordingly, no information will be withheld from the Council of Europe and it is the intention to eliminate backlogs in reporting developments as soon as possible.

I consider that the revised social charter is being properly implemented by Ireland, having regard to our national legislation and administrative practices. Any queries raised by the European Committee of Social Rights are, and will

continue to be, addressed as part of the reporting procedures laid down by the Council of Europe.

Consumer Entitlements.

409. **Mr. Hayes** asked the Minister for Enterprise, Trade and Employment the steps he will take in the case of a person (details supplied) in County Tipperary who received a holiday voucher as a gift for Christmas, and which will not be honoured as the travel company who issued it went into receivership days after its being issued. [6931/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I understand from inquiries made that the company named is part of a larger travel company which went into creditor's voluntary liquidation on 15 December 2005.

The liquidation of a company involves the cessation of the company's activities, the realisation of its assets and the payment of the company's creditors to the extent possible. The travel voucher would appear to fall into the ranking of unsecured creditors in the winding up process. The owner of the travel voucher should make the liquidator aware of the company's liability under the voucher.

Company Closures.

410. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the implications for consumers here in the event of more oil or other fuel companies exiting the Irish market; and if he will make a statement on the matter. [7064/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Consumers benefit from competition in the market and the Government is committed to fostering competition in all sectors of the economy. Should any oil or fuel company decide to exit the market, I would expect that there would be a high level of interest in the business being sold and many suitable prospective bidders. However, any such acquisition would be subject to regulatory clearance by the Competition Authority under the merger provisions of the Competition Act 2002.

411. **Mr. Bruton** asked the Minister for Enterprise, Trade and Employment the policy measures which have been put forward for consideration in view of concerns regarding operations previously undertaken here relocating to other countries; and the assessment he has undertaken of the various policy options. [6339/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The phenomenon of global-

isation is changing the way economic production is organised the world over. Lower barriers to trade and improvements in transport technology are increasing the specialisation of production, resulting in a global supply chain. Products consumed today are most likely the result of production in several countries, with the package indicating only the location of final assembly. Our experience of this globalising trend has been a largely positive one, and Ireland is now one of the most open economies in the world, with a large merchandise trade surplus.

The shift in the structure of international trade does pose challenges to economic policy makers. In particular, the act of "moving up the value chain" as set out in the Enterprise Strategy Group report, sometimes results in the moving of production from Ireland. More attractive cost environments abroad will inevitably entice some firms that are unable to generate their required return from the modern enterprise economy into which we are evolving, but where relocation has occurred to date, it has largely been confined to relatively low technology, labour-intensive activities.

One of the principal tasks of my Department is to ensure that Ireland continues to be an attractive place to do business, and to help foster economic competencies higher up the value chain. In that regard, we have made significant attempts to maintain and enhance our framework competitive conditions, and to promote new areas of competitive advantage such as by developing our research and development base. Our priority is the creation of sustainable employment — such employment will be driven by companies with higher profitability that are more technologically advanced and prove a better fit with the competitive characteristics of our economy, and that are consequently less likely to move on the basis of simple cost influences.

Ireland has so far shown itself to be sufficiently flexible and adaptable to move to higher value-added activities, providing quality, sustainable jobs. In large companies, this process of transformation often stimulates a reallocation and retraining of staff within the company. Encouraging such ongoing internal reorganisation in the face of international competition and continuing to encourage companies to undertake more sophisticated activities is a key policy governing the activities of the enterprise development agencies.

To support workers in acquiring the necessary skills to allow them the flexibility to take up new opportunities as they emerge, we are developing the national skills strategy, which will have as a central aim the task of updating our skills policies to ensure that Ireland is equipped with a flexible, skilled workforce.

[Mr. Martin.]

I welcome the recent ICTU outsourcing statement, which recognised the importance of outsourcing to raising Irish living standards, and I echo its call to maintain labour market flexibility and promote training as a means to ensure that the benefits of international trade and investment are enjoyed by all.

Departmental Contracts.

412. **Mr. Kenny** asked the Minister for Enterprise, Trade and Employment if his Department has a corporate procurement plan; and if he will make a statement on the matter. [6347/06]

413. **Mr. Kenny** asked the Minister for Enterprise, Trade and Employment the progress made within his Department on reviewing existing contract specifications awarded by all Departments; and if he will make a statement on the matter. [6362/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 412 and 413 together.

My Department will prepare a corporate procurement plan during the course of 2006. Following the Minister for Finance's speech late last year on achieving value for money, the Department of Finance issued guidelines requiring that formalised contract reviews be undertaken by Departments of projects costing over €30 million. There are no projects undertaken by my Department which come near that level of expenditure. None the less, my Department is very conscious of the need to achieve value for money in all aspects of the expenditure of public resources. To that end, all projects of any significant size will normally have a project manager and a project steering group to ensure that the projects deliver on agreed commitments.

On IT projects, which are probably the largest single area of contract expenditure by my Department, all such projects are agreed on a fixed price basis with clear and specific deliverables and are subject to continuing oversight. In the case of IT service or support contracts which run for more than one year, it is Departmental policy to include a clause in the contract document that provides for a formal review of the contract after a particular time interval. Such contracts are reviewed in accordance with the terms laid down in the contract agreement.

Construction Industry Fatalities.

414. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment the number of fatalities on construction sites in 2004 and 2005; if an assurance will be given that the deceased were fully trained in respect of their

work; and if he will make a statement on the matter. [6406/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I understand from the Health and Safety Authority that there were 23 construction fatalities in 2005, plus one further fatality from the transport, storage and communications sector that occurred on a construction site. Of these 23 fatalities, 21 were employees, one was a member of the public and another was a non-construction worker. In 2004 there were 16 construction fatalities, plus two fatalities from other sectors that occurred on construction sites.

In accordance with the Safety, Health and Welfare at Work Act 2005 and the Safety, Health and Welfare at Work (Construction) Regulations 2001, there is a duty on employers to ensure that their employees have been trained to a standard appropriate to the level of work they are undertaking. Furthermore, the construction regulations set specific standards of training for all construction workers for operations of a general nature in construction and lay down additional specific requirements for persons working in potentially high-risk areas, such as the erection of scaffolding and the operation of many different types of plant and machinery.

If, in the course of an investigation into a fatal accident, evidence comes to light that a deceased worker was not adequately trained and, in particular, if there is evidence that this alleged lack of training contributed to the accident under investigation, such evidence will be brought to the attention of the Office of the Director of Public Prosecutions. Prosecution for such an offence, which is a matter for the director to decide, could lead to a criminal conviction, a substantial monetary penalty and/or a possible term of imprisonment.

Health and Safety Authority inspectors have investigated these fatalities in 2004 and 2005 and in many of the cases a file was prepared for consideration by the Director of Public Prosecutions.

On safety training in the construction industry in general, to date almost 500,000 people have received training in the Safe Pass safety awareness programme. This programme is required under the Safety, Health and Welfare at Work (Construction) Regulations 2001 for all workers on construction sites, or workers who are likely to work on such sites. In addition, more than 15,000 people per year have received construction skills certification scheme training or certification as specified by the regulations for activities such as scaffolding, plant driving, roofing and slinging/signalling.

Redundancy Payments.

415. **Mr. Bruton** asked the Minister for

Enterprise, Trade and Employment his views on providing a lump sum, for example a redundancy lump sum, for people who have to cease work due to ill health; and if he will make a statement on the matter. [6420/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): As a general rule, a redundancy situation exists where an employer requires fewer employees to do work of a particular kind; a company goes into liquidation or receivership; it is decided to rationalise or reorganise a company; or where a company closes down. Other examples could include partial closing down of a company; a decrease in an employer's requirements for workers with particular skills or qualifications; or an employer requiring fewer employees due to an economic recession. Ill health alone is not a valid reason for redundancy.

Redundancy is related to the job, not the person concerned. If the employee's job is gone, then he is redundant unless he can be accommodated elsewhere in the place of employment.

Under the existing statutory redundancy legislation, an employee who is absent from work on grounds of ill health can be made redundant provided a genuine redundancy situation exists in the employment and the employer is willing to make him or her redundant, since it is the employer who decides, in the first instance, who should be made redundant. The redundancy would need to occur within four years of the date of termination of employment in order to fall within the insurability provisions of the Redundancy Payments Acts 1967 to 2003.

Employment Appeals Tribunal Awards.

416. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment further to Questions Nos. 121 to 124, inclusive, of 9 February 2006 the reason it took a three-month period for the enforcement unit of his Department to complete general preparatory work for the institution of legal proceedings against a company (details enclosed); his plans to shorten such preparatory periods; and if he will make a statement on the matter. [6486/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The enforcement unit of the Department deals with the enforcement of both Labour Court and employment appeals determinations, and generally has approximately 100 cases in various stages of preparation for referral to the Office of the Chief State Solicitor to institute legal proceedings.

As indicated in previous replies concerning the case under reference, following receipt of the request from the employee for enforcement of the determination, in January 2003 a letter

enclosing a copy of the determination was sent, by registered post, to the employer. In accordance with due process, this letter informed the employer that if payment was not made, the matter would be referred to the Office of the Chief State Solicitor for the initiation of legal proceedings.

The process of referral to the Office of the Chief State Solicitor requires that certain procedures be completed depending on the particulars of each case. These procedures require interaction with third parties, for example, An Post, the Companies Registration Office, the Department of Social and Family Affairs and law search firms. These firms carry out searches in the Land Registry, Registry of Deeds, sheriff's office and judgement office.

On receipt of responses from these parties the case was then referred to the Chief State Solicitors Office in early April 2003.

It is critical that the information and evidence presented at a court hearing be accurate and correct in order to have a successful outcome. The activities outlined above must therefore be undertaken diligently and thoroughly and this process can accordingly take some time to complete. The Department has no function or control over the service providers mentioned above and cannot regulate the time taken by them to provide the information requested by the Department.

417. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment further to Questions Nos. 121 to 124, inclusive, of 9 February 2006 his views on amending the insolvency payments scheme in order that employees of struck-off companies would receive awards under the scheme when their employer has failed to honour Employment Appeals Tribunal awards; and if he will make a statement on the matter. [6487/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The insolvency payments scheme operates under the Protection of Employees (Employers' Insolvency) Acts 1984 to 2004, which give effect to EU Directive 80/987/EEC as amended by Directive 2002/74/EC. The scheme provides for the payment of certain unpaid entitlements due to an employee — including various Employment Appeals Tribunal awards — where an employer has become legally insolvent as defined in the legislation, but it does not cover situations where an employer has simply ceased trading without becoming legally insolvent or has been struck off the register of companies.

Since the introduction of the 1984 Act, a number of comprehensive examinations have been undertaken into the possibility of extending the scope of the legislation to cover such situations. The matter involves a number of com-

[Mr. Killeen.]

plex issues, extending into company, bankruptcy and insolvency law and other areas, and legal advice was obtained in the course of the examinations. However, it has not been found to be possible, for legal and other reasons, to extend the legislation and the scheme to cover these situations.

418. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment further to Questions Nos. 121 to 124, inclusive, of 9 February 2006 if he intends to amend the existing legislation in order that directors of struck-off companies who have failed to honour Employment Appeals Tribunal awards made against them would be prevented from being or seeking to be directors of another company; and if he will make a statement on the matter. [6488/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The disqualification of a person from serving as a company director is a serious matter which can only be determined by a High Court judge on application by the Director of Corporate Enforcement or, in certain instances, other specified parties.

It is a matter for the Director of Corporate Enforcement to determine which cases he pursues. The Deputy may wish to make a formal complaint to the Director of Corporate Enforcement supplying the details of the unfulfilled liabilities in regard to the specific case he has raised.

It is recognised that there is an issue with regard to creditor proceedings against a company which has been struck off. The Company Law Review Group, CLRG, established pursuant to Part 7 of the Company Law Enforcement Act 2001, is engaged in developing proposals for the reform and consolidation of the Companies Acts. In its first report the Company Law Review Group considered how the effects of strike-off might be mitigated for creditors and came up with a number of recommendations towards this end. The Department is currently drawing up the general scheme of the company law reform and consolidation Bill which will give effect to the CLRG recommendations and it is expected to bring the general scheme to Government for approval to draft the Bill proper later this year.

Work Permits.

419. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment if a person (details supplied) in County Clare could apply for a work permit for a South African as they have exhausted all other means of filling the position by a person within the enlarged EU; and if he will make a statement on the matter. [6504/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The work permit section of my Department has informed me that it has no record of any valid application in this instance. It should be pointed out, however, that incomplete and incorrectly completed applications, or applications for ineligible sectors or ineligible types of positions, are returned to the employer concerned.

I should add that, in the aftermath of EU enlargement, it is Government policy that employers should be able to source nearly all of their workforce needs from within the EU. Accordingly, it is in cases where exceptional levels of skill and qualifications are required for the job, and the employer has made meaningful attempts to find EEA nationals first, that my Department will consider work permit applications.

Health and Safety Inspections.

420. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment if the Health and Safety Authority is responsible for inspections of circuses; and if so, the number of inspections of circuses operating here that were carried out in 2005. [6555/06]

421. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment the body which is responsible for investigating health and safety issues in circuses when a member of the public or a circus worker is injured by a circus animal; if there was an investigation into an incident in June 2005 when a person (details supplied) was seriously injured; and if so, the findings of same. [6556/06]

422. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment if there was an investigation into incidents in June and July 2005 where a monkey in a circus bit persons (details supplied); and if so, the findings of same. [6557/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I propose to take Questions Nos. 420, 421 and 422 together.

The incident in June 2005, to which the Deputy refers, was investigated by the Health and Safety Authority and on the evidence available, legal proceedings were not initiated. The circus owner and the owner of the animal confirmed in writing to the authority that they have engaged the services of a professional safety adviser to review and update their safety procedures.

On the incident in July 2005, to which the Deputy also refers, there is no record of the matter being brought to the authority's attention.

The Health and Safety Authority did not carry out any other inspections of circuses in 2005.

The operation of circuses as places of entertainment does not come within the statutory remit of the Health and Safety Authority, which is concerned with the occupational safety, health and welfare of employees. The Safety, Health and Welfare at Work Act 2005 and relevant regulations apply to circuses as places of work and only, as such, are circuses subject to inspection under the provisions of that Act.

Where any risk is identified as a hazard at the workplace, employers are required under the 2005 Act to include a provision in their safety statement to deal with the problem. This applies to all workplaces including circuses.

Under section 12 of the Act, employers are also required to manage their workplace so that, as far as is reasonably practicable in the course of work being carried on, individuals, not being employees, are not exposed to risks to their safety, health and welfare.

Work Permits.

423. **Mr. G. Murphy** asked the Minister for Enterprise, Trade and Employment if an application for a work permit will be reopened for a person (details supplied); and if this person's D student visa will be extended or if they can be issued with a work permit for at least a year. [6570/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The work permit section of my Department refused an application in respect of the named non-EEA national on 1 February 2005 on the grounds that the proposed employee was here on a student visa, for which work permits are not issued. Following two appeals by the employer, this decision was upheld on 8 April 2005. There has been no further correspondence from the employer on the issue.

The Deputy will note that an individual in possession of a student visa is entitled to work for up to 20 hours per week without the requirement to hold a valid work permit.

424. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the fact that a person (details supplied) has applied for a work permit and that the company to which they have applied needs their services, that they have tried to recruit workers from here and EEA countries without success; if under these circumstances a work permit will be granted to this person; and if he will make a statement on the matter. [6581/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Department of Enterprise, Trade and Employment's work permit section refused an application in respect of

the named non-EEA national on 8 December 2005 on the grounds that the proposed employee was here on a D-visa stamp, for which work permits are not issued. The employer was notified of this decision and of the right to appeal in writing. An appeal has not yet been received. The Deputy will note that an individual in possession of a student visa is entitled to work for up to 20 hours per week without the requirement to hold a valid work permit.

Decentralisation Programme.

425. **Mr. Bruton** asked the Minister for Enterprise, Trade and Employment the office or unit within his Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within his Department and associated agency who have chosen to decentralise with their parent organisation; and the number of people willing to move who have been assigned their new posts. [6671/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Under the Government decentralisation programme, the Department of Enterprise, Trade and Employment is required to relocate 250 posts to new offices in Carlow. The Department's companies registration office, work permits unit, redundancy and insolvency payments section and employment rights enforcement bureau are relocating to Carlow. It is envisaged that information technology and service staff will be required in Carlow to support the business units listed above. I will give a breakdown of the number of people in each of the Department's internal units who have expressed an interest in relocating to the new offices in Carlow. These details are based on first preference and priority applications submitted to the central applications facility by 7 September 2004. Applications have been received from 17 people in the companies registration office, one person in the work permits unit, four people in the redundancy and insolvency payments section and eight people in the employment rights enforcement bureau. Some 11 internal staff in departmental offices in Dublin and 11 staff in Kilkenny, all of whom are not based in decentralising units, have also applied to relocate to Carlow. In addition, 12 staff have been recruited from various Public Appointments Service open panels on the condition that they will decentralise to Carlow with the Department.

I will outline the position in respect of the agencies under the aegis of the Department of Enterprise, Trade and Employment. Some 19 staff of Enterprise Ireland have chosen to decentralise with the agency, but nobody has been assigned a new post with the agency to date. Nine staff of FÁS have chosen to decentralise

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with the body and 53 people have been assigned a new post with that body to date. Eleven staff of the National Standards Authority of Ireland have chosen to decentralise with the authority and 11 people have been assigned a new post with that authority to date. Nine staff of the Health and Safety Authority have chosen to decentralise with the authority and 26 people have been assigned a new post with that authority to date.

Social Welfare Benefits.

426. **Mr. Wall** asked the Minister for Social and Family Affairs if his attention has been drawn to the concerns of a group (details supplied) in regard to recent Central Statistics Office figures and the effect that recent budgetary decisions are having on their job opportunities; and if he will make a statement on the matter. [6330/06]

435. **Dr. Cowley** asked the Minister for Social and Family Affairs the reason his Department has decided to impose an assessment on rent supplement for young single mothers participating in the Moving On programme for young mothers; and if he will make a statement on the matter. [6536/06]

439. **Mr. Stanton** asked the Minister for Social and Family Affairs the reason young mothers participating in community education initiatives, in particular a community education initiative in Carlow (details supplied), which are aimed at improving the educational qualifications of young mothers and supporting them in progressing from welfare dependency to sustainable employment, are having the training allowance they receive assessed as means for the purpose of secondary benefits; the reason this move will encourage this vulnerable group, many of whom only have a primary level education and who are three times more at risk of poverty than the rest of the population to participate in the initiative; if this change in assessment is in contradiction of Statutory Instrument Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 1995 Section 7 (ii)(III). [6693/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 426, 435 and 439 together.

The supplementary welfare allowance scheme, which includes rent supplement, is administered on my behalf by the community welfare division of the Health Service Executive. The purpose of the scheme is to provide short-term income support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. Neither I nor the Department of

Social and Family Affairs has any function in decisions on individual claims. Rent supplements are paid subject to a means test. Rent supplements are ordinarily calculated to ensure that an eligible person, after the payment of rent, has an income equal to the rate of supplementary welfare allowance appropriate to his or her family circumstances, less a minimum contribution of €13 which each recipient is required to pay from his or her own resources. However, people who take up certain opportunities, such as a place in the Moving On programme, are treated more favourably and may retain up to €75 per week of any additional income they receive. The recent budget improved their position. From January 2006, a weekly disregard of up to €60 per week is allowed and half of any additional income between €60 and €90 is also disregarded. Prior to the budget, there was no disregard of income above €60 per week. This type of additional income disregard was first introduced in budget 2000 and has been increased over the years to its current level.

Lone parents who participate in the Moving On programme are not penalised for doing so. For example, a lone parent with one child living in Carlow with rent of €150 per week, whose sole income is a one-parent family payment of €185.10 per week, would ordinarily receive rent supplement of €134.50 per week, resulting in a net after-rent income of €169.60 per week. If she takes up a place in the Moving On programme her total income before rent supplement and before paying rent would rise to €280.10 per week. In these circumstances, she would be entitled to €114.50 in rent supplement and her income after paying rent would be €244.60 per week. She would be €75 better off for having participating in the Moving On programme. I understand that up to September 2005, the rules of the scheme were not being applied correctly in some instances. However, participants in the Moving On programme have their income assessed correctly in the same manner as any other participant on a FÁS training course.

Supplementary welfare allowance, including rent supplement, is not payable to students. The purpose of the regulations to which the Deputy refers is to ensure that people participating in initiatives such as the Moving On programme are not prevented from receiving rent supplement on these grounds. However, the standard means test still applies. Deputies will appreciate that it would be anomalous if no means test was applied in such cases. The means test described above is used to determine the rate of supplementary welfare allowance payable and is not in conflict with the regulations to which the Deputy refers. The Central Statistics Office statistics referred to are those arising from the EU survey on income and living conditions. This is an annual survey that provides information on poverty, deprivation and social exclusion. The survey commenced in

Ireland in June 2003. The latest survey results, announced in December 2005, and reporting on 2004, are encouraging as they show that the greatly increased resources being devoted to social welfare and other social services are having a positive impact on poverty and social exclusion.

Results for the first two years of the EU survey, 2003 and 2004, show there has been a slight decrease in the percentage of persons at risk of poverty, based on the proportion of the population below an income threshold of 60% of median income, from 19.7% in 2003 to 19.4% in 2004. These figures represent a halting of the upward trend of previous years in the numbers in the broad category of being at risk of poverty. This is a particularly encouraging outcome from the survey. The results show a significant reduction in the consistent poverty rate from 8.8% in 2003 to 6.8% in 2004. The consistent poverty measure is used in this country to identify those experiencing basic deprivation. It is calculated by identifying people at risk of poverty — people with incomes below the 60% threshold — who are deprived of basic goods and services regarded as essential for living in Ireland today. An examination of the breakdown of the above figures shows that lone parent families experience the highest rates of being at risk of poverty and encountering consistent poverty — 48.3% and 31.1% respectively. While these figures represent a slight reduction on the survey results for 2003, they are still significantly higher than the average.

The national action plan against poverty and social exclusion represents the Government's main response to the problems of poverty and exclusion which are experienced by the most vulnerable groups, including lone parent families. It is generally accepted that for all people in working age households, the main route out of poverty is through employment. However, employment participation among lone parents in this country is among the lowest in the OECD. This is despite a number of developments, including huge employment growth in recent years, increased female participation in the workforce and the income disregards afforded to lone parents who take up employment under the Department's one-parent family payment. One of the key tasks in the Ending Child Poverty initiative under Sustaining Progress is to address the obstacles to employment for lone parents. As part of this work, a group was established in the Department to review the income support arrangements for lone parents. The Cabinet has approved the group's report, which will be published in the near future. It will be followed by a consultation process involving groups representing lone parent interests. It is my intention that the outcome of this review, together with initiatives already in place in the Department, will contribute to the development of proposals designed to better support and encourage lone parents and those seeking work in achieving a better standard of living,

employment and education opportunities, a better future for themselves and their children and a more appropriate social policy in the future.

427. **Mr. Bruton** asked the Minister for Social and Family Affairs if his attention has been drawn to the fact that persons who have been on sickness benefit for a period of years, who unsuccessfully seek to return to work, can be severely penalised by losing all entitlement to sickness benefit when they return to make a claim whereas if they had never sought to go back to work, they could have continued to receive sickness benefit indefinitely; if he will review this provision as it was never intended by the Houses of the Oireachtas that people who make a genuine attempt to become active again after a long period of illness should be penalised in this way; and if he will make a statement on the matter. [6307/06]

Minister for Social and Family Affairs (Mr. Brennan): Disability benefit is a social insurance payment made to people who are unable to work due to illness. To satisfy the PRSI contribution conditions and to underpin the contributory principle underlying the social insurance system, a person must have paid 52 contributions since entry into insurable employment, with 39 contributions paid or credited in the relevant contribution year and 13 contributions paid in a recent tax or contribution year. Alternatively, a person may have 26 contributions paid in the relevant income tax or contribution year and 26 contributions paid in the tax or contribution year prior to the relevant income tax or contribution year. Facilitating a return to work or participation in the active labour force is one of the main objectives of the social welfare system. There are a number of measures in place to provide people in receipt of disability benefit with supports to avail of employment as well as some fall-back measures if a return to work is not successful. In this regard, exemptions are available from the general "no work" conditions of the disability benefit scheme to allow people to take up rehabilitative employment, training or development opportunities. The exemptions are granted on the advice of the Department's medical assessors for a period of 12 months, but may be renewed for a further period, subject to review, if a person seeks an extension. Payment of disability benefit is retained in full while a person is availing of such exemptions.

Access to the back to work allowance scheme is available to persons who have been in receipt of disability benefit for a period of three years and provides tapered support for the first three years of employment, or four years in the case of self-employment. There are special administrative arrangements which allow a person in receipt of back to work allowance to qualify for his or

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her original rate of disability benefit if his or her attempts to return to employment are unsuccessful. If a person has been in receipt of disability benefit for five years or more and has a break in his or her claim of not more than 13 weeks, he or she can re-qualify for disability benefit at the same rate as that prior to the break in claim. If a break in the claim exceeds a period of 13 weeks, the person may be entitled to a reduced rate of disability benefit if he or she has to return to benefit as a result of illness. The means-tested disability allowance scheme is also available to people who are substantially restricted in undertaking employment because of illness or disability and do not have the relevant social insurance record. A recent review of the Department's illness and disability schemes recommended that a range of employment supports should be put in place for different groups, ensuring that clients are referred to the most suitable option, having regard to the nature of their illness or disability, age and social circumstances. The review sets out a strategic direction for policy development and its many recommendations are being examined in the Department, including those on strengthening employment supports. If the Deputy wishes to obtain further information on a particular case or situation, the Department will be happy to provide a response.

Corporate Procurement.

428. **Mr. Kenny** asked the Minister for Social and Family Affairs if his Department has a corporate procurement plan; and if he will make a statement on the matter. [6348/06]

Minister for Social and Family Affairs (Mr. Brennan): As I indicated in my reply to Question No. 819 of 25 January last, the Department of Social and Family Affairs is drawing up a procurement strategy, a key component of which will be an annual procurement plan, which will support the procurement strategy to ensure the Department continues to maximise the potential to deliver value for money in the area of procurement.

Departmental Contracts.

429. **Mr. Kenny** asked the Minister for Social and Family Affairs the progress made within his Department in relation to reviewing existing contract specifications awarded by all Departments; and if he will make a statement on the matter. [6363/06]

Minister for Social and Family Affairs (Mr. Brennan): The Department of Social and Family Affairs has a dedicated procurement section that advises on all aspects of procurement practice within the Department. The section maintains close contact with the Government contracts

committee and the Department of Finance's national public procurement policy unit to ensure that the procurement advice that is provided is of the highest standard. It also maintains a database of *pro forma* tender specifications which are tailored to reflect the unique and specific needs of particular contracts. This database is regularly reviewed and updated where necessary. The Department is aware that the Department of Finance is developing standardised contracts for use in construction projects but it does not have direct involvement in such contracts which are managed by the OPW.

Social Welfare Benefits.

430. **Mr. Bruton** asked the Minister for Social and Family Affairs his views on providing a lump sum, for example a redundancy lump sum, for people who have to cease work due to ill health; and if he will make a statement on the matter. [6421/06]

Minister for Social and Family Affairs (Mr. Brennan): There is no provision for a statutory lump sum payment to be made on cessation of employment due to ill health. The Department of Social and Family Affairs operates a number of schemes which provide income support to people who are unfit to work due to illness or disability. The payments include disability benefit and invalidity pension, which are social insurance based schemes. Eligibility for the schemes requires a minimum number of contributions paid and/or credited, as well as the fulfilment of relevant medical certification. The payments, which serve as income transfers in lieu of loss of earnings, are paid from contributions paid into the social insurance fund. As the aim of the schemes is to provide ongoing income support where the need has been demonstrated, it would not be appropriate to pay them in the form of a lump sum and no proposals of this nature are being considered as part of the social welfare system. The social insurance fund finances the statutory redundancy scheme which is under the responsibility of the Minister for Enterprise, Trade and Employment. A redundancy situation arises if an employee's job no longer exists and he or she is not being replaced. However, if a redundancy situation arises when an employee is absent on sick leave, the employee may apply to his or her employer to avail of the redundancy situation and received a statutory redundancy lump sum payment and any other payment provided voluntarily by the employer. In practice many employees make personal provision towards private health insurance plans which provide for lump sum payments. Income tax concessions may be due in respect of contributions paid to the private health protection plans.

431. **Mr. Penrose** asked the Minister for Social and Family Affairs if, in view of the budget 2006 announcement, extending the period of the carer's benefit from 15 to 24 months, when this will operate from; if the extended period of nine months will apply to those already in receipt of the carer's benefit; if his Department has not made contact with or finalised its discussions with the employers involved; if approval for same has been secured; and if he will make a statement on the matter. [6423/06]

Minister for Social and Family Affairs (Mr. Brennan): The maximum duration of the carer's benefit scheme is 65 weeks. Provision was made in budget 2006 to extend the duration of the scheme by nine months to two years in respect of each care recipient. To facilitate carers who will exhaust their 65 weeks of carer's benefit, I have made provision in the Social Welfare Law Reform and Pensions Bill 2006 to implement the improvement from 7 December last, which means that the extension in the duration of the carer's benefit scheme will apply to anyone in receipt of carer's benefit on or after 7 December 2005 if they continue to meet the conditions for entitlement. The carer's leave scheme, which allows for the protection of carer's employment rights for the duration of the caring period, will also be extended to two years from the date of enactment of the Bill, which provides for this improvement in respect of employers who commence the leave on or after the date of enactment. The scheme is the responsibility of my colleague, the Minister for Enterprise, Trade and Employment. Any issues relating to it are matters for the Department of Enterprise, Trade and Employment.

Social Welfare Appeals.

432. **Mr. Ring** asked the Minister for Social and Family Affairs when an oral hearing will be held for a person (details supplied) in County Mayo. [6424/06]

Minister for Social and Family Affairs (Mr. Brennan): The person's claim for carers allowance was refused by a deciding officer on the grounds that the care recipient was not so invalided or disabled as to require full-time care and attention as laid down in the carer's allowance legislation. The person appealed against the decision to the social welfare appeals office. The case has been referred for consideration to the appeals officer who will decide if an oral hearing is necessary. Under social welfare legislation, decisions on claims must be made by deciding officers and appeals officers who are statutorily appointed. I have no role in regard to making such decisions.

Pension Provisions.

433. **Dr. Upton** asked the Minister for Social

and Family Affairs if a person reaching the age of 65 years in June 2042 will still be eligible for the perks available to those in receipt of the old age pension in 2006, for example the household benefits package. [6484/06]

Minister for Social and Family Affairs (Mr. Brennan): The household benefits package, which comprises the electricity and gas allowance, telephone allowance and television licence schemes, is generally available to people living permanently in the State aged 66 years or over who are in receipt of a social welfare payment or who satisfy a means test. The package is also available to carers in receipt of a carer's allowance and people with disabilities under the age of 66 who are in receipt of certain welfare payments. People aged over 70 years can qualify regardless of their income or household composition. Widows and widowers aged from 60 to 65 whose late spouses had been in receipt of the household benefits package retain that entitlement to ensure that households do not suffer a loss of entitlements following the death of a spouse. The operation of the household benefits package will be kept under review in the context of the objectives of the scheme and budgetary resources. However, it is impossible to say with certainty the social welfare benefits for which a person reaching retirement age in 2042 will qualify, as that will be a matter for the Government of the day.

Social Welfare Benefits.

434. **Ms Shortall** asked the Minister for Social and Family Affairs if the case of a person (details supplied) in Dublin 11 will be examined as a case of poor reconciliation between welfare and work policies whereby taking up employment in a community employment scheme only has a marginal increase in their net income; and the reason a person in these circumstances does not qualify for the back to school allowance. [6519/06]

Minister for Social and Family Affairs (Mr. Brennan): Social welfare programmes aim to be responsive to the needs of those who depend on income maintenance support while providing incentives to assist people to become more independent financially, particularly through employment. People, including one-parent families, are entitled to retain certain social welfare and other secondary benefits in total or in part for the duration of the employment scheme, subject to certain conditions. An income limit of €317.43 per week applies to the retention of secondary benefits. Alternatively, they may qualify for secondary benefits under the standard rules of the scheme in question, which is often a more beneficial option for lone parents on rent. A number of positive measures have been introduced in recent years to assist in the transition from welfare to work, including special means

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disregards, tapered withdrawal of benefits as earnings increase, and employment support schemes such as the back to work programme. In budget 2006, I improved the standard assessment rules governing the rent supplement scheme to ensure that a lone parent who takes up a training or employment opportunity will be financially better off having done so. Participants on certain employment and training courses, such as a community employment scheme, have the first €60 per week of additional income and half of any additional income between €60 per week and €90 per week disregarded. Any PRSI and reasonable travelling expenses are also disregarded in the means test. A lone parent on rent supplement who takes up a community employment opportunity will be €75 per week better off as a result. This amounts to €3,900 over a full year, although I recognise that child care expenses, if they are incurred, could reduce that net benefit.

The back to school clothing and footwear allowance scheme provides a one-off payment to eligible families to assist with the extra costs when their children start school each autumn. From June 2006, an allowance of €120 is payable in respect of qualified children aged from two to 11 years, or €190 in respect of qualified children aged from 12 to 22 years. Applications may be made between the beginning of June and the end of September each year. In January 2006, I provided for an improvement in the standard means test for the allowance by increasing the income limits. A person may qualify for the payment if they are in receipt of a social welfare or health board payment, are participating in an approved employment scheme or attending a recognised education or training course and have household income at or below certain specified levels. While community employment is one of the qualifying schemes for the purposes of the scheme, a person who has income from one-parent family payment and community employment will not qualify on means grounds. However, a person in such circumstances who is on rent supplement is still significantly better off for having taken up a com-

munity employment place. The back-to-school clothing and footwear allowance and rent supplement schemes are administered on my behalf by the community welfare division of the Health Service Executive. Neither I nor the Department of Social and Family Affairs has any function in decisions on individual claims. The Dublin and mid-Leinster area of the HSE has advised me that the person concerned last received a back to school clothing and footwear allowance payment in July 2003. The HSE has further advised that no application has been received since then. The HSE also advised that no claim has been received for a rent supplement.

Question No. 435 answered with Question No. 426.

Decentralisation Programme.

436. **Mr. Bruton** asked the Minister for Social and Family Affairs the office or unit within his Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within his Department and associated agency who have chosen to decentralise with their parent organisation; and the number of people willing to move who have been assigned their new posts. [6672/06]

Minister for Social and Family Affairs (Mr. Brennan): Under the Government's decentralisation programme for the civil and public service, the HQ sections of the Department of Social and Family Affairs and the social welfare appeals office are scheduled to relocate to six locations — Sligo, Carrick-on-Shannon, Donegal, Buncrana, Carrickmacross and Drogheda. The Combat Poverty Agency and Comhairle, which operate under the aegis of the Department, are scheduled to relocate to Monaghan and Drogheda, respectively, under the programme. The information listed below is based on applications from departmental staff recorded on the Central Applications Facility for each of the locations. The facility will remain open for new applications until the full decentralisation programme is complete.

| Locations (HQ Areas) | No. of Posts | Applications from DSFA Staff |
|----------------------------------|--------------|------------------------------|
| Sligo | 91 | 42 |
| Carrick-on-Shannon | 225 | 197 |
| Drogheda — HQ | 215 | 201 |
| Drogheda — IS Division | 225 | 113 |
| Donegal | 230 | 40 |
| Buncrana | 120 | 17 |
| Carrickmacross | 85 | 35 |
| <i>Agencies</i> | | |
| Drogheda — Comhairle | 85 | 1 |
| Monaghan — Combat Poverty Agency | 25 | 4 |

Social Welfare Benefits.

437. **Mr. Stanton** asked the Minister for Social and Family Affairs the amount awarded in class D PRSI contributions each year from 2000 to 2005; the benefits and entitlements available to people contributing to class D; and if he will make a statement on the matter. [6690/06]

Minister for Social and Family Affairs (Mr. Brennan): PRSI class D contributors provide social insurance coverage for permanent and pensionable employees in the public services, excluding those recruited after 6 April 1995, registered doctors and dentists employed in the Civil Service, gardaí or commissioned Army officers and members of the Army nursing service. Public servants recruited on or after 6 April 1995 are liable to pay PRSI contributions at the ordinary class A rate. As a consequence the number of contributors at PRSI class D is falling. The table shows the numbers of contributors in each of the contribution years from 2000 to 2004 and the combined total of social insurance and health contributions paid in respect of those employments. It is estimated that health contributions accounts for approximately 37% of these totals. Accordingly, this portion would not serve as income to the social insurance fund. In 2000 there were 116,817 contributors paying at this contribution class, whereas by 2004 this had fallen to 98,902, a decrease of almost 16%. The amount paid shows that over the same period the amount of contributions paid has risen by 16%, which reflects the general increases in earnings over the period. Figures in respect of 2005 are not yet available.

The system of PRSI contributions, which includes payment of the health levy where appropriate, operates using a range of tiered contribution rates which vary for employer and employees corresponding to weekly non-cumulative thresholds and a weekly non-cumulative PRSI allowance, subject to an annual cumulative ceiling on employee contributions. The tiered PRSI contributions and allowances link the percentage of PRSI payable to the level of reckonable earnings in a given contribution week to ensure that the system is largely progressive up to the value of the annual ceiling. The contributions payable by an employee determine the range of benefits and pensions towards which contributors can build up entitlement. Employments liable for class D contributions are at a lower modified insurance rate of 3.25%, whereas the PRSI class A contributions, which is generally payable in the private sector is 14.75%, excluding the health contribution. The reduced rate of contribution reflects the fact that employments covered at the modified rate are in respect of permanent and pensionable positions. Employees are covered by their employer for occupational pensions and sick pay during illness, and social insurance protection

for these payments is generally not required. Subject to having the required number of PRSI contributions, employees who pay class D contributions are entitled to widow's and widower's contributory pension; orphan's contributory allowance; occupational injuries benefits; bereavement grant and carer's benefit.

CLASS D, contributors and PRSI paid 2000-2004

| Year | Number of Contributors | Contributions Paid† |
|-------|------------------------|---------------------|
| | | € |
| 2000 | 116,817 | 211,192,850 |
| 2001* | 111,829 | 173,923,800 |
| 2002 | 108,872 | 239,313,950 |
| 2003 | 105,329 | 247,086,777 |
| 2004 | 98,092 | 243,739,333 |

† Includes social insurance and health contributions.

* Short year as PRSI/Tax Year aligned with calendar year.

Health Contribution.

438. **Mr. Stanton** asked the Minister for Social and Family Affairs the amount collected under the two per cent health contribution each year from 2000 to 2005; if he can provide figures for the number of people who were eligible for a refund under the refund scheme each year from 2000 to 2005; the number of people who applied for a refund of the health contribution under the refund scheme for each year respectively; the number who were successful in their application; the amount refunded each year respectively; and if he will make a statement on the matter. [6691/06]

Minister for Social and Family Affairs (Mr. Brennan): The health contribution levy was introduced by the Health Contributions Act 1979 and came into effect on 6 April of that year. The contributions are levied on income at a percentage rate set in pursuance of this and subsequent Health Contributions Acts and the income collected is paid to the Minister for Health and Children. Subject to an earnings threshold, currently €22,800 per annum, and certain exceptions, the levy is applicable to all persons over the age of 16 with reckonable income. The current rate of contribution is 2% of gross income. The health contributions are collected through the PAYE system as part of a person's employment contribution and are paid to the Revenue Commissioners by employers. The contributions are transmitted to the Department which, in turn, remits them to the Department of Health and Children. The Department's PRSI refunds section is responsible for the refund of any health contributions paid in error by those excepted from liability for the contribution by virtue of

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being the holders of medical cards; being in receipt of certain social welfare pensions or being below the income threshold. This refund work is performed by the Department on behalf of the Department of Health and Children. The figures for the amount collected for the years 2000-05 are set out in table 1, while the figures for the numbers who received a refund of their health contribution and the amount of these refunds for the years 2000-05 are in table 2. The Department does not have information on the number of people who may be eligible for refunds, or for the total numbers who claimed refunds.

Table 1

The amount of Health Contributions collected in the years 2000-2005

| Year | Amount Collected | Notes |
|------|------------------|----------------------------------|
| | €m | |
| 2000 | 620.2 | Final figure (Apr 2000-Apr 2001) |
| 2001 | 764 | Final Figure (Apr 2001-Dec 2001) |
| 2002 | 701.4 | Final Figure |
| 2003 | 793.7 | Final Figure |
| 2004 | 822 | Provisional Figure |
| 2005 | 979 | Provisional Figure |

Table 2

The number of successful applications and total amounts of Health Contributions refunded in the years 2000-2005

| Year | Number of successful applications | Total amounts refunded |
|------|-----------------------------------|------------------------|
| | | € |
| 2000 | 3,003 | 1,180,249.93 |
| 2001 | 2,287 | 1,058,465.42 |
| 2002 | 3,084 | 1,149,557.90 |
| 2003 | 3,318 | 1,011,407.80 |
| 2004 | 5,172 | 1,526,868.80 |
| 2005 | 3,873 | 1,364,133.63 |

Question No. 439 answered with Question No. 426.

Pension Provisions.

440. **Mr. Moloney** asked the Minister for Social and Family Affairs the position regarding the issue on the branch managers' association retirement gratuity. [6956/06]

Minister for Social and Family Affairs (Mr. Brennan): My Department currently has 66 social welfare branch offices at various locations

throughout the country. Each branch office is operated and managed by a branch manager who is required to act as an agent for the Department in the area served by the office. Subject to having completed seven years satisfactory service a branch manager who retires on age, that is, at 60 or over, on health grounds, following the abolition of the office or who dies in service may be paid a retirement gratuity. The branch managers' association is seeking changes in the rules governing the payment of retirement gratuities to its members. The changes being sought are under consideration in the context of discussions with the association and my Department will be in touch with the association again shortly.

441. **Ms Shortall** asked the Minister for Social and Family Affairs if he will address the apparent anomaly whereby a person in receipt of a carer's allowance who is caring for a spouse in receipt of a blind person's pension cannot avail of the ten hours per week in paid employment as all but the first €7.60 of the carer's income from employment will be deducted from the blind person's pension; if other social assistance payments are affected in this way; if, notwithstanding improved arrangements due in September 2006, his views on introducing an income disregard similar to that operating for the carer's allowance in order that carer's in these circumstances are not discouraged the respite and dignity of paid employment. [7027/06]

Minister for Social and Family Affairs (Mr. Brennan): The carer's allowance is a social assistance payment which provides income support to people who are providing certain older people or people with a disability with full-time care and attention and whose incomes fall below a certain limit. Provision was made in the budget to increase the income disregard on the carer's allowance means test to €580 per week for a couple from April 2006. This will ensure that a couple with no dependent children can have income of up to €32,625 per annum and still receive the maximum rate of carer's allowance. The same couple will be able to earn up to €52,200 and receive the minimum rate of carer's allowance as well as free travel, the household benefits package and the respite care grant.

In the recent budget, provision was also made to increase the amount of the respite care grant from €1,000 to €1,200 from June 2006, and to increase in the number of hours a carer can work from ten hours to 15 hours per week from April 2006. In the case of the means test for the blind pension, the couple's combined total means, including earnings from employment, are initially established and half of the total means are assessed in respect of entitlement to a blind pension. Where the means so calculated are less than €7.60 per week, a blind pension is payable at the maximum rate and a reduced rate pension is pay-

able where means are in excess of €7.60 per week and below €171.70. Therefore, in the particular case at issue, half, as distinct from all, of the income of the carer would be assessed for the purposes of determining the entitlement of the other spouse to a blind pension, in the event that the carer takes up employment.

There are currently two social welfare payments made to people with disabilities, namely, disability allowance and blind pension. Both are payable where an individual's employment capacity is substantially restricted as a result of their disability but blind pension is directed towards people with one specific disability. In the case of the means test for disability allowance, €88.88 per week, increasing to €100 per week from September, of a spouse's earnings is disregarded and the payment is reduced on a tapered basis where earnings are in excess of this figure. Accordingly, in the event of the carer in this particular case taking up employment, it may be more advantageous for the blind pensioner to claim disability allowance from my Department.

In this context, it should be noted that the working group on the review of illness and disability payment schemes examined the current duplicated welfare provision arrangements for persons with disabilities. The group, in its examination of the two schemes in the treatment of couples, noted, *inter alia*, that where a spouse has earnings from employment, couples are generally treated more favourably under the disability allowance means test. The group, in its report published in 2004, recommended that there should be one single means-tested scheme for persons with disabilities, regardless of the nature of their disabilities. In this context, the blind pension scheme should be merged into an adapted disability allowance scheme, subject to appropriate arrangements being put in place to preserve the existing entitlements of persons in receipt of blind pension.

By any standards, the enhancements introduced over the last two budgets for carers have been exceptional while unprecedented levels of increases have been made to personal weekly rates of payment for all social welfare recipients. Further modernization and improvements will be a matter for consideration in the context of the budget for 2007 and in the light of available

resources. In this context, the future development of the blind pension and disability allowance schemes will have regard to the recommendations of the working group on the review of illness and disability payment schemes.

Family Support Services.

442. **Mr. Kehoe** asked the Minister for Social and Family Affairs the number of people in receipt of rent allowance or supplement in an area (details supplied); the gender percentage of same; and if he will make a statement on the matter. [7032/06]

443. **Mr. Kehoe** asked the Minister for Social and Family Affairs the number of people in receipt of rent allowance or supplement in an area (details supplied); the gender percentage of same; and if he will make a statement on the matter. [7033/06]

444. **Mr. Kehoe** asked the Minister for Social and Family Affairs the number of people who are receiving rent allowance or supplement in an area (details supplied); the gender percentage of same; and if he will make a statement on the matter. [7034/06]

445. **Mr. Kehoe** asked the Minister for Social and Family Affairs the number of people on rent allowance in an area (details supplied); the gender percentage of the recipients; and if he will make a statement on the matter. [7035/06]

Minister for Social and Family Affairs (Mr. Brennan): I propose to take Questions Nos. 442 to 445, inclusive, together.

The supplementary welfare allowance scheme, which includes rent supplement, is administered on my behalf by the community welfare division of the Health Service Executive. The purpose of the scheme is to provide short-term income support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. Neither I nor my Department has any function in decisions on individual claims. The information requested the Deputy is shown in the following tabular statement.

Number of rent supplements awarded in County Wexford by Sex — 17/2/06

| PQ Reference No. | Male | | Female | | Total | |
|------------------|---------|----|---------|----|---------|-----|
| | Awarded | | Awarded | | Awarded | |
| | | % | | % | | % |
| 7032 | 331 | 40 | 490 | 60 | 821 | 100 |
| 7033 | 110 | 42 | 154 | 58 | 264 | 100 |
| 7034 | 162 | 36 | 283 | 64 | 445 | 100 |
| 7035 | 146 | 39 | 229 | 61 | 375 | 100 |

[Mr. Brennan.]

Rent supplements are provided through the supplementary welfare allowance scheme which is administered by the community welfare division of the Health Service Executive. As of 17 February 2006 the number of people nationwide in receipt of rent supplement was 60,217. Expenditure and recipients of rent supplement from 2000 to 2005 is as follows:

| Year | Expenditure | Recipients |
|---------------------|-------------|------------|
| | € 000 | |
| 2000 | 150,590 | 42,683 |
| 2001 | 179,438 | 45,028 |
| 2002 | 252,340 | 54,213 |
| 2003 | 331,470 | 59,976 |
| 2004 | 353,760 | 57,874 |
| 2005 ⁽¹⁾ | 368,705 | 60,176 |

⁽¹⁾ Expenditure in 2005 is provisional.

Road Traffic Offences.

446. **Mr. Kehoe** asked the Minister for Transport his views on the fact that only 19 people have been disqualified from driving for attaining the maximum number of penalty points; his further views on whether this is a reasonable reflection of the level of driving offences being committed on roads here; and if he will make a statement on the matter. [6331/06]

447. **Mr. Kehoe** asked the Minister for Transport if his attention has been drawn to the fact that there appears to be a situation arising whereby drivers who have attained the maximum number of penalty points are not being disqualified from driving; the measures which will be put in place to ensure this situation will be addressed; and if he will make a statement on the matter. [6332/06]

450. **Mr. Kehoe** asked the Minister for Transport the number of people with 12 penalty points who have physically submitted their licence for endorsement by the licensing authority; and if such persons were off the road for the required six month period. [6325/06]

451. **Mr. Kehoe** asked the Minister for Transport the facilities which are in place for the physical application of penalty points on current driving licences; the degree of cooperation between the Department of Environment, Heritage and Local Government and An Garda Síochána PULSE system concerning same. [6326/06]

456. **Mr. Perry** asked the Minister for Transport the way in which penalty points and endorsements are noted on current driving licences; the procedures which takes place with An Garda Síochána PULSE system and the national driving file concerning same; the number of people in Counties Sligo and Leitrim who have penalty points; the number of points and the offences relating to same; the number who are disqualified from driving due to having 12 penalty points; if there are motorists who have 12 penalty points but are not disqualified; and if he will make a statement on the matter. [6383/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 446, 447, 450, 451 and 456 together.

I refer the Deputy to the reply to Question No. 354 on 7 February 2006.

In accordance with the provisions of section 2 of the Road Traffic Act 2002, penalty points are endorsed on the entry in the licence record relating to the person and not on the driving licence. The Department of the Environment, Heritage and Local Government, on receipt of notifications from the Garda Síochána or the Courts Service that a fixed charge has been paid, or a person has been convicted of a penalty point offence, endorses the licence record in the national driver file with the appropriate number of penalty points and issues a notification to the person concerned. The Department of the Environment, Heritage and Local Government has advised that at 17 February 2006, 21 licence holders had accumulated 12 points, 16 of whom were disqualified at that date and five of whom have been notified that they will be disqualified with effect from 28 days after the date of the notice that they had accumulated 12 points. In addition, there are 28 drivers whose disqualification period of six months has expired and who are no longer disqualified.

Any driver who accumulates 12 points is disqualified for a period of six months under section 3 of the Road Traffic Act 2002 and is directed, under section 5 of that Act to surrender his or her licence to the licensing authority that granted the licence. There is no information available on the drivers who have surrendered their licences to licensing authorities. The matter of cooperation between the Department of the Environment Heritage and Local Government, which holds and administers the national driving file and the Garda Síochána PULSE system is a matter for that Department and the Garda Síochána.

The following tables show the number of people with Sligo and Leitrim driver numbers who have penalty points on 31 January 2006 and the offences to which they relate.

| County | Number of Drivers | | | | | | | | | | | | Total |
|---------|-------------------|-------|--------|--------|--------|--------|--------|--------|--------|---------|---------|-----------|-------|
| | 1 P.P. | | 3 P.P. | 4 P.P. | 5 P.P. | 6 P.P. | 7 P.P. | 8 P.P. | 9 P.P. | 10 P.P. | 11 P.P. | 12 P.P. * | |
| Sligo | | 2,519 | | 348 | 3 | 59 | | 8 | | 4 | | | 2,941 |
| Leitrim | | 1,201 | | 169 | 1 | 31 | | 9 | | 2 | | | 1,413 |

| County | Offence Types | | | | | | | | | Total |
|---------|---------------|---|------------------|--------------|-------------------------|-----------------------------------|---------------------------------------|----------------------------------|--------------------------------------|-------|
| | Speeding | Dangerous Driving reduced to Careless Driving | Careless Driving | No Insurance | No Safety Belt — Driver | No Safety Belt Front Seat — Child | No Child Restraint Front Seat — Child | No Safety Belt Rear Seat — Child | No Child Restraint Rear Seat — Child | |
| Sligo | 3,285 | | | 3 | 147 | 4 | | 6 | | 3,445 |
| Leitrim | 1,483 | | 1 | | 175 | 8 | | 5 | | 1,672 |

EU Regulations.

448. **Mr. Stanton** asked the Minister for Transport further to the Merchant Shipping Passenger Boat Manning Regulations 2005 his plans to bring forward further specified standards or syllabi; the progress in introducing a boatman's licence; and if he will make a statement on the matter. [6696/06]

449. **Mr. Stanton** asked the Minister for Transport further to the Merchant Shipping Passenger Boat Manning Regulations 2005 if he has satisfied himself that the regulations and proposed certification take into account the needs of commercial/work boat operators; his plans to add to the list of appointed organisations under the regulations; and if he will make a statement on the matter. [6697/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 448 and 449 together.

The Merchant Shipping (Passenger Boat) Regulations 2005 were signed into law last October and will come into effect on 1 April 2006. The regulations require all skippers of passenger boats to hold a valid certificate for the appropriate class of vessel and a commercial endorsement verifying that the skipper has attained the standard specified in marine notice 27 of 2005 in respect of personal survival techniques, first aid and medical fitness. I have no proposals to add to the standards in the marine notice at this time. I have appointed the Irish Sailing Association as an appointed body for the purpose of issuing certificates and commercial endorsements under the regulations. In addition to the appointment of the ISA, agreement has now been reached with BIM and the National Maritime College of Ireland to appoint both organisations under the regulations subject to approval by the Further Education and Training Awards Council.

This is a key initiative in my Department's ongoing safety programme and builds on the regulations that were introduced in 2002 setting

down standards for the construction of, and safety equipment to be carried on passenger boats. The regulations have been introduced following a consultation process with interested parties. They also address one of the recommendations in the report of the Marine Casualty Investigation Board into the loss of the *Pisces* at Fethard-on-Sea in July 2002 when five people lost their lives.

I am confident that the introduction of these new regulations, as they stand, will enhance safety and will offer assurance to the public that when they pay to be carried on a passenger boat that those in charge of the vessel are appropriately trained and certified.

Question Nos. 450 and 451 answered with Question No. 446.

EU Directives.

452. **Mr. Kenny** asked the Minister for Transport if supertrucks are barred from entering this jurisdiction; and if he will make a statement on the matter. [6327/06]

Minister for Transport (Mr. Cullen): EU law on maximum weights and dimensions for vehicles is set out in Directive 96/53/EC. Under that directive, which has been fully implemented by Ireland, a member state may not prohibit the use, in its territory, of vehicles from another member state which comply with the authorised maximum weight and dimension limits set down in the directive. The directive specifies four metres as the limit value for vehicle height. Consequently, provided a vehicle registered in a member state is 4 m or less in height, every member state must permit that vehicle to operate on its territory. A member state may, however, prescribe a higher limit on its territory.

Ireland does not impose any height limit on goods vehicles at present but the question of whether to prescribe such a limit is currently being examined in my Department. That examination includes consideration of the submissions received from interested parties in response to

[Mr. Cullen.]

public consultation on the subject. I intend to make a decision on the matter shortly. In the event that it is decided to introduce a statutory height restriction for goods vehicles it will be necessary to submit the draft regulations to the European Commission for consideration and for referral to other member states in accordance with the technical standards and regulations directive, Directive 98/34.

State Airports.

453. **Mr. P. Breen** asked the Minister for Transport the measures he has taken or proposes to take to alleviate public fears regarding the safety record of low-cost carriers at Shannon Airport and other airports; and if he will make a statement on the matter. [6328/06]

Minister for Transport (Mr. Cullen): The Irish Aviation Authority has, since its establishment in 1994, been responsible for the safety regulation of Irish airlines, including low-cost carriers at Shannon Airport, in accordance with the requirements of current European and international standards. The authority exercises continuous surveillance on Irish airlines, including low cost airlines at Shannon Airport, in accordance with those requirements. I am satisfied that the authority applies the current European and international requirements.

Public Procurement Policy.

454. **Mr. Kenny** asked the Minister for Transport if his Department has a corporate procurement plan; and if he will make a statement on the matter. [6349/06]

Minister for Transport (Mr. Cullen): I refer the deputy to my answer to Question No. 886 of 25 January 2006. A corporate procurement plan is currently being prepared by my Department.

455. **Mr. Kenny** asked the Minister for Transport the progress made within his Department in relation to reviewing existing contract specifications awarded by all Government Departments; and if he will make a statement on the matter. [6364/06]

Minister for Transport (Mr. Cullen): I can advise the Deputy that the process of reviewing contracts has commenced and my Department will comply fully with the recent amendments to the guidelines for public procurement and for the appraisal and management of capital expenditure proposals in respect all existing contracts, including Information Technology contracts.

Question No. 456 answered with Question No. 446.

Foreign Registered Cars.

457. **Mr. Bruton** asked the Minister for Transport his estimate of the number of vehicles on roads here which are registered for motor tax and other purposes outside of Ireland; if the penalty point system applies to drivers who are temporarily resident here; if he is satisfied that the type of motor insurance required in their home countries gives the legal cover required on roads here; and if he will make a statement on the matter. [6413/06]

Minister for Transport (Mr. Cullen): The Department of Transport has no figures on how many vehicles registered outside the State operate on our roads. Under the EU motor insurance directives that have been adopted by all member states, it is mandatory for drivers of mechanically propelled vehicles in the EU, when driving in a public place, to be insured for third party liability. Furthermore, an insurance policy extends to covering the motorist against third party liability when he or she drives in another EU member state.

Outside of the EU, Ireland, along with over 40 other countries, is a member of the green card system. This system facilitates the movement of vehicles across international borders by the use of an internationally acceptable document proving the existence of insurance, the green card or international insurance card. This ensures that victims of foreign registered vehicles are not disadvantaged.

I would also like to point out that all victims of uninsured driving, whether the driver of the uninsured vehicle is Irish or a non-national, are entitled to compensation through the Motor Insurers Bureau of Ireland, MIBI, which is funded through our motor insurance premia. MIBI is part of a European organisation, Council of Bureaux, which facilitates common insurance arrangements to permit international vehicle movement across Europe. In particular MIBI acts as insurer of foreign vehicles in Ireland to facilitate Irish citizens who have been involved in an accident with a foreign motorist. Any victims of vehicles identified as not registered in this State and not insured will be compensated by the MIBI who will then seek recompense from the home bureau of that vehicle.

If a penalty points offence is committed, penalty points will be recorded on the national driver file in the name of the person concerned, irrespective of nationality or residence.

Road Safety.

458. **Mr. Sargent** asked the Minister for Transport if he envisages that in accordance with the guidelines he has issued in respect of the application of a special speed limit of 30 km/h, local authorities can properly designate 30 km/h speed limits in new areas, to take effect as soon as the

area is opened to the public or taken in charge or declared a public road, or if the guidelines are intended to prevent such decisions to designate in advance of construction. [6558/06]

Minister for Transport (Mr. Cullen): The making of special speed limit by-laws to apply a special speed limit of 30 km/h must be carried out in accordance with the guidelines that I issued in April 2005 and the procedural steps for consultation, notice, etc., set out in the Road Traffic Act 2004. The speed limit structures under the 2004 Act only apply to public roads so the timing of the making of special speed limit by-laws and the commencement date for the application of a 30 km/h special speed limit in any particular area are matters for determination by the individual city council or county council.

State Airports.

459. **Mr. P. Breen** asked the Minister for Transport if, in view of the controversy generated by the massive sizes of Irish red safety areas, on his recent visit to Singapore he examined such airport safety issues with particular regard to whether similar two-dimensional ground safety areas exist at Changi Airport that handled over 32 million passengers in 2005 and has two parallel runways each of which is 4,000 m long; and if he will make a statement on the matter. [6577/06]

Minister for Transport (Mr. Cullen): On my recent visit to Singapore I visited Changi Airport. However, the question of red safety areas at Changi Airport was not on the agenda for the programme of my visit to the airport and, accordingly, this issue was not discussed.

460. **Mr. P. Breen** asked the Minister for Transport further to Parliamentary Question No. 359 of 7 February 2006 and in regard to his recent comments on a programme (details supplied) that the law is the law and that anybody who breaks the law breaks the law; his views on whether his Department and Aer Rianta in particular displayed utter contempt for the planning laws arising from the commercial operation of the unauthorised car parks in question where several thousand cars were regularly present over several summer periods in the 1990s; and if he will make a statement on the matter. [6578/06]

Minister for Transport (Mr. Cullen): As previously stated, I understand from the Dublin Airport Authority that the use of the area in question for the provision of car parking facilities was an operational decision required to alleviate serious congestion at the airport during peak travel periods. I understand that it was a temporary, emergency measure to cater for overflows from the main car parks during the peak summer season. This was a normal day-to-day operational matter for Aer Rianta for which it was not con-

sidered necessary to seek the approval of the Department. I understand that the only alternative to this short-term expedient would have been for cars to park on the public roads, with the attendant safety implications.

461. **Mr. P. Breen** asked the Minister for Transport the various flood attenuation measures his Department undertook or oversaw in order to eliminate or make provision for the potentially damaging effects of the associated large volumes of surface water run-off on both the local environment and individual properties along the banks of the Wad stream in view of the various substantial infrastructural developments, inclusive of massive paved areas, that have taken place at Dublin Airport prior to 1 January 1998; and if he will make a statement on the matter. [6579/06]

Minister for Transport (Mr. Cullen): The matter referred to by the Deputy falls within the day-to-day responsibilities of the Dublin Airport Authority, DAA. However, I understand from the DAA that the surface water run-off from the SR Technics hangar and associated apron pavement and car parks discharges into the Wad stream. On-site attenuation works were constructed as part of these developments whereby the run-off is restricted during storm events and the excess surface water is stored in an adjacent flood plain. Planning permission has been received for a further scheme and design work has commenced with a view to early implementation of the works

Decentralisation Programme.

462. **Mr. Bruton** asked the Minister for Transport the office or unit within his Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within his Department and associated agency that have chosen to decentralise with their parent organisation; and the number of people willing to move who have been assigned their new posts. [6673/06]

Minister for Transport (Mr. Cullen): I refer the Deputy to my previous answer to Question No. 128, answered on Wednesday, 1 February 2006 in which I set out the position in full. Letters of offer are currently being issued and staff will be assigned to decentralisation posts as soon as possible.

Road Traffic Offences.

463. **Mr. Curran** asked the Minister for Transport if, in relation to the new 31 penalty points announced and the one that will incur penalty points on failure to comply with prohibitory traffic signs this new offence includes failure of heavy goods vehicles to comply with three-tonne restriction signs. [6786/06]

Minister for Transport (Mr. Cullen): The proposed penalty point offence of failure to comply with prohibitory traffic signs to which the Deputy refers relates to the offences specified in Article 23 of the Road Traffic (Traffic and Parking) Regulations 1997, S.I. No. 182 of 1997. Article 23 offences relate to non-compliance with the traffic signs which indicate that traffic must not proceed in the directions indicated by the arrows on the signs, that is traffic must not maintain the same direction, must not turn right or must not turn left.

Provisions for imposition of a weight restriction on vehicles entering a road are set out in Article 17 of these 1997 regulations. The restriction does not apply where it is necessary for a vehicle to enter a road solely for the purpose of gaining access or egress from premises accessible only from that road. The offence of contravening Article 17 is not scheduled in the Road Traffic Act 2002 to be a penalty point offence but it is one of the offences to which I propose to extend the fixed charge system in April.

Port Development.

464. **Ms O. Mitchell** asked the Minister for Transport the progress which has been made in relation to the consultancy report of a company (details supplied) on unitised sea freight; the rationale for this study; the cost of this study; when same will be completed; and if he will make a statement on the matter. [6860/06]

Minister for Transport (Mr. Cullen): The rationale for the study referred to by the Deputy is outlined in the Government's ports policy statement, published in January 2005. The policy statement aims to better equip the port sector and its stakeholders to meet national and regional capacity and service needs. One of the key challenges that lies ahead is the provision of adequate in-time port capacity, particularly for unitised trade. The policy statement sets out a framework to ensure that capacity needs are identified, planned and progressed in a co-ordinated manner.

In September 2005 the Department appointed a firm of consultants expert in this field, Fisher Associates, to *inter alia* invite detailed project submissions from the commercial ports and evaluate those submissions. As part of this process the Department expects that the ports currently handling unitised trade will shortly be making submissions to Fisher Associates.

The purpose of this process is to satisfy the Government that the anticipated capacity requirement to 2014 and beyond can be efficiently and adequately met through the successful advancement and implementation by the port sector of some combination of the projects. The anticipated total cost of the study is €140,075 including VAT and expenses. It is envisaged that

the final report of Fisher Associates will be finalised before the summer.

School Transport.

465. **Mr. O'Dowd** asked the Minister for Transport the number of privately purchased school coaches in use. [6906/06]

Minister for Transport (Mr. Cullen): My Department has no role in respect of the purchase of school buses. My Department does, however, licence professional bus operators. Applicants who meet the EU criteria for access to the profession of good repute, financial standing and professional competence are issued with a road passenger transport operator's licence. There are currently some 1,800 licences held. I am not in position to say how many of these operators engage in private school transport arrangements. This is a matter for the day-to-day operations of each business.

Public Transport.

466. **Mr. O'Dowd** asked the Minister for Transport the measures which are being taken to increase the frequency and passenger carrying capacity of trains from Ashtown train station to Dublin. [6907/06]

Minister for Transport (Mr. Cullen): Railway services on the western commuter line, which serves Ashtown, have been upgraded substantially in recent years with the introduction of new railcars on the route and improvements to the timetable. These have facilitated a great increase in capacity and frequency of service on the line. Further railway upgrade projects, including the proposed new railway station at the docklands and city centre resignalling, are both due to get under way this year. The electrification of the line as far as Maynooth as provided for in Transport 21 will enable the provision of a DART-type service.

Aer Lingus.

467. **Ms O. Mitchell** asked the Minister for Transport if a decision has been made to sell a portion of Aer Lingus in order to top up the existing pension fund; and if so, if it is necessary to refer this decision to the EU Commission for approval under the State aid guidelines. [6949/06]

Minister for Transport (Mr. Cullen): On 18 May 2005 the Government agreed to the State disposing of a majority shareholding in Aer Lingus and retaining a stake of at least 25% to protect strategic interests provided that the Minister for Finance and I are satisfied that this level of disposal is warranted on foot of the analysis prepared by the Departments' advisers for the transaction. Following a competitive tender pro-

cess UBS and AIB Capital Markets were appointed to provide financial advice and assistance to both myself and the Minister for Finance in relation to an Aer Lingus sale or investment transaction. William Fry and Freshfields Bruckhaus Deringer were appointed as legal advisers for the assignment.

The first phase of the advisers' work was to recommend the most appropriate transaction mechanism and advise on the size and timing of a transaction. Pensions are among a range of issues that were considered by the advisers during the first phase of their work. The advisers have submitted their report and this is currently being considered by me and the Minister for Finance. No decision has been taken in the terms implied in the Deputy's question.

Air Services.

468. **Ms Shortall** asked the Minister for Transport the responsibilities of the Irish Aviation Authority in respect of ensuring adequate security regimes for passengers boarding flights at Irish airports; the regulations in relation to airline staff checking passenger passports immediately prior to boarding flights; the action which the Irish Aviation Authority will take on foot of the widespread disregard for such checks by an airline as alleged in a Channel 4 programme (details supplied); and if he will make a statement on the matter. [6970/06]

Minister for Transport (Mr. Cullen): My Department and not the Irish Aviation Authority has overall responsibility for civil aviation security and for overseeing compliance with EU aviation security obligations in the State. The Channel 4 programme did not raise any specific compliance issues in relation to the implementation of security requirements by the airline concerned at airports in the State. The airline concerned is subject to the security requirements of the host state when operating in jurisdictions outside the State.

EU Regulation 2320/2002 obliges airlines to implement baggage reconciliation requirements to ensure that the passenger who checked in baggage for a particular flight is the same passenger who boards the flight concerned. The application of these baggage reconciliation requirements by airlines at airports in each member state is a matter for each state to consider. The Department is following up a number of issues raised by the Channel 4 programme with the airline concerned. It is not the practice on security grounds to comment on the application of aviation security measures by airlines.

469. **Ms Shortall** asked the Minister for Transport the regulations covering airline pilots working hours and minimum rest periods; the precise manner in which those regulations are enforced; if it is possible for pilots to make confidential

complaints regarding breaches of those regulations by the management of an airline; the number of complaints which the Irish Aviation Authority has received in each year since its inception and the outcome in each case; the action which he intends to take on foot of allegations of excessive working hours by pilots in a recent television programme (details supplied); and if he will make a statement on the matter. [6971/06]

Minister for Transport (Mr. Cullen): The regulation of pilot working hours and rest is a matter for the Irish Aviation Authority, IAA, under the functions conferred on it by the Irish Aviation Authority Act 1993, as amended. The IAA has informed my Department that flight time limitations relating to flight crew are required for international aviation under the terms of annex 6 to the Chicago Convention, which is one of the annexes delegated to the IAA in the Schedule to the Act. The manner in which the regulations are enforced is a matter for the IAA.

Accordingly, complaints regarding the flight time regulations or breaches thereof should be addressed to the IAA. The authority has informed my Department that it has received very few formal complaints of that nature from individuals, but that representations have been made from time to time by pilot associations. Such enquiries as have been made by individuals concerned the interpretation of existing rules which the IAA dealt with by way of clarification rather than enforcement. The IAA will respect the confidential nature of any complaint when requested. However, if enforcement action were required, then the identity of the complainant might become known in the course of enforcement proceedings.

Legislation is currently being prepared in my Department to implement the European directive on occurrence reporting in civil aviation. That directive provides that member states may opt to establish a confidential reporting system, and the feasibility of establishing such for the whole Irish aviation industry to include operators, air traffic management providers, maintenance and airport personnel is being considered in the process of transposing this directive.

Finally, the IAA advises me that there was no evidence of excessive working hours by pilots in the recent Channel 4 television programme, but that on the contrary, the programme made it clear that pilots were working within their hours.

Departmental Surveys.

470. **Mr. Ring** asked the Minister for Transport if he will publish a study (details supplied); if so, when same will be published; if he will provide a copy; and if a public consultative process on its findings as had been promised in the past will be initiated. [7086/06]

Minister for Transport (Mr. Cullen): Arrangements are in train to publish the study on the Department of Transport's website shortly. At that stage, an opportunity will be afforded for the making of comments in regard to the findings of the study. Interested parties who wish to make comments may do so by contacting the Department. In the meantime, I am arranging to have a printed copy forwarded to the Deputy for his information.

Public Procurement Policy.

471. **Mr. Kenny** asked the Minister for Community, Rural and Gaeltacht Affairs if his Department has a corporate procurement plan; and if he will make a statement on the matter. [6350/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The position is as stated in my reply to Question No. 928 of 25 January 2006.

Consultancy Contracts.

472. **Mr. Kenny** asked the Minister for Community, Rural and Gaeltacht Affairs the progress made within his Department in respect of reviewing existing contract specifications awarded by all Government Departments; and if he will make a statement on the matter. [6365/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I assume that the Deputy is referring to a review by all Government Departments, as directed by the Minister for Finance, of existing contract specifications for projects above €30 million with a view to incorporating strict performance criteria. My Department does not have any projects above €30 million at this time.

There is also provision for peer review of ICT project contracts where the development and roll-out costs exceed €5 million. My Department does not have any ICT projects above €5 million at this time.

Community Development.

473. **Mr. Bruton** asked the Minister for Community, Rural and Gaeltacht Affairs the reason funds agreed under the youth facilities service fund have not been fully released to a project (details supplied) in Dublin 5; and if he will make a statement on the matter. [6405/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): As I stated in my answer to question no. 236 of 15 February, the centre in question has received substantial funding of €3,221,647 from the young people's facilities and services fund to cover construction and fit out costs. I understand

that a small saving was made in the main construction costs. However, this funding is being used on the ongoing further capital development of the centre.

Additionally, funding for the employment of a centre manager, a youth worker, an administrator and a porter-cleaner was sanctioned from the fund, as well as a contribution towards the running costs of the youth element of the facility. The amount allocated to the provision of the above services for the youth element of this centre to date is €543,550. Furthermore, the centre continues to receive an annual allocation under the young people's facilities and services fund to cover the above staffing and running costs. Having regard to the above, I am convinced that the young people's facilities and services fund is generous in its support to this centre for the provision of youth services and programmes.

474. **Mr. Perry** asked the Minister for Community, Rural and Gaeltacht Affairs when the funding will be issued for a company (details supplied) in County Sligo; the reason for the delays; and if he will make a statement on the matter. [6451/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department received a request for payment from Sligo Leader Partnership Co. Ltd., in respect of the company in question on 23 January 2006. All the requisite documentation in support of the claim was not provided and Sligo Leader has been requested to forward the outstanding papers to progress the claim. As soon as the necessary documentation is received, the CLÁR funds will issue.

475. **Mr. Perry** asked the Minister for Community, Rural and Gaeltacht Affairs the funding which is available from his Department for the refurbishment of a hall (details supplied) in County Sligo; and if he will make a statement on the matter. [6452/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The programme of grants for locally-based community and voluntary organisations is funded by my Department and supports the activities of local voluntary and community groups. The programme consists of three schemes: one makes funds available for small scale refurbishment of premises. This is complemented by a second scheme to provide for the purchase of essential equipment including IT equipment. The third scheme provides for education, training and research grants. Grants of up to 90% of the cost are available under this programme.

The programme is advertised annually in the national and provincial newspapers. This year's programme will be advertised in the coming months. I have arranged for a copy of the appli-

cation form and guidelines to be sent to the group in question as soon as they become available should they wish to make an application under this year's scheme.

Funding for a project such as this may be available under the enhancement of the natural-built cultural social environmental measure of the Leader programme. Further information on funding possibilities are available from the local Leader company.

476. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs if funding will be provided to an organisation (details supplied) in County Mayo; and if his Department will review this refusal decision in this case in view of the benefit to the community of this organisation. [6483/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): An application was received by my Department from the organisation in question under the 2005 programme of grants for locally-based community and voluntary organisations.

Each application received under the programme was assessed by Pobal on behalf of my Department by reference to the criteria set out in the published guidelines, and scored accordingly. The application from the organisation in question failed to achieve a sufficiently high score to enable it to be considered for funding on this occasion. A request for a review of the original assessment of the application has been received by my Department and I expect a decision on the matter in the coming weeks.

477. **Mr. McHugh** asked the Minister for Community, Rural and Gaeltacht Affairs if approval will be given to an organisation (details supplied) in County Galway for two additional people under the community services programme; and if he will make a statement on the matter. [6543/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department funds South East Galway Community and Environmental Services Ltd. in Portumna, County Galway, and I assume that this is the group to which the Deputy is referring.

Responsibility for the community services programme — formerly the social economy programme — transferred to my Department on 1 January 2006. I hope to be in a position in the near future to make a further announcement regarding the operation of the programme under this Department.

Decentralisation Programme.

478. **Mr. Bruton** asked the Minister for Community, Rural and Gaeltacht Affairs the office or unit within his Department and associated unit

that is due to be decentralised; the number of posts and staff in tabular form from each unit within his Department and associated agency who have chosen to decentralise with their parent organisation; and the number of people willing to move who have been assigned their new posts. [6674/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The Deputy will be aware that my Department's Dublin based operations are transferring in full. The headquarters will be relocated to Knock Airport while some 13 posts will transfer to Na Forbacha in Galway.

| Knock Airport | |
|-----------------|--------------------------------------|
| Number of posts | Staff decentralising with Department |
| 164 | 28 |

| Na Forbacha | |
|-----------------|--------------------------------------|
| Number of posts | Staff decentralising with Department |
| 13 | 7 |

The seven staff mentioned have been relocated to Na Forbacha.

The move to Knock Airport is scheduled for completion by the end of 2007. It is also planned to relocate up to 70 posts in advance of the main move subject, inter alia, to the availability of suitable temporary accommodation in the general area. The Office of Public Works is currently seeking to source suitable accommodation and I hope that this advance move can take place from mid 2006 and be completed by end-2006.

As the first table shows, 28 members of staff have indicated a willingness to transfer to Knock Airport. Additional staff are transferring into my Department from other Dublin Departments for decentralisation. In addition a large number of applicants who are currently decentralised wish to transfer to my Department. With all of those staff, and with the adoption of appropriate HR and risk management responses, I believe that I will have sufficient applicants to fill all posts, both for the advance move and for the next phase of my Department's decentralisation programme, that is, the relocation to the new permanent headquarters building.

Foras na Gaeilge has recently submitted a draft implementation plan both to myself and to Mr. David Hanson, MP, Minister with responsibility for the Department of Culture, Arts and Leisure in Northern Ireland. Pending consideration and finalisation of the plan, it would not be appropriate to provide any details at this stage.

Pobal — formerly ADM — will be transferring some 40 posts to Clifden, County Galway. The first phase of this programme, the transfer of the management of the rural social scheme, RSS,

[Éamon Ó Cuív.]

involving 10 posts, has been completed, while a second phase involving a similar number will be completed in April.

Dormant Accounts Fund.

479. **Mr. Lowry** asked the Minister for Community, Rural and Gaeltacht Affairs when funding from dormant accounts will be released to the community and voluntary sector in 2006; and if he will make a statement on the matter. [6761/06]

480. **Mr. Lowry** asked the Minister for Community, Rural and Gaeltacht Affairs the type of work eligible for consideration for grant aid from the dormant accounts fund; the amount allocated for dispersal in 2006 to community groups; and if he will make a statement on the matter. [6762/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I propose to take Questions Nos. 479 and 480 together.

The Deputy will be aware that disbursements from the dormant accounts fund are designed to assist three broad categories of persons; those who are socially or economically disadvantaged, those who are educationally disadvantaged; and persons with a disability. The Government has approved the allocation of €60 million from the dormant accounts fund in 2006, of which €24 million will be allocated towards projects tackling economic and social disadvantage; €18 million towards projects tackling educational disadvantage and €18 million towards projects assisting persons with a disability.

After consulting with the appropriate Ministers and having obtained the approval of Government, I announced details on 4 January 2006 concerning the allocation of €24 million in 2006 for the purpose of supporting programmes and types of projects tackling social and economic disadvantage. Details of the announcement are available on the website of my Department at www.pobail.ie and are attached at appendix 1 for the Deputy's information.

The roll-out of the measures announced on 4 January has now commenced. In this regard, an invitation to the 45 RAPID area implementation teams, AITs, issued at the end of January requesting them to submit their priority projects for consideration. This measure provides for the ring-fencing of €11.5 million for priority projects identified by the RAPID AITs. In respect of the other measures proposed, it is anticipated that they will be rolled-out on a phased basis over the coming months as the particular operational arrangements are finalised.

With regard to the other two categories — educational disadvantage and persons with a disability — the consultation process required under the legislation is not yet completed. It is anticipated that further announcements will be made

shortly in relation to proposals under these headings when work in both the Departments of Education and Science and Health and Children is completed, subject to specific measures being submitted and approved by Government.

Appendix 1

Press Release

04 January 2006

€24 MILLION DORMANT ACCOUNTS FUNDING

TO BE TARGETED AT SOCIAL AND ECONOMIC DISADVANTAGE

Noel Ahern, T.D., Minister of State at the Department of Community, Rural and Gaeltacht Affairs and Éamon Ó Cuív T.D. Minister for Community, Rural and Gaeltacht Affairs today announced that the Government has approved the categories under which €24 million from Dormant Accounts will be spent in 2006 on programmes and projects tackling social and economic disadvantage.

The Dormant Accounts legislation targets three broad categories of persons for support from the Dormant Accounts Fund: those affected by economic and social disadvantage; those affected by educational disadvantage; and persons with a disability.

Today's announcement relates solely to the social and economic category. The programmes and types of projects in this category will aim to ensure that particular priority is given to the areas designated by Government as most disadvantaged i.e. RAPID, CLÁR and Drugs Task Force areas (see Editor's note).

The funding announced today will focus on: RAPID programme — up to 50% of the overall funding will be ring-fenced to provide additional supports for priority projects in RAPID areas; support for priority themes — funding for specific measures supporting youth, older people and other priority themes (including suicide prevention; alcohol misuse; supports for immigrant families; supports for offenders/ex-offenders); support for jointly funded flagship projects — funding for innovative measures addressing matters of major public concern, which also involve substantial funding from private, philanthropic or community sources.

I am very pleased that a significant level of spending will go directly towards projects in areas designated by Government as suffering particular disadvantage. I also believe that the money aimed at jointly funded flagship projects will lever significant additional funding from private and other sources." Noel Ahern T.D., Minister of State, Department of Community, Rural and Gaeltacht Affairs.

Éamon Ó Cuív, T.D., Minister for Community, Rural and Gaeltacht Affairs strongly welcomed the Government decision. He indicated his intention to bring proposals to Government soon in

relation to additional Dormant Accounts funding under the Educational Disadvantage Category and the Disability Category.

Editor's Note: RAPID (revitalising areas by planning, investment and development) is a focused initiative designed to prioritize and target government expenditure, over a number of departments, on the most concentrated centres of disadvantage in the country. Strand 1 targets 25 urban centres while strand II targets 20 provincial towns.

CLÁR (ceantair laga ard-riachtanais) is a similar type initiative targeting rural areas and the islands. It funds and provides co-funding for measures designed to support physical, community and social infrastructure.

Drug Task Forces, DTFs, operate in the areas experiencing the worse levels of drug misuse, particularly heroin. The role of the DTFs is to prepare local action plans, which include a range of measures to tackle drug misuse in the areas of treatment, rehabilitation, education, prevention and curbing local supply.

Programmes and Types of Projects Recommended by
Social & Economic Disadvantage Committee

| Programme Heading | Programme Description | Target Group / Area | Application Process | Additionality Demonstrated |
|---|--|---|--|---|
| 1. <i>Additionality under RAPID Programme.</i> €11.5 million | Funding ring-fenced for the purpose of supporting priority projects within RAPID areas. | Strand 1 and Strand 2 RAPID areas. | RAPID AITs invited to apply | Yes. The ring-fencing of funding for RAPID areas will ensure that funding for priority projects is front-loaded in 2006 |
| 2. <i>Specific Priority Measures:</i> €7.5 million <i>Youth Disadvantage Initiatives</i> — Supports for youth groups. — Supports to provide enhanced access to recreational & personal development opportunities for disadvantaged young people. — Supports for sports which have traditional appeal to youth in disadvantaged areas (e.g. boxing; wrestling; martial arts; weightlifting etc.). — IT initiatives for disadvantaged young people. | Once-off small scale equipment grants for youth groups with a particular focus on disadvantaged and marginal groups. Grants to fund participation in recreational pursuits and personal development activities which are not normally available to disadvantaged children and disadvantaged young people. Grants to fund purchase of essential equipment / hire of halls etc. not funded under Sports Capital Programme. Projects supporting disadvantaged young people to adapt to information technology with a particular focus on early school leavers. | Young people. Disadvantaged children and disadvantaged young people. Young people in disadvantaged areas. | Public invitation to youth groups Invitation to Partnership companies Invitation to specified sports Targeted public invitation to groups active in this area | Yes. Existing Local Youth Club Grant scheme does not include any element of capital funding for equipment Yes. No specific funding stream to provide such services Yes. Funding under Sports Capital Programme not provided for personal equipment Yes. No specific funding stream for this measure. |
| <i>Older People Initiatives</i> Enhanced interventions and supports to assist older people living in their own homes and in the community. | Supports for community based care services for older people such as improved access to services including transport and mobility. | Local Community and voluntary groups supporting older people. | Public invitation to groups active in this area | Yes. No specific funding stream for local community and voluntary groups supporting older people |

| Programme Heading | Programme Description | Target Group / Area | Application Process | Additionality Demonstrated |
|--|---|--|--|--|
| <p><i>Social Disadvantage Measures:</i></p> <p>— Supports for offenders / ex-offenders.</p> <p>— Supports for vulnerable immigrants.</p> <p>— Suicide prevention.</p> <p>— Projects tackling alcohol misuse.</p> | <p>Projects providing addiction counselling for prisoners / ex-prisoners.</p> <p>Projects providing employment supports for prisoners / ex-prisoners.</p> <p>Supports for immigrant families who have been granted refugee status or granted leave to remain in the State.</p> <p>Measures tackling suicide prevention with a particular focus on</p> <ul style="list-style-type: none"> · supports to strengthen community based suicide prevention; · young men under 35. <p>Supports for community based responses addressing problems associated with alcohol misuse.</p> | <p>Prisoners / ex-prisoners.</p> <p>Prisoners / ex-prisoners.</p> <p>Immigrant families.</p> <p>At risk individuals.</p> <p>At risk individuals.</p> | <p>Targeted public invitation to groups active in this area</p> <p>Targeted public invitation to groups active in this area</p> <p>Public invitation to Partnership companies.</p> <p>Public invitation to community and voluntary groups active in this area.</p> <p>Public invitation to community and voluntary groups active in this area.</p> | <p>Yes. No specific funding stream for such services.</p> <p>Yes. No specific funding stream for such services.</p> <p>Yes. No specific funding stream for such services.</p> <p>Yes. No specific funding stream to provide funding for community groups.</p> <p>Yes. No specific funding stream to provide funding for such services.</p> |
| <p>3. <i>Flagship Projects Jointly Funded:</i></p> <p>€5 million</p> <p>Innovative initiatives addressing issues of social and economic disadvantage.</p> | <p>Innovative initiatives addressing matters of major public concern and/or headline policy interventions for which funding from private/philanthropic or community sources can be levered.</p> | <p>Socially and economically disadvantaged.</p> | <p>Public invitation to groups who have substantial guaranteed funding from private, philanthropic or community sources for innovative projects</p> | <p>Yes. Objective is to encourage innovative projects which can lever significant funding from private, philanthropic or community sources.</p> |

Community Development.

481. **Mr. Lowry** asked the Minister for Community, Rural and Gaeltacht Affairs if he intends introducing supporting measures for volunteers in community and voluntary groups and for volunteers in post-primary and tertiary education; when such a scheme will be introduced; and if he will make a statement on the matter. [6763/0]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I refer the Deputy to my reply to question 141 of the 8 February 2006.

482. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs when rural social scheme participants will receive their wage increase similar to the increase which recently issued to FÁS scheme participants. [6782/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Increases in the rural social scheme payment rates, in accordance with the increases in social welfare payments announced in Budget 2006 are currently being implemented. This process requires the calculation of the new rate of pay, along with any arrears due from the effective dates, for each participant. The majority of participants received this increase and payment of arrears, as appropriate, with their weekly payments during the week ended 17 February. It is envisaged that the remainder of participants will shortly receive their increase and arrears, as appropriate.

483. **Dr. Upton** asked the Minister for Community, Rural and Gaeltacht Affairs the grants which are sponsored by his Department that would be appropriate to a club (details supplied); and if he will make a statement on the matter. [6857/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): My Department has responsibility for a range of community-based schemes, including the young people's facilities and services fund.

Through this fund allocations are made to assist in the development of youth facilities — including sport and recreational facilities — and services in disadvantaged areas where a significant drug problem exists or has the potential to develop. The objective of the fund is to attract at risk young people in disadvantaged areas into these facilities and activities and divert them away from the dangers of substance misuse. The target group for the fund are ten-21 year olds who are marginalised through a combination of risk factors relating to family background, environmental circumstances, educational disadvantage, involvement in crime and drugs etc. The main focus of the fund to date has been in local drugs task force areas.

Applications for funding are not made directly to my Department but through a local development group which comprises representatives from the relevant local authority and VEC as well as a community representative who is also a member of the local drugs task force. This development group determine the suitability of the project against the priorities identified for their area, and the finances available, in the context of the overall aims and objectives of the national drugs strategy 2001-08. Contact details for the relevant local development group are attached for the Deputy's information.

Contact details for local development group: Mr. Bobby Neill, Dublin City Council, Block 1, Upper Ground Floor, Civic Office, Dublin 8; Ms Caroline Jones, City of Dublin Youth Services Board, Morehampton Road, Donnybrook, Dublin 4.

Community Support for the Elderly.

484. **Mr. Hayes** asked the Minister for Community, Rural and Gaeltacht Affairs if he will review the decision to disallow funding for alarm systems installed for elderly by community groups until Department approval has been given (details supplied). [7085/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The scheme of community support for older people encourages and assists the community's support for older people by means of a community based grant scheme to improve the security of its older members.

The scheme is open to people aged 65 and over who have a genuine need for assistance under this scheme and is administered by local community and voluntary groups with the support of my Department. My Department, in exceptional cases, has adopted a flexible approach in regard to this issue in cases where the provision of equipment is of an urgent nature. However, the prior approval of applications required under the scheme allows my Department to assess the amount of funding sought under the scheme in a given year and ensure that the funding available is targeted at those most in need.

485. **Ms Shortall** asked the Minister for Community, Rural and Gaeltacht Affairs the amount that has been allocated under the scheme of community support for older people during the period of the scheme broken down on a yearly basis; the way in which the funds are allocated to community groups; and the processes involved in applying for a grant under the scheme. [7087/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The scheme of community support for older people encourages and assists the community's support for older people by means of a

community based grant scheme to improve the security of its older members. Responsibility for the scheme transferred to my Department in June 2002.

Details of funding under the scheme since 2002 are as follows:

| Year | Amount |
|------|------------|
| | (€million) |
| 2002 | 2.67 |
| 2003 | 2.91 |
| 2004 | 2.24 |
| 2005 | 2.36 |

A figure of €3 million has been allocated for the 2006 scheme. The scheme is administered by community and voluntary organisations throughout the country on an annual basis with support provided by my Department and is open to people aged 65 and over who have a genuine need for assistance within its provisions. The funds are allocated to participating groups in respect of the number of eligible individuals for which they apply within the published grant limits. In 2005 maximum individual grants were provided under the scheme as follows: €300 in respect of the once-off installation cost of socially monitored alarms; €150 in respect of door locks, window locks and door chains; €150 in respect of security lighting; and €50 in respect of smoke alarms.

The processes involved in applying for a grant under the 2005 scheme are set out in the scheme guidelines which are published on my Department's website, www.pobail.ie.

Grant Payments.

486. **Mr. Crawford** asked the Minister for Agriculture and Food when the new increased grant application forms will be available to farmers which was promised in Summer 2005 due to be available on 1 January 2006; her views on whether it is difficult for all farmers to plan without clear knowledge and even more difficult for small farmers who have no access to any grant at all; and if she will make a statement on the matter. [6303/06]

Minister for Agriculture and Food (Mary Coughlan): The revised farm waste management scheme will be introduced by my Department as soon as the required EU state aid approval is received. Subject to EU approval it is proposed, *inter alia*, to extend the scheme to all small farmers by the removal of the requirement that farmers must have a certain level of on-farm income in order to be able to participate.

Farmers should prepare for the introduction of the revised scheme by arranging for the necessary planning permissions etc., as soon as possible. Prior written approval under the revised scheme

will be necessary, however, before work commences. Application forms and the scheme document will be available in the local offices of my Department as soon as it is launched.

Tuberculosis Incidence.

487. **Mr. Crawford** asked the Minister for Agriculture and Food when the compensation allowed for pure bred tuberculosis cattle will be changed to take account of what they are really worth; when the income allowance will be adjusted to compensate for real loss of income; if her attention has been drawn to the fact that current payments are forcing farmers out of business; and if she will make a statement on the matter. [6304/06]

Minister for Agriculture and Food (Mary Coughlan): The on-farm market valuation scheme, which involves live valuation of reactor animals on the holding before their removal for slaughter, was introduced in 2002 under the Programme for Prosperity and Fairness and following discussions between my Department and representatives from the farm organisations. Under these arrangements, farmers receive compensation for cattle removed as reactors based on the price which might reasonably have been obtained for the animals in an open market if they were not affected by TB or brucellosis or were not being removed as part of a depopulation under the disease eradication programme.

However, one of the features of the system agreed was the inclusion of a ceiling of €2,540 on payments in respect of any single animal, except in the case of one pedigree stock bull per farm where a ceiling of €3,175 applies. While it is accepted that some pedigree stock are valued above these rates, it is open to farmers with such stock to secure insurance cover for these cattle and farmers are strongly advised to do so.

I should also point out that, in addition to valuation payments, herdowners who experience a disease breakdown may qualify for compensation under the income supplement, hardship or depopulation grant schemes, subject to the conditions and the circumstances applying in each case. Payments under these schemes amounted to €4.6 million in 2005.

I am satisfied that the overall compensation arrangements, which are kept under ongoing review by my Department, are working well. I have no plans at present to review them.

Public Procurement Policy.

488. **Mr. Kenny** asked the Minister for Agriculture and Food if her Department has a corporate procurement plan; and if she will make a statement on the matter. [6351/06]

Minister for Agriculture and Food (Mary Coughlan): The requirement to produce an

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annual procurement plan arises from the national procurement policy framework, which was issued by the Department of Finance in May 2005. In line with this framework, my Department has undertaken steps to produce a corporate procurement plan in 2006.

Departmental Contracts.

489. **Mr. Kenny** asked the Minister for Agriculture and Food the progress made within her Department in regard to reviewing existing contract specifications awarded by all Departments; and if she will make a statement on the matter. [6366/06]

Minister for Agriculture and Food (Mary Coughlan): I understand that the Deputy's question refers to a Department of Finance announcement made in November 2005, which stated that all contracts awarded by Departments over €30 million would be subject to review. My Department is not involved in funding any contract which is in excess of €30 million.

Grant Payments.

490. **Mr. McGuinness** asked the Minister for Agriculture and Food the status of an application under *force majeure* in the name of a person (details supplied) in County Kilkenny; and the timeframe for a decision in their case. [6390/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application on 29 October 2004 for consideration under the *force majeure* or exceptional circumstances measure of the single payment scheme in regard to the dairy premium. Having assessed the application, the person named was advised by my Department that the circumstances outlined did not fulfil the *force majeure* criteria laid down in Article 19 of Commission Regulation (EC) No. 795/2004. The person named availed of the opportunity to appeal this decision to the single payment appeals committee. Following consideration of the appeal, the committee upheld the decision of my Department.

491. **Mr. McGuinness** asked the Minister for Agriculture and Food when a grant for farm development will be awarded to a person (details supplied) in County Kilkenny; and if the matter will be expedited. [6391/06]

Minister for Agriculture and Food (Mary Coughlan): The person named is an applicant for grant aid under the farm waste management scheme. Payment of €11,313.48 will be made by my Department to the person concerned shortly.

492. **Mr. J. O'Keeffe** asked the Minister for Agriculture and Food if a person (details supplied) in County Cork will be allocated a sin-

gle payment entitlement from the 2005 national reserve. [6430/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the single payments scheme national reserve under category B.

Category B caters for farmers who, between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under livestock premia and/or arable aid schemes would have been payable during the reference period 2000 to 2002. Investments can include purchase or long-term lease of land, purchase of suckler and/or ewe quota or other investments.

The position is that over 23,000 applications for an allocation of entitlements from the national reserve were received when account is taken of farmers who applied under more than one category. Processing of these applications is continuing and the intention is to make allocations to successful applicants at the earliest opportunity.

My Department will be in touch with individual applicants as soon as their applications are fully processed when formal letters setting out my Department's decision will be issued.

Animal Welfare.

493. **Mr. O'Dowd** asked the Minister for Agriculture and Food the role his Department will take in view of the continued incidence of cruelty to horses in urban areas; and if she will make a statement on the matter. [6506/06]

Minister for Agriculture and Food (Mary Coughlan): The main statutes governing cruelty to animals in this country are the Protection of Animals Acts 1911 and 1965. Responsibility for pursuing complaints under that legislation rests with An Garda Síochána who may, on receipt of a complaint, investigate and bring a prosecution against any person alleged to have committed an act of cruelty against an animal. Officers of my Department are regularly involved in assisting the Garda in such cases.

The Control of Horses Act 1996 was sponsored by my Department to address the problem of wandering horses, mainly in urban areas. The Act assigns to local authorities the primary role for dealing with wandering horses and provides for the designation, by local authority by-laws, of control areas in which horses cannot be kept without a licence. My Department is empowered by the Act to make grants available to local authorities towards expenses they incur in implementing the Act, and such grants are paid on an ongoing basis.

Grant Payments.

494. **Mr. Connaughton** asked the Minister for

Agriculture and Food when the single payment will issue to a person (details supplied) in County Galway; and if she will make a statement on the matter. [6537/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for consideration in respect of both the private contract clause and inheritance measures of the single payment scheme. Following processing of his applications the person named was notified that both applications were successful, and that the entitlements have been transferred to him. Payment amounting to €19,386.07 in respect of the single payment scheme has issued to the person named.

495. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Galway has not received their single payment; the further reason the payment has not been made; and if she will make a statement on the matter. [6538/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application in respect of the inheritance measure of the single payment scheme. Following processing of his application, the entitlements inherited from his father were transferred to him. Payment amounting to €11,401.05 in respect of the single payment scheme has issued to the person named.

Alternative Farm Enterprises.

496. **Dr. Upton** asked the Minister for Agriculture and Food the grants available from her Department for pet farming; and if she will make a statement on the matter. [6540/06]

Minister for Agriculture and Food (Mary Coughlan): No grants are available from my Department for pet farming.

As the Deputy may be aware, my Department has in recent years made *ex gratia* payments to a number of organisations which are wholly involved in the delivery of direct care and welfare services to animals. In this regard, some €1.2 million was paid to 86 organisations in December last to assist them during 2006 and a provision of €1.1 million for this purpose is included in my Department's Estimates for 2006.

Grant Payments.

497. **Mr. P. Breen** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Clare did not receive entitlements or the single farm payment; and if she will make a statement on the matter. [6552/06]

Minister for Agriculture and Food (Mary Coughlan): The single payment scheme is applicable to farmers who actively farmed during one

or more of the three reference years 2000 to 2002, inclusive, and who received livestock premia and/or arable aid payments in one or more of those years. As the person named did not benefit under any of the premia and arable aid schemes, entitlements were not established under the single payment scheme.

The person named submitted an application on 8 April 2004 for consideration of his circumstances under the *force majeure* or exceptional circumstances measure of the single payment scheme. Having assessed the application, the single payment entitlements unit informed the person named that his application could not be accepted as the circumstances outlined did not fulfil the *force majeure* criteria laid down in Article 40 of Council Regulation (EC) No. 1782/2003.

498. **Mr. Naughten** asked the Minister for Agriculture and Food when a disadvantaged area payment for 2002 (details supplied) will be awarded; and if she will make a statement on the matter. [6564/06]

Minister for Agriculture and Food (Mary Coughlan): The 2002 area aid application was made in the name of a person other than the person named and payment under the 2002 disadvantaged areas scheme issued in full on 23 September 2002. As the person who made the 2001 area aid application is since deceased, an outstanding supplementary payment under the 2001 disadvantaged areas scheme will be processed on receipt of copy grant of probate.

499. **Mr. G. Murphy** asked the Minister for Agriculture and Food the position regarding the case of a person (details supplied) in County Cork; if she will ensure that this person is awarded all moneys due to them; if she will provide details of moneys to be awarded; and if she will make a statement on the matter. [6569/06]

Minister for Agriculture and Food (Mary Coughlan): Under EU legislation, in order to draw down his or her full single payment, an applicant must declare an eligible hectare to accompany each entitlement. This requirement was set out clearly in the documentation supplied to farmers. While the person named had established 39.38 entitlements during the reference period, the application received from him on 16 May 2005 declared a total of 28.40 eligible hectares. The payment, which issued to the person named on 1 December 2005, therefore, represented the full sum due, based on the application lodged. If the person named declares sufficient land on his 2006 single payment application, he will be in a position to claim full entitlements.

Payment under the disadvantaged area scheme issued in full — €2,524.19 — to the person named

[Mary Coughlan.]

on 5 October 2005. I have arranged for an official of my Department to make direct contact with the person named regarding the disease restriction placed on his herd. Should it be confirmed that additional payments are due under the 2004 livestock premia schemes, arrangements will be made to issue these immediately.

Direct Payment Schemes.

500. **Mr. Naughten** asked the Minister for Agriculture and Food the modulation and national reserve cuts in each of the years 2005 to 2008, inclusive; and if she will make a statement on the matter. [6572/06]

Minister for Agriculture and Food (Mary Coughlan): The position is that Ireland's financial ceiling under the single payment scheme for 2005 was €1,260 million of which 3%, €37.8 million, had been provisionally set aside to fund the national reserve. EU regulations require that where the sum of individual entitlements exceeds the financial ceiling, a percentage linear reduction must be applied in order to observe the ceiling. In Ireland's case, the cost of funding successful applicants under *force majeure* and new entrants during the reference period has meant that the sum of individual entitlements has exceeded our national ceiling, requiring a 1.18% linear reduction of all entitlements. This linear reduction will be accommodated within the 3% already deducted for the national reserve. No further reductions will be applied annually to fund the national reserve. However, there will be a claw-back from sales of entitlements in certain

circumstances which go towards replenishing the national reserve.

In so far as modulation is concerned, the EU regulations provide that all amounts paid to farmers under the single payment scheme in 2005 must be subject to a 3% reduction. This will rise to 4% in 2006 and 5% annually thereafter. The regulations also provide, however, for a refund of modulated amounts each year in respect of the first €5,000 or less of each farmers' single payment. This will effectively mean that up to 50% of Irish farmers will not be subject to modulation.

Decentralisation Programme.

501. **Mr. Bruton** asked the Minister for Agriculture and Food the office or unit within her Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within her Department and associated agency who have chosen to decentralise with their parent organisation; and the number of people willing to move who have been assigned their new posts. [6675/06]

Minister for Agriculture and Food (Mary Coughlan): All of the Dublin-based units within my Department are due to decentralise to Portlaoise, apart from the Dublin local office in Tallaght. The local office in Cork is due to move to Fermoy and the laboratories in Cork and Limerick are due to move to Macroom. Statistics were released from the central applications facility, CAF, in September 2004 indicated that the following numbers of staff from my Department, other Civil Service Departments and the public service were interested in decentralising to Portlaoise, Fermoy and Macroom:

| Location | DAF | Civil Service | Public Service | Total |
|------------|-----|---------------|----------------|-------|
| Portlaoise | 72 | 116 | 17 | 205 |
| Fermoy | 43 | 41 | 5 | 89 |
| Macroom | 45 | 41 | 5 | 91 |

The Department's decentralisation implementation plan allows for 50 staff to move to Portlaoise in each of the years 2005, 2006 and 2007, with the balance moving in 2008. To the end of January 2006, some 145 people have opted for decentralisation to Portlaoise. Some 90 posts have moved to Portlaoise across a range of areas such as single payment, training and development, accommodation, management services, personnel and information systems. This number includes some CAF applicants that have joined from other Departments. Further moves are planned in 2006 and these are currently being finalised and staff put in place. These staff are being sourced from within my Department and the CAF. Assignments and transfers are made on a phased basis. This allows for appropriate training and skills transfer to take place. It also takes into consideration the business needs of the

Department and the need to minimise the risks involved.

Social Partnership.

502. **Mr. Lowry** asked the Minister for Agriculture and Food her views on the absence of an organisation (details supplied) from partnership talks; her plans to ensure that the group return to the talks; and if she will make a statement on the matter. [6756/06]

503. **Mr. Lowry** asked the Minister for Agriculture and Food her views on the absence of an organisation from partnership talks; her plans to ensure that the group return to the talks; and if she will make a statement on the matter. [6757/06]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 502 and 503 together.

I very much regret the decision of the two farmers' organisations mentioned to suspend their involvement in the partnership talks. They retain the option of rejoining the discussions, and I would urge them to do so, but this is a matter on which they must decide.

The Government believes that the farming pillar has a significant and useful part to play in the partnership process. In addition, it is very desirable that the importance of the agrifood sector is reflected in national agreements, as it has been over the last 19 years. My Department will, therefore, remain fully involved in the talks with the remaining farmer organisation and will stand ready to engage with others should they choose to rejoin the process.

Grant Payments.

504. **Mr. Ring** asked the Minister for Agriculture and Food if an inheritance application for a person, details supplied, in County Mayo will be reviewed; the reason the application was rejected; and if she will make a statement on the matter. [6781/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for consideration in respect of the new entrant and inheritance measures of the single payment scheme. Following processing of his application, the applicant was notified that he satisfied the criteria for both the new entrant and inheritance measures of the scheme but that the value of the entitlements established under the new entrant measure was greater. Payment reflecting the increased value of the entitlements granted to the person named will, therefore, issue shortly.

Ministerial Responsibilities.

505. **Mr. Nolan** asked the Minister for Agriculture and Food the status of her share option in respect of a company, details supplied, in the context of the proposed sale of property by that company; and if she will make a statement on the matter. [6855/06]

Minister for Agriculture and Food (Mary Coughlan): As Minister, I hold a special share in Greencore plc. That share has the same monetary value as any other share in the company but special conditions are attached which prevent the company from engaging in a number of activities without the prior written consent of the Minister. One of the activities for which my prior written consent is required is the sale, transfer or disposal of more than 20% of specified assets, including lands and properties of Irish Sugar Ltd. in Carlow and in Mallow used in the production of sugar. I

am not aware of any proposal to sell any of the properties mentioned.

Grant Payments.

506. **Mr. Hayes** asked the Minister for Agriculture and Food the position regarding the case of a person, details supplied, in County Tipperary who is awaiting a decision on their application under the single payment scheme. [6856/06]

Minister for Agriculture and Food (Mary Coughlan): The single payment scheme application, including the consolidation application in this case, has been fully processed and payment will issue shortly.

507. **Mr. G. Murphy** asked the Minister for Agriculture and Food if his Department will issue all payments due to a person, details supplied, in County Cork; the breakdown of all moneys to be paid; and if she will make a statement on the matter. [6909/06]

Minister for Agriculture and Food (Mary Coughlan): An application under the single payment scheme was received from the person named on 4 May 2005. The herd owner also applied to have his entitlements consolidated under the 2005 single payment consolidation measure. This application has been processed and payment in respect of 43.73 entitlements amounting to €24,461.25 will issue shortly. Payment in full under the disadvantaged areas scheme issued to the person named on 23 September 2005.

508. **Mr. G. Murphy** asked the Minister for Agriculture and Food if all payments due to a person, details supplied, in County Cork will be issued; and the breakdown of payment amounts to be paid. [6910/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under the single payment scheme on 13 May 2005. The herd owner also applied to have his entitlements consolidated under the 2005 single payment consolidation measure. This application has been processed and payment in respect of 68.64 entitlements amounting to €23,266.53 will issue shortly. Payment in full under the disadvantaged areas scheme issued to the person named on 23 September 2005.

509. **Mr. Perry** asked the Minister for Agriculture and Food if she will ensure that a person (details supplied) in County Sligo receives payment for their entitlements; and if she will make a statement on the matter. [6930/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for consideration in respect of the new entrant and inheritance measures of the sin-

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gle payment scheme. Following an examination of these applications, my Department advised him that as the lands were purchased in 2004, his circumstances were more appropriate to the national reserve measure of the scheme.

The person named submitted an application for an allocation of entitlements from the single payments scheme national reserve under category D. Category D caters for farmers who commenced farming after 31 December 2002 or who commenced farming in 2002 but who received no direct payments in respect of that scheme year.

The position is that over 23,000 applications for an allocation of entitlements from the national reserve were received when account is taken of farmers who applied under more than one category. Processing of these applications is continuing and the intention is to make allocations to successful applicants at the earliest opportunity. My Department will be in touch with individual applicants as soon as their applications are fully processed. Formal letters setting out my Department's decision will be issued.

Question No. 510 withdrawn.

Grant Payments.

511. **Mr. Ring** asked the Minister for Agriculture and Food when a person, details supplied, in County Mayo will be awarded the REP scheme. [6943/06]

Minister for Agriculture and Food (Mary Coughlan): This application was received in my Department on 30 December 2005 and is being processed in accordance with the targets in the charter of rights for farmers 2005-07.

Cattle Identification Scheme.

512. **Mr. Deenihan** asked the Minister for Agriculture and Food the reason charges were brought by her Department against Dingle Mart, County Kerry and subsequently dropped; and if she will make a statement on the matter. [6944/06]

Minister for Agriculture and Food (Mary Coughlan): At Dingle District Court on 22 April 2005, Marglann an Daingean Teoranta, Dingle Mart, pleaded guilty to five charges for providing false information to the national cattle movement database and was fined €1,250 on each charge. At a subsequent appeal to Tralee Circuit Court against severity of sentence, the Department on counsel's advice, decided not to contest the appeal.

Farm Waste Management.

513. **Mr. Naughten** asked the Minister for Agriculture and Food if grant aid will be increased for funding specialised slurry injectors as a result of

the proposed restrictions under the nitrates directive; and if she will make a statement on the matter. [6959/06]

Minister for Agriculture and Food (Mary Coughlan): Under the revised farm waste management scheme which will be introduced in the near future in order to assist farmers meet the additional requirements of the nitrates directive, I propose to increase the maximum eligible investment ceiling for mobile equipment, including slurry tankers with specialised injection equipment, from €11,000 to €15,000 with the grant rate remaining at 20%. I am also proposing that slurry tankers equipped with macerator and trailing shoe attachment will be eligible for a 40% grant-rate up to a maximum eligible investment ceiling of €40,000. The revised scheme will be introduced as soon as the required EU state aid approval is received.

Grant Payments.

514. **Mr. G. Murphy** asked the Minister for Agriculture and Food if she will ensure that all payments due to a person, details supplied, in County Cork will be awarded immediately. [7028/06]

Minister for Agriculture and Food (Mary Coughlan): Under EU legislation, in order to draw down his or her full single payment, an applicant must declare an eligible hectare to accompany each entitlement. This requirement was set out clearly in the documentation supplied to farmers. While the person named had established 12.58 entitlements during the reference period, the application received from him on 16 May 2005 declared a total of 7.88 eligible hectares. The payment, which issued to the person named on 10 February 2006, therefore, represented the full sum due, based on the application lodged. If the person named declares sufficient land on his 2006 single payment application, he will be in a position to claim full payments under both schemes. Payment under the disadvantaged areas scheme, which issued to the person named on 12 February 2006, represented the full amount due to him under that scheme.

515. **Mr. Neville** asked the Minister for Agriculture and Food if she will review the supports to farmers for growing miscanthus grass in view of the diverse nature of its use and is environmentally friendly. [7047/06]

Minister for Agriculture and Food (Mary Coughlan): Support to farmers for growing crops may only be granted in accordance with EU regulations. Under the energy crops scheme, introduced by Council Regulation (EC) No 1782/2003, crops such as miscanthus may qualify for aid of €45 per hectare provided that they are intended primarily for use in the production of biofuels and

electric and thermal energy produced from biomass. The aid is granted in respect of areas where production is covered by a contract between the farmer and a processor, except in the case of processing undertaken by the farmer on his or her holding. The aid is payable in addition to the single payment. In Ireland, the only crop sown under this scheme in 2005 was oilseed rape. Miscanthus is among the non-food crops that may be grown on setaside land to activate setaside entitlements under the single payment scheme. As part of the EU strategy for biofuels, it is intended to review the operation of the energy crops scheme during the coming year and in that context, I will be seeking to have the scheme made more attractive for farmers. Teagasc is currently conducting research into the potential use of miscanthus and other arable crops and residues as heating fuels.

516. **Mr. Hayes** asked the Minister for Agriculture and Food when an application for transfer of benefits applied for by a person, details supplied, in County Tipperary will be finalised. [7048/06]

Minister for Agriculture and Food (Mary Coughlan): The father of the person named applied under the single payment scheme in May 2005. My Department subsequently received an application to have the entitlements transferred by gift in November 2005. However, this application was not processed by 1 December 2005 when payment issued to the father. Arrangements will now be made to have the herd number and single payment entitlements transferred to the person named.

517. **Mr. Hayes** asked the Minister for Agriculture and Food when full payment will issue to a person, details supplied, in County Tipperary who has submitted all details as requested under the single payment scheme. [7049/06]

Minister for Agriculture and Food (Mary Coughlan): The person named has 64.20 single payment entitlements. An eligible hectare of land must be declared for every entitlement held to receive maximum payment. The person named declared 36.98 hectares of eligible land on his 2005 single payment application and was paid on 36.98 entitlements.

518. **Mr. Hayes** asked the Minister for Agriculture and Food when payment will issue to a person, details supplied, in County Tipperary under the single payment scheme. [7050/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under the single payment scheme on 06 May 2005. The ownership details of the herd number changed on 14 February 2002. The majority of the entitlements were established in

the name of the previous owner. A transfer of entitlements form was received in my Department on 22 December 2005. The entitlements have been transferred to the person named and a supplementary payment will issue to the person named shortly.

519. **Mr. Kehoe** asked the Minister for Agriculture and Food further to Parliamentary Question No. 464 of 14 February 2006 if a person, details supplied, in County Wexford can appeal the decision. [7051/06]

Minister for Agriculture and Food (Mary Coughlan): As previously indicated, in line with the EU regulations governing the livestock premia schemes, the person named was restricted to payment in respect of 45.88 livestock units under the 2002 livestock schemes, on the basis of his area aid application declaring 24.15 forage hectares.

However, if the person named considers that there is information of which my Department was not aware, and which would have had a bearing on the calculation of his stocking density, he should submit an appeal in writing outlining clearly the basis of his appeal. His appeal will be assessed by the single payments appeals committee and he will be informed in writing of the outcome of the appeal in due course.

Road Traffic Offences.

520. **Mr. Bruton** asked the Minister for Justice, Equality and Law Reform the adequacy of enforcement and oversight in respect of cars which are legally entitled to be travelling on roads here; and if he will make a statement on the matter. [6413/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Department of Transport has no figures on how many vehicles registered outside the State operate on our roads. Under the EU motor insurance directives that have been adopted by all member states, it is mandatory for drivers of mechanically propelled vehicles in the EU, when driving in a public place, to be insured for third party liability. Furthermore, an insurance policy extends to covering the motorist against third party liability when he or she drives in another EU member state.

Outside of the EU, Ireland is a member of the green card system, along with over 40 other countries. This system facilitates the movement of vehicles across international borders by the use of an internationally acceptable document proving the existence of insurance, the green card or international insurance card. This ensures that victims of foreign registered vehicles are not disadvantaged.

I would also like to point out that all victims of uninsured driving, whether the driver of the uninsured vehicle is Irish or a non-national, are

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entitled to compensation through the Motor Insurers Bureau of Ireland, MIBI, which is funded through our motor insurance premia. MIBI is part of a European organisation, Council of Bureaux, which facilitates common insurance arrangements to permit international vehicle movement across Europe. In particular, MIBI act as insurer of foreign vehicles in Ireland to facilitate Irish citizens who have been involved in an accident with a foreign motorist. Any victims of vehicles identified as not registered in this State and not insured will be compensated by the MIBI who will then seek recompense from the home bureau of that vehicle.

If a penalty points offence is committed, penalty points will be recorded on the national driver file in the name of the person concerned, irrespective of nationality or residence.

Stardust Tragedy.

521. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if a meeting will be arranged with the victims of the Stardust fire tragedy in Artane; and if he will actively support the efforts of the victims and their families. [6471/06]

587. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if he will appoint an investigating officer under the Commission of Investigations Act 2004 to review the material relating to the Stardust tragedy; and if he will make a statement on the matter. [7144/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 521 and 587 together.

My Department and I are sympathetic to the victims of the Stardust tragedy. My Department has forwarded a copy of the recent “Prime Time” programme to the forensic science laboratory for evaluation and we will be in touch with the Stardust Victims Committee again as soon as a response is received. As the Deputies will be aware, a previous submission from the committee was evaluated by the forensic science laboratory and the Garda Síochána in 2004 but was found not to warrant a revisiting of the original inquiry. I can also inform the Deputies that I will, of course, be happy to meet the committee in the event that there is some new advice or information I can provide them with arising out of these developments.

Internet Crime.

522. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the actions he can take to counter the problem regarding increased use of the internet for child pornography and gambling; if his attention has been drawn to the potential damage to society to such abuses; and if

he will make a statement on the matter. [7075/06]

523. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if he has had discussions with his EU colleagues with a view to combating the predatory use of the internet by those with doubtful intentions; and if he will make a statement on the matter. [7076/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 522 and 523 together.

The Internet is an international and worldwide phenomenon with no borders and no single organisation controlling it. Measures to combat illegal materials and activities on the Internet are, therefore, hampered by a multiplicity of jurisdictions, differing legal systems, and differing societal norms. Furthermore, new developments in communications technologies allowing for Internet access by new means are a regular occurrence. These are largely positive developments but also bring particular challenges for those charged with protecting against the downsides of the Internet.

By its very nature, the Internet lends itself to being used for a wide range of criminal activities. This can include illegal pornography, illegal gambling, racist or hate materials, financial fraud, intimidation or any other criminal activity carried out via the internet. Combatting such illegal, harmful and predatory use of the Internet requires a response at national, EU and international levels. In terms of enforcement, in Ireland, as well as in most jurisdictions, what is illegal off-line is considered illegal on-line.

A combination of responses, and the co-operation of all the stakeholders, at both national and international level — legislators, law enforcement, schools, child protection practitioners, parents and guardians, is essential. My Department is fully committed to playing its part in a pro-active way.

Specifically on child pornography, Ireland has, in the Child Trafficking and Pornography Act 1998, one of the most robust pieces of legislation anywhere. The Garda Síochána are committed to the investigation of all cases of child pornography and the importance of investigating the child protection issues involved in such cases. The paedophile investigation unit, which is located within the domestic violence and sexual assault unit of the National Bureau of Criminal Investigation, is in existence since November 2002. This unit is tasked with the investigation and co-ordination of cases relating to the possession, production and distribution of child pornography, and any alleged sexual abuse pertaining to same.

On the structural side, the Government established a working group in 1997 to examine and report on the whole question of the illegal and harmful use of the Internet with particular refer-

ence to child pornography. Its report, *Illegal and Harmful Use of the Internet*, was published in July 1998 and its main recommendation was for a system of self-regulation by Internet service providers. The components of such a system were to include the following. An Internet Advisory Board, IAB, to promote awareness of Internet downside issues, co-ordinate efforts to combat child pornography on the Internet and monitor the progress of self regulation by the Internet service provider industry; a public hotline for reporting child pornography; an industry code of practice and ethics setting out the duties and responsibilities of each Internet service provider.

The Internet Advisory Board was established in February 2000. As well as overseeing a self-regulatory regime for the Irish Internet service providers, its brief also extends to general downside issues of the Internet including general safety for children. The hotline, *www.hotline.ie*, funded by the Internet Service Providers' Association of Ireland with support from the EU Safer Internet Action Plan, was launched in November 1999 and has been operating since that time. Special protocols operate between the gardaí and the hotline which maximise co-operation on law enforcement issues so that offences in the area of child pornography can be detected and prosecuted. The hotline works closely with, and is a founding member of the international INHOPE Association, *www.inhope.org*, a network of European hotlines which is expanding to all parts of the world. The INHOPE Association develops procedures and shares information on the best practices for the tracing and tracking of illegal child pornography.

The self-regulatory approach to Internet regulation has been adopted world-wide. The Internet advisory board helps and supports the Irish Internet service provider industry to deliver an effective self-regulation environment, in accordance with a code of practice and ethics for the industry, agreed with the board in February 2002. The Irish code of practice and ethics is recognised throughout Europe as a model of its type.

The European Union has taken a strong line on combating child pornography and other illegal and harmful uses of the internet. Since 1999, under the Safer Internet Action Plan, the EU has provided financial and other supports for measures in the member states to combat illegal and harmful uses of the internet, with particular emphasis on protecting children. A new EU action plan — Safer Internet Plus — covering the period 2005 to 2008, and with a budget of €45 million, was agreed under the Irish presidency in June 2004 and is now in operation. My Department is represented on the management committee for the programme.

The EU Council adopted a framework decision on combatting the sexual exploitation of children and child pornography on 22 December 2003. While the Child Trafficking and Pornography Act

1998 is a particularly robust legislative measure, my Department is preparing additional legislative provisions to ensure compliance with this framework decision. In September 2001, the Council of Europe Ministers' deputies approved the first international convention on cybercrime. Ireland signed up to the convention in June 2002. The main objective of the convention is to foster international co-operation in protecting society against cybercrime. The convention deals specifically with the distribution of child pornography on the Internet, infringements of copyright, computer related fraud and violations of network security.

The Gaming and Lotteries Acts 1956-86, cover gaming and lotteries other than the National Lottery, which is covered by the National Lotteries Act 1986. The Betting Act 1931 governs all matters relating to betting. These Acts would govern activities whether on-line or off-line. In general, all forms of gaming are illegal in this jurisdiction except where specifically permitted. As cited above, under the code of practice and ethics agreed by the Irish Internet service provider industry in 2002, material or services that are illegal under Irish law will not be carried on Irish servers, and if such is found they will be removed immediately under agreed protocols. Unlike child pornography, however, where there is almost universal agreement, on-line gaming-gambling is not illegal in many jurisdictions, and these services can be accessed via the internet from this jurisdiction.

In May 1999, an interdepartmental review group was tasked to examine the Gaming and Lotteries Acts 1956-1986. In their report, published in June 2000, the group concluded that "separate standards for off-line and on-line environments will only create serious problems for society in the longer term. However, liability issues in the Internet gambling area are likely to be as complex as in other areas of Internet activity. For example, in an Internet environment, special consideration would have to be given to both the liability and protection of the player. With Internet operations, the provider may not be within the jurisdiction and may be providing a service which may be legal where the service is being hosted, but illegal where the service is being accessed. This is not an unusual phenomenon in Internet services. The logistical — not to speak of legal — difficulties of dealing with this situation and of enforcing the law at player level are enormous. Attempts to fix liability at Internet Service Provider level are also fraught with difficulties."

The range of illegal uses of the Internet and the enforcement difficulties associated with such use were also examined in the first report of the working group on the illegal and harmful use of the Internet, cited above. While that report did not examine the specific problems associated with gambling on the Internet, many of the con-

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clusions reached in the report are valid for the gambling area.

Law Society.

524. **Mr. Allen** asked the Minister for Justice, Equality and Law Reform if he proposes to abolish the role of the Law Society as a self-regulatory body. [6322/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): No.

Criminal Prosecutions.

525. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the number of successful prosecutions for money laundering since the passage of the Criminal Justice Act 1994 on the 30 June 1994; and the details of each case and the penalty handed down. [6323/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Under the provisions of the Criminal Justice Act 1994, certain money laundering offences came into effect on 14 November 1994.

I am informed by the Garda authorities that to date there have been 58 prosecutions initiated with 38 convictions secured. A further four cases are awaiting determination before the courts. I am further informed by the Garda authorities that the specific information requested in regard to each case and the penalty handed down is not readily available in the format required and would require a disproportionate expenditure of Garda time and resources to compile.

Garda Promotions.

526. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the number of Garda man-hours, in total and for each rank, spent interviewing candidates for promotion or appointment; the basis on which personnel are selected to sit on interview panels; and the number of persons on each panel. [6324/06]

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 promotions in the Garda Síochána are governed by the Garda Síochána (Promotion) (Amendment) Regulations 1987 to 2002. Regulation 4(1) of the Garda Síochána (Promotion) (Amendment) Regulations 1987 to 2002 states that there shall be a council, which shall be known as the Promotion Advisory Council. Regulation 5(2) of the Garda Síochána (Promotion) (Amendment) Regulations 1987 to 2002 states that an interview board shall be appointed by the commissioner after consultation with the council. Regulation 6 of the Garda

Síochána (Promotion) Regulations 1990, which establishes regional interview boards states, *inter alia*, states that: a regional interview board shall consist, in the case of a competition to select a member for promotion to the rank of sergeant, of a chief superintendent, a superintendent, and a person having knowledge of, and experience in, personnel management in an organisation other than the Garda Síochána; a regional interview board shall consist, in the case of a competition to select a member for promotion to the rank of inspector, of an assistant commissioner, a chief superintendent, and a person having knowledge of, and experience in, personnel management in an organisation other than the Garda Síochána; a central interview shall consist, in the case of a competition to select a member for promotion to the rank of sergeant, of a chief superintendent, a superintendent, and a person having knowledge of, and experience in, personnel management in an organisation other than the Garda Síochána; a central interview shall consist, in the case of a competition to select a member for promotion to the rank of Inspector, of an assistant commissioner, a chief superintendent, and a person having knowledge of, and experience in, personnel management in an organisation other than then Garda Síochána; an interview shall consist, in the case of a competition to select a member for promotion to the rank of superintendent, of two persons, one being either the commissioner or a deputy commissioner, and the other being either a deputy commissioner or an assistant commissioner, and a person having knowledge of, and experience in, the selection of persons for appointment to senior management positions in an organisation other than the Garda Síochána; an interview board shall consist, in the case of a competition to select a member for promotion to the rank of chief superintendent of the commissioner, a deputy commissioner, and a person having knowledge of, and experience in, the selection of persons for appointment to senior management positions in an organisation other than the Garda Síochána.

I have been further informed by the Garda authorities that the figures, which follow, are reflective of the number of candidates and scheduled interview times for competitions held in 2005: 670 gardaí attended regional interviews in the competition for selection for promotion to the rank of sergeant, the standard time for each of these interviews is 50 minutes; 150 gardaí were interviewed by the central interview panel in the competition for selection for promotion to the rank of sergeant, the scheduled time for each of these interviews was 55 minutes; 319 sergeants attended regional interviews in the competition for selection for promotion to the rank of inspector, the standard time for each of these interviews is 55 minutes; 60 sergeants were interview by the central interview panel in the competition for selection for promotion to the rank of inspector,

the scheduled time for each these interviews was 60 minutes; 148 inspectors attended for interview in the competition for selection for promotion to the rank of superintendent, the scheduled time for each these interviews was 60 minutes; and 65 superintendents attended for interview in the competition for selection for promotion to the rank of chief superintendent. The scheduled time for each of these interviews was 60 minutes.

Garda management states that specialist promotions in technical areas as set out in Regulation 9 of the Garda Síochána (Promotion) Regulations 1987 states that: only gardaí who have such technical qualifications, if any, knowledge and experience as may be determined by the council shall be eligible for competitions for promotion to the rank of sergeant in a section of the Garda Síochána specified in the schedule of these regulations; and in cases where the council so determines, only members who have such technical experience as may be determined by the council shall be eligible for competitions for promotion to the rank of inspector or to a higher rank in a section of the Garda Síochána specified in the schedule to these regulations.

In 2005, a total of 69 gardaí attended interview for promotion to the rank of sergeant. The scheduled interview time for these interviews is 65 minutes, and a total of 18 sergeants attended interview for promotion to the rank of inspector. The scheduled time for these interviews is 70 minutes. Garda management further state that appointments in the Garda Síochána are made both nationally and locally on a divisional basis and it is within the remit of local management to manage appointments. Accordingly, Garda management have informed me that the information sought regarding appointments is not readily available and can only be obtained by the disproportionate expenditure of Garda time and resources relative to the information sought.

Departmental Contracts.

527. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform if his Department has a corporate procurement plan; and if he will make a statement on the matter. [6352/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that procurement activity in my Department continues to be managed in accordance with established public sector guidelines. As the Deputy will be aware, the requirement to produce an annual corporate procurement plan comes from the national public procurement policy framework, which was issued by the Department of Finance in May 2005. My Department's statement of strategy for 2005-07 incorporates an objective of promoting procurement management reform by developing policies, processes and practices in support of a more strategic approach to procurement within the Department. In

response to that, I have initiated steps to produce a corporate procurement plan as part of the strategic planning process for 2006.

528. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform the progress made within his Department in relation to reviewing existing contract specifications awarded by all Government Departments; and if he will make a statement on the matter. [6367/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy will be aware, last October the Government decided to introduce a number of new measures to improve the management and control of major ICT projects and the Minister for Finance also announced additional general measures to secure better value for money from public expenditure.

On 25 January, the Department of Finance issued guidelines on the implementation of the measures outlined by the Government and the Minister for Finance. These guidelines call for formal review of contracts for those projects in excess of €30 million in value, with reports to be sent to the Minister, and a provision for their audit by the Department of Finance. To ensure that this Department delivers our capital projects on time and within budget we moved to strengthen our governance structure by setting up a new project oversight board in late 2004. The board is chaired by myself and its members include the secretary general, the heads of the relevant agencies, the relevant assistant secretaries, the Chairman of Commissioners of Public Works and the Department's project delivery manager. The main function of the board is to ensure that proper procedures and structures are put in place for each project, and, crucially, to monitor the progress of each project to identify possible impediments and delays to the successful completion of a project. The board meets on a quarterly basis.

I can also advise the Deputy that my Department is examining the other aspects of the guidelines and will be implementing the new requirements.

Crime Prevention.

529. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if a safety and security plan will be put in place for an area (details supplied) in County Limerick; and if he will work with the local authority on this matter. [6377/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that local Garda management is aware of the difficulties being experienced in the area in question and has met the local residents' association and the local authority in order to provide a policing response to the issues referred to.

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I understand that a number of matters are also being addressed by the local authority and local Garda management believes that this will help address some of the issues. Community policing is a central feature and core value in policing policy by Garda management, and I am informed that two community policing gardaí are assigned to this area. I am assured that the area in question continues to receive ongoing attention by district and divisional resources with a view to ensuring that a concentrated visible presence is maintained in the area.

Registration of Title.

530. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform if he will ascertain from the Land Registry Office if there is a dealing pending on a folio for a person (details supplied) in County Mayo; if so, the position of same; and when same will be complete. [6387/06]

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 folio in question.

531. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform when a dealing in the Land Registry Office will be completed for a person (details supplied) in County Mayo. [6425/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to inform the Deputy that I have requested the Land Registry to contact him directly concerning the current position of the application in question.

Garda Stations.

532. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if there are plans in his Department to close the Garda stations at Kilcormac, County Offaly; and if he will make a statement on the matter. [6436/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that there are currently no plans to close Kilcormac Garda station in County Offaly.

Deportation Orders.

533. **Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform the benefit he considers will derive from the deportation of a person (details supplied); and the reason he believes this outweighs the significant loss to their community that their deportation would entail, as the community itself has made clear. [6447/06]

544. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the position in relation to deportation appeal in the case of a person (details supplied); and if he will make a statement on the matter. [6589/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 533 and 544 together.

I refer the Deputies to my response to Parliamentary Question No. 246 of 15 February 2006. The position has not changed. The decision regarding the making of a deportation order in this case has not yet been made.

Road Traffic Offences.

534. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform the number of speeding fines enforced by the Garda Síochána that have been issued in counties Sligo and Leitrim since the introduction of the change from miles to kilometres in April 2004; and if he will make a statement on the matter. [6465/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the change from miles per hour to kilometres per hour took effect on the 20 January, 2005.

I am further informed that statistics are not compiled in such a way as to identify offences committed on a county by county basis. Provisional statistics indicate that there were 971 detections for speeding in the Sligo-Leitrim Garda division in 2005.

I am also informed that by-laws enacted by the local authority in Wicklow are applicable only to the area(s) in county Wicklow to which the particular by-law(s) refer and as such have no relevance for other areas.

Citizenship Applications.

535. **Ms C. Murphy** asked the Minister for Justice, Equality and Law Reform if children born to parents in a country other than Ireland are recognised as Irish citizens from birth; and if he will make a statement on the matter. [6466/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The entitlement to Irish citizenship of a child born outside of the island of Ireland is dependant on the way the parent of the child obtained Irish citizenship. I will now set out the different circumstances that can arise in this regard: parent born in Ireland: child automatically Irish from birth, parent born outside of Ireland but his or her parent, that is child's grandparent, born in Ireland; child entitled to Irish citizenship but must first be registered in foreign births register maintained by Department of Foreign Affairs; parent naturalised or made a declaration of post-nuptial citizenship prior to child's

birth; child entitled to Irish citizenship but must first be registered in foreign births register maintained by Department of Foreign Affairs; parent obtained Irish citizenship after the birth of the child; parent must apply for naturalisation on behalf of the child or the child must apply himself or herself if of full age.

Visa Applications.

536. **Mr. Hayes** asked the Minister for Justice, Equality and Law Reform if visas will issue to persons (details supplied). [6480/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An initial assessment was made by the visa officer dealing with the applications. Further material has been sought by letter dated 16 February 2006. As soon as the material is provided, or the ten-day period has passed without the required documentation, a decision will be made.

Residency Permits.

537. **Ms C. Murphy** asked the Minister for Justice, Equality and Law Reform the options available to the spouse of an Irish citizen (details supplied) regarding obtaining permission to live and work here; and if he will make a statement on the matter. [6481/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Section 7(1) of the Irish Nationality and Citizenship Act 1956, as amended, states that: “A person is an Irish citizen from birth if at the time of his or her birth either parent was an Irish citizen or would if alive have been an Irish citizen”. However, the entitlement to Irish citizenship of a child born outside the island of Ireland is dependent on the way the parent of the child obtained Irish citizenship.

In the case of a parent born in Ireland, the child is automatically entitled to Irish citizenship from birth. Where the parent was born outside of Ireland but his or her parent, that is, the child’s grandparent, was born in Ireland, the child is entitled to Irish citizenship but must first be registered in the foreign births register maintained by the Department of Foreign Affairs. If a parent is naturalised or has made a declaration of post-nuptial citizenship prior to the child’s birth, that child is entitled to Irish citizenship but must first be registered in the foreign births register. Parents who obtained Irish citizenship after the birth of the child in question must apply for naturalisation on behalf of the child or, if of full age, the child must apply himself or herself.

Marriage of a non-EEA national to an Irish national does not grant any automatic right to enter or reside in the State solely on that basis. Non-EEA national spouses of Irish citizens who marry abroad and are visa-required nationals must apply for a visa to enter the State. Non-

EEA spouses who are not visa-required nationals must be in a position to satisfy the immigration officer at point of entry to the State as to their reasons for coming to Ireland. The latter would apply in the case outlined by the Deputy as a national of New Zealand is not visa-required. Following the granting of residency, the non-EEA national concerned will be able to reside in the State and work without the requirement of a work permit.

538. **Ms C. Murphy** asked the Minister for Justice, Equality and Law Reform the options available to the spouse of an Irish citizen, both of whom reside outside the State, should they wish to relocate here and should both wish to take up employment within the State; and if he will make a statement on the matter. [6482/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): An Irish national has the right to enter the State and take up employment at any time. Marriage of a non-EEA national to an Irish national does not grant any automatic right to enter or reside in the State solely on that basis. Non-EEA national spouses of Irish citizens who marry abroad and are visa-required nationals must apply for a visa to enter the State. Non-EEA spouses who are not visa-required nationals must be in a position to satisfy the immigration officer at point of entry to the State as to their reasons for coming to Ireland.

Following the granting of residency, the non-EEA national concerned will be able to reside in the State and work without the requirement of a work permit.

Departmental Investigations.

539. **Mr. M. Higgins** asked the Minister for Justice, Equality and Law Reform if he will make a statement on such actions as have been taken by his Department or by the Garda Síochána in regard to a person (details supplied) in County Galway. [6500/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am unable to answer the Deputy’s question due to insufficient details supplied. Officials from my office have sought clarification from the Deputy but, to date, no further details have been supplied. If the Deputy supplies further details, I will be happy to investigate the matter.

Closed Circuit Television Systems.

540. **Mr. Noonan** asked the Minister for Justice, Equality and Law Reform if closed circuit television cameras will be provided in Thomondgate and Kileely in Limerick city; if the monitoring centre in Moyross will be used as a hub to facilitate this development; and if he will make a statement on the matter. [6511/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Closed circuit television, CCTV, systems for the purposes of crime prevention and as aids to policing are installed in areas to which the general public routinely have access such as town centres and fall into two distinct categories: Garda CCTV systems and community based CCTV systems. I am informed by the Garda authorities that all applications for Garda CCTV systems must be prepared in co-operation with the local Garda district and divisional officers and must receive their full support. Applications are then considered by the CCTV advisory committee which makes a recommendation, through the Garda Commissioner, to me.

I am advised by the Garda authorities that no applications for the provision of Garda CCTV cameras in the Thomondgate or Kileely areas of Limerick city have been received by the CCTV advisory committee from local Garda management to date. I am further informed that because the CCTV monitoring station located in Moyross community enterprise centre is not under the control of the Garda Síochána, it is unaware of any plans to use the centre to monitor cameras in the Thomondgate or Kileely areas.

I launched the community based CCTV scheme last year in response to a demonstrated demand from local communities for the provision of CCTV systems. The purpose of the scheme is to support local communities which wish to install and maintain CCTV security systems in their area, with the aim of increasing public safety and reducing the risk of anti-social and criminal activity. The closing date for receipt of applications was 20 September 2005.

The community based CCTV scheme offered two stages or options designed to meet the requirements of communities in both of these situations. Stage one offered pre-development supports and possible funding for organisations or groups not yet ready to develop their proposals fully or utilise funds. The stage two process offered a direct application process, to access funds, to those organisations which could demonstrate an ability to develop and deliver a CCTV programme immediately. Identification of camera locations, areas to be covered and monitoring centres are a matter for the community group making the application for funding.

More than €1 million in grant aid has already been allocated to 37 communities under the scheme and many of these could see their CCTV systems in operation before the end of the year. I plan to make a further call for proposals under the scheme in the coming months and it is open to any community group in Limerick, including those in the Thomondgate and Kileely areas, to submit an application for funding under this scheme.

Prison Building Programme.

541. **Mr. Dennehy** asked the Minister for

Justice, Equality and Law Reform if a final decision has been made regarding the construction of a bridge to Spike Island; if a choice has been made between Haulbowline or Paddy's Point sites; and if he will make a statement on the matter. [6534/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am advised that the necessary steps in regard to proceeding with the construction of the bridge to Spike Island are being taken by the Office of Public Works. I expect to be in a position to make a further announcement in this respect in the near future.

Garda Stations.

542. **Ms Shortall** asked the Minister for Justice, Equality and Law Reform if the Office of Public Works has finalised the site acquisition from Dublin City Council in view of the proposed new Garda station for Finglas, Dublin 11; if not, the reason for the delay; and the steps he will take to expedite this matter. [6544/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Commissioners for Public Works that they are in negotiation with Dublin City Council for the acquisition of the site for the new Garda station at Finglas. I am further informed that the transaction is expected to be completed shortly. There will be no undue delay in the provision of the new Garda station.

Residency Permits.

543. **Mr. Carey** asked the Minister for Justice, Equality and Law Reform if arrangements will be made to deal with the request of a person (details supplied) in Dublin 11 for a residency permit; and if he will make a statement on the matter. [6549/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned has been informed by registered letter, dated 16 February 2006, that residency has been granted for a five-year period.

Question No. 544 answered with Question No. 533.

Probation and Welfare Service.

545. **Dr. Upton** asked the Minister for Justice, Equality and Law Reform the orders made in 1963 under section 7 of the Criminal Justice Administration Act 1914 to give a group (details supplied) the status of probation officers; the names of the presidia of the group whose members were given the status of probation officers by virtue of the orders in question; and if he will make a statement on the matter. [6590/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Following an examination of available information in my Department for 1963, the records show that recognition as a society for

the purposes of section 7 of the Criminal Justice Administration Act 1914 was granted to each of the following in that year, as set out in the following table.

| Date of the Order | Name of the Society |
|-------------------|---|
| 24 May 1963 | Praesidium Mater Salvatoris, Legion of Mary, Dublin |
| 24 May 1963 | Praesidium Virgo Potens, Legion of Mary, Dublin |
| 27 May 1963 | The Salvation Army (Women's Social Work), Dublin |

It should be noted that at the time in question, 1963, the services of professional probation officers were only employed in Dublin. The total number employed was five professional probation officers, of whom one was on loan to the Adoption Board. In addition, no formal qualifications were required for entry to the probation service. In-service training was provided.

Departmental records available for the period in question indicate that from 1942 onwards, the services of the Legion of Mary were availed of on an informal basis for probation work. Following the establishment of the interdepartmental committee on the prevention of crime and treatment of offenders in late 1962, however, it was recommended that the value of the work done by the Legion of Mary would be greatly enhanced if the members were authorised to act as probation officers in their own right. This official status was provided for under section 7 of the Criminal Justice Administration Act 1914.

Garda Transport.

546. **Mr. J. O'Keefe** asked the Minister for Justice, Equality and Law Reform the number of personnel and vehicles available to the Garda driving and training school; and if he will provide details of the pre-2003 vehicles which have not passed the national car test. [6596/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the

detailed allocation of resources, including personnel, that the personnel strength of the Garda driving and training school as at 15 February 2006 was 23, all ranks. This figure comprises four sergeants and 19 gardaí. I have been further informed that the staffing levels of the Garda driving and training school are being examined with a view to reducing the number of personnel driving on chief's permission.

Garda management states that the Garda driving and training school has the following equipment: 18 cars; 16 motorcycles; five 4x4 vehicles; two personnel carriers; two minibuses; and one public order van. Section 3(2) of the Road Traffic (National Car Test) Regulations 2000, SI 368 of 2000, states, *inter alia*, that these regulations shall not apply to a vehicle while in official use by a member of the Garda Síochána.

Decentralisation Programme.

547. **Mr. Bruton** asked the Minister for Justice, Equality and Law Reform the office or unit within his Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within his Department and associated agency who have chosen to decentralise with their parent organisation; and the number of people willing to move who have been assigned their new posts. [6676/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is set out in the following table.

| Location | Number of central application facility, CAF, applicants from within the Department | Total number of officers assigned from CAF* |
|---|--|---|
| Parts of asylum-immigration, Tipperary. | 4 | 0 |
| Data Protection Commissioner, Portarlington. | 5 | 7 |
| Equality Authority, Roscrea. | 3 | 19 |
| Equality Tribunal, Portarlington. | 5 | 1 |
| Regional office of the Garda Ombudsman Commission, Roscrea. | 4 | 9 |
| Garda headquarters, Thurles. | 14 | 32 |
| Irish Prison Service, Longford. | 40 | 89 |
| Land Registry, Roscommon. | 25 | 1 |
| Probation and Welfare Service, Navan. | 19 | 1 |

* Figures show the number of officers from the central applications facility who have accepted formal offers to decentralise. In some cases, these officers have yet to move into the post.

Road Traffic Offences.

548. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform the facilities in place for detection of drug and substance abuse for persons driving and in contravention of the Road Traffic Acts; the number of prosecutions taken and convictions acquired for drug and substance abuse while driving in each of the past five years; and if he will make a statement on the matter. [6680/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Road Traffic Act 1994 provides that a person shall not drive, or attempt to drive, a mechanically propelled vehicle in a public place while under the influence of an intoxicant to such an extent as to be incapable of having proper control of the vehicle. An intoxicant includes alcohol, drugs or any combination of drugs or of alcohol and drugs.

When a member of the Garda Síochána is dealing with a person whose driving has been erratic, he or she may form the opinion that the person has consumed an intoxicant to such an extent as to be incapable of having proper control of the vehicle and arrest the person or require him or her to accompany the member to a Garda station for the purpose of obtaining a blood or urine sample which will be analysed by the Medical Bureau of Road Safety. Dependent upon the circumstances, this sample will be analysed for alcohol and-or drugs.

I am informed by the Garda authorities that the information requested by the Deputy in respect of the numbers of prosecutions taken and convictions obtained for drug and substance abuse while driving is not compiled in such a way as to identify the intoxicant, that is, alcohol and drugs or any combination of drugs or of drugs and alcohol, involved in any particular offence. The amount of time it would take to compile such information would entail the disproportionate use of resources and could not be justified.

National Drugs Strategy.

549. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform his views on the extent of usage of cocaine as the drug of choice by many people; the efforts he is making to counteract its use; the penalties involved for conviction for use; and if he will make a statement on the matter. [6682/06]

550. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform the estimated number of cocaine users; the number of prosecutions taken and convictions acquired in each of the past five years; and if he will make a statement on the matter. [6683/06]

551. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform his views on the extent

and availability of cocaine and the resources available to the Garda Síochána to detect and confiscate the drug; the extent of cocaine confiscated in the past three years; the estimated value of same; the estimated value of cocaine imported illegally; and if he will make a statement on the matter. [6684/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 549 to 551, inclusive, together.

The National Drugs Strategy 2001-2008 addresses the problem of drug misuse across a number of pillars — supply reduction, prevention, treatment, rehabilitation and research — and implementation of the strategy across a range of Departments and agencies is co-ordinated by the Department of Community, Rural and Gaeltacht Affairs.

The Government is aware of the increased prevalence of cocaine usage in recent times. Efforts to tackle it are broadly based to include measures aimed at both supply and demand reduction, including awareness initiatives. The national strategy specifies a number of supply reduction targets for the Garda Síochána in terms of all drug seizures and the force has achieved considerable successes in regard to these targets to date.

I am informed by the Garda authorities that their strategies for dealing with drug offences are designed to undermine the activities of organised criminal networks involved in the trafficking and distribution of illicit drugs, including cocaine. These strategies include gathering intelligence on individuals and organisations involved in the distribution of drugs, including the support structures underpinning this activity; conducting targeted operations on criminal networks based on intelligence gathered; and working in collaboration with other law enforcement agencies both within and outside the jurisdiction to address the national as well as international aspects of drug trafficking and distribution. The Garda authorities further inform me that these strategies continue to result in operational successes, including successes against cocaine trafficking. The trafficking and distribution of all illicit drugs, including cocaine, at local, national and international levels is constantly monitored by the Garda.

Regarding resources, the Garda national drug unit works closely with divisional and district drug units in detecting and preventing the sale and supply of illegal drugs. Where necessary, these resources can be supplemented by Garda personnel operating at local level. The needs of drug units are and will be kept under ongoing review, including in the context of distributing the additional resources being made available arising from the Government's decision to increase the strength of the Garda Síochána to 14,000.

Numerous data sources are used to determine the extent of drug usage within society. These include drug treatment and law enforcement data, as well as official survey data at national level. For several years, all these data sources have recorded consistent increases in the incidence of cocaine usage, albeit from an initial low base.

The joint prevalence survey undertaken in partnership between the national advisory committee on drugs and the drugs and alcohol information and research unit in Northern Ireland is generally regarded as providing the most reliable baseline data on drug prevalence in Ireland. This study, which surveyed 8,442 people aged 15 to 64 in Ireland and Northern Ireland between October 2002 and April 2003, reported that 3.1% of the population had used cocaine at some time, 1.1% had used it in the previous 12 months and 0.3% had used it in the previous month. I understand that compared with similar comprehensive population surveys undertaken in other European countries, these figures suggest that Ireland is roughly average in terms of use.

I am informed by the Garda authorities that since 2000, there has been a noticeable increase in both the number of seizures and the quantity of cocaine seized. Relevant data are detailed in a table that follows and reflect not only an increase in demand and availability but also an increase in the ability of the Garda Síochána to counter the activities of criminal groups involved in the trafficking and distribution of cocaine.

Statistics in regard to the number of prosecutions taken and convictions acquired, by drug type, are not readily available and compilation of the data requested by the Deputy would require a disproportionate expenditure of time by the Garda. However, the Garda authorities have been able to readily provide data in regard to proceedings commenced for breaches of misuse of drugs legislation, in respect of cocaine, for the period 2000 to 2004, inclusive. These data are also set out in a table that follows.

The penalties for possession of controlled drugs are set out in the Misuse of Drugs Act 1977, as amended by the Misuse of Drugs Act 1984. Penalties vary depending on whether the offence is a first, second or third offence. The maximum penalty that applies to possession of controlled drugs, other than cannabis, is seven years imprisonment or a fine or both.

The Criminal Justice Bill, which is currently before the Houses of the Oireachtas, provides a comprehensive package of anti-crime measures which will enhance the powers of the Garda in the investigation and prosecution of offences, including drug offences. It includes provisions relating to search warrant powers for the Garda. Moreover, in November last year, I obtained Government approval to draft a range of amendments to the Bill, which I intend to bring forward during its passage through the Oireachtas. Pro-

posed amendments include the creation of new criminal offences in regard to participation in organised crime and the strengthening of existing provisions for the ten-year mandatory minimum sentence for drug trafficking.

Cocaine Seizures 2000-2004

| Year | Quantity | Number of Cases | Value |
|------|----------|-----------------|------------|
| | kg | | € |
| 2000 | 18 | 206 | 1,260,000 |
| 2001 | 5.3 | 300 | 371,000 |
| 2002 | 31.7 | 429 | 2,219,000 |
| 2003 | 107.4 | 566 | 7,518,000 |
| 2004 | 167.3 | 753 | 11,711,000 |

Proceedings commenced for breaches of the Misuse of Drugs Acts 1977-84 in respect of cocaine for 2000 to 2004

| Year | Number of cases |
|------|-----------------|
| 2000 | 180 |
| 2001 | 297 |
| 2002 | 478 |
| 2003 | 607 |
| 2004 | 764 |

Citizenship Applications.

552. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform the position regarding an application for Irish citizenship by a person (details supplied) in County Roscommon; and if he will make a statement on the matter. [6685/06]

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 29 November 2005. The average processing time for such applications is 24 months. It is likely, therefore, that the case will be finalised in or around the end of 2007. I will be in touch with the Deputy and the applicant when I have reached a decision in the matter.

553. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform when a decision will be made on an application for a person (details supplied); the reason for the delay in same; and if he will make a statement on the matter. [6692/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A declaration of acceptance of post-nuptial citizenship was received from the person referred to in the Deputy's question on 26 November 2004. I understand that officials in the

[Mr. McDowell.]

citizenship section of my Department wrote to the person concerned on 5 August 2005, seeking documentation and information in relation to the declaration. The letter was sent to the address supplied by the declarant, but delivery could not be effected and the letter was returned to the Department marked “gone away, no forwarding address”. It is not possible to continue with the processing of the declaration of the person in question until he makes contact with my Department.

Decentralisation Programme.

554. **Mr. Lowry** asked the Minister for Justice, Equality and Law Reform the progress to date in securing a location for decentralising a section (details supplied); when he expects a move of staff to occur; and if he will make a statement on the matter. [6764/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Office of

| Year | Applications for naturalisation received | Certificates of naturalisation issued | Declarations of post-nuptial citizenship received | Certificates of post-nuptial citizenship issued |
|------|--|---------------------------------------|---|---|
| 2001 | 1431 | 1012 | 1502 | 1419 |
| 2002 | 3574 | 1332 | 1728 | 1550 |
| 2003 | 3580 | 1664 | 2491 | 2272 |
| 2004 | 4074 | 1335 | 2825 | 2449 |
| 2005 | 4523 | 1451 | 4080 | 2622 |

The major reduction in the number of asylum applications has given me an opportunity to re-focus resources in areas of service provision for non-nationals. For example, since November 2004, the number of staff working exclusively on citizenship matters has doubled to 41. Furthermore, other sections within the broad immigration area, such as those dealing with visas and residency applications, have been expanded to cope with the additional workload in those areas.

Garda Equipment.

556. **Mr. McEntee** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the serious disquiet in the Garda Síochána at the quality of the material used in the current uniform and ancillary equipment; if he is satisfied that the requirements of the current clothing contract for the Garda Síochána have been met; the action he proposes to take to remedy the situation; and if he will make a statement on the matter. [6859/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that the new operational Garda uniform was introduced as part of a live trial to

Public Works that it is finalising its technical assessment of an office premises in Thurles where it is intended to house the section involved. Subject to a favourable outcome to that assessment and agreement being reached with the owner, the staff will be recruited from the central applications facility and begin a programme of training. The completion of the fit-out of the building and the deployment there of the staff involved will be proceeded with as soon as possible.

Citizenship Applications.

555. **Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform the steps he is taking to address the long waiting lists for citizenship and residency applications. [6793/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): During the last few years, the volume of work in the citizenship area of my Department has increased significantly. The table below sets out the position in respect of naturalisation and post-nuptial citizenship since 2001.

continue in the next three years. As would be expected with any trial of this nature, a number of issues were encountered that required addressing. These issues have all been acted upon and Garda management states that it is satisfied that the garments provided under this contract fully meet the specifications. This is also the view of the Government Supplies Agency, which is the awarding authority in respect of this contract.

I have been further informed that additional shirts and ties are being issued nationwide and that this process will be completed by the end of this month.

Asylum Applications.

557. **Mr. Curran** asked the Minister for Justice, Equality and Law Reform when a decision will be made regarding an application for leave to remain here made by a person (details supplied) in Dublin 22. [6868/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in State on 15 September 1997 and claimed asylum. His claim for refugee status was considered under the process then applicable and was refused by the asylum division of my Department. He was notified of the decision on 13 January

1999. He appealed this decision to the appropriate body at the time, the appeals authority, which affirmed the decision of the asylum division. He was notified of this decision on 26 May 1999. An application, dated 6 August 1999, to remain in the State based on his marriage to an Irish national was received from the applicant's solicitors.

This application from the person in question was considered and it was determined that he is not residing, and it is doubtful if he ever resided, in the same household in a family unit with his spouse since the date of his marriage. As he did not qualify for the residency rights on the separate basis of his marriage to an Irish national, a notification of refusal on that basis issued on 23 November 2005.

Since the person in question did not have an alternative legal basis for remaining in this jurisdiction, the letter of 23 November 2005, referred to above, also contained a notification of a proposal to deport him from the State under section 3 of the Immigration Act 1999. It was open to the person in question to make representations within 15 working days of the date of that letter as to why he should not be deported from the State and representations were duly received by the Department. The question of whether the person concerned will be deported or granted leave to remain in the State will be considered in the light of those representations and in the context of the range of factors set out in section 3(6) of the Immigration Act 1999.

Garda Investigations.

558. **Ms Shortall** asked the Minister for Justice, Equality and Law Reform if a road death investigation manual or other such guidance note is available for gardaí investigating fatal road accidents; if he will provide copies for the Oireachtas Library; if there is none available, the way in which Garda practice is informed; and if there is a uniform approach exists within all Garda divisions for such investigations. [6888/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the circumstances surrounding any loss of life as a result of a road traffic collision are thoroughly investigated by the Gardaí in accordance with the instructions set out in the Garda Síochána code. The code covers all areas of Garda duties, including operational, security and administrative duties. All members of the Garda Síochána are issued with a personal copy of the code, which is retained by the member for the duration of his or her service. The Garda Commissioner is of the view that it is necessary that confidentiality be maintained in respect of the code in order to maintain the operational effectiveness of the Garda Síochána.

I am further informed that the district officer — chief superintendent — for the area where a

fatal collision occurs is responsible for the investigation. The district officer ensures that sufficient and appropriate personnel are assigned to the investigation and that all aspects of the investigation are thoroughly and fully carried out. All events preceding the collision, including the actions and activities of any driver, passenger, pedestrian or other person involved, as appropriate, are fully inquired into. Where necessary, full use is made of local and national media for appeals for information from any person who may have witnessed the collision, or have information relevant to it.

Where there is a surviving driver, the district officer will forward the completed investigation file to the law officers for direction in accordance with the procedures and instructions for the investigation of fatal collisions as set out in the Garda code.

Garda Equipment.

559. **Ms Shortall** asked the Minister for Justice, Equality and Law Reform the way in which Garda information technology resources are linked with information held by driver licensing authorities here; the way in which information on driver disqualification and licence endorsements is co-ordinated between the different State bodies that are administratively involved; and if he will make a statement on the matter. [6889/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Garda Síochána is supplied with an electronic copy of the national driver file by the Department of Environment, Heritage and Local Government for the purpose of processing payments in respect of penalty point offences recorded on the fixed charge processing system, FCPS. Details of payments received by the Garda Síochána in respect of fixed charge penalty point offences are forwarded to the Department of Environment, Heritage and Local Government for the purpose of applying penalty points to the driver licence record.

The driver licence authorities of the Department of Environment, Heritage and Local Government are notified by District and Circuit Court offices of the imposition of disqualifications and licence endorsements. Copies of the court order are sent to them giving the details of the offence and the penalty imposed.

Road Safety.

560. **Ms Shortall** asked the Minister for Justice, Equality and Law Reform the enforcement threshold in excess of the speed limit expressed in percentages or kilometres or miles per hour that gardaí allow in the enforcement of speed limits; if the threshold is applied in the same way in all Garda divisions; and if he will make a statement on the matter. [6890/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the enforcement of speed limits is conducted uniformly across all Garda divisions, with a view to ensuring compliance by all road users across the entire road network in the State, without reference to any thresholds whatsoever.

Asylum Support Services.

561. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform the position in relation to an issue raised previously (details supplied); if there have been any changes in policy; the position in relation to single people coming to Kiltimagh, County Mayo. [6893/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Reception and Integration Agency, RIA, of my Department is responsible for the accommodation of asylum seekers and currently has a portfolio of 67 centres across the State for this purpose.

In March 2005 there was a total of 8,080 asylum seekers being accommodated by the RIA. Approximately 3,500 residents applied for leave to remain in the State under the Irish born children, IBC, measures announced on 17 December 2004. Almost all of these residents have now left the RIA accommodation and as of 3 February 2006 there were 4,858 asylum seekers resident in accommodation centres. This drastic reduction, in a relatively short space of time, in the numbers requiring accommodation has led to a temporary over-supply of accommodation.

In addition, the numbers and profile of persons seeking asylum have changed dramatically. There is now a larger number of single persons seeking asylum in the State as opposed to families and RIA accommodation must both reflect and plan for this reality.

In order to address the reduction in numbers and the change in profile, the RIA embarked on a programme of downsizing its accommodation portfolio. This is intended to bring supply and demand into balance and will include the reclassification of some of the accommodation centres in order to optimise usage and obtain value for money. This downsizing has seen a number of centre closures during 2005 — 15 centres with a combined capacity of 833 beds. To date in 2006, two centres have been closed with a combined capacity of 200 beds and further closures-reclassifications are planned.

In the case of this centre, the RIA considered it to be suitable for possible reclassification from family to single person accommodation. The centre consists of two buildings — the Railway Hotel and an annex located on the opposite side of the road — and it was intended to place males in one building and females in the other. As part of the reclassification of this centre, the RIA intended to relocate its families to other centres

where they could benefit from special facilities for children and young people, including pre-school facilities. The decision to reclassify the centre was made in early January 2006 and following this a number of support groups contacted the RIA on the matter.

At all times the RIA is concerned to minimise disruption to residents and the local community while maintaining its commitment to efficient and effective use of the overall accommodation portfolio. Following further consideration, the RIA has recently agreed that the families currently residing at the centre will be allowed to remain there at least until the end of the current school year. However, arrangements are also being made to allow for the accommodation of some males at the centre. The RIA will shortly make up to ten placements in the annex at this location and will monitor the arrangements on an ongoing basis. Discussions have taken place with various groups such as Irish Rural Development, Le Chéile Support Group, Intercultural Ireland, Castlebar and St. Aidan's national school and we understand that there is now a greater acceptance of the proposed new arrangements.

The RIA has in its accommodation portfolio 17 male-only centres and no significant issues have arisen at these locations. In addition, the RIA has embarked on the reclassification of a portion of some of its larger family centres in order to accommodate single persons alongside families in counties Sligo, Meath and Monaghan. Such reclassifications are always carefully undertaken in consultation with relevant parties, especially the operators of the centre concerned.

Given the population base of the town of Kiltimagh and its environs and based on past experience, the RIA does not consider that the reclassification of this centre should pose problems. Unless the RIA can make proper use of the accommodation centre, in line with its requirements, it will not be a viable economic proposition to continue the contract with the possible resultant loss of jobs and an indirect negative impact on the local economy, for example, in terms of suppliers of goods and services.

Garda Equipment.

562. **Mr. G. Murphy** asked the Minister for Justice, Equality and Law Reform the cost of the hand-held device supplied by a company (details supplied); the number of these devices which were purchased; and the number which are currently being used; if an evaluation has been done on the effectiveness of the system. [6897/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Following a public procurement tendering process, a total of 493 hand-held devices were purchased by the Garda Síochána at a cost of €2,613.00 each plus VAT. I am advised by the Garda authorities that a small number are

used for training purposes and the balance are assigned for operational use.

It is planned to carry out a post-implementation review of the entire system, including the hand-held devices in question, later this year after the system is fully rolled out. Notwithstanding that, I am assured by the Garda Síochána that the hand-held devices have met the requirements as set out in the original procurement process and have been used successfully since June 2004.

563. **Mr. G. Murphy** asked the Minister for Justice, Equality and Law Reform his views on correspondence from a company (details supplied). [6898/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am assured by the Garda Síochána that the hand-held device being provided under contract awarded pursuant to a public procurement tendering process meets the requirements set out in that tendering process.

It is a matter for the Garda Síochána to review its requirements with regard to any additional or enhanced technological supports needed to carry out its duties effectively. If on the basis of such reviews, additional or enhanced technologies outside that provided under the existing contract for hand-held devices are required, I will consider any such proposals from the Garda authorities. Should a decision be made to proceed with the acquisition of new systems, it will be subject to public procurement procedures.

Garda Deployment.

564. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform when a new Garda sergeant with responsibility for community policy will be appointed in Mountjoy Garda station; and the length of time this role has been vacant. [6899/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel, that the post of community policing sergeant at Mountjoy Garda station became vacant on 1 November 2005. I have been further informed that local Garda management is in the process of

advertising the position and once a suitable candidate has been identified, he or she will be deployed as the community policing sergeant for Mountjoy Garda station.

The timescale for achieving the target strength of 14,000 members of the Garda Síochána in line with the commitment in An Agreed Programme for Government remains as when I announced the Government approval in October 2004 for my proposals to achieve this objective. The phased increase in the strength of the Garda Síochána to 14,000 will lead to a combined strength, of both attested gardaí and recruits in training, of 14,000 by the end of this year. As part of the accelerated recruitment campaign to facilitate this process, 1,125 Garda recruits were inducted to the Garda College during 2005. The college will induct 1,100 recruits this year and a further 1,100 in 2007, by way of intakes to the Garda College of approximately 275 recruits every quarter. This project is fully on target and will be achieved.

In this regard, I am informed by the Garda authorities that the first incremental increase of newly attested gardaí due to the programme of accelerated recruitment into the Garda Síochána will take place on 16 March 2006. Garda management states that during the allocation of the newly attested personnel, the needs of the Mountjoy Garda station will be fully considered within the overall context of the needs of Garda stations throughout the country.

565. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform the number of Garda Síochána who have been stationed at Mountjoy, Bridewell, Cabra and Fitzgibbon Garda stations in the years 2000, 2001, 2002, 2003, 2004 and 2005; the projected numbers for 2006; the rank of the different Garda across this period and for each year; the number who have been devoted to community policing. [6900/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel, that the personnel strength of the Mountjoy, Bridewell, Cabra and Fitzgibbon Street Garda stations as at 31 December 2000-2005, inclusively, was as set out in the following table.

| Station | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|----------------|------|------|------|------|------|------|
| Mountjoy | 75 | 77 | 82 | 85 | 91 | 90 |
| Bridewell | 167 | 155 | 157 | 163 | 166 | 162 |
| Cabra | 83 | 76 | 76 | 65 | 63 | 69 |
| Fitzgibbon St. | 113 | 112 | 116 | 119 | 119 | 119 |

I have been further informed that the personnel strength of the Dublin metropolitan region as at 31 December 2000 and as at 31 December 2005 was 3,512, all ranks, and 3,742, all ranks, respec-

tively. This represents an increase of 230, or 7%, in the number of gardaí allocated to the Dublin metropolitan region during that period.

Garda management states that the reduction in Garda personnel serving in Cabra Garda station,

[Mr. McDowell.]

as shown in the table above, can be attributed to the fact that the district K headquarters in Dublin metropolitan region west has moved from Cabra Garda station to Blanchardstown Garda station during that period.

I am also informed that the personnel strength of Blanchardstown Garda station as at 31 December 2000 and as at 31 December 2005 was 106, all ranks, and 167, all ranks, respectively. This represents an increase of 61, or 58 %, in the number of gardaí allocated to Blanchardstown Garda station during that period.

In the above regard, a number of Garda national units have been established during the

| Station | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|----------------|------|------|------|------|------|------|
| Mountjoy | 9 | 10 | 12 | 12 | 14 | 13 |
| Bridewell | 16 | 16 | 16 | 15 | 14 | 14 |
| Cabra | 4 | 3 | 2 | 2 | 2 | 5 |
| Fitzgibbon St. | 15 | 18 | 17 | 17 | 17 | 16 |

Unfortunately at this time I do not have a breakdown of these above figures by rank.

The timescale for achieving the target strength of 14,000 members of the Garda Síochána in line with the commitment in An Agreed Programme for Government remains as when I announced the Government approval in October 2004 for my proposals to achieve this objective. The phased increase in the strength of the Garda Síochána to 14,000 will lead to a combined strength, of both attested Gardaí and recruits in training, of 14,000 by the end of this year. As part of the accelerated recruitment campaign to facilitate this process, 1,125 Garda recruits were inducted to the Garda College during 2005. The college will induct 1,100 recruits this year and a further 1,100 in 2007, by way of intakes to the Garda College of approximately 275 recruits every quarter. This project is fully on target and will be achieved.

In this regard, I am informed by the Garda authorities that the first incremental increase of newly attested gardaí due to the programme of accelerated recruitment into the Garda Síochána will take place on 16 March 2006. Garda management states that during the allocation of the newly attested personnel, the needs of the Garda stations referred to by the Deputy will be fully considered within the overall context of the needs of Garda stations throughout the country.

Accordingly, it is not possible to project the number of gardaí that will be allocated to each Garda station as at 31 December 2006, as the allocation of Garda personnel is continually monitored and reviewed to ensure that the best possible use is made of Garda resources and that the best possible service is provided for the public.

years referred to by the Deputy, for example, the Garda National Immigration Bureau, GNIB, the Garda Bureau of Fraud Investigations, GBFI, the Criminal Assets Bureau, CAB, and other specialist units. These units provide specialised policing services on a nationwide basis and augment the policing services provided at divisional level. The personnel strength of the national units is over and above the strength of the various operational Garda divisions.

Garda management states that the number of gardaí assigned to community policing duties, all ranks, at Mountjoy, Bridewell, Cabra and Fitzgibbon Street Garda stations as at 31 December 2000-05, inclusively, was as set out in the following table.

Public Order Offences.

566. **Mr. O'Dowd** asked the Minister for Justice, Equality and Law Reform the number of arrests and the number of successful prosecutions for public order offences in the Cabra area across 2003, 2004 and 2005. [6901/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the following table provides details of the number of arrests and convictions to date for public order offences in the Garda district of Blanchardstown for 2003-05 inclusive. Cabra is included in Blanchardstown Garda district. Figures provided for 2005 are provisional, operational and liable to change.

| Year | Arrests | Convictions |
|-------|---------|-------------|
| 2003 | 555 | 281 |
| 2004 | 512 | 319 |
| 2005 | 784 | 340 |
| Total | 1851 | 940 |

Child Care Services.

567. **Mr. Connaughton** asked the Minister for Justice, Equality and Law Reform the reason a grant has not been awarded to a school (details supplied) in County Galway; if his attention has been drawn to the fact that for many months this non-profit making group has been using its own resources and overdraft facilities which are now exhausted; if his attention has further been drawn to the fact that if this school has to close down it will cause immense problems to the underprivi-

leged in the area; and if he will make a statement on the matter. [6919/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy may be aware, responsibility for the National Childcare Investment Programme 2006-10 has been assigned to the Department of Health and Children as part of the establishment of the new Office of the Minister for Children, under the Minister of State with responsibility for children, Deputy Brian Lenihan.

Staffing grant assistance of €39,000 over three years has been awarded to the community based child care facility in question under the Equal Opportunities Childcare Programme 2000-2006. I understand from inquiries I have made that the group has submitted applications to extend this funding and for additional staffing funding. These applications are in the final stages of the appraisal process. The group will be informed of the outcome in due course.

Crime Levels.

568. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform the number of crimes

recorded across all headings in Ballina Garda division during 1997, 2000, 2001, 2002, 2003, 2004 and 2005; and if he will make a statement on the matter. [6928/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The introduction of the PULSE computer system by the Garda Síochána in 1999 has led to more complete and comprehensive recording of crimes reported than was previously the case. Consequently, the statistics provided for 1997 are not comparable to statistics provided for 2000 and subsequent years.

I am informed by the Garda authorities that the following tables show the four offence group totals for 1997 and the ten headline group totals for 2000-2005 inclusive. I am pleased to note that the tables show a decrease of 10% in the headline crime rate for 2005 in the Ballina Garda district when compared to 2004.

Any interpretation of the crime figures should factor in the increase in our population in the past ten years. In 1995 with a population of almost 3.6 million people, there were 29 crimes per 1,000 of the population. In 2005, with a population of over 4.1 million, there were 24.6 crimes per 1,000 of the population, a reduction of 4.4 crimes per 1,000 of the population.

Headline Offences Recorded and Detected for Garda District of Ballina for Years 2000 to 2005

| District: Lucan | 2005* | | 2004 | | 2003 | | 2002 | | 2001 | | 2000 | |
|-----------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| | Rec | Det |
| Homicide | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Assault | 20 | 18 | 32 | 23 | 26 | 22 | 32 | 25 | 18 | 16 | 14 | 14 |
| Sexual Offences | 14 | 9 | 9 | 2 | 9 | 4 | 15 | 10 | 5 | 4 | 5 | 5 |
| Arson | 4 | 0 | 7 | 0 | 3 | 1 | 1 | 0 | 4 | 3 | 1 | 0 |
| Drugs | 0 | 0 | 4 | 4 | 3 | 3 | 8 | 8 | 6 | 6 | 2 | 2 |
| Thefts | 161 | 61 | 185 | 63 | 182 | 60 | 234 | 71 | 165 | 77 | 129 | 33 |
| Burglary | 65 | 11 | 50 | 18 | 97 | 25 | 58 | 18 | 41 | 17 | 81 | 32 |
| Robbery | 3 | 0 | 3 | 2 | 2 | 0 | 2 | 1 | 0 | 0 | 0 | 0 |
| Fraud | 28 | 19 | 37 | 24 | 27 | 6 | 21 | 11 | 23 | 11 | 44 | 36 |
| Other | 3 | 2 | 4 | 3 | 8 | 7 | 8 | 4 | 1 | 1 | 0 | 0 |
| Total | 298 | 120 | 331 | 139 | 357 | 128 | 379 | 148 | 263 | 135 | 276 | 122 |

*Figures provided for 2005 are provisional, operational and liable to change.

Indictable Offences Recorded by Group for Year 1997

| Group | Ballina | |
|-----------------------------|------------|-----------|
| | Rec | Det |
| Offences Against the Person | 9 | 7 |
| Offences Against Property | 123 | 47 |
| Larcenies etc | 116 | 38 |
| Other Offences | 1 | 1 |
| Total | 249 | 93 |

Legal Fees.

569. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform if the fees for a court case (details supplied) will be reduced as it will impose financial hardship on persons who agree that same is necessary; and if he will make a statement on the matter. [6929/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As Minister for Justice, Equality and Law Reform, I have no power to waive or reduce the fees in question.

Deportation Orders.

570. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform, further to Parliamentary Question Nos. 709 of 26 January 2005 and 456 of 4 October 2005, the status of a person (details supplied) in County Clare; and if he will make a statement on the matter. [6934/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to the reply I gave to Dáil Question No. 709 on Wednesday, 26 January 2005, No. 456 on Tuesday, 4 October 2005 and No. 410 on Tuesday, 13 December 2005. Since then the person to whom the Deputy refers has presented himself to the Garda National Immigration Bureau on 12 January 2006 and is due to present again on Thursday, 23 February 2006. The issuing of travel documents for this person is being pursued by the bureau with the Congolese authorities and his removal will be arranged as soon as these are available.

Crime Levels.

571. **Mr. Deenihan** asked the Minister for Justice, Equality and Law Reform the number of sexual assaults, common assaults, burglaries and thefts reported in County Kerry since 1995; the number of drug seizures in County Kerry since 1995; the corresponding conviction rates; and if he will make a statement on the matter. [6946/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I regret that it has not been possible in the time available to obtain the information requested by the Deputy. I will contact him again when the information is to hand.

Residency Permits.

572. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the number of applicants who have not succeeded in their request for residency on the grounds of having Irish born children; the reason for refusal; and if he will make a statement on the matter. [6960/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There were 17,917 applications for permission to remain in the State on the basis of having an Irish born child prior to 1 January 2005, in accordance with the revised arrangements announced by me on 15 January 2005. As at 31 January 2006, over 1,100 applicants were refused residency under these revised arrangements. The reason for refusal decisions include lack of evidence that the applicant was continuously resident in the State since the birth of the Irish born child; the applicant was unable to

prove his or her identity; the applicant has a criminal record.

Drugs in Prisons.

573. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the number of incidents of illegal drugs being smuggled to a prisoner inside children's clothing or diapers which have been identified annually from 2000 to 2005; and the prisons in which such activities have been detected. [6969/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested by the Deputy is not readily retrievable and the allocation of time and resources away from essential duties for this purpose cannot be justified. However, I am advised that incidents such as that outlined by the Deputy have been reported in Mountjoy Prison, Limerick Prison and Wheatfield Prison in the time period specified.

Courts Service.

574. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform the plans the Government has to introduce weekend and night courts; and if he will make a statement on the matter. [7018/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The District Court in Dublin sits each Saturday and on bank holidays. Provincial District Courts sit outside of normal hours at weekends and at night to deal with emergency matters, as required. Experience of the operation of court sittings continues to be reviewed. This is being done in conjunction with legislative measures aimed at increasing the effectiveness of the courts. I have in this context provided in the Criminal Justice Bill 2004 for the use of a fixed penalties procedure in relation to certain public order offences which will reduce the need to bring offenders before the courts.

Victims Commission.

575. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform the amount the Government has spent on support for victims of crime annually since taking office; the breakdown of these figures; and if he will make a statement on the matter. [7019/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): My Department allocated the following amounts for the support of victims of crime from 1997 to 2005 — all pre-2002 figures are euro equivalences:

| Year | Amount |
|-------|--------------|
| | € |
| 1997 | 355,526.66 |
| 1998 | 818,981.06 |
| 1999 | 826,599.49 |
| 2000 | 1,085,626.06 |
| 2001 | 1,102,132.65 |
| 2002 | 1,135,000.00 |
| 2003 | 1,077,000.00 |
| 2004 | 921,750.00 |
| 2005 | 950,750.00 |
| Total | 8,273,365.92 |

* Comprised €265,000 allocated to Victim Support and €685,750 distributed by the Commission for the Support of Victims of Crime.

I established the Commission for the Support of Victims of Crime in March 2005 to develop a framework of victim services and to disburse funding for victim support measures. In 2005, the commission allocated €685,750 to 28 voluntary groups providing front-line services for victims of crime.

A total of €1.085 million has been provided for distribution by the commission in 2006. In addition, the Criminal Injuries Compensation Tribunal allocated the following amounts since 1997:

| Year | Amount |
|------|-------------------|
| 1997 | £3.432m (€4.36m) |
| 1998 | £3.483m(€4.42m) |
| 1999 | £3.153m(€4.00m) |
| 2000 | £ 3.153m(€4.003m) |
| 2001 | £3.226m (€4.069m) |

| Division | Insp. | Sgt. | Gardaí | Total |
|---------------------|-------|------|--------|-------|
| DMR South Central | - | 3 | 15 | 18 |
| DMR South | - | 3 | 20 | 23 |
| DMR North | - | 3 | 19 | 22 |
| DMR North Central | 1 | 2 | 15 | 18 |
| DMR West | - | 4 | 23 | 27 |
| DMR East | - | 3 | 14 | 17 |
| Carlow/ Kildare | - | 1 | 8 | 9 |
| Longford/ Westmeath | - | - | 4 | 4 |
| Laois/ Offaly | - | 1 | 4 | 5 |
| Louth/ Meath | - | 1 | 5 | 6 |
| Cork City | 1 | 1 | 11 | 13 |
| Cork North | - | 2 | 2 | 4 |
| Cork West | - | 1 | 4 | 5 |
| Kerry Division | - | 1 | 5 | 6 |
| Limerick | - | 1 | 8 | 9 |

| Year | Amount |
|------|---------|
| 2002 | €3.4m |
| 2003 | €3.321m |
| 2004 | €2,337 |
| 2005 | €2,384m |
| 2006 | €4.541m |

Liquor Licensing Laws.

576. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform the number of convictions there have been for allowing under age drinking on a licensed premises in the past three years; the number of these premises which were then temporarily closed; and if he will make a statement on the matter. [7020/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I regret that it has not been possible in the time available to obtain the information requested by the Deputy. I will contact the Deputy again when the information is to hand.

Garda Deployment.

577. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform the number of divisional drug units, the personnel and the resources made available for them; his plans to expand upon the existing units; and if he will make a statement on the matter. [7021/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities, which are responsible for the detailed allocation of resources, including personnel, that the personnel strength of each Garda divisional drug unit as of February, 2006 was as set out in the following table.

[Mr. McDowell.]

| Division | Insp. | Sgt. | Gardaí | Total |
|------------------------|-------|------|--------|-------|
| Galway West | — | 1 | 6 | 7 |
| Clare | — | 1 | 1 | 2 |
| Mayo | — | — | 2 | 2 |
| Roscommon/ Galway East | — | — | 2 | 2 |
| Sligo/ Leitrim | — | 1 | 6 | 7 |
| Cavan/ Monaghan | — | 2 | 8 | 10 |
| Donegal | — | 1 | 2 | 3 |
| Waterford/ Kilkenny | — | 1 | 7 | 8 |
| Wexford/ Wicklow | — | — | 12 | 12 |
| Tipperary | — | 1 | 2 | 3 |

I have been further informed that the personnel strength of the Garda national drug unit as of February 2006 was 52, namely, one chief superintendent, two superintendents, four inspectors, ten sergeants and 35 gardaí.

Garda management state that any proposed extension of existing units, or the establishment of new units, is a matter for divisional officers having due regard to the nature and extent of the drug issue locally and the availability of resources in conjunction with the Garda Síochána's commitments to the national drugs strategy.

The timescale for achieving the target strength of 14,000 members of the Garda Síochána in line with the commitment in the Agreed Programme for Government remains as when I announced the Government approval in October 2004 for my proposals to achieve this objective. The phased increase in the strength of the Garda Síochána to 14,000 will lead to a combined strength, of both attested gardaí and recruits in training, of 14,000 by the end of this year. As part of the accelerated recruitment campaign to facilitate this process, 1,125 Garda recruits were inducted to the Garda College during 2005. The college will induct 1,100 recruits this year and a further 1,100 in 2007, by way of intakes to the Garda College of approximately 275 recruits every quarter. This project is fully on target and will be achieved.

I am informed by the Garda authorities that the first incremental increase of newly attested gardaí due to the programme of accelerated recruitment into the Garda Síochána will take place on 16 March 2006. Garda management state that during the allocation of the newly attested personnel, the needs of the Garda divisional drug units will be fully considered within the overall context of the needs of Garda units throughout the country.

Prison Education Service.

578. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the status of the implementation of the recommendations of the prison adult literacy survey, including identifying which recommendations have been implemented and in which prisons; the timeframe

for the implementation of outstanding recommendations; the recommendations that the Government has decided not to implement; and the reason for that decision. [7022/06]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): The Irish Prison Service publication entitled, *The Prison Adult Literacy Survey — Results and Implications*, was published in September 2003. The major results of the survey showed that a significant number of prisoners had virtually no literacy skills — 52% of them were at level one or pre-level one literacy levels. In other words, more than twice as many prisoners are at the lowest level as compared with the general population.

The director general of the Irish Prison Service has informed me that the survey's findings are fully accepted and that the survey is providing the main focus for ongoing efforts by the prisons and prison education units to tackle the considerable adult literacy problem among prisoners as identified in the research. The prison service's efforts in the area of literacy tuition are also given focus and supported by the 2003 publication entitled, *Guidelines for Quality Literacy Work in Prisons*, which was produced by the prison education service, and which sets out a ten-point framework for redressing the poor literacy levels of prisoners.

It is envisaged that the implementation of the good practice guidelines will enable prison education units to reach and help an ever larger number of prisoners with literacy problems. None of the survey's recommendations relating to the prisons has been rejected for implementation by the Government, me or the Irish Prison Service.

To illustrate the progress made to date, actions taken following several of the survey's specific recommendations include, the first recommendation, the existing policy of prioritising prisoners with basic education needs should continue and, renewed efforts have been made in this direction in recent years. This priority in terms of disadvantage impacts in practice on such decisions as, for example, the appointment of teachers to prisons by vocational education committees, the devising of programmes in prison education units, the

recruitment and follow-up procedures among prison educators and the in-service support for teachers in prison.

Recommendation two proposed providing statistics on those with literacy problems in prison. It has emerged that this does pose certain difficulties in practice, partly due to the absence of a precise definition of “literacy difficulty” and also an understandable tendency among people in prison, just as on the outside, to hide their problem. Notwithstanding these practical problems, efforts to obtain estimates as to the extent to which literacy needs are being met can be made in the formulation of literacy plans for each prison.

In line with recommendation three, the Irish Prison Service is implementing the new assessment framework devised by the National Adult Literacy Agency, Mapping the Learning Journey. To raise awareness of other staff within the prison system of literacy issues, recommendation four, an input designed to increase literacy awareness, and provided by the prison education service, is included in the initial prison officer training course.

The guidelines for quality literacy work in prisons are being actively promoted, in accordance with the fifth and eighth recommendations. This includes piloting two templates for the “negotiated learning plan”, one for long-term, one for short-term prisoners to be used with literacy students. Recommendation nine stipulated that more efforts should be made to link the education and training needs of prisoners. The literacy action plan prepared by the prison education unit of each prison can become one vehicle for integrating the efforts of the education and training sectors in prisons.

Other survey recommendations such as peer tutoring, recommendation six, promoting family literacy, recommendation seven, and developing post-release support for prisoners who undertake literacy tuition in prison, recommendation ten, are all promoted by the prison education service wherever feasible.

Taxi Licences.

579. **Ms Shortall** asked the Minister for Justice, Equality and Law Reform the number of taxi drivers who had their licence application or renewal refused by the Garda Síochána in each of the past five years on the grounds that the Garda Síochána considered them unfit to be taxi drivers; and if he will make a statement on the matter. [7029/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the information requested by the Deputy is not readily available and is being researched. I will be in touch with the Deputy when the information comes to hand.

Garda Stations.

580. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform if, due to the rise in population in Enniscorthy, Wexford, New Ross, Gorey, County Wexford his views on the number of gardaí in each town to police the areas in a satisfactory way; and if he will make a statement on the matter. [7036/06]

581. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform his plans for changing the district Garda stations in Wexford; if there are plans in his Department to do so; and if he will make a statement on the matter. [7037/06]

582. **Mr. Kehoe** asked the Minister for Justice, Equality and Law Reform his plans to bring Bunclody Garda station area into the Enniscorthy area; and if he will make a statement on the matter. [7038/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 580 to 582, inclusive, together.

I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength of Enniscorthy, Wexford, New Ross and Gorey Garda stations as at 17 February 2006 was as set out in the following table:

| Station | Strength |
|-------------|----------|
| Enniscorthy | 32 |
| Wexford | 71 |
| New Ross | 33 |
| Gorey | 39 |

It is the responsibility of the divisional officer for the Wexford-Wicklow division to allocate personnel within the division. The allocation of such resources throughout the division is determined by several factors, including demographics, administrative functions, crime trends and other operational policing needs. Garda management will continue to appraise the policing and administrative strategy employed in the division with a view to ensuring an effective Garda service is maintained.

There are no plans to alter the district boundaries as they relate to the Wexford-Wicklow division.

The timescale for achieving the target strength of 14,000 members of the Garda Síochána in line with the commitment in An Agreed Programme for Government remains as when I announced the Government approval in October 2004 for my proposals to achieve this objective. The phased increase in the strength of the Garda Síochána to 14,000 will lead to a combined strength, of both attested gardaí and recruits in training, of 14,000 by the end of this year. As part of the accelerated recruitment campaign to facilitate this process,

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1,125 Garda recruits were inducted to the Garda College during 2005. The college will induct 1,100 recruits this year and a further 1,100 in 2007, by way of intakes to the Garda College of approximately 275 recruits every quarter. This project is fully on target and will be achieved.

The first incremental increase of newly attested gardaí due to the programme of accelerated recruitment into the Garda Síochána will take place on 16 March 2006. Garda management states that during the allocation of the newly attested personnel, the needs of the Wexford-Wicklow division will be fully considered within the overall context of the needs of Garda divisions throughout the country.

Registration of Title.

583. **Mr. Penrose** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to Office Notice 15/2004 from the Land Registry dealing with cancellation of land certificates or changes of ownership; when and by what means, be it statutory order, directive of the Land Registry, its servants or agents, Ministers of the Government, his servants or agents, whereby Rule 57 of the Land Registry rules was changed or altered, whereby it gave authority to the registrar, the deputy registrar or their respective servants or agents, to change such rule in order to enable them to make Office Notice 15/04; and if he has satisfied himself that the directives and directions set out in the said office notice complies with the Land Registry rules; and if it is underpinned on a statutory basis; and if he will make a statement on the matter. [7044/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In my previous responses on this issue on 27 April 2005 and 16 June 2005, I set out in some detail the background to the change in Land Registry practice referred to. The Deputy should note that Office Notice 15/04 is simply the means by which the changes in practice referred to were communicated to Land Registry staff. I understand that Rule 57 was considered in respect of the drafting of this office notice and that no change of practice or procedure in relation to the provisions of the rule arose or were required.

Garda Equipment.

584. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform when the working group within the Garda Síochána will examine the issues relating to the use of firearms in the force; when the working group was set up; the membership of the working group; when a report is expected; and if same will be made public. [7046/06]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): I have asked the Garda Commissioner for the information requested. I will forward it to the Deputy as soon as it becomes available.

Missing Persons.

585. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if he will establish a missing persons helpline; if not, if he will transfer this responsibility to the Department of Health and Children; and if he will make a statement on the matter. [7136/06]

Minister for Justice, Equality and Law Reform

(Mr. McDowell): Funding of €110,000 in respect of a national missing persons helpline made available by my Department in 2002 and 2003 was channelled through the Victim Support organisation, and was in addition to the ongoing funding that organisation received for the provision of services for victims of crime. This funding was provided subject to a number of conditions, including that audited accounts should be provided for my Department on a calendar year basis. To date, no audited accounts have been received by my Department. The Victim Support organisation received financial support from the Department of Justice, Equality and Law Reform from 1985 to 31 March 2005. Almost €5.5 million was made available over the five years up to 2005.

In March 2005, I decided that continued funding of the Victim Support organisation could no longer be justified due to serious concerns in relation to governance, accountability for public funds and poor service levels, after a lengthy period of instability within the organisation. The missing persons helpline was operated from the headquarters of Victim Support alongside Victim Support’s own helpline for victims of crime. I understand that Victim Support Limited closed down its headquarters operation during 2005 and a number of staff were made redundant, including the person employed to operate the missing persons helpline. My Department had no role in the decision of Victim Support Limited to make a number of its staff redundant, other than to insist that statutory requirements, notice, holiday pay, etc., be met and the interests of the staff protected.

Also in March 2005, I established a new Commission for the Support of Victims of Crime to devise an appropriate support framework for victims of crime into the future and to disburse funding for victim support measures. The commission is entirely independent in its decision-making and examines each application on its merits. The commission received an application from the Missing in Ireland Support Service for €71,600 to establish, staff and operate a helpline for missing persons. After careful consideration of the application the commission decided to offer funding of €25,000; however, this offer was rejected by the

Missing in Ireland Support Service. It should be borne in mind, in this context, that the commission is charged with funding support services for victims of crime, and that, while some persons who are missing are crime victims, most are not. It remains open to the Missing in Ireland Support Service to make an application to my Department for assistance if it so wishes. Any such application will be carefully considered on its merits.

Garda Equipment.

586. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform if there was no interview room in Wexford Garda station that contained audio-visual equipment for interviewing suspects on 10 October 2002; and if he will make a statement on the matter. [7143/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that no rooms in Wexford Garda station were equipped with audio-video equipment on 10 October 2002. As I indicated in reply to Parliamentary Questions Nos. 532 of 8 November 2005 and 474 of 22 November 2005, the equipment was installed in Wexford town Garda station on 16 October 2002.

I am aware that the Deputy has raised this question on a number of occasions. If he could supply me with any additional information, I will consider any related issue of concern to him.

Question No. 587 answered with Question No. 521.

Courts Service.

588. **Ms Lynch** asked the Minister for Justice, Equality and Law Reform the reason the application fee to the Small Claims Court has been increased by 67% from €9 to €15; and if he will make a statement on the matter. [7145/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The increase in the fee for the Small Claims Court was introduced in conjunction with a substantial increase in the jurisdiction of the court from €1,269.74 to €2,000. The fee is still a modest one and generally falls far short of meeting the court's costs.

Special Educational Needs.

589. **Mr. Callely** asked the Minister for Education and Science the waiting lists for special needs schools, both primary and secondary level, in Dublin. [6524/06]

591. **Mr. Callely** asked the Minister for Education and Science when children on the waiting lists for special schools can be expected to progress up those waiting lists. [6526/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 589 and 591 together.

I wish to advise that the information requested by the Deputy in relation to waiting lists for special schools is not available in my Department, nor would the National Council for Special Education, NCSE, have such information readily to hand. The progression of pupils on such waiting lists would depend on the individual schools concerned. Factors to be taken into account would be the numbers of pupils on the list and when and how many pupils may be leaving the school in any given year. Applications to establish additional provision in any of these schools, where appropriate, can be forwarded by the schools authorities to the local special educational needs organisers for consideration.

590. **Mr. Callely** asked the Minister for Education and Science the waiting lists for a school (details supplied) in Dublin 16. [6525/06]

Minister for Education and Science (Ms Hanafin): I take it that the Deputy is referring to the Saplings autism-specific facility, based in Rathfarnham, south Dublin, that has been established to cater for children on the autistic spectrum. The information requested by the Deputy in relation to the waiting list at the facility is not available in my Department.

This facility is one of 12 autism-specific facilities that are operating on a pilot basis. Some of these facilities provide an applied behavioural analysis, ABA, model of response which is one of a range of models of approach to the education of children with autism.

My Department also provides the following dedicated facilities for the education of children with autism on a national basis: 159 special classes for children with autism attached to special schools and mainstream schools have been created; 15 preschool classes for children with autism have been established; five special classes for children with Asperger's syndrome have been established.

Furthermore, my Department sanctions home tuition grants for children with autism where such children are awaiting an appropriate school placement. As the Deputy is probably aware, the National Council for Special Education, NCSE, is now operational. A specific function of the NCSE, through its network of local special educational needs organisers, SENOs, is to identify appropriate educational placements for children with special educational needs, including children with autism. Parents also liaise directly with schools in the context of enrolling their children. The question of maintaining waiting lists is a matter for individual school managements and my Department would not hold such information.

I am confident that the steps that I have outlined above, and those in hand, especially the

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establishment of the NCSE, will ensure that appropriate educational provision can be put in place for all children with special educational needs, including children with autism in a timely manner.

Question No. 591 answered with Question No. 589.

School Curriculum.

592. **Mr. Kenny** asked the Minister for Education and Science the results of the evaluation of Irish carried out in 30 whole school examinations during 2004-05; if the results of this evaluation will be published; if the evaluation indicates increased proficiency in the language and the subject; the problems highlighted by the evaluation; and if she will make a statement on the matter. [6301/06]

Minister for Education and Science (Ms Hanafin): Irish has been evaluated in 30 of the 65 whole school evaluations, WSEs, carried out during 2004 and 2005. Irish is one of the three core subjects, English, Mathematics or Irish, always inspected within a WSE. The inspector generally meets most or all of the teachers of Irish on the morning of the inspection. The quality of teaching and learning is then evaluated in a range of classes normally four to five, but this can extend to seven to eight, in a large school and may range over two days. Oral feedback is given to each teacher at the end of a class. A further meeting is then held with the teachers of Irish at the end of the school day, at which the findings and recommendations are outlined and the principal teacher is also briefed.

In the case of a WSE, in addition to the feedback given to the teachers of Irish and the principal teacher as part of a subject inspection, the main findings and recommendations, including those relating to the quality of teaching and learning in Irish, where relevant, are presented to the entire teaching staff, the board of management and the chief executive officer of the vocational education committee, if relevant, at a post-evaluation meeting. Therefore, the results of the evaluations to which the Deputy refers have been communicated directly to the individual schools concerned with the expectation that areas identified for further development are addressed within the school development planning process.

The reports on the evaluations of Irish in the 30 schools to which the Deputy refers cannot be published because the evaluations were completed before 6 February 2006 and are not covered by the new regulations on publication. All subject inspections in Irish conducted on or after 6 February 2006 will be published, as will WSE reports including those where Irish is evaluated.

In addition, from 6 February onwards, both whole school evaluation and subject inspection reports will be issued to the school for factual verification and also to enable the school to respond to the findings and recommendations therein. This will afford a school the opportunity to state the follow-up actions that it has undertaken, or intends to undertake, to implement the findings and recommendations.

It is planned to publish a composite report on the teaching and learning of Irish at junior certificate level in 75 schools towards the end of 2006. This composite report will address the issues to which the Deputy has referred such as curriculum implementation, the quality of teaching and learning, and the proficiency of students in Irish.

Educational Disadvantage.

593. **Mr. Kenny** asked the Minister for Education and Science if a school (details supplied) in County Mayo is to be designated as disadvantaged; and if she will make a statement on the matter. [6302/06]

Minister for Education and Science (Ms Hanafin): A key element of DEIS, Delivering Equality of Opportunity in Schools, the new action plan for educational inclusion, is the putting in place of 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.

The identification process which involved a new survey by the Educational Research Centre of all mainstream primary schools and the updating by them of existing data sources on the levels of disadvantage in second level schools is being finalised and selected schools will be invited to participate in the new integrated school support programme shortly.

Departmental Programmes.

594. **Mr. Kenny** asked the Minister for Education and Science if her Department has a corporate procurement plan; and if she will make a statement on the matter. [6353/06]

Minister for Education and Science (Ms Hanafin): The process of procurement in my Department is regulated through compliance with existing guidelines on public procurement under EU and national rules. It has not been the practice to date to produce a corporate plan in respect of this activity. However, my Department is developing its policy in this area and is participating in capacity building initiatives currently being undertaken by the national public procurement

policy unit of the Department of Finance. One of the objectives of this process is the development of strategic corporate procurement plans generally.

Departmental Contracts.

595. **Mr. Kenny** asked the Minister for Education and Science the progress made within her Department in relation to reviewing existing contract specifications awarded by all Departments; and if she will make a statement on the matter. [6368/06]

Minister for Education and Science (Ms Hanafin): Structured arrangements are in existence for reviewing and monitoring contract projects in line with Department of Finance guidelines. Additional measures in relation to contract management in the context of public expenditure management generally have recently been announced by the Minister for Finance. These measures are being put into effect in respect of my Department.

Educational Disadvantage.

596. **Mr. F. McGrath** asked the Minister for Education and Science the number of new schools which were added to the disadvantaged schools list; and the reason a school (details supplied) in Dublin 3 was excluded; and if she will make a statement on the matter. [6380/06]

Minister for Education and Science (Ms Hanafin): A key element of DEIS, Delivering Equality of Opportunity in Schools, the new action plan for educational inclusion, is the putting in place of 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.

The identification process which involved a new survey by the Educational Research Centre of all mainstream primary schools and the updating by them of existing data sources on the levels of disadvantage in second level schools is being finalised and selected schools will be invited to participate in the new integrated school support programme shortly.

Schools Building Projects.

597. **Mr. Howlin** asked the Minister for Education and Science when her Department will sanction the building of a new school premises for a school (details supplied) in County Wexford on the site purchased in April 2002; and if she will make a statement on the matter. [6404/06]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department is in receipt of an application for a new building from the management authority of the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria and it is being considered for funding under the small schools scheme 2006, details of which I intend to publish shortly.

598. **Dr. Cowley** asked the Minister for Education and Science when a school (details supplied) in County Mayo will get permission from her Department to progress its school building project to tender stage; and if she will make a statement on the matter. [6407/06]

Minister for Education and Science (Ms Hanafin): The project for St. Peter's was included in the announced list of school projects to be progressed through architectural planning in 2005. The project is at stage 4-5, detail design-bill of quantities. A letter approving the stage 4-5 submission was issued by my Department on 5 October 2005.

The design and planning of a building project is covered by stages one to five, during which the project is developed from the assessment of site suitability, through the detailed design, including the obtaining of planning permission, to the point where detailed bills of quantities are prepared. The project at St. Peter's has been allowed to progress up to and including stage 5, bill of quantities. This is the final stage before the invitation of tenders.

A decision on which school building projects will advance to tender and construction as part of the 2006 schools building and modernisation programme will be taken later in the year. All projects in architectural planning, including St. Peter's, will be considered as part of this process.

599. **Mr. Connaughton** asked the Minister for Education and Science her views on a request by a school (details supplied) in County Galway, for an extra €20,000 to complete the reconstruction and extension of the school; if her attention has been drawn to the fact that this is a stand-alone rural school; if her attention has further been drawn to the fact that a very extensive programme of alterations has already taken place; if her attention has further been drawn to the fact that while the extra grant received as an addition to the devolved grant in 2005 was extremely welcome, this small rural school would not have the capability of raising all the extra finance needed; and if more funding will be made available to complete the project; and if she will make a statement on the matter. [6415/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that, due to the onerous planning conditions placed on

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the school development, additional funding has been sanctioned for the school in question.

600. **Mr. Connaughton** asked the Minister for Education and Science her views on an application by a school (details supplied) in County Galway for a top-up in addition to the €300,000 already approved in March 2005 under the devolved grant scheme; if her attention has been drawn to the fact that this school and its management committee are prepared to take on very onerous financial responsibilities to ensure that the school is completed to a satisfactory specification; if her attention has further been drawn to the fact that the moneys already granted fall short by over €100,000; if her attention has further been drawn to the fact that the school management board has been collecting money locally as its input into the project; if her attention has further been drawn to the fact that the numbers attending the school have dramatically increased from 80 a few years ago to 120 to date in 2006 and the projections are for even greater increases in the future; and if she will make a statement on the matter. [6416/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that, due to the onerous planning conditions placed on the development of the school in question, additional funding has been sanctioned.

601. **Mr. Connaughton** asked the Minister for Education and Science if her attention has been drawn to the gross overcrowding at a school (details supplied) in County Galway; if her attention has further been drawn to the fact that this school has been unable to accept new students at second, third and fourth year levels due to the lack of facilities; if her attention has further been drawn to the fact that there are some classes being conducted out in the corridors; if her attention has further been drawn to the fact that the school has been campaigning for two classrooms for the past two years; if her attention has further been drawn to the fact that due to the recently opened Loughrea bypass and in view of the Government's decision to earmark Loughrea as a decentralisation centre she will make available the necessary funding to have the classrooms built; and if she will make a statement on the matter. [6417/06]

Minister for Education and Science (Ms Hanafin): An application for capital funding towards the provision of an extension at the school has been received from the school referred to by the Deputy.

The long-term accommodation needs of the school are being examined. This examination involves an assessment of demographic trends, housing developments, enrolments trends, diversity, current provision in the area. Planning

section expects to have this examination completed shortly and a decision will then be taken on how best to provide for the area into the future. When this is completed, the building project required to address the long-term accommodation needs of the school will be considered in the context of the school building and modernisation programme 2006-10.

602. **Mr. Bruton** asked the Minister for Education and Science when the perimeter fence at a site (details supplied) in Dublin 24 will be built by her Department; and if she will make a statement on the matter. [6419/06]

Minister for Education and Science (Ms Hanafin): I have accepted the need to provide a perimeter fence at the site in question. My Department appointed a consultant to progress this project and planning permission was applied for. The consultant has informed the school building section of my Department that he has received notification of decision to grant planning permission, as issued by South Dublin County Council, dated 13 January 2006. The consultant has been instructed to seek tenders for the works involved.

603. **Ms Enright** asked the Minister for Education and Science the position regarding the building of a school (details supplied) in County Kildare; and if she will make a statement on the matter. [6426/06]

Minister for Education and Science (Ms Hanafin): In December 2005 my officials requested the school authorities to submit a revised sketch scheme as an addendum to the original stage 2 report, developed sketch scheme. This has recently been received and is being examined by my officials. When the assessment is complete they will be in further contact with the school authorities.

604. **Ms Enright** asked the Minister for Education and Science the position in relation to the empty building on the same grounds as a school (details supplied) in County Kildare; if her Department has made a decision on the allocation of this building; and if she will make a statement on the matter. [6427/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the building to which she refers was included in my recent announcement of 62 large-scale building projects countrywide, which have been approved to progress under the school building and modernisation programme. This building will provide permanent accommodation for Newbridge Educate Together national school. The projects in question will be progressed by way of the appointment of a design team under my Department's capital programme for 2006.

The building section of my Department will be providing information for the schools concerned shortly on how their projects will be advanced on foot of this announcement.

Pupil-Teacher Ratio.

605. **Ms Enright** asked the Minister for Education and Science if, under the announced reduced pupil-teacher ratios, a school (details supplied) in County Laois will obtain a further teacher; and if she will make a statement on the matter. [6428/06]

Minister for Education and Science (Ms Hanafin): The mainstream staffing of a primary school is determined by applying the enrolment of the school on 30 September of the previous school year to a staffing schedule which is issued annually to all primary schools. The general rule is that the schedule provides at least one classroom teacher for every 29 pupils in the school. Schools with only one or two teachers have much lower staffing ratios than that, with two teachers for just 12 pupils in some cases and so on. However, the general rule is that there is at least one classroom teacher for every 29 children in the school. Next year this is being reduced to 28 children per classroom teacher and in 2007-08 it will be reduced to 27 children per classroom teacher. Officials of my Department are drawing up the revised staffing schedule necessary to achieve this. Schools will be asked to use the extra class teachers provided as a result of the revised schedule to provide for smaller classes in the junior grades.

The mainstream staffing of the school, referred to by the Deputy, for the current school year is a principal and three mainstream class teachers based on an enrolment of 113 pupils at 30 September 2004. The school also has one permanent learning support-resource post, a shared temporary learning support-resource post, and a shared temporary resource post for Traveller children.

According to data submitted to my Department by the board of management, the enrolment in the school on 30 September 2005 was 115 pupils. The staffing for the 2006-07 school year will be determined on the basis of this figure and in accordance with the revised staffing schedule, which my Department will be issuing to schools in the near future.

606. **Mr. Perry** asked the Minister for Education and Science the pupil numbers for all classes in all the national schools in counties Sligo and Leitrim for the years 2001, 2002, 2003, 2004, 2005 and to date in 2006; the number of teachers in each school for the same years; the number of new teachers appointed in each school for the same years; and if she will make a statement on the matter. [6444/06]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is not readily available in my Department.

Schools Refurbishment.

607. **Mr. Perry** asked the Minister for Education and Science the national schools in counties Sligo and Leitrim that have been refurbished since 2001, 2002, 2003, 2004, 2005 and to date in 2006; the funding that has been actually received by each school involved; and if she will make a statement on the matter. [6450/06]

Minister for Education and Science (Ms Hanafin): The core function of the planning and building section of my Department is to assess, identify and respond appropriately to educational infrastructural deficits on a national level. The school building programme is structured around a number of component elements or sub-programmes. These include large-scale building projects, various devolved minor works initiatives, site acquisitions, remediation programmes, provision of temporary accommodation and the small schools initiative. Data within my Department are recorded and stored by reference to these component parts, rather than the specific category to which the Deputy refers. As a result, it is not possible to disaggregate the actual spend in any one year on refurbishment works.

The total level of funding disbursed to primary schools in counties Sligo and Leitrim for capital works for the years in question are as follows:

| Year | Sligo | Leitrim |
|------|-----------|----------|
| € | € | € |
| 2001 | 1,407,135 | 368,223 |
| 2002 | 1,832,138 | 952,108 |
| 2003 | 2,465,697 | 614,960 |
| 2004 | 1,747,942 | 428,111 |
| 2005 | 3,914,912 | 990,167. |

If the Deputy requires particular information on a particular building project, my Department's planning and building section will gladly provide the relevant information.

School Transport.

608. **Mr. F. McGrath** asked the Minister for Education and Science if a situation (details supplied) will be ended. [6469/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department sanctioned a transport service for the child referred to by the Deputy in the details supplied. I understand that the child in question is availing of the service.

A further application has recently been received in the school transport section in respect

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of the same child for transport to a different school. This new application is being processed and the family will be advised of the position as soon as all the relevant information has been received and assessed.

Computerisation Programme.

609. **Mr. F. McGrath** asked the Minister for Education and Science the reason there are major delays at a school (details supplied) in County Cork in providing broadband internet access through a company (details supplied) as the service provider; and if the NCTE will act on this matter. [6470/06]

Minister for Education and Science (Ms Hanafin): From inquiries made by my officials of the NCTE's support service desk, I understand that the problem with the broadband service to the school referred to by the Deputy has now been resolved and that this position has been confirmed with the school by the NCTE service desk.

As regards the roll-out of broadband nationally, some 4,000 schools are getting broadband connectivity under the project being undertaken in partnership with industry, following the establishment of a three-year, €18 million joint Government /IBEC-TIF, Telecommunications and Internet Federation, fund to fund local connectivity at school level.

The broadband connectivity is being provided via a schools national broadband network supported by HEAnet, which will provide managed Internet access, email, security controls and content filtering. A broadband support service desk is being managed by the National Centre for Technology in Education to assist schools with advice and information on the roll-out and ongoing use of their broadband connectivity within the schools network. Six companies have been awarded contracts for the provision of access connectivity with a further company contracted to provide a broadband router at school level, where appropriate.

School Accommodation.

610. **Mr. Hayes** asked the Minister for Education and Science if she will respond to an issue which was highlighted in relation to the difference in the level of grant aid approved for two schools (details supplied) in County Tipperary. [6475/06]

Minister for Education and Science (Ms Hanafin): In May 2003, the school building section of my Department offered a devolved grant of €50,000 to the school referred to by the Deputy for the provision of temporary accommodation. It is my understanding that the school incurred additional costs for the upgrade of the school's sewerage system. Officials in my Depart-

ment recently requested additional information from the school regarding this extra cost and on receipt of this, the issue of further funding will be considered.

611. **Ms McManus** asked the Minister for Education and Science her plans to provide additional classrooms and other facilities at a school (details supplied) in County Wicklow in view of the growing population in the Arklow area; if toilet facilities will be provided; and if she will make a statement on the matter. [6478/06]

Minister for Education and Science (Ms Hanafin): The school planning section of my Department has received an application for funding under the additional accommodation scheme 2006 from the management authorities of the school to which the Deputy refers. All applications under this scheme are being assessed. The list of successful applicants will be published shortly.

An application for an extension to the school has also been received from the management authorities of the school. The project has been assessed in accordance with the published prioritisation criteria for large-scale school building projects. Its progress will be considered in the context of the school building and modernisation programme from 2006 onwards.

Special Educational Needs.

612. **Ms Burton** asked the Minister for Education and Science if she will agree to continue to fund an association (details supplied) in County Wicklow; and if she will make a statement on the matter. [6485/06]

614. **Mr. Timmins** asked the Minister for Education and Science the position in relation to a school (details supplied) County Wicklow; if funding will be sanctioned for the ABA unit as a matter of urgency; and if she will make a statement on the matter. [6520/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 612 and 614 together.

My officials and the National Council for Special Education met representatives of the school referred to by the Deputies on Wednesday, 1 February to discuss a range of issues. Following this meeting, a comprehensive letter issued on 8 February to the school representatives outlining my Department and the NCSE's position on the various matters discussed at the meeting on 1 February.

My Department's letter covered a number of matters such as the need for a board of management, the process for applying for sanction for further classes for children with ASD, training and qualifications of staff and other issues.

It is now a matter for the school to proceed in accordance with the process that has been outlined to it in the letter of 8 February. This process involves making application for additional classes for children with ASD through the local special educational needs organiser.

It will be a matter for the NCSE to process the application and, in doing so, to seek whatever additional information it requires from the school in order to enable it to make an informed decision. The NCSE can seek advice, if required, from my Department concerning the application. Factors such as the needs of the individual children, levels of existing provision in the area and geographical location of the proposed attendees are matters that the NCSE will need to consider in processing the application.

My Department received a response from the school to its letter on 17 February and I understand that further correspondence is also being submitted by the school. A response will issue to the school as soon as all correspondence has been received and considered.

I will continue to prioritise the issue of special needs education for children with autism and, in co-operation with the National Council for Special Education, will ensure that all children with special needs are adequately resourced to enable them to meet their full potential.

613. **Mr. Noonan** asked the Minister for Education and Science when facilities for autistic children will be provided at a location (details supplied) in County Clare; and if she will make a statement on the matter. [6510/06]

Minister for Education and Science (Ms Hanafin): I am sure the Deputy will be pleased to hear that a school in the location referred to is included in a recent announcement to appoint an architectural design team to provide accommodation to cater for children with specific special educational needs. I am most anxious that all children, including children with autistic spectrum disorders, receive an education appropriate to their needs.

My Department provides the following dedicated facilities for the education of children with autism nationally, including the area referred to by the Deputy. Some 159 special classes for children with autism attached to special schools and mainstream schools have been created, of which six classes have been established in the Clare region. Some 15 pre-school classes for children with autism have been established. Five special classes for children with Asperger's syndrome have been established.

Furthermore, my Department sanctions home tuition grants for children with autism where such children are awaiting an appropriate school placement. In addition to the provisions outlined above, my Department is funding 12 autism spec-

ific facilities that are operating on a pilot basis. Some of these facilities provide an applied behavioural analysis, ABA, model of response, which is one of a range of models of approach to the education of children with autism.

As the Deputy is probably aware, the National Council for Special Education, NCSE, is now operational. A specific function of the NCSE, through its network of local special educational needs organisers, SENOs, is to identify appropriate educational placements for all children with special educational needs, including children with autism.

In the circumstances, I am confident that the steps I have outlined and those in hand, especially the establishment of the NCSE, will ensure that appropriate educational provision can be put in place in a timely manner for all children with special educational needs, including children with autism.

Question No. 614 answered with Question No. 612.

Schools Building Projects.

615. **Mr. Naughten** asked the Minister for Education and Science, further to Parliamentary Question No. 763 of 14 June 2005, the progress to date on the application; and if she will make a statement on the matter. [6562/06]

Minister for Education and Science (Ms Hanafin): An application for capital funding towards the provision of an extension at the school has been received from the school referred to by the Deputy. The project is being considered in the context of the school building and modernisation programme 2006-10.

Abuse Allegations.

616. **Dr. Upton** asked the Minister for Education and Science if her attention has been drawn to a letter dated 26 June 1999 from a person (details supplied) in Dublin 8; the steps which were taken in 1999 to investigate the issues raised in this letter; the reason there was no reply to the letter. [6582/06]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): I am aware of the letter dated 26 June 1999 referred to by the Deputy. My Department has no record of a reply issuing to this letter and I regret that I am not in a position to say why this is the case. I can confirm however that the letter forms part of a substantial correspondence from the person concerned outlining a range of concerns and allegations regarding Finglas child and adolescent centre and related matters.

One allegation of physical abuse related to an alleged assault of a boy by a staff member at the

[Mr. B. Lenihan.]

centre, then known as Finglas children's centre, in 1985. Staff in the Department interviewed the then director of the centre in late 1992 in this regard. The Director assured my Department that this incident had been investigated at the time and it had been found that the incident was a necessary case of physical restraint of a disruptive young person, which was misinterpreted by a staff member.

Following further allegations of abuse at Finglas children's centre and Trinity House school, a Garda investigation was carried out in 1994. On foot of that investigation, the Director of Public Prosecutions directed in 1994 that there was no evidence to support allegations of abuse.

On receipt of further correspondence in 1996, the matter was referred from my Department to the Garda for investigation. In addition to this investigation, the Gardai in conjunction with the Eastern Health Board, my Department and management of Finglas children's centre conducted a look-back investigation into allegations of abuse at the centre. Arising from this investigation, files were sent to the Director of Public Prosecutions regarding allegations of abuse at the centre. My Department provided every possible assistance to the Garda and made available all relevant records in this regard.

Relevant documentation held by my Department in relation to the sexual, physical and emotional abuse or neglect of children in industrial and reformatory schools was forwarded to the Commission to Inquire into Child Abuse in compliance with a discovery order from the commission in June 2003.

Departmental Correspondence.

617. **Dr. Upton** asked the Minister for Education and Science the structures and personnel that will be in place for any investigation she establishes to give effect to the commitment she gave in her reply to Parliamentary Question No. 1216 of 25 January 2006; and if she will make a statement on the matter. [6583/06]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): As I advised the Deputy in the reply referred to by her, I am satisfied that my Department endeavours at all times to ensure that responses issued to representations are accurate and comprehensive. Again, if the Deputy has in mind a particular issue and provides me with further details, I will have the matter investigated.

Higher Education Grants.

618. **Mr. Durkan** asked the Minister for Education and Science the entitlements to third level education in respect of a person (details supplied)

in County Dublin; and if she will make a statement on the matter. [6588/06]

Minister for Education and Science (Ms Hanafin): My Department funds three means tested maintenance grant schemes for third level education students in respect of attendance on approved courses in approved third level institutions and one grant scheme in respect of post leaving certificate courses. These are the higher education grants scheme; the Vocational Education Committees' scholarship scheme; the third level maintenance grants scheme for trainees; and maintenance grants scheme for students attending post leaving certificate or PLC courses.

The decision on eligibility for third level grants is a matter for the relevant local authority or VEC. These bodies do not refer individual applications to my Department except, in exceptional cases, where, for example, advice or instruction regarding a particular clause in the relevant scheme is desired. It appears that no such advice or instruction has, to date, been sought in the case of the student referred to by the Deputy. Officials of my Department have contacted South Dublin County Council and County Dublin VEC, the awarding authorities which cover the area in which the candidate referred to resides, and they have no record of receiving an application from the candidate in question. The candidate should, therefore, apply to their relevant awarding body in the first instance.

If an individual applicant considers that he or she has been unjustly refused a maintenance grant, or that the rate of grant awarded is not the correct one, he or she may appeal to the relevant local authority or VEC. Where an individual applicant has had an appeal turned down, in writing, by the relevant local authority or VEC, and remains of the view that the body has not interpreted the schemes correctly in his or her case, a letter outlining the position may be sent to my Department. Alternatively, as already indicated, the local authority or VEC may itself, in exceptional circumstances, seek clarification on issues from my Department. However, it is not open to me, or my Department, to depart from the terms of the maintenance grants schemes in individual cases.

Decentralisation Programme.

619. **Mr. Bruton** asked the Minister for Education and Science the office or unit within her Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within her Department and associated agency who have chosen to decentralise with their parent organisation; and

the number of people willing to move who have been assigned their new posts. [6677/06]

Minister for Education and Science (Ms Hanafin): The tables provided show the number of posts filled as at 31 January 2006 in those

sections of my Department scheduled to decentralise to Athlone and Mullingar. The tables also show the number of people currently assigned to each of these sections who have indicated that they are willing to relocate with the post to which they are assigned. The numbers shown take account of work sharing patterns.

January 2006.

Athlone

| Section | No of posts currently filled in the section | No of assignees currently in place for decentralisation |
|--|---|---|
| Further Education Section | 19.6 | 5.0 |
| Qualifications, Curriculum & Assessment Policy | 3.5 | Nil |
| Post Primary Administration | 10.1 | Nil |
| Teacher Education Section | 18.8 | 2.0 |
| Social Inclusion | 7.5 | 1.0 |
| NEPS admin HQ | 11.5 | 3.0 |
| Residential Institutions Redress Unit | 4.0 | Nil |
| Service Staff | 6.0 | 1.0 |

The total number of posts shown as follows is 277.09. A small number of atypical posts is excluded as their inclusion would identify individual members of staff. The combination of these

posts, along with the filling of any vacancies will bring the total number of posts decentralising to Mullingar to about 300.

Mullingar

| Section | No of posts currently filled in the section | No of assignees currently in place for decentralisation |
|-------------------------------|---|---|
| Accommodation & Services | 15.43 | 2.0 |
| Central Policy Unit | 8.3 | 1.0 |
| Change Management Unit | 9.9 | 1.0 |
| External Staff Relations | 9.3 | 1.0 |
| Finance Unit | 16.9 | 2.0 |
| ICT Policy | 5.0 | Nil |
| Internal Audit | 5.6 | Nil |
| International | 22.93 | 5.0 |
| IT | 28.9 | 3.0 |
| Legal Services | 9.0 | 5.0 |
| MAC Support | 3.0 | Nil |
| Minister's Offices | 19.5 | 1.0 |
| Regional Office Directorate | 7.8 | 3.0 |
| Press/Communications/FOI | 18.7 | 3.0 |
| Personnel | 11.5 | 4.5 |
| Statistics | 8.8 | Nil |
| NDP/Structural Funds | 11.5 | 1.0 |
| Secretary General's Office | 8.0 | 1.0 |
| Youth Affairs | 9.03 | Nil |
| Inspectorate | 22.0 | Nil |
| Management Advisory Committee | 7.0* | n/a |
| Service Staff | 20 | 1 |

*A decision on whether all members of the Management Advisory Group will be based in the one location has yet to be finalised.

School Staffing.

620. **Mr. Kenny** asked the Minister for Education and Science her views on the outcome of an appeal in the case of a school (details supplied) in County Mayo regarding teacher/pupil balance and the approval of a temporary extra classroom teacher; and if she will make a statement on the matter. [6687/06]

Minister for Education and Science (Ms Hanafin): The staffing of a primary school is determined by reference to the enrolment of the school on the 30 September of the previous school year. The actual number of mainstream posts sanctioned is determined by reference to a staffing schedule which is issued annually to all primary schools.

The staffing of the school referred to by the Deputy for the 2005/2006 school year was considered by the appeals board on 19 October 2005. The board, having considered the appeal with regard to the criteria outlined in Department circular 19/02, was satisfied that a departure from the staffing schedule is not warranted in this case. The board of management of the school was notified in writing of the decision of the appeals board on 24 October 2005. I am sure the Deputy will appreciate that it would not be appropriate for me to intervene in the operations of the Independent appeals board.

According to data submitted to my Department by the board of management, the enrolment in the school on 30 September 2005 was 118 pupils. The staffing for the 2006-2007 school year will be determined on the basis of this figure and in accordance with the revised staffing schedule, which my Department will be issuing to schools in the near future.

Early School Leavers.

621. **Mr. Curran** asked the Minister for Education and Science the number of drop out rates in post primary schools in Clondalkin for the years 2003, 2004 and 2005. [6784/06]

Minister for Education and Science (Ms Hanafin): The latest data published by my Department on retention rates in second-level schools relate to the cohort of entrants to the first year of junior cycle in 1996. Students in this cohort would have sat the leaving certificate in either 2002 or 2003, depending on whether they took the transition year programme.

The published data for the 1996 cohort indicate an average “unadjusted” retention rate to leaving certificate of 70.3% for the local authority area of south Dublin, as compared with a national average figure of 77.8%. The term “unadjusted” relates to the fact that the figures cited have not been adjusted to allow for factors such as persons opting to pursue their senior cycle education in private institutions, emigration and death. The national adjusted leaving certificate retention rate

for the 1996 cohort was 81.3%. Retention data on individual schools or on schools in a particular local area are not made available separately by my Department.

As regards those who complete the junior certificate but who depart from second-level education prior to the leaving certificate, the available statistical evidence indicates that the increasing range of further education and training opportunities available for these students is having a positive impact. CSO data show that the educational profile of 20-24 year olds in Ireland has improved steadily over the last five years, as increasing opportunities have been made available in the further education and training sector. By 2005, 86.1% of 20-24 year olds had attained upper second-level education or equivalent, up from 82.4% in 2000. This indicates that there has been an increase in the proportion of young people with at least the leaving certificate or equivalent. Indeed, the level of educational attainment of Irish young people is ahead of the EU average on that measure.

Special Educational Needs.

622. **Mr. G. Murphy** asked the Minister for Education and Science if funding will be provided for the appointment of a disability officer in the colleges of technologies; and the position in the colleges with regard to ensuring that people with disabilities are properly catered for. [6895/06]

Minister for Education and Science (Ms Hanafin): At present, there is a range of support services for students with a disability in the institute of technology sector. These include learning support, including needs assessment and support for students with learning difficulties, assistive technology services and the provision of additional support staff such as sign-language interpreters or note takers. Students who have difficulty with public transport also receive special assistance.

The supports and services are resourced through the annual allocation of funding for the institutes and by a further €2.4 million allocated through the fund for students with disabilities which assists students with a disability with their studies across all institutes of technology. The institutes are conscious of the need to continuously improve their services to students with a disability and this work is ongoing. The institutes and my Department share the view that services should be based on assessment of needs and that a designated disability officer is not necessarily required in all colleges.

School Accommodation.

623. **Mr. O'Dowd** asked the Minister for Education and Science the status of providing new and permanent facilities for schools (details supplied); if the Dublin 7 Educate Together

national school will have facilities beyond summer 2006. [6902/06]

Minister for Education and Science (Ms Hanafin): The schools referred to by the Deputy are currently in temporary accommodation, which is grant aided by my Department. My Department acknowledges the need for a long term solution to both schools' accommodation difficulties and is committed to working to achieve a satisfactory solution as soon as possible. Officials in school planning section are considering a number of options to meet both schools' requirements for the long term. Among the options being considered is the possibility of securing a greenfield site for one of the schools. Our agents in this regard, the Office of Public Works, will pursue this in tandem with a number of other options being considered by the Department.

Officials in the school planning section of my Department have been informed by Dublin 7 Educate Together national school that it must vacate its existing accommodation by the end of June 2006. My Department is actively seeking suitable alternative accommodation for the school, beyond June 2006.

Schools Building Projects.

624. **Mr. O'Dowd** asked the Minister for Education and Science the status for building works for a school (details supplied); when this work will be tendered; when work is due to commence; and the target completion date. [6903/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that tenders have been received and the board of management of the school has issued a letter of intent to the lowest tenderer. The board of management is currently awaiting confirmation that the lowest tenderer has all necessary insurances, bonds and so on in place. On receipt of this confirmation a formal tender acceptance letter will issue. Construction work on the project can then commence. It is envisaged that the contract will run for a period of 15 months.

625. **Ms Harkin** asked the Minister for Education and Science the position with regard to the building of the new primary school in Mohill, County Leitrim. [6922/06]

Minister for Education and Science (Ms Hanafin): The project referred to by the Deputy was included on the 2005 school building and modernisation programme under the category "to progress to tender and construction". The stage 3 documentation or detailed design was recently examined by the Department's technical staff. Clarification was sought in relation to aspects of the stage 3 documentation. This clarification has now been received and is under examination by the Department's technical staff. On the approval

of stage 3 my Department will devolve authority to the school in question to obtain planning permission, seek tenders and commence construction subject to the brief and cost plan established at stage 3.

626. **Ms Harkin** asked the Minister for Education and Science when the tender process for building the new secondary school in Mohill, County Leitrim will commence; and if there is a delay in commencement of this process, the time-frame for same. [6923/06]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that contracts for the transfer of the site for the school in question have been signed. In order for this transaction to formally close, the agreement of the Commissioners of Charitable Donations and Bequests is required. It is the responsibility of the vendor to refer the transfer contracts to the commissioners. Accordingly, confirmation from the vendor's solicitor of the agreement of the commissioners is now awaited. The question of the project proceeding to construction will be considered further when the site transfer closes.

Psychological Service.

627. **Ms Harkin** asked the Minister for Education and Science when an assessment will be forthcoming for a person (details supplied) in County Sligo. [6924/06]

Minister for Education and Science (Ms Hanafin): I understand from my Department's National Educational Psychological Service, NEPS, that the school in question is assigned a NEPS psychologist but that the school has not as yet prioritised the pupil in question for assessment. NEPS encourages a stage assessment process whereby each school takes responsibility for initial assessment, educational planning and remedial intervention, in consultation with their assigned NEPS psychologist. Within this process, NEPS psychologists are available for consultation with schools in the case of children whose learning difficulties are a cause for concern. Only if there is a failure to make reasonable progress in spite of the school's best efforts will a child be referred for individual psychological assessment. This system allows the psychologists to give early attention to urgent cases and also to help many more children indirectly than could be seen individually.

Schools Amalgamation.

628. **Mr. Carey** asked the Minister for Education and Science when the amalgamation process of schools (details supplied) in Dublin 9 will be initiated; if it was done at local board of management level or in conjunction with her Department; if it is anticipated that this process will be

[Mr. Carey.]

brought to finality; and if she will make a statement on the matter. [6935/06]

Minister for Education and Science (Ms Hanafin): The schools referred to by the Deputy have agreed in principle to amalgamate. However, the final details of the amalgamation process are currently the subject of discussions between the boards of management, the patron and the school planning section of my Department. It is anticipated that the matter will be finalised in the near future.

Schools Building Projects.

629. **Mr. Kehoe** asked the Minister for Education and Science when a decision will be made to allow a school (details supplied) in County Carlow to proceed to tender stage; and if she will make a statement on the matter. [6951/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the school in question has been approved to proceed to stage 4/5 (planning permission, fire certification, bill of quantities, tender documentation) of architectural planning. This is the final stage before the invitation of tenders. A decision on which school building projects will advance to tender and construction as part of the 2006 schools building and modernisation programme will be taken later in the year. All projects in architectural planning, including this school, will be considered as part of this process.

630. **Mr. Kehoe** asked the Minister for Education and Science when a decision will be announced to allow a school (details supplied) in County Carlow to proceed to stage five on the school building programme; and if she will make a statement on the matter. [6952/06]

Minister for Education and Science (Ms Hanafin): I am pleased to advise the Deputy that on 14 December 2005 my Department gave devolved authority for the project in question to proceed to tender and construction. Planning permission and a fire certificate for the project have been applied for and tender documents are currently under preparation by the project's design team.

631. **Mr. Kehoe** asked the Minister for Education and Science when a decision will be made allowing a school (details supplied) in County Carlow to advance to tender stage on the school building programme; and if she will make a statement on the matter. [6953/06]

Minister for Education and Science (Ms Hanafin): The project for the school referred to by the Deputy was included in my announced list of school projects to be progressed through archi-

tectural planning. The project is at stage 3, developed sketch scheme. A letter to the board of management seeking an updated cost plan as part of the Stage 3 submission was issued by my Department on 16 February 2006. Pending receipt in my Department of this documentation from the school authorities, no further progression can be made on this project.

Computerisation Programme.

632. **Mr. Quinn** asked the Minister for Education and Science the status of the promise to place Irish schools at the top of international tables in terms of the use of information technologies in curriculum delivery; the number of students using substandard, obsolete computers; and if she will make a statement on the matter. [7013/06]

Minister for Education and Science (Ms Hanafin): The Government promised to drive forward the schools IT programme in the agreed programme for Government of June 2002. This commitment is being adhered to by the Government, as evidenced by the roll out of broadband connectivity my Department is currently pursuing to all recognised schools. This project is being undertaken in partnership with industry following the establishment of a three-year €18 million joint Government-IBEC-TIF, Telecommunications and Internet Federation, fund to fund local connectivity at school level. The project builds on my Department's recent investment of over €20 million in the development of school networks, providing further evidence of the Government's commitment in this regard.

In parallel with these developments a range of teacher training courses has been developed by the National Centre for Technology in Education and made available to teachers via the regional education centres. In addition, a regionally based ICT advisory service, involving the deployment of an ICT adviser in each of the 21 full-time education centres, has been developed to provide advice and support to school authorities and teachers in relation to pedagogical and technical issues.

The National Centre for Technology in Education issued questionnaires for its census of school ICT infrastructure early last summer. The census follows similar exercises undertaken in 1998, 2000 and 2002 and addresses a range of areas, including the extent of ICT equipment, networking and Internet access, ICT planning and priorities, professional development and technical support. A report on the 2005 census is being finalised and I hope to be able to publish the results shortly.

Literacy Levels.

633. **Mr. Quinn** asked the Minister for Education and Science the status of the promise in

the programme for Government that every school will receive support for the purchase of appropriate and age related literacy tests to assist teachers in their work; the form this support has taken; and if she will make a statement on the matter. [7014/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware, my Department is working with the National Council for Curriculum and Assessment, NCCA, on the development of a national system of standardised testing for primary school children, whereby all pupils would 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.

Important groundwork is being put in place to support this development and my Department is currently exploring potential implementation models. I have secured funding in the 2006 Estimates to make rapid progress in this area in the coming school year. The funding of literacy testing documentation for schools will be examined in that context.

School Absenteeism.

634. **Mr. Quinn** asked the Minister for Education and Science the rates of student absenteeism and early school leaving here; and if she will make a statement on the matter. [7015/06]

Minister for Education and Science (Ms Hanafin): My Department's second report on school retention published in October 2005 is based on a detailed analysis of the records held in the post-primary pupils database for the cohort of entrants to the first year of the junior cycle in each of the years 1995 and 1996.

It must be noted that the figures refer to retention in State aided second level schools only. They do not take account of important educational pathways outside this system, such as Youthreach and apprenticeship training or of students in private non-aided colleges at second level. The report shows the national retention rate to completion of the junior certificate examination is 94.6% and the national adjusted retention rate to completion of the leaving certificate examination is 81.3%.

With regard to those who leave school without completing the leaving certificate, the available statistical evidence indicates the increasing range of further education and training opportunities available for these students is having a positive impact. Central Statistics Officer data shows the educational profile of 20 to 24 year olds in Ireland has improved steadily over the last five years as increasing opportunities have been made available in the further education and training sector. By 2005, 86.1% of 20 to 24 year olds had attained upper second level education or equivalent, up from 82.4% in 2000. This indicates there has been

an increase in the proportion of young people with at least the leaving certificate or equivalent. Indeed, the level of educational attainment of Irish young people is ahead of the EU average on that measure.

This Government has pursued a dual strategy of both encouraging more young people to finish school and ensuring much greater second chance and further education opportunities for those who left school early. This type of strategy ensures that young people are empowered to achieve their full potential, be that by sitting the leaving certificate or by pursuing qualifications through other pathways such as Youthreach or FÁS apprenticeships that may be more appropriate to their individual interests. Thus, it is important that the Deputy appreciate that looking at just the level of retention in the formal school system is not a fair assessment of the educational attainment of our young people.

The Deputy may be aware that up until 2004, Ireland had no national data on the levels of student attendance in our schools. This matter was addressed by the Education (Welfare) Act 2000, which requires all schools to submit a report to the National Educational Welfare Board, NEWB, on levels of school attendance. In 2004, the NEWB initiated the collection and analysis of the first set of school attendance data for Ireland relating to the school year 2003-04. Schools were asked to submit the total number of student days lost through absence, the number of students absent for 20 days or more and the number of students expelled.

The returns showed that the problem of absenteeism is greater in areas of social and economic disadvantage and that 10% of all primary school students miss more than 20 days from school each year or 11% of the school year, 19% of all post-primary school students under 16 years of age miss more than 20 days from school each year or 12% of the school year, the average number of days missed by primary pupils is ten days in the school year. In the most disadvantaged urban areas the figure is 17 days per pupil. The average number of days missed by post-primary students is 14 days in the school year. In the most disadvantaged areas, the figure is 21 days per student.

A key focus of the Government's education policy is to prioritise investment in favour of those most at risk and to optimise access, participation and outcomes at every level of the system for disadvantaged groups. The total provision for educational inclusion programmes in 2006 is over €640 million across all levels of education compared to almost €600 million in 2005. This includes additional funding for the implementation of measures under the DEIS action plan at pre-school, primary and second level, additional funding of €7 million for further education programmes and a €20 million increase in provision for third level student support schemes.

[Ms Hanafin.]

The wide variety of measures in place for tackling educational disadvantage and social exclusion range from pre-school interventions, supports for tackling children's literacy problems, reduced pupil teacher ratios, increased capitation grants, measures to tackle early school leaving and strengthen ties between the school, the family and the community. My Department's strategies on the curriculum have included widening the educational experience available to students, which aim to achieve a greater level of inclusiveness in curricular provision and meet the needs of the diversity of pupils in our second level schools by expanding funding for programmes such as the leaving certificate vocational programme, LCVP, vocational preparation training, VPT, and the leaving certificate applied, LCA.

The school completion programme was implemented to directly target those in danger of dropping out of the education system and is a key component of my Department's strategy to discriminate positively in favour of children and young people at risk of early school leaving. In line with current thinking, it favours an integrated cross-community and cross-sectoral approach based on the development of local strategies to ensure maximum participation levels in the education process. It entails targeting individual young people aged four to 18 years, both in and out of school, and arranging supports to address inequalities in education access, participation and outcomes.

The home school community liaison, HSCL, 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.

The Education (Welfare) Act 2000 and the establishment of the National Educational Welfare Board is an important plank in the campaign to keep students at school and will provide a comprehensive framework for promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The new action plan for educational inclusion, Delivering Equality of Opportunity in Schools or DEIS, will be introduced on a phased basis starting during the current school year and aims to ensure that the educational needs of children and young people, from pre-school to completion of upper

second level education — three to 18 years of age — from disadvantaged communities are prioritised and effectively addressed.

A key element of the new action plan is the putting in place of a standardised system for identifying levels of disadvantage in our primary and second level schools, which will result in improved targeting of resources at those most in need and a new integrated school support programme, SSP. The SSP will bring together and build upon a number of existing interventions for schools and school clusters-communities with a concentrated level of educational disadvantage.

School Accommodation.

635. **Mr. Quinn** asked the Minister for Education and Science the number of schools with buildings that are below the modern building standards mentioned in the programme for Government; the Government's definition of modern; and if she will make a statement on the matter. [7016/06]

Minister for Education and Science (Ms Hanafin): The information as requested by the Deputy is not readily available.

This Government has invested in the largest school building programme in the history of the State. Between 1998 and the end of 2004, almost €2 billion was invested in school buildings and in the region of 7,500 large and small projects were completed in schools, including 130 brand new schools and 510 large scale refurbishments-extensions. Indeed, funding for school building and renovation projects has increased fivefold since 1997. In 2006, €491 million will be spent on school building projects compared to just €92 million in 1997. This in its own right is an increase of over 9% in real terms on the 2005 allocation.

As the Deputy will be aware, at the end of last year I outlined my spending plans for primary and post-primary schools for 2006. With €491 million to be spent on schools buildings there will be over 1300 projects active in schools all over the country. This significant investment will allow me to continue to progress our major programme of school building and modernisation, including improving equipment needed for new technologies and ICT. I have already started to outline individual schools around the country that will benefit under the various parts of the programme throughout the year with the announcement of 62 schools that have been given the go ahead to start architectural planning. A total of 740 schools will receive funding under the summer works scheme to carry out essential small scale projects and 15 schools have been approved to move their major building projects to tender and construction stage.

I will be announcing details of the other aspects of the programme as we move through the year. Principal features of the 2006 building and modernisation programme include €277 million tar-

geted at primary schools and €204 million in the post-primary sector, almost 200 major school building projects at construction during 2006, 105 primary school projects and 62 post-primary projects advancing in architectural design and the further use of fast-track design solutions for primary schools. It is expected that up to 12 primary schools will be built using a standardised design model or a design and build process. The first school built under this model opened in Baggally, Lucan in September 2005, having taken just ten months to build.

Another principal feature is that up to 200 primary schools will receive approval for devolved funding under the small school and permanent accommodation initiatives during the coming year. This is in addition to the 153 schools that will have projects at construction during 2006 under these initiatives. Small school and permanent accommodation initiatives, which were piloted over the last two years, will become a permanent feature of the building programme, enabling schools to get works done faster by allowing them to run the projects themselves.

I can assure the Deputy that the Government is fully committed to continuing the work that it has started and consolidating the substantial progress that has already been made to ensure the needs of schools throughout the country are met over time.

Early School Leavers.

636. **Mr. Quinn** asked the Minister for Education and Science the progress made in implementing the commitment in the programme for Government to provide a second chance guarantee for people who left school without qualifications; and if she will make a statement on the matter. [7017/06]

Minister of State at the Department of Education and Science (Miss de Valera): The Government is strongly committed to improving participation and achievement at every level of education. We have put the resources and supports in place to ensure there is a wide range of course options available in the further education sector for young people who left school without qualifications. Programmes within the further education sector funded by my Department are operated and managed primarily by the Vocational Education Committees. National certification is provided by the Further Education and Training Awards Council.

Within the framework of the priorities identified in the 2000 White Paper on Adult Education, the principal objectives of the measures and programmes funded by the Department of Education and Science in the further and adult education area are to meet the needs of young early school leavers, provide vocational education and training opportunities for labour market entrants and re-entrants and alternative pathways

to higher education and provide second chance education for adults.

These objectives, for those people who have left school without qualifications, are pursued through full-time programmes such as Youthreach, senior Traveller training centres and the vocational training opportunities scheme, and part-time programmes such as the back to education initiative, adult literacy courses and the community education scheme. On completion of such programmes, a student may progress to post-leaving certificate courses or other provisions.

The Government has shown a sustained determination to expand and improve further and adult education over recent years. We believe strongly in the value of this sector and will continue to prioritise it for resources and supports in the years ahead.

Schools Building Projects.

637. **Mr. Ó Feaghail** asked the Minister for Education and Science if she will allow the building project at a school (details supplied) in County Kildare to proceed to tender; and if she will make a statement on the matter. [7023/06]

Minister for Education and Science (Ms Hanafin): My Department's officials wrote to the school authorities in October 2005 giving approval to proceed to stage three — detailed plans and costs — of architectural planning. Pending receipt in my Department of the stage three submission from the school authorities no further progression can be made on this project.

638. **Mr. Ó Feaghail** asked the Minister for Education and Science if she will allow the building project for two amalgamating post-primary schools (details supplied) in County Kildare to proceed to tender; and if she will make a statement on the matter. [7024/06]

Minister for Education and Science (Ms Hanafin): The refurbishment and extension project for the school referred to by the Deputy is at an advanced stage of architectural planning. My Department's officials gave approval for this project to proceed to stages four and five of the Department's planning and building guidelines, that is planning permission-fire certification, tender documentation-bill of quantities on the 23 August 2005. The stage four and five submission was subsequently received in December of 2005 and is currently under review. My officials will contact the school authorities when the review is complete with directions as to the next steps involved in progressing this project. Progression of projects to construction will be considered in the context of the School Building and Modernisation Programme 2005-2009.

639. **Mr. Ó Feaghail** asked the Minister for Education and Science the timeframe involved in

[Mr. Ó Feargháil.]

moving a new school building project to tender (details supplied) in County Kildare; and if she will make a statement on the matter. [7025/06]

Minister for Education and Science (Ms Hanafin): The building project for the school to which the Deputy refers is at an early stage of architectural planning. Progress on the project is being considered in the context of the school building and modernisation programme from 2006 onwards.

Site Acquisitions.

640. **Mr. Ó Feargháil** asked the Minister for Education and Science if, in view of her decision to include a school (details supplied) in County Kildare in the new public private partnership arrangement, the acquisition of an already identified site for the proposed school can be expedited; and if she will make a statement on the matter. [7026/06]

Minister for Education and Science (Ms Hanafin): Officials in the planning and building unit of my Department are actively pursuing the acquisition of the site identified for the school to which the Deputy refers.

Schools Refurbishment.

641. **Mr. O'Connor** asked the Minister for Education and Science if she will confirm that works on the science laboratory at a school (details supplied) in Dublin 6W will be carried out; the contact with the college in the matter. [7039/06]

Minister for Education and Science (Ms Hanafin): I am pleased to inform the Deputy that the school to which he refers is included among over 740 schools approved for funding under the summer works scheme for 2006. The school has been approved for science laboratory refurbishment. All successful applicants will be contacted shortly by the building unit of my Department with details of the grant aid being provided and instructions on how to proceed.

School Accommodation.

642. **Mr. Kehoe** asked the Minister for Education and Science the position on the application for a new extension for a primary school (details supplied) in County Wexford; the stage of the application; and if she will make a statement on the matter. [7040/06]

Minister for Education and Science (Ms Hanafin): My Department is in receipt of an application for major capital works from the school to which the Deputy refers. The application has been assessed in accordance with the published prioritisation criteria. Progress on the application is being considered in the context of

the school building and modernisation programme from 2006 onwards.

Site Acquisitions.

643. **Mr. Curran** asked the Minister for Education and Science if she will report on the progress being made to secure a site for a new school (details supplied) in Dublin 22. [7088/06]

Minister for Education and Science (Ms Hanafin): My Department has acknowledged the need for a permanent solution to meet the long-term accommodation needs of the school referred to by the deputy. The school is currently accommodated in rented accommodation that is grant aided at the rate of 95% by my Department.

Officials in my Department are actively looking at proposals regarding an alternative site for the school. However, due to commercial sensitivities surrounding site acquisitions, the Deputy will appreciate that I am unable to comment on specific site purchase issues.

Defence Forces Reserve.

644. **Mr. Allen** asked the Minister for Defence the number of the 108 FCA officers who did not apply for appointments in the new Reserve Defence Force who have been interviewed by the commanding officer to determine if they wish to serve in same; and the outcome. [6299/06]

Minister for Defence (Mr. O'Dea): The procedure for Reserve Defence Force, RDF, officers applying for appointments is outlined in administrative instruction R5/R6, RDF Officers, NCO's and Privates Assignment Procedures.

The military authorities have informed me that all RDF officers were made aware of the assignment procedure and that each officer was responsible for deciding which appointment, if any, he or she would apply for. I am also advised that the administrative instruction did not provide for the interviewing of officers who did not apply for any appointment and, consequently, there was no formal mechanism established to collate the information that the Deputy has requested.

Officers are entitled to seek an interview with their commanding officer on any issue and I would anticipate that any officers who does not wish to serve in a new appointment would seek such interviews and make their views known. The military authorities have adopted a facilitative approach to the assignment process and I am confident that every effort would be made to facilitate any such officer within the reorganised reserve.

645. **Mr. Allen** asked the Minister for Defence the number of officers of the Reserve Defence Force who have been gazetted into their new appointments; and the date on which the process will be completed. [6300/06]

Minister for Defence (Mr. O’Dea): The military authorities have informed me that 712 Reserve Defence Force officers have been gazetted into appointments. This reflects the outcome of the assignment process and also includes RDF officers who were subsequently commissioned in November 2005. The gazette was published on 9 February 2006.

Corporate Procurement Plan.

646. **Mr. Kenny** asked the Minister for Defence if his Department has a corporate procurement plan; and if he will make a statement on the matter. [6354/06]

Minister for Defence (Mr. O’Dea): As I indicated in my reply to a similar question on 25 January, the framework for the production of annual corporate procurement plans was developed by the national public procurement policy unit in the Department of Finance during 2005. This plan applies to major infrastructural and network projects valued at €30 million or over.

The White Paper on Defence that was published in 2000 set out the policy on defence for the years 2000 to 2010 with a view to ensuring an appropriate level of defence capability having regard to the changing defence and security environment both at home and abroad. The modernisation of the Defence Forces is an integral part of this policy. This has involved a multi-annual programme for the purchase of new equipment and the provision of improved accommodation and facilities for the Defence Forces. This has been implemented on the basis of procurement plans drawn up each year based on budget allocations.

Consultancy Contracts.

647. **Mr. Kenny** asked the Minister for Defence the progress made within his Department in relation to reviewing existing contract specifications awarded by all Departments; and if he will make a statement on the matter. [6369/06]

Minister for Defence (Mr. O’Dea): On 20 October last the Minister for Finance in an address to Dublin Chamber of Commerce announced a new formalised review and audit system for large infrastructure projects with a value of over €30 million.

My Department is not involved in contracts of that nature. My Department would rarely be involved in projects with a value of over €30 million. These would normally be concerned with the purchase of equipment such as aircraft, ships, armoured cars, etc. Construction projects carried out in military barracks nationwide would be below this level of cost. My Department is fully aware of the need for ensuring value for money in placing contracts and all major projects are

subject to strict examination to ensure that the support the objectives of the 2000 White Paper on Defence.

Airport Safety Zones.

648. **Mr. P. Breen** asked the Minister for Defence further to Parliamentary Question No. 495 of 29 November 2005, if the Snow Report in question at paragraph 4.1.2 unequivocally acknowledges that there are no two-dimensional public safety zones in Norway, Sweden, Denmark, Finland, Spain or France; and if he will make a statement on the matter. [6571/06]

Minister for Defence (Mr. O’Dea): At paragraph 4.1.2 the Snow report states that in Norway, Sweden, Denmark, Finland, Spain and France development can be prohibited close to runways on environmental, that is, noise grounds only and that as such public safety zones do not exist and limitations relate to the ICAO recommended standards for obstacle limitations as set out in Annex 14.

In the case of Casement Aerodrome, Baldonnel, red safety areas were first adopted at following a review in 1992 by Aer Rianta, on behalf of the Department of Defence, of policy in relation to safety zones at the aerodrome and were introduced to ensure the safe and unobstructed operation of air traffic to and from Casement Aerodrome. International Civil Aviation Organisation standards and recommendations in relation to obstacle limitation surfaces for airports as well as considerations in regard to public safety in the vicinity of the aerodrome were taken into account in determining the size and shape of the red safety areas at Casement Aerodrome. The Snow report prepared in 1999 recommended in the case of Casement Aerodrome that the approach areas be retained for security and safety reasons because of the large proportion of training, including single engine/solo flights by inexperienced pilots, carried out at the aerodrome.

Decentralisation Programme.

649. **Mr. Bruton** asked the Minister for Defence the office or unit within his Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within his Department and associated agency who have chosen to decentralise with their parent organisation; and the number of people willing to move who have been assigned their new posts. [6678/06]

Minister for Defence (Mr. O’Dea): The Government decision on decentralisation, announced by the Minister for Finance in his budget statement on 3 December 2003, provides for the transfer of all of my Department’s Dublin based Civil Service staff to Newbridge, County Kildare. The number of staff to be relocated to

[Mr. O'Dea.]

Newbridge is 200. The Government decision also provides for the transfer of 300 Defence Forces headquarters staff to the Curragh, County Kildare.

The following table details the number of staff in my Department who have chosen to decentralise with my Department to Newbridge.

| Department of Defence Staff Grade | No. of Departmental Staff who have chosen to decentralise |
|-----------------------------------|---|
| Secretary General | 1 |
| Assistant Secretary | 2 |
| Principal Officers | 5 |
| Assistant Principal Officers | 8 |
| Higher Executive Officers | 14 |
| Executive Officers | 10 |
| Staff Officers | 4 |
| Clerical Officers | 15 |
| Properties Officer | 1 |
| Total No. of Staff | 60 |

In addition to the staff referred to in the table above, four civil servants have been assigned to their new posts with my Department via the central applications facility, CAF, thus far and we are currently in the process of transferring staff from other Departments into my Department.

Defence Forces Discharge.

650. **Mr. P. Breen** asked the Minister for Defence further to Parliamentary Question No. 525 of 7 February 2006, if a person (details supplied) in County Clare was before a medical board on 5 July 2005; if the issue is a question of fitness; if the desired standard of medical classification could be achieved through physical training; and if he will make a statement on the matter. [6864/06]

Minister for Defence (Mr. O'Dea): Personnel enlisted in the Permanent Defence Force, after 1 January 1994 are not eligible for consideration for extension of service on completion of their initial five year term of enlistment unless they have a minimum medical classification. In the case in question the individual's medical classification was assessed as being below the required standard for extension of service. The medical classification comprises the constitution and the military fitness of the individual. In this case the grading was below the required medical standard for both constitution and military fitness.

Health Services.

651. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government

the reason no action was taken on empty houses (details supplied) in County Limerick; and if the local authority will clean up the area. [6378/06]

658. **Mr. F. McGrath** asked the Minister for the Environment, Heritage and Local Government if a case (details supplied) will be investigated; the reason for the delay on these matters; and if action will be taken from the named local council. [6381/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to answer Questions Nos. 651 and 658 together. 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.

Road Traffic Offences.

652. **Mr. Kehoe** asked the Minister for the Environment, Heritage and Local Government the level of co-ordination between his Department regarding the registration of penalty points and the Garda PULSE system; and if he will make a statement on the matter. [6334/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): On receipt of notification from the agency acting on behalf of An Garda Síochána or from the Courts Service that a person has incurred penalty points, the appropriate points are recorded on the driving licence record of that person in my Department's national driver file and a notification is posted to the driver. When 12 points have been accumulated on the licence record the person is notified that he or she is disqualified for a period of six months and is requested to surrender his or her licence to the appropriate licensing authority. The Garda Síochána is also notified electronically of disqualification instances.

Fire Safety Regulations.

653. **Mr. Kehoe** asked the Minister for the Environment, Heritage and Local Government the number of prosecutions which have taken place for breaches of the fire safety regulations for hotels, bars and nightclubs over the past five years; the reason for the prosecutions; and if inspections of such premises have been undertaken by fire officers for the same period whilst fully occupied, that is, night time. [6335/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Information

supplied by fire authorities on prosecutions for offences under the Fire Services Act 1981 in the years 2000 to 2004 indicates that in respect of indictable offences, recommendations were made to the DPP for prosecution in seven instances, and in respect of summary offences, one prosecution was taken. Information on the reasons for prosecutions is not available in my Department. Fire authority inspectors are authorised under the Fire Services Act to carry out inspections of premises and they carry out about 9,000 inspections, including during performance inspections, annually.

Nuclear Plants.

654. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the strategy and timescales involved in bringing the British Government to court for security failures at the Thorp reprocessing plant at Sellafield; if he has discussed the matter with the British Ministry involved; and if he will make a statement on the matter. [6336/06]

655. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the procedures he intends to follow and the action plan he intends to implement in order to take the European Commission to court over its failure to monitor the British nuclear industry as reported (details supplied); the failures of monitoring which he intends to highlight to the court; if he has discussed same with the Commission; and if he will make a statement on the matter. [6337/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to answer Questions Nos. 654 and 655 together. The Government's international legal proceedings against the United Kingdom under the United Nations Convention on the Law of the Sea concerning the Sellafield Mox plant were suspended in 2003 pending resolution of jurisdictional issues in the dispute raised by the European Commission.

These issues were the subject of proceedings by the European Commission against Ireland before the European Court of Justice, ECJ. The Advocate General's opinion issued in the case on 18 January 2006 considers that the ECJ has competence in relation to the dispute between Ireland and the UK. While this opinion favours the case made by the Commission, it will be a matter for the Court to issue the final judgment which is expected later in the year. The final outcome should clarify international and community law on the protection of the marine environment and other issues raised by the continued operation of the Sellafield reprocessing plant. The Government, in consultation with the Attorney General,

will decide future legal strategy based on the final judgment of the ECJ case. It would be premature at this point to speculate on the legal options open to the Government arising from this process.

I met with Alan Johnson MP, UK Secretary of State at the Department of Trade and Industry in October to voice the continuing concerns of the Irish Government about the operation of the Sellafield plant and the leak in April 2005 at the THORP plant. I pointed out that the report by the operator on the leak at THORP indicated a continuing poor safety culture and practice at the Sellafield plant which regrettably was entirely consistent with the longstanding poor operational safety record at Sellafield. It was now necessary for the UK Government to take the hard decisions necessary to close the Sellafield plant.

I also met with Commissioners Andris Piebalgs and Franco Frattini on 31 January last and made it clear that the Irish Government expects the Commission to exercise its competence robustly in respect of the continued operations at Sellafield, a situation which has in Ireland's view, clearly not been the case to date.

Last week's formal warning on Sellafield is perhaps an indication of the Commission's intention to engage more proactively in this area. The Government's policy on Sellafield remains clear and unambiguous. Following my recent meetings with EU Commissioners Piebalgs and Frattini and Secretary of State Alan Johnson MP, both the Commission and the UK Government are in no doubt as to the strength of Irish feeling regarding the continued operation of the Sellafield plant. The Irish Government will continue to pursue all legal, political and diplomatic options to secure the safe and orderly closure of the Sellafield facility.

Public Procurement Policy.

656. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government if his Department has a corporate procurement plan; and if he will make a statement on the matter. [6355/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Question No. 1500 of 25 January 2006.

Departmental Contracts.

657. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the progress made within his Department in relation to reviewing existing contract specifications awarded by all Government Departments; and if he will make a statement on the matter. [6370/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department's statement of strategy for 2005-07 incorporates an objective of promoting procurement management reform by developing policies, processes and practices in support of a more strategic approach to contract procurement within the Department and those bodies under its aegis. In accordance with this objective, my Department implements existing and emerging guidelines from the Department of Finance on contracts planned by it directly and by local authorities and agencies within my Department's remit.

Question No. 658 answered with Question No. 651.

Electronic Voting.

659. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government

the location of each of the facilities where the unused electronic voting machines were stored during 2005; the proprietor of each of those facilities; the rental cost of each of those facilities for 2005; the cost incurred to date in 2006 on the storage of these machine; and if he will make a statement on the matter. [6384/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Information provided by returning officers to my Department indicates that the total annual storage cost for the electronic voting machines and ancillary equipment is some €696,000, Details provided by returning officers in respect of ownership of premises, location and annual rental costs are set out in the following table.

As already stated in the reply to Questions Nos. 154, 181, 201, 642, 659 and 660 of 14 February 2006, I have requested my Department to examine the question of central storage of the voting equipment.

Information on Storage of Electronic Voting Equipment

| Constituency | Owner of Storage Premises | Location of Storage Premises | Annual Rental Costs € (incl. VAT) |
|-----------------|---|------------------------------|-----------------------------------|
| Carlow-Kilkenny | Matthew and Teresa Cleary | Mortarstown | 23,595 |
| Cavan-Monaghan | Martin Duffy | Monaghan Town | 20,328 |
| Clare | Voting machines stored in courthouse. Premises for ancillary equipment owned by Tony Mulqueen. | Ennis | 3,600 |
| Cork City | Mr. and Mrs. Martin Harvey | Togher | 30,492 |
| Cork County | Michael O'Driscoll | Ballygarvan | 19,360 |
| Donegal | Niall McIvors, Secure Storage | Letterkenny | 10,564 |
| Dublin City | Brendan and Cara Walsh | Ballycoolin | 42,350 |
| Dublin County | John Fitzpatrick and Kevin McGarry | Finglas | 33,880 |
| Galway | Voting machines stored in courthouse | Galway City | Nil |
| Kerry | John Dillane | Tralee | 21,175 |
| Kildare | J & D O'Brien | Clane | 19,360 |
| Laois-Offaly | KG Warehousing Ltd. | Portlaoise | 24,200 |
| Limerick | Ashling Microsystems | Limerick City | 51,188 |
| Longford | Returning Officer has requested that this information not be released publicly for security reasons | Longford Town | 12,100 |
| Roscommon | Gerry Kelly | Roscommon Town | 6,000 |
| Louth | Dundalk Town Council | Dundalk | Nil |
| Mayo | Joseph Togher | Castlebar | 25,410 |
| Meath | Paul McDonnell | Navan | 14,496 |
| Sligo | Voting machines stored in courthouse | Sligo Town | Nil |
| Leitrim | Voting machines stored in courthouse. Premises for ancillary equipment owned by Drumshanbo Enterprise Centre | Carrick-on-Shannon | 3,000 |
| Tipperary (N&S) | Nicholas Delehanty | Clonmel | 24,200 |
| Waterford | Johnstown Properties Ltd. | Waterford City | 50,820 |
| Westmeath | Peadar Conlon | Mullingar | 15,972 |
| Wexford | McGuinness Enterprises Ltd. | Drinagh | 12,096 |
| Wicklow | Telhurst Ltd. | Kilcoole | 38,000 |

Waste Disposal.

660. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government if grants are available to persons or companies to dispose of asbestos; if it is the responsibility of local authorities to dispose of such problems if the asbestos is attached or on a site of the local authority; and if he will make a statement on the matter. [6433/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): No such grants are available from my Department. If waste asbestos is present on a local authority site, it would be the local authority's responsibility, as a holder of waste, to dispose appropriately and safely of this waste material.

Departmental Funding.

661. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government if a local authority has sought funding from his Department to overcome a problem (details supplied) within the authority's area; and if he will make a statement on the matter. [6434/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): No proposals for funding have been received in my Department from Kildare County Council on the matter in question.

Fire Safety.

662. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government further to the decision to merge the National Safety Council with the proposed driver testing and standards authority, where the responsibility of the council's fire safety remit will be transferred to; and if he will make a statement on the matter. [6441/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The fire safety remit of the National Safety Council will revert to my Department on an interim basis and arrangements for this transfer are currently being discussed with the Department of Transport. A final decision on the appropriate arrangements for the future promotion of fire safety will be made in the light of work currently under way on community fire safety under my fire services change programme.

663. **Mr. Dennehy** asked the Minister for the Environment, Heritage and Local Government the position regarding proposals for the development of the former Irish Steel site in Haulbowline, particularly in view of the site's potential in terms of employment and the creation of tourism-

related opportunities; and if he will make a statement on the matter. [6533/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): It is not yet possible to finalise firm proposals for the future development of the former Irish Steel site. There is obvious and interesting development potential at the in the event that viable solutions are available to deal with any contamination or structural issues which could constrain future uses.

My Department has been mandated by Government to have a suitable site investigation carried out to inform consideration of future development options. The on site aspect of that investigation concluded last autumn and most of the factual data has now been collated. My Department expects the interpretative reports from the consultants in the coming weeks, following which strategic directions in relation to the future of the site will be considered.

National Parks.

664. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government if he will ascertain from the National Parks and Wildlife Service if a person (details supplied) in County Galway who has been stopped from cutting turf on a certain plot will also be stopped from cutting turf on a second parcel of land or if the restriction will only apply for the first parcel of land. [6550/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I am aware that the person named has been advised that he may not cut turf on some of his land. I regret that my Department does not have access to the LPIS database and therefore cannot comment definitively on the land parcel number mentioned.

665. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government if he will ascertain from the National Parks and Wildlife Service if a person (details supplied) in County Mayo is entitled to compensation on the cessation of turf cutting on their bog; and if so, the way in which they can apply for same. [6551/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department wrote to the person named on 16 February 2006 giving details of the compensation scheme, including the criteria for eligibility and enclosing an application form.

Waste Management.

666. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 524 of 11

[Mr. Naughten.]

October 2005, the discussions held with IFFPG and the conclusions and recommendations on the scheme; the steps he will take to address the problem of plastic being imported from the UK and Northern Ireland without the payment of such a levy; the percentage of farm plastic collected in 2005; the tonnage it is envisaged the IFFPG will collect in 2006; and if he will make a statement on the matter. [6561/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under the Waste Management (Farm Plastics) Regulations 2001, producers, namely manufacturers and importers, of farm plastics such as silage bale wrap and sheeting are required to take steps to recover farm plastics waste which they placed on the market or alternatively to contribute to, and participate in, compliance schemes to recover the waste in question. The Irish farm film producers group, IFFPG, is the sole approved body in Ireland for the purposes of implementing a compliance scheme for the recovery of farm plastics waste.

Under the IFFPG scheme, producers apply a levy on the sale of farm plastics that, in turn, is transferred to the IFFPG for use in funding the collection and recovery of farm plastics waste. The IFFPG is a not for profit organisation and it is a matter for the company, under the terms of this producer responsibility initiative and in accordance with the polluter pays principle, to set a rate of levy which will cover its operational costs. The detailed information sought on the company's operations is a matter for the company and is not available in my Department.

The scheme has operated successfully to date. It is estimated that approximately 8,500 tonnes, amounting to 55% of farm plastics placed on the market in 2004, were collected for recycling. An estimated 55,000 farmers availed of the collection service in 2004. The IFFPG estimates that more than 12,500 tonnes of farm plastics were collected in 2005.

While responsibility for the collection and recovery of farm plastics rests with the compliance scheme, my Department monitors the scheme on an ongoing basis. I am aware of the specific issues raised and I am anxious to preserve and continue the success of the farm plastic scheme. Discussions are taking place involving my Department and IFFPG to explore options for improvement to the scheme and resolution of outstanding issues.

State Airports.

667. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government if the Government proposes to abolish the existing two dimensional red zones that are also known as

red safety areas in view of the proposed designation of the two dimensional public safety zones at the State airports in accordance with the recommendations contained in the ERM report; and if he will make a statement on the matter. [6568/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department is preparing draft guidelines for planning authorities on public safety zones at State airports and in this context is considering the ERM recommendations, including recommendations on "red zones". When the draft guidelines are completed they will be issued for public consultation.

Local Authorities.

668. **Mr. McGinley** asked the Minister for the Environment, Heritage and Local Government the measures he is willing to put in place in order to empower local municipal authorities with more representative powers; and if he will make a statement on the matter. [6593/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Local Government Act 2001 is designed to provide a modern legislative framework for all local authorities. Under the Act all town councils, including former town commissioners, may take action to promote the community interest; exercise a representational role with an office of mayor and structured linkage to the county council, through for example, membership of strategic policy committees; provide local amenities and raise a local community contribution; make local by-laws and have statutory input to the local development plan process under the planning code.

Certain town councils, other than former town commissioners, are under the relevant statutory service codes responsible for certain mainline functions in housing and roads. The Oireachtas in its comprehensive review and restatement of local government legislative powers in recent years did not extend responsibility for such mainline functions to additional town councils and legislation would be required to amend this position. I will keep the position generally under review in the ongoing local government modernisation programme with the aim of ensuring good accessible service delivery at town and county level.

Social Housing.

669. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government the targets he has set in regard to the number of households that will be provided under the rental accommodation scheme each year for the next ten years or for the period of time that he has set such targets; the estimated cost of the scheme to

be met each year; and if he will make a statement on the matter. [6597/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Based on Department of Social and Family Affairs data 60,176 households were in receipt of rent supplement at the end of December 2005. More than half of these, approximately 33,000 cases, have been on the scheme for 18 months and represent the primary target group for accommodation by housing authorities under the rental accommodation scheme, RAS, or by other forms of social housing.

The Government has set the end of 2008 as the target to complete the implementation of RAS in all local authority areas. The actual numbers of households transferring by that date will depend on a range of circumstances including the eligibility conditions for RAS, the quality of rented accommodation in which recipients of rent supplement currently reside, the supply of alternative accommodation in the private rented and social housing markets and the individual circumstances of tenants. The provisional targets for transfers to RAS are 5,000 by the end of 2006, with a further 5,000 for each of the following years.

A sum of €19 million has been transferred from the Department of Social and Family Affairs Vote to my Department's Vote from January 2006 to cover the costs of RAS. Additional funding will be provided in the same manner over the next two years at which point there will be a review of the funding arrangements for the scheme. In overall terms, the Department of Social and Family Affairs estimates that when the transfer of long-term recipients of rent supplement is complete the annual provision is likely to be in excess of €120 million.

Decentralisation Programme.

670. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government the office or unit within his Department and associated unit that is due to be decentralised; the number of posts and staff in tabular form from each unit within his Department and associated agency who have chosen to decentralise with their parent organisation; and the number of people willing to move who have been assigned their new posts. [6679/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): All Dublin based operations of my Department will be decentralised, with the exception of Met Éireann, ENFO, the Private Rented Tenancies Board and a small co-ordination section which it is proposed to retain in Dublin to assist with the Department's Dáil and other business. The programme involves the relocation of my Department's oper-

ations to four locations in the south east, Wexford, Waterford, New Ross and Kilkenny. I recently announced that my Department has reached agreement with OPW on the site for its headquarters in Wexford, which will be acquired from Wexford Borough Council.

At this stage, a total of 70 staff, who are committed to transfer to the south east, are serving in the Department. This includes new entrants and persons recruited under the central applications facility. Another 90 persons from other Departments have indicated their willingness to transfer. Two agencies under the aegis of my Department are also included in the decentralisation programme. The Local Government Computer Services Board, LGCSB, is due to move to Drogheda while the National Building Agency, NBA, will relocate to Wexford. Three staff in the NBA and 23 staff in the LGCSB have applied for decentralisation with their agencies.

Housing Aid for the Elderly.

671. **Mr. Curran** asked the Minister for the Environment, Heritage and Local Government the amount of funding which was allocated to South Dublin County Council in the allocations for 2006 under the special housing aid for the elderly scheme. [6785/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The special housing aid for the elderly scheme is administered by a task force under the aegis of my Department and operated at local level by the Health Service Executive. An initial allocation of €2.2 million for the scheme was recently notified to the Dublin mid-Leinster region, which includes South Dublin County Council and it is a matter for the HSE directorate of services for older people, which has responsibility for the administration of the scheme, to apportion funding to a particular area.

Noise Pollution.

672. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government his views on introducing legislation to strengthen the law on noise pollution with particular regard to excessive noise which sometimes emanates from private buildings; and if he will make a statement on the matter. [6789/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): A number of legislative measures are in place to address the issue of noise nuisance from private buildings. Section 107 of the Environmental Protection Agency Act 1992 provides local authorities with powers to require measures to be taken to prevent or limit noise. These powers are generally exercised in preventing and limiting noise from

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commercial and industrial premises within their functional areas.

Under the Environmental Protection Agency Act 1992 (Noise) Regulations 1994, a local authority or any person may seek an order in the District Court to have noise giving reasonable cause for annoyance abated. The procedures involved have been simplified to allow action to be taken without legal representation. A public information leaflet outlining the legal avenues available to persons experiencing noise nuisance is available from my Department and on the Department's website, *www.environ.ie*.

In the case of noise nuisance being caused by individuals in private rented accommodation, the Residential Tenancies Act 2004 imposes minimum statutory obligations on landlords and tenants of private residential tenancies. Tenant obligations under the Act include an obligation not to engage, or allow visitors to engage, in anti-social behaviour which is defined as including persistent noise that interferes with the peaceful occupation of other dwellings in the neighbourhood. The Act also imposes an obligation on landlords to enforce the tenant obligations.

There is provision in the Act for third parties who are adversely affected by a failure on the part of a landlord to enforce tenant obligations to refer a complaint to the Private Residential Tenancies Board in accordance with the procedures in the Act. If an alternative legal remedy, such as the remedy provided for under the Environmental Protection Agency Act 1992 (Noise) Regulations 1994, is available and is pursued by a person, that person may not also refer the matter to the board.

Noise nuisance and other problems caused by local authority tenants are also covered under legislation. The tenancy agreement, which is the legal basis of the relationship between the local authority and its tenants, will generally contain provisions on the type of behaviour that is acceptable, and that which is not. The local authority is empowered under section 62 of the Housing Act 1966, to initiate proceedings to secure an eviction where a tenant has breached the conditions of the tenancy agreement.

Noise nuisance arising from intruder alarms is addressed on a number of fronts. A European standard for external intruder alarms has now replaced all national standards and incorporates considerably stricter controls, regarding minimum and maximum duration for the sounding of alarms. The new limits are 90 seconds minimum and 15 minutes maximum duration from the sounding of external alarms in buildings; the alarms must cease automatically after the maximum duration. This standard has been applied by the NSAI for intruder alarms installed by certified installers since 1 March 2004.

The Private Securities Services Act 2004 provided for the establishment of the Private Security Authority to licence, control and supervise installers of security equipment, including alarm systems, and which has powers to maintain and improve standards in the provision of security services. The licensing of companies providing intruder alarm installation services commenced from 1 November 2005 and it will be an offence for companies in the intruder alarm sector to operate without such a licence from 1 August 2006.

Disabled Person's Grant Scheme.

673. **Mr. S. Ryan** asked the Minister for the Environment, Heritage and Local Government when he proposes to respond to the contents of a letter of 18 November 2005 from a person (details supplied) in County Dublin in which the daughter of an elderly couple was denied an opportunity to apply for a disabled person's grant in respect of her parents by the local authority; and his views on the rationale for this decision. [6879/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): A reply will issue shortly to the person concerned regarding this matter.

Legislative Programme.

674. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government his plans to enact sections 55 to 62, Part 8, Local Government Act 2001 during the present Dáil session; and if he will make a statement on the matter. [6880/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The procedures governing boundary alterations are set out in Part V of the Local Government Act 1991 and in the Local Government (Boundary Alteration) Regulations 1996. Under these provisions, it is open to a local authority to initiate a proposal for the alteration of its boundaries. This involves preparation of a formal boundary alteration proposal by the authority concerned including financial, organisational and other implications; invitation of public submissions and consultation with the other local authorities affected by the proposal, prior to submitting a formal application to the Minister.

Part 8 of the Local Government Act 2001 provides that a local authority proposing to alter its boundary would follow similar procedures but would make the application directly to an independent local government commission which would then report to the Minister on the matter. I am considering the steps necessary to commence the relevant provisions of the 2001 Act.

Greenhouse Gas Emissions.

675. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government if he will provide figures on the impact of sugar beet growing on Ireland's net CO² emissions; and if he will make a statement on the matter. [6886/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Total emissions of CO² from sugar production installations in Ireland in 2003, the latest year for which figures are available, were 146,834 tonnes.

676. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the area of forestry needed to be planted in order to counteract the total emissions from car use here in one year; and if he will make a statement on the matter. [6887/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Articles 3.3 and 3.4 of the Kyoto Protocol provide for parties to offset carbon sequestered by forests against their greenhouse gas emissions. Article 3.3 allows Kyoto Protocol parties to count net carbon sequestration from afforestation and deforestation since 1990, arising over the period covered by the protocol, 2008 to 2012.

In order to calculate sequestration levels from forests, the area of and species composition of afforestation must be estimated for each year. COFORD, the National Council for Forest Research and Development, has developed a model to predict carbon sequestration based on net forest area and a number of other factors such as growth increment, wood density, carbon content and biomass expansion factor, based on Irish research and the good practice guidance of the intergovernmental panel on climate change.

The COFORD model estimates that average annual sequestration over the period from 2008 to 2012 will be 2.074 million tonnes of CO², based on an estimated 244,000 hectares of new forest planted over the period 1990 to date, and 14,000 hectares being planted per annum between now and 2012. Carbon sequestration in new forest is slow to begin with, but once the crop is fully established it rapidly increases year on year, to reach a peak over the period from ten to 30 years, depending on species and growth rate. On average, over that period, annual uptake, under Irish conditions, will be 10 tonnes of CO² per hectare per year.

In 2003, the latest year for which published figures are available, total emissions from road transport were 11.425 million tonnes of CO². Figures for emissions by vehicle type are not available as emissions from road transport are calculated on the basis of fuel sold, rather than vehicle

type. Given a level of sequestration of 10 tonnes of CO² per hectare per year, more than 1.1 million hectares of forest would be required to offset Ireland's emissions of CO² from road transport in 2003.

Water and Sewerage Schemes.

677. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government the position regarding a water scheme (details supplied) in County Mayo; the stage of same; when the scheme will commence; if funding has been provided; and the expected completion date. [6894/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The extension of the Lough Mask regional water supply scheme from Shraah to Westport is approved to start construction in 2006 in my Department's Water Services Investment Programme 2005-07. Further consideration will be given to Mayo County Council's contract documents for the scheme on receipt of additional information requested from the council last month.

Planning Issues.

678. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government if he will provide additional funding to local authorities to enable them to provide additional resources to their planning offices to meet with the increased demands being placed on them by the public and public representatives; and if he will make a statement on the matter. [6927/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In 2006, I allocated general purpose grants to local authorities amounting to approximately €875 million; this represents an increase of 6.5% over the corresponding figure for 2005, more than twice the rate of inflation.

The Planning and Development Regulations 2001, as amended, set out provisions for the payment of fees for planning applications. Local authorities generated in excess of €57 million in planning fees in 2004, the latest year for which statistics are available. Planning authorities are also entitled to require persons served with enforcement notices to pay their costs, and retain any fines paid on foot of a court conviction. Such income can also be used to fund development management and administration. In the circumstances, it is not proposed to provide specific additional funding to local authorities from central government in respect of services provided by planning offices.

679. **Mr. Curran** asked the Minister for the Environment, Heritage and Local Government

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when he expects to make a decision regarding an application by South Dublin County Council to have lands at Balgaddy in Clondalkin designated as a strategic development zone. [7089/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under Part IX of the Planning and Development Act 2000, the Government may, by order, on foot of a proposal from the Minister for the Environment, Heritage

and Local Government, designate a site or sites as a strategic development zone, SDZ, to facilitate development considered, in the Government's opinion, to be of economic or social importance to the State. The proposed strategic development zone at Balgaddy Clonburriss, South Dublin is under examination in my Department in consultation with South Dublin County Council and a proposal will be submitted to the Government in the matter when that examination has been completed.