



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Wednesday, 3 May 2006.

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DÁIL ÉIREANN

*Dé Céadaoin, 3 Bealtaine 2006.
Wednesday, 3 May 2006.*

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

*Paidir.
Prayer.*

Ceisteanna — Questions.

Priority Questions.

Port Development.

64. **Ms O. Mitchell** asked the Minister for Transport if he will outline national policy on the development of Irish ports; and if he will make a statement on the matter. [16526/06]

Minister of State at the Department of Transport (Mr. Gallagher): Current Government policy regarding the port sector is outlined in the ports policy statement which I launched while serving as Minister of State at the Department of Communications, Marine and Natural Resources in January 2005. This document identifies important policy issues to be addressed in the short to medium term.

The policy statement aims to better equip the port sector and its stakeholders to meet national and regional capacity and service needs. Its key elements include clearer and more focused commercial mandates for the ports and their boards, encouragement of private sector investment and involvement, sanction for the use of non-core assets to fund new port development but not to mask inefficiencies, encouragement of healthy competitive conditions within and between ports and better consultation and dispute resolution between port companies and users through appropriate information sharing and arbitration mechanisms.

The policy statement also identifies as a key challenge the provision of adequate in-time port capacity, particularly for unitised trade. A framework is set out to ensure that capacity needs are identified, planned and progressed in a co-ordinated manner.

A study is under way in my Department to examine future capacity requirements, particularly for unitised trade. The purpose of this process is to help determine whether the anticipated

capacity requirements can be met through the successful advancement and implementation by the port sector of some combination of the various proposals currently under development in the sector. It is intended to finalise a report in the coming months.

A number of measures outlined in the policy statement will require legislative changes and a new harbours Bill to provide for such changes is included in the Department's legislative programme.

Ms O. Mitchell: I thank the Minister of State for his reply. I wish to pursue a question in respect of Dublin Port, which applied for a foreshore licence to increase its berthage through land reclamation in 1998. The port authorities are still awaiting a response to that application and have been indicating for some time that the port will reach its full capacity early next year. While one might be able to erect a tent at Dublin Airport, one cannot do so at Dublin Port.

What is the Government's intention regarding the provision of future port capacity for the Dublin area? As I am sure the Minister of State is aware, well over half of our goods, both imports and exports, go through Dublin Port. While we have additional capacity available at other ports around the country, approximately 70% of the goods coming through Dublin Port are going into or coming directly out of Dublin. A Dublin solution is required. What is the Government's plan to provide such a solution? Will a response to the application for a foreshore licence be forthcoming, one way or the other? The port authorities deserve to know what will happen in the future.

Mr. Gallagher: The Deputy's question was a general one relating to ports and the Government policy thereon. Dublin is included in that. As an indication of the importance of Dublin Port, while 99% of goods goes through all our ports, approximately 59% of our lift on-lift off traffic goes through Dublin, as does almost 80% of our roll on-roll off traffic. Dublin Port accounts for approximately 50% of both throughput and turnover of the State's port companies.

The purpose of the Government's decision on the ports policy statement was to conduct an audit to establish capacity and future requirements throughout the country. Dublin Port is integral to that. We appointed a company to assist us and it will report shortly. It received development proposals from a number of ports, bearing in mind a substantial increase in capacity will be required to cater for the increase in exports and imports up to and beyond 2014. We are victims of our success and the tremendous growth in the economy over the years, which the most objective observers state will continue for a further ten or 15 years and, hopefully, more.

I presume Deputy Mitchell refers to the 52 hectares and the application to the Department of

[Mr. Gallagher.]

Communications, Marine and Natural Resources for the necessary approval.

Ms O. Mitchell: Twenty-one hectares.

Mr. Gallagher: No decision has been taken on that. It will be interesting to see from the report which will be made available to us by Fisher Associates what the demands on and proposals for Dublin will be. We should await the outcome of that, which should not take more than two or three months, and then establish what Dublin will require in the future.

Ms O. Mitchell: Why must the needs of Dublin be established when the Department was told eight years ago? This Fisher report seems to go into a level of detail of analysis which has little relevance for Government if this involves the independent companies established by legislation. They have made decisions on their future requirements and all they need is a "yes" or "no" from Government. They have waited eight years and it is unacceptable to tell them to wait longer when the Government knows they are running out of capacity.

The decision was made by spending €1 billion to build a tunnel to service a port. One way or another, Dublin deserves to know what its future will be. I know the Minister of State's companions in Government have other plans and have stated them, but we want to know the Government's view, in fairness to everyone investing in businesses in Dublin and throughout the country who must get their goods to market in time.

Mr. Gallagher: Regarding the ports policy statement, we must consider the macro situation and the capacity of the State and the entire island. Some of our goods are imported and exported through Larne and Belfast. It is not as simple as one might think to take a decision on these 52 acres. It is all integrated.

I do not want to give the impression that nothing happened in Dublin during the past eight years. Many developments took place. The board is progressive and has a business-like attitude under the chief executive Enda Connellan. The Government's view on overall capacity, including Dublin, will be made clear as soon as we receive the report from Fisher Associates.

Road Safety.

65. **Ms Shortall** asked the Minister for Transport the action his Department will take to introduce mandatory fitting of cyclops mirrors to all heavy goods vehicles as part of the annual road worthiness test; the reason for the delay in dealing with this since the proposal was made over three years ago by the Irish Road Haulage Association; if such a requirement is within the

scope of EU law; and if he will make a statement on the matter. [16563/06]

Mr. Gallagher: Directive 2003/97 lays down new standards for the type approval of certain categories of vehicles, especially lorries, on the field of vision of drivers and requires that all new vehicles meet the new standards. The directive was transposed into Irish law by the European Communities (Mechanically Propelled Vehicles Entry Into Service) (Amendment) (No. 2) Regulations 2004 as regards type approval and entry into service of vehicles.

While the directive's provisions do not become compulsory until 26 January 2007, and then only with regard to new vehicles, I have sought to have these higher standard mirrors fitted to existing HGVs on a voluntary basis. In that regard, in April 2005 the Irish Road Haulage Association, the Society of the Irish Motor Industry and the Irish Business and Employers Confederation were requested to consider advising their members to retrofit vehicles with blind-spot mirrors or indirect vision devices. The Society of the Irish Motor Industry was also asked, in advance of the 26 January 2007 deadline for new vehicles, that all new HGVs being put on the market meet the higher standards required by Directive 2003/97/EC.

The Irish Road Haulage Association responded positively, indicating that in recent years it has actively encouraged its members to fit convex mirrors to their vehicles and to request these when acquiring new vehicles. The Society of the Irish Motor Industry also responded positively, indicating that vehicle distributors had agreed to the fitting of these enhanced mirrors to new vehicles before they become a legal requirement in January 2007. In that regard, the Society of the Irish Motor Industry anticipated that by the end of March 2006, 80% of new vehicles of the relevant categories would meet the requirements of the directive, with all new vehicles so complying by the end of October 2006.

In accordance with Directive 96/96/EC, HGVs are first liable to roadworthiness when they are one year old. As the fitment of mirrors in accordance with Directive 2003/97/EC does not become mandatory until 26 January 2007, it would not be appropriate to check HGVs for these mirrors during the annual roadworthiness test until after 26 January 2008 and then only with regard to HGVs whose registration required the fitting of mirrors in accordance with the requirements of Directive 2003/97.

Additional information not given on the floor of the House.

On 12 April 2006 the European Commission published a consultation paper on the retrofitting of blind-spot mirrors to existing HGVs, seeking views of interested parties by 19 May 2006 with a view to possibly bringing forward proposals for a directive on the matter. I welcome this develop-

ment and intend to respond to the European Commission indicating that Ireland would be in favour of early action on the issue. I will progress the development of national legislation in this area having regard to the Commission's consideration of this matter.

Ms Shortall: I do not accept what the Minister of State has said. He has discussed the relevant EU directive with regard to the fitting of blind-spot mirrors to new trucks, but what about older trucks, and why will the Minister not make it compulsory for owners to fit such trucks with these important mirrors?

We accept there is much public concern about trucks having blind spots. The National Safety Council has estimated that at least eight people die per year on our roads as a result of trucks having these blind spots. The Minister of State will be aware that the Dublin city coroner, Dr. Brian Farrell, after hearing the case of an 80 year old man killed by a truck, recently stated that he strongly recommended the provision of these safety items in the interest of public safety. He even wrote to the insurance companies and the Department of Transport to make his views known.

We know the EU directive will require new trucks to be fitted with these mirrors from next January. What about existing trucks? Under current legislation and EU directives, there is nothing to prevent the Minister from making the fitting of such mirrors compulsory on all trucks in the country. I have checked this and it appears a fairly straightforward process. Relevant legislation is section 11 of the Road Traffic Act 1961. The Minister has the power to make regulations with regard to vehicle equipment. It appears that the action could be carried out with the stroke of a pen. Why will the Minister not do it? He has been urged to do so by the industry and the action would definitely save lives. The Minister has not provided an explanation for his inactivity in the area.

Mr. Gallagher: I recognise the role played out by the Irish Road Haulage Association, IBEC and SIMI. I met representatives of the Irish Road Haulage Association today, specifically the director of the association, and it is very happy with the progress that has been made.

Before dealing with the Deputy's supplementary question, I point out that on 12 April 2006 the European Commission published a consultation paper on the retrofitting of blind-spot mirrors to existing HGVs. The Commission is seeking views, which must be submitted by 19 May 2006, with a view to possibly bringing forward proposals for a directive on the matter. We will respond but I want to consult the SIMI to ensure assumptions in the consultation paper reflect the Irish scene. I can accept the general proposals. The Commission proposed retrofitting the mirrors to vehicles registered in 1998, whereas we

will propose backdating it to 1992 because the average life of a HGV is approximately 16 years.

The Deputy suggested taking unilateral action but I wish to work within the European framework and it is not possible to make the retrofitting of mirrors compulsory by the stroke of a pen. I assure the House that if it takes much longer, I and the Minister for Transport, Deputy Cullen, will consider taking action but I prefer to work within the EU framework. Even if we introduced regulations, this is a technical standard which cannot be cleared unilaterally. It must be cleared through the European Commission. I am keen to pursue the issue as vigorously as possible and to convince colleagues in Europe that retrofitting should be backdated to 1992.

I acknowledge that six to eight fatalities occur each year involving vehicles without retrofit mirrors. Let the House today call for the co-operation of all those who do not have blind-spot mirrors. They cost merely €140, which would not fill a small fuel tank. I give credit to those who have made the effort to install them and call on those who have not immediately to do so.

Ms Shortall: That is a cop-out on the part of the Minister of State, because he does not have to wait for EU developments. There is nothing to stop him from introducing new regulations for trucks operating on Irish roads. Other states, such as the Netherlands, have done so and Belgium has offered incentives. To say we must await EU developments is merely long-fingering the issue.

The Minister of State referred to a voluntary code. The Irish Road Haulage Association has pleaded with him and his predecessors for nearly three years to take action to introduce a compulsory requirement for blind-spot mirrors. The industry recognises the problems and that the only thing preventing compulsory mirrors is the inactivity of the Department of Transport. The industry has contacted the Minister of State and his predecessors, Deputy Callely and Deputy McDaid. None of the three has done anything to make these life-saving mirrors compulsory. The Minister of State has failed to provide justification for not moving in that direction.

The inactivity of the Department results in the loss of lives on Irish roads, which is inexcusable. It is all very well to say there is a voluntary system, but when people cut costs to the bone they will not fit these mirrors unless they must under the law. They cost €14 and can be fitted for less than €100. Why will the Minister of State not make them compulsory? He has failed to provide one sound reason for not doing so and there is nothing in Irish law to stop him from doing so. The industry wants him to act. We demand action from the Minister of State where his predecessors failed.

Mr. Gallagher: I do not want the impression to be given that we can achieve this measure at the stroke of a pen. It involves a technical standard

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and requires approval from Europe. The EU is progressing the matter, although perhaps not as quickly as we would like. I assure the Deputy that we are taking ownership of the matter.

Ms Shortall: Other states have not waited. They have taken unilateral action and the Minister of State can do the same.

Mr. Gallagher: The technical solutions adopted by the member states to which the Deputy referred, namely Belgium, Denmark, Germany and the Netherlands, do not fully comply with the retrofitting requirements of EU Directive 2003/97. The matter is being pursued vigorously and we want to deal with it with the European Commission. Progress has been made. I have taken every opportunity to discuss the matter with my European counterparts at recent Council meetings. As it only costs €100 per fitting, it is not a great imposition. In the meantime—

Ms Shortall: In the meantime, lives are being lost.

Mr. Gallagher: I assure the Deputy if there are any further delays, a unilateral measure will then be considered.

Ms Shortall: How long will we have to wait? Will it be another three years?

Public Transport.

66. **Ms C. Murphy** asked the Minister for Transport his views on the results of the Dublin Bus network review in terms of the number of buses that are required; if he is working or plans to work towards implementing the recommendations in the report and within the timeframe proposed in the report; the measures he has taken or intends to take to deliver on that timeframe; and if he will make a statement on the matter. [16529/06]

67. **Ms O. Mitchell** asked the Minister for Transport his proposals for the expansion of the capacity and frequency of Dublin bus services; and if he will make a statement on the matter. [16527/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 66 and 67 together.

The Department of Transport is considering an application from Dublin Bus for funding for 200 additional buses to be delivered in 2006 and 2007. The application is being considered in the context of Transport 21, the bus network review completed recently by Dublin Bus and the bus market reform process. I expect to make a decision shortly on the application having regard to the outcome of my deliberations on bus market reforms.

The Dublin Bus network review, completed recently by Martin Voorhees Associates, MVA, for Dublin Bus, demonstrates the continuing key role of the bus in meeting Dublin's transport needs. It also provides a comprehensive assessment of the challenges facing the bus service arising from traffic congestion, growing peak-time demand and the perception of the service as fragmented and limited.

The review outlines a staged plan for the improvement of the network including the provision of additional buses on a phased basis commencing with 200 in 2006 and 2007. An application for funding for 200 buses is under consideration.

The review also proposes significant changes in the service including substantially more cross-city services, limited stop express services from outside the M50, high frequency orbital services and local self-contained networks in some of Dublin's larger towns. It also calls for radical additional traffic management and bus priority measures to favour bus movements.

Dublin Bus is consulting widely on the review with the Dublin local authorities, the Dublin Transport Office and the quality bus network office. Having regard to the outcome of this consultation process and developments in bus market reform, the Department will discuss with Dublin Bus and other interests how best to pursue the development of Dublin's bus network and services.

Ms C. Murphy: An early decision on this matter would be welcome. Fewer new routes have been developed in the orbital areas. Developing these would make a significant difference to public transport.

Will the 200 extra buses be for Dublin Bus only? Will there be any private sector developments? It seems there is a dispute between Fianna Fáil and the Progressive Democrats as to the extent the Dublin Bus network will be privatised? Does the Minister expect to see the 200 additional buses introduced this year?

The review identified a further 200 buses for a second round of bus route development. It also identified deficiencies in depot spaces. Will this be considered along with the introduction of the additional 200 new buses. Problems with terminus and depot space will affect the smooth functioning of these badly needed services.

Mr. Cullen: I have no plans to privatise, or even part-privatise, Dublin Bus. I agree with the Deputy that there are opportunities with the orbital and other routes into Dublin city centre. Transport 21 provides for a 60% increase in the number of buses operating in Dublin. Other factors feeding into that are all different parties to the delivery of bus transport as a passenger mode in and around Dublin. We are agreed there should be market reform and the 1932 Act must be amended. Much progress has been made in

this. I hope to go to Government during this session with the final outcomes of those deliberations. There has been a positive response to the application before us and new buses will go into the market this year in reply to the package applied for by Dublin Bus.

I will deal with all those issues in the round shortly. Dublin Bus is in discussions with the local authorities, the DTO and the quality bus network project office on foot of the review and those inputs are important.

Ms O. Mitchell: Ten years ago Dublin Bus had just less than 1,000 buses. Now it has just over 1,000 buses despite the fact that the population has gone up by over 250,000 and geographically Dublin has grown beyond recognition. This increased demand, however, is completely unmet. Yesterday the south side of Dublin experienced total gridlock — traffic in the city is on a knife-edge and there is a need for dramatic action. The Minister always said he was waiting for the Dublin Bus review to grant more buses to the company and to make a decision about competition. Now he has the review and there is no excuse for further procrastination. Some buses will be allocated but will Dublin Bus get the 200 buses it requested by the end of next year, with a further 200 by 2009? They must be ordered now if they are to be available.

I am sceptical because the report commissioned in 2001 and paid for by the taxpayer stated that an additional 500 buses were required by this year but only a handful of buses have been allocated. There is gridlock in the city and the gap between the supply of and demand for public transport is growing. Will there be an early decision about competition and the allocation of buses to Dublin Bus?

Mr. Cullen: The Deputy is right about the number of buses but capacity in Dublin Bus has increased by over 40% in the past few years. The type of bus the company is now using has a much greater capacity than those that were used eight or nine years ago. While the numbers have increased marginally, the capacity to deliver passengers around Dublin has increased by over 40%.

The second point is valid. All the issues have been examined and I have largely completed the necessary discussions. I want to see not alone the 200 buses required going to Dublin Bus but the private sector adding significantly to that capacity. That is part of the market opening process. We are close to the end game in these issues and I want to bring them to a conclusion very quickly during this session. We are focused on outcomes and the one we want most is for passengers. We want to ensure that the bus is seen as an alternative to the car, and quality bus corridors have an important role to play in that regard.

Ms O. Mitchell: I welcome that if it happens as the Minister outlines. On the detail of the review,

and understanding why Dublin Bus will concentrate on high capacity routes that have quality bus corridors, it will be at the expense of many new residential areas around Dublin. In my constituency there are areas where thousands of houses have been built without a single bus route. They do not have a quality bus corridor and they will not have one. Effectively these areas are being ignored by Dublin Bus.

By adopting this approach, Dublin Bus is cherry-picking routes in advance of competition and leaving the less productive routes to the private sector. Is it still the Minister's intention that only 15% of new routes will be made available to the private sector? That is the same as doing nothing at all. Dublin Bus has squatted on routes so that no new routes remain to be provided. If a bus is provided in the morning and one in the evening, so far as the company is concerned, that is its route.

There is a need for the Minister to be proactive to ensure the newer areas around Dublin are not ignored simply because they do not have a quality bus corridor. Traffic congestion inhibits the provision of public transport as far as Dublin Bus is concerned. It is a chicken and egg situation. If there is too much traffic, Dublin Bus will not put on a bus and if a bus is not provided, there will always be too much traffic. Somebody needs to be proactive to ensure services are provided where they are required rather than where it suits Dublin Bus to provide them.

Mr. Cullen: While I agree with the Deputy I do not want all the new services to be provided on the basis that they will operate only on quality bus corridors. That would leave a huge proportion of the population of an expanding Dublin without a good quality bus service. I would expect and demand of Dublin Bus that it service the market, as it has always done, in a general sense. The private sector, in conjunction with Dublin Bus, can add a great deal of capacity. One of the issues that has been raised consistently with me is connectivity on the orbital side. Not everybody who gets on a bus wants to come into the centre of Dublin. There is a good deal of orbital business available.

The Deputy mentioned capacity. Having discussed this with the private sector in this country and internationally, I want to guarantee a substantial tranche of growth in the market to the private sector. In other words, from now on a certain percentage must go to the private sector so that it does not have to compete with the State companies and so that it gets a guaranteed foothold in the market. That is part of the negotiations. I am not sure if the Deputy's interpretation of what I am doing is exactly that. That is the way forward. I have had discussions with the unions in Dublin Bus. All accept there must be an opening of the market but it must be done in a way that will get private sector capacity into

[Mr. Cullen.]

the market and give it the confidence to make substantial investment in what is an expensive capital intensive business. We are close to that position.

Ms C. Murphy: The Minister said a number of buses would be put in place in 2006. Given that he is in dialogue with Dublin Bus, has he any indication of how many buses will be put in place and the lead-in time for same? The report identifies issues such as depot space. Clearly it is not just a question of putting buses on the road; the other infrastructure is also required. It is desperately difficult to find space in the city centre for a bus terminus. There have been similar problems in north Kildare. That issue will have to be addressed if the service is to function smoothly.

A point was made about outlying areas. I hope Dublin Bus will be in contact not only with the Dublin local authorities but also with Kildare County Council given that Dublin Bus serves that area. While a service is provided in those areas, there is significant additional potential given that these are the people who are most likely to end up in their cars because they have the longest journey. Therefore, there is a greater incentive for the provision of a new bus service along new routes. I hope they will get the priority to which the Minister referred.

Mr. Cullen: The plan is to provide 100 additional buses in 2006 and a further 100 buses in 2007. I hope we can deliver. I agree with much of what the Deputy said. I have a view on this but it is not something I have discussed at any length. There should be a new national bus terminus on the perimeter of Dublin. All inter-city connectivity coming to Dublin should go to a major new terminus outside Dublin which would redistribute people going to all the different areas of Dublin. It is not true that everybody travelling on an inter-city coach into Dublin wants to end up in O'Connell Street or in Busaras. While that is a matter for the future I would like to see it as part of the plan that there would be a new major national bus terminus for all inter-city traffic on the periphery of Dublin, where passengers would be redistributed to all the different points to which people want to go: north, south, east, west and city centre Dublin. That issue should be considered for the future.

Air Services.

68. **Ms Shortall** asked the Minister for Transport his proposals to safeguard national transport interests in the context of the proposed sale of Aer Lingus. [16564/06]

Mr. Cullen: The decision to dispose of a majority shareholding in Aer Lingus was made following detailed and comprehensive consideration of the issue by me and my colleagues in Government. The Government agreed in its

decision that the strategic development of the State airports and Aer Lingus was essential to underpin Ireland's competitiveness, industry and tourism. Furthermore, its consideration was based on an acknowledgement that the company had an immediate need for access to equity capital to enable it to compete effectively and fund growth and that this investment could and should not come from the Government. It is precisely because of national transport interests that a third party investment is sought. Without third party investment, there would be a far greater threat to these interests.

The Government also decided it would retain a significant stake of at least 25.1% to protect key strategic interests. This level of shareholding is significant in that provisions in company law will allow the State's interests to be protected while it retains a shareholding at this level. A shareholding of 25.1% in a public company is a major voting block and will ensure the State has significant influence. It will provide a strong basis on which to establish board representation which, in turn, will provide key access to information and influence on the key strategic and commercial decisions of the company.

A 25.1% shareholding also entitles the registered holder to deny the remaining shareholders the ability to pass special resolutions, for example, as required to change any terms of the memorandum and articles of association. Ownership of more than 20% of the issued share capital of a company also enables the registered holder to deny the right of third parties to compulsorily acquire 100% of the company.

The Minister for Finance and I appointed corporate finance and legal advisers on a third party investment in Aer Lingus. In their report on the nature, scale and timing of an investment transaction, the advisers considered the possible need for any measures going beyond the retention of a 25.1% shareholding to protect strategic interests. In the case of landing slots at Heathrow airport, the advisers suggest that some additional measures may be desirable to ensure the slots remain available for the provision of a reasonable level of service to and from Ireland. I am considering the manner in which such protection might be implemented in practice. Any measures that could restrict the commercial freedom of the company would have to be in accordance with the relevant EU rules.

Ms Shortall: The public's main concern in respect of the proposed sale of a majority holding in Aer Lingus is the threat this poses to the existing services Aer Lingus provides. We recognise we have been lucky with these services, which almost give us direct access to the centre of London through the Heathrow slots. While we can get to Stansted more cheaply, the accessibility of Heathrow to London is important for Irish travellers. Given there are over 20 flights to

London every day, accessibility to the city centre is a critical issue.

The Heathrow slots also provide direct access to almost everywhere else in the world through the onward flights Aer Lingus has managed to arrange over many years. In the context of a privatised Aer Lingus, the main concern is that there is no guarantee these services will continue because we cannot ensure Aer Lingus holds onto the slots. Perhaps the new owners will decide it is expedient to sweat their assets and to cash in their chips as quickly as possible. The Heathrow slots would be a valuable sale commodity in that regard.

In the initial stages of the Government announcement of its intention to go ahead with the privatisation of Aer Lingus, the Minister mentioned the notion of a "golden share". He now accepts this is no longer regarded as legal. A spokesperson for Commissioner McCreevy said recently that golden shares have no place in the European Union Internal Market. When the Minister accepted that golden shares would no longer be legal he changed his language and spoke about a "blocking" share. Under existing company law provisions I do not know what strength a blocking share of 25.1% would give the Minister. It would allow him to prevent a 100% takeover, but that is not the issue.

The big danger is that those with a majority holding within Aer Lingus could, at some point in the future, decide to sell the slots or sell the brand and get rid of the shamrock. We do not know what will happen. The point is there is no way of ensuring Irish control of our national airline can be retained. Anything could happen in the future and generally speaking, where venture capitalists are involved, which may be the case, their intention will be to get in, get as much out of the company as quickly as possible and get out. In that context, valuable holdings like the Heathrow slots are in real danger and it has been accepted on all sides of the House that there is no way of safeguarding those.

The Minister's advisers, Goldman Sachs, who advised him on the future of the company when he set down the stipulation that they were to consider anything but State investment in the company, said partial divestment, as they called it, would only make sense commercially if it was a precursor to full privatisation. Where does the Minister stand now in respect of that advice? Is it his intention to divest himself entirely of the holding in future? If not, will the Minister tell the House how he proposes to retain the 25.1% shareholding in the context of future share issues where it is inevitable—

An Leas-Cheann Comhairle: I remind the Deputy that the time allowed for this question has expired.

Ms Shortall: —that shareholding will be diluted? Will the Minister explain that?

Mr. Cullen: The Deputy is trying to put words in my mouth as usual. I never used the term "golden share" in this debate over the past 12 months.

Ms Shortall: It was used by the Minister's Department. It was used by several backbenchers on the Minister's side of the House.

Mr. Cullen: I never used the phrase "golden share" from the start to the finish of this debate. I have not used the term "blocking share" in this debate. Those are the Deputy's words, not mine. I have spoken about the State keeping a shareholding in a company that is very substantial, the same as any other company or investor keeps a shareholding of substance in a company, and the public is well aware of that.

Ms Shortall: There is no safeguard.

Mr. Cullen: Does the Deputy want me to answer the question? I have made it clear that the minimum the State will hold onto is 25.1%. It could be somewhat more than that; we will have to await the outcome. As far as the Government is concerned at this stage, the State is quite clear in that we will retain that share in Aer Lingus. Aer Lingus is now on a path for growth. We are not going for a trade sale, which would embody many of the concerns the Deputy has enunciated where another company in the business might come in, take a large shareholding in Aer Lingus and then strip the assets or sweat them, as the Deputy described it, for its own competitive advantage. Investors will invest in Aer Lingus because commercially it will be a good investment. I do not see them undermining that investment by selling the brand or undermining the Heathrow slots. To my knowledge, even though Aer Lingus is in State holding, I do not believe Aer Lingus travels to London on the basis of anything other than a commercial reality. In other words, there is a demand for the slots. I do not take the same view that Irish people will not want to go there anymore. That is something new to the debate as far as I am concerned.

Ms Shortall: I did not say that.

Mr. Cullen: Aer Lingus—

Ms Shortall: I said they will not be able to.

Mr. Cullen: Of course they will. Aer Lingus, and anybody who owns an involvement in Aer Lingus, will want to make sure the company is as viable commercially as it has always been and will be more commercially successful into the future.

The Deputy makes an interesting point. The world has changed dramatically. Aer Lingus and the Heathrow slots had a much higher value when there were no other airport operations in, say, France, Germany and elsewhere like the hubs that exist now. There is huge competition to

[Mr. Cullen.]

Heathrow and an interesting example is the Irish dynamic where we have direct flights to the Middle East. That takes many passengers and requirements out of Heathrow and it is my determination that we will have direct flights and increased capacity into the United States, which will mean Irish people will be able to fly direct from Ireland to many more destinations in America without having to go to Heathrow. I sincerely hope, as other countries have indicated to me, that there will be direct flights to China, Singapore, Thailand and Australia. This has implications for Heathrow because — the Deputy is right — there will not be the volume of passengers who have to go to Heathrow to get connecting flights if there are direct connecting flights from Dublin. There is no doubt that changes the dynamic but I do not see the volume of traffic to Heathrow, in terms of what Aer Lingus does currently, diminishing because there is constant demand for that volume of traffic and I expect that to continue long into the future.

An Leas-Cheann Comhairle: That concludes Priority Questions. We will now take other questions, which are subject to a maximum of six minutes. Supplementary questions and answers are subject to a maximum of one minute, as stated in Standing Orders.

Ms Shortall: May I ask another supplementary question?

An Leas-Cheann Comhairle: We have spent 45 minutes on Priority Questions, far in excess of the time allowed, which is 30 minutes.

Ms Shortall: More time was spent on other questions than is allowed.

An Leas-Cheann Comhairle: Deputy Shortall devoted ten minutes to a question with an allowed time of six minutes. We must proceed because it is unfair to Deputies waiting to ask questions if Deputies who are higher up the list take up more than their allotted time.

Other Questions.

Air Services.

69. **Mr. P. Breen** asked the Minister for Transport the guarantees or undertaking he will give to employees of Aer Lingus at Shannon Airport post-privatisation, in view of the fact that Aer Lingus has not signed an agreement with Shannon Airport for the retention of transatlantic services post-open skies and has failed to develop new routes to the US or Europe from Shannon; and if he will make a statement on the matter.

[16085/06]

Mr. Cullen: In recent meetings with the Aer Lingus trade unions on the future of the company, they raised a number of concerns of staff in respect of the planned IPO, including job security and pensions. I have mandated Aer Lingus management to engage with the trade unions to seek to address those concerns. Decisions on new routes are a commercial matter for the company. Late last year, I secured agreement with the US authorities on transitional arrangements for Shannon Airport in the context of proposals for an EU-US “open skies” agreement. At that time, I sought and received assurances from Aer Lingus that in the context of a level playing field for the airline and its competitors, it would maintain the current level of transatlantic traffic — approximately 400,000 passengers per annum — with regular year-round scheduled services between Shannon and Boston and New York. As everyone can see, the numbers travelling through Shannon, Cork and Dublin Airports have risen substantially in the past 12 months.

Mr. P. Breen: The Minister’s reply is very short and lacks detail. How will the pension shortfall of €120 million be made up in the event of the privatisation of Aer Lingus and how much does the Government propose to invest in the pensions? I ask this question in the context of Shannon Airport because I represent that area and I am very concerned about developments in it, particularly the gradual erosion of services in the airport by Aer Lingus in recent years. Does the Minister know how many direct flights Aer Lingus operates to the US out of Shannon Airport? He does not know.

Mr. Cullen: I will answer the Deputy’s question when he has concluded.

Mr. P. Breen: Aer Lingus only operates two direct flights to the US. In his reply to an earlier question, the Minister stated that Aer Lingus hopes to increase its flights to the US but that these flights would only operate from Dublin Airport. He did not mention Shannon Airport. Aer Lingus operates one flight to Boston four days a week and one flight to Heathrow Airport. These are the only direct services to the US which it operates out of Shannon Airport. There has been a considerable erosion in Aer Lingus’s commitment to Shannon Airport in the past few years. In addition, why has Aer Lingus not appointed a manager in Shannon Airport?

Is Aer Lingus not flying in the face of other carriers which have increased their capacity out of Shannon Airport? These airlines are very happy with business in the airport yet our national airline is cutting services every day. Why have no new services operating out of Shannon Airport been introduced since the events of 11 September 2001? What will happen in a post-open skies sector? Most importantly, why has Aer Lingus not signed an agreement with the

Shannon Airport Authority regarding transatlantic services after the introduction of the open skies policy when other airlines have no problem signing such an agreement with the authority?

Mr. Cullen: The pensions issue is being resolved. Proposals have been communicated to the company, the unions and the employee share ownership trust. The company's scheme is a private pension scheme operated by the trustees of the company, rather than a State pension scheme. Very effective solutions, involving a combination of increased staff, employer contributions and a possible upfront payment arising out of the sale of Aer Lingus, are in place. These details are being worked out.

The Deputy is aware and might acknowledge that Aer Lingus is by far the largest carrier on the transatlantic route out of Shannon Airport. The company carries more than 400,000 passengers per annum.

Mr. P. Breen: Through Dublin Airport.

Mr. Cullen: Aer Lingus operates direct flights from Shannon Airport to the US.

Mr. P. Breen: These flights travel via Dublin Airport.

Mr. Cullen: Aer Lingus operates direct flights from Shannon Airport to the US every day.

Mr. P. Breen: Where?

Mr. Cullen: These flights go to the US.

Mr. P. Breen: These flights travel via Dublin Airport. I wish to give the Minister the facts before he attends a lunch tomorrow hosted by Shannon and District Chamber of Commerce.

An Leas-Cheann Comhairle: Order, please.

Mr. Cullen: The Deputy need not worry. I have the facts, which are very clear. The Deputy seems to suggest that a plane should fly out of Shannon Airport even if there is no one to get on it.

Mr. P. Breen: US carriers are getting tremendous business out of Shannon Airport yet our State airline is neglected at the airport.

An Leas-Cheann Comhairle: The Deputy will be allowed to respond. He should not interrupt when the Minister is replying.

Mr. P. Breen: I am sorry, but I want answers from the Minister.

Mr. Cullen: As the Deputy knows, there are increased opportunities to many destinations in the United States. We only have access to five cities at present.

Mr. P. Breen: We do not have the aeroplanes.

Mr. Cullen: We want to substantially increase the number of cities. There are 22 other destinations in America that are interested in having direct connections with Ireland, in light of which Shannon has considerable potential. It is the restriction of Shannon Airport that has affected it and Ireland in terms of our access to the United States of America. It is nonsense that we can only have direct flights to four destinations in America because of our historical agreement. We are crucifying ourselves despite the significant opportunities that exist.

When I met the Secretary of Transportation, Mr. Norman Mineta, in America, he understood and agreed with our requirement for a transition period for Shannon Airport to move to an open skies basis. The opportunities for Shannon, Dublin, Cork and Ireland are considerable in an open skies arrangement, which would undoubtedly see capacity from Shannon Airport increase, new services from Cork Airport and increased capacity and flights from Dublin Airport.

Mr. P. Breen: The Minister is living in cuckoo land. US carriers are increasing their services out of Shannon Airport yet our State airline is not. What will happen when Aer Lingus is privatised? It flies in the face of Government policy by centralising everything in Dublin. It is not operating in the interests of balanced regional development and the Minister is standing by it. In an open skies scenario, carriers will fly to the capital city. That is the record in Europe. In fact, 92% of airlines in Europe fly into capital cities, not regional areas. This will happen in Ireland unless the Minister protects Aer Lingus, Shannon Airport and the people of the mid-west. It is the best area through which to enter Ireland but is not being marketed enough. The Minister is standing by and letting this happen.

Mr. Cullen: I have strongly advised people in the Shannon region to focus on the future. The Deputy is correct in that there is a significant opportunity to go to America to look for new markets instead of having an argument with me about the past. The world has changed. An open skies agreement is the reality. Shannon Airport's objective should be to accommodate many airlines and not just Aer Lingus, which is by far the largest carrier of passengers on the transatlantic route from Shannon. There is no question about that, but we should try to expand on US destinations from Shannon and *vice versa*. This is what the future will hold.

Mr. P. Breen: The Minister knows there is only one direct flight from Shannon Airport to the US, that is, to Boston.

Ms O. Mitchell: On the open skies agreement, today, I read in the *International Herald Tribune*

[Ms O. Mitchell.]

that the US Government is responding to the demands of Congress and the agreement cannot go ahead. We do not know for how long this will be the case but the agreement will definitely be delayed. Previously, the Minister mentioned that there would be an interim agreement if that occurred. Is the interim agreement contingent on open skies or can it proceed? The Minister said that he would go to America to secure the interim agreement of three extra destination airports and the three-for-one rule rather than the one-for-one rule. If Aer Lingus is not to use Shannon Airport, it is important that other airlines can. It is also important for the sale of Aer Lingus that investors are certain about its potential markets.

Mr. Cullen: In case there are any misunderstandings, Aer Lingus is very keen to use Shannon Airport. It is the largest carrier of passengers from Shannon to the United States.

Ms O. Mitchell: A bit of competition would not do it any harm.

Mr. Cullen: Deputy Breen might believe that he is making a point to me but he is talking to a wide audience. The people in Shannon Airport should stop sending out such a negative, depressing image about it.

Mr. P. Breen: We are not sending out a negative image. Why has Aer Lingus not appointed a manager at Shannon?

Mr. Cullen: The Deputy is damaging his region by continuing in this way.

Mr. P. Breen: Crews are disappearing.

Mr. Cullen: I was with the Deputy's colleagues in the United States less than a month ago.

Mr. P. Breen: The Minister should go to the mid-west and see what is happening there.

An Leas-Cheann Comhairle: Order. We will move on to the next question.

Mr. Cullen: The Deputy certainly has no interest in promoting Shannon Airport. He is here knocking his own region and it is very sad.

Mr. P. Breen: I am not talking nonsense. I am stating the facts.

Mr. Cullen: The Deputy should be a bit grown up and start saying positive things about his airport.

Mr. P. Breen: I live in and represent the constituency. I am stating the facts.

An Leas-Cheann Comhairle: The Chair has called Question No. 70.

Ms O. Mitchell: The Minister has not answered my question about the interim agreement.

Mr. Cullen: One way or the other, that arrangement is crucial for Ireland in regard to open skies. The open skies agreement will be in place before the end of the year.

Ms O. Mitchell: Today, it was announced that the agreement would not be in place.

Mr. Cullen: I was aware of the issues in Congress a week ago.

Public Transport.

70. **Mr. Gormley** asked the Minister for Transport the public transport operators that are ready to facilitate the introduction of integrated ticketing in the Dublin area; the reason for the delay in the outstanding carriers becoming operable; and the expected timeframe for completion. [16283/06]

83. **Mr. Coveney** asked the Minister for Transport his views on whether the amount spent on delivering integrated ticketing to date has represented value for money; and if he will make a statement on the matter. [16207/06]

130. **Mr. Coveney** asked the Minister for Transport when fully integrated ticketing will operate on all Dublin public transport; if the delivery of integrated ticketing will continue to be managed by the RPA; and if he will make a statement on the matter. [16208/06]

Mr. Cullen: I propose to take Questions Nos. 70, 83 and 130 together.

The Railway Procurement Agency, RPA, is the statutory body responsible for the delivery of a national multi-operator system of integrated public transport ticketing using smartcard technology. The RPA is introducing the system on a phased basis in line with international experience in the Dublin area initially and with the involvement of public transport providers. As part of the phased introduction of smartcard-based integrated ticketing, Morton's Coaches, in conjunction with the RPA and as a proof of concept, successfully launched smartcards on its services in April 2004.

Another step was taken in March 2005 with the launch of smartcards on Luas services. The Luas smartcard deployment continues to help in obtaining important feedback from passengers and provide operational experience for the next stage of integrated ticketing. More than 11,000 smartcards have been purchased to date for use on Luas services. In addition, both Dublin Bus and Irish Rail continue to offer existing bus-rail ticketing arrangements. Both companies are also developing plans to introduce smartcard technology and have been requested to pursue the matter on the standards and requirements of the

RPA. They also have tickets that integrate with Luas services.

Following an inconclusive procurement procedure in 2005, the RPA, in consultation with the different State and private transport providers, in particular Dublin Bus, has presented proposals to my Department for a revised implementation plan and budget with associated time frames. These proposals and the amount spent to date are currently the subjects of examination in my Department. I expect to reach decisions on the next steps in the matter in coming weeks with regard to the outcome of a peer review of the project, which has been requested by my Department. This review is being undertaken in accordance with Department of Finance guidelines designed to ensure better value for money for public expenditure and ICT projects.

Mr. Eamon Ryan: Would the Minister agree that it is remarkable that 12 years after the original Dublin transportation initiative report in May 1994 set out the clear recommendation to move towards integrated ticketing as soon as possible, we have no effective integrated ticketing? Is this not a sign of remarkable failure on the part of this Government after nine years in power?

Would the Minister also agree that instead of following the recommendation to request other operators to provide assistance to the RPA in this matter, international experience shows that the only effective way to get proper integration is by effective regulation, wherein a body, be it the Dublin Transportation Office, RPA or Department, told the agencies that they must integrate? Is it not the case that the blocking agencies in developing integrated ticketing have, to a large extent, been the public transport bodies in this city, be they Dublin Bus, Irish Rail or others? I want the Minister to comment on this matter directly. If he believes this is the case for whatever reason, such as commercial rivalry or the agencies' fears about confidentiality, is it not incumbent on his Department to start taking real action and enforce the recommendation set out 12 years ago in the Dublin transportation initiative plan? Why have we failed for 12 years? Why is the Government still just requesting and not ordering proper integration?

Mr. Cullen: The Deputy is right in that the full legal mandate for delivering integrated ticketing was given to the RPA. It has made substantial progress in the introduction of a smartcard that operates on Luas services and a private sector coach company, Morton's Coaches. I have held numerous discussions with the other public transport operators in Dublin to try to bring about a resolution in this issue. It has been very frustrating. Some of the practices involved have been unacceptable. I have asked that a peer review of the project be carried out under the Department of Finance's guideline rules, which is currently taking place. When it has been completed, I will

decide on the next step. That is the current position.

Ms O. Mitchell: I understand the Mortons Coaches initiative has more or less collapsed and I know the Railway Procurement Agency had difficulties in recruiting someone to provide the schemes as envisaged. However, the main difficulty is the obstruction being provided by the State public transport companies which do not wish to participate or co-operate in any way with either other State operators, such as Luas, or private operators. It is unacceptable that they should hold the public to ransom because, effectively, they are performing the function of the Government.

The Minister must step in and the only way to deal with this is to put in place a regulator who will knock heads together and insist on how these bodies should perform. The last person to be considered in this regard is the consumer. While the providers are being looked after, the poor hapless people who try to commute cannot get any kind of integrated ticketing system.

Some €16 million has already been spent on this project already and we are still without a system.

Mr. Cullen: It is less than that amount.

Ms O. Mitchell: I understand that Dublin Bus are not in favour of integrated ticketing or, if there is to be such a system, it wishes to operate it. This is not acceptable and it obliges the Minister to take the initiative and to knock heads together. There should be no more reviews or reports. If we are serious about making the kind of investment envisaged in Transport 21, facilities of this kind must be provided. It is absurd to suggest that the taxpayer would make the kind of investment in public transport that is envisaged without ending up with an integrated system featuring integrated ticketing.

Mr. Cullen: As for knocking heads together, I assure the Deputy that I doubt whether many bones remain to be cracked on this issue. This is an important project because with the advent of the metro and Luas, integrated ticketing has significant positive potential, major cost implications as well as major design implications for stations, etc. Hence, this is a serious and very important issue, which is why I have asked for a peer review. As I should receive the results within a few weeks, it will not be a long process.

The work done to date was valuable and from a perspective of some distance, it was money well spent. The real question is how to proceed to the full-on, smart card integrated system for all modes of transport that is required for Dublin. Some years ago, it was decided to opt for the latest smart card technology. While people continue to show me old-style metal magnetic strip tickets, they are not holistic smart card integrated trans-

[Mr. Cullen.]

port tickets like those which I wish to develop. However, I do not disagree with many of the sentiments expressed.

Ms Shortall: The public finds it hard to understand how it has not been possible to introduce integrated ticketing.

Mr. Cullen: The Deputy's colleagues have explained it well.

Ms Shortall: This is not rocket science. Tens of millions have already been spent and a timeframe of at least five years before it will be close to introduction has been mentioned. The Minister must take charge of the situation. Does he accept it was a mistake to give this task to the RPA given that it had no experience in network management? The criticism of its work to date is that it has over-specified the tender. It was obliged to buy in a major amount of expertise because it was not available in-house. The tender process has now been aborted and we are almost back to square one. This is a major problem. When will the Minister take charge? When can we expect to get value for money and when will we get integrated ticketing?

Mr. Cullen: The Deputy is to be congratulated on receiving an exceptionally good briefing from Dublin Bus. That is the message which it has attempted to present to me for some time. However, there is no benefit to the customer in playing the blame game as an integrated ticketing system is required. I have had more meetings on this issue than on any other subject and it has been a source of deep frustration. I am not prepared to spend any more money on it until I can be sure, on behalf of the taxpayer, that this system will be put in place and that value for money is secured. I have an open mind on the money which has been spent to date. It is good and bankable.

Ms Shortall: We have nothing to show for it.

Mr. Cullen: The question is how to take the project forward, given the advent of all the different modes of transport available under Transport 21. It has major cost and design implications for stations etc., and for the integration of Luas and the metro in Dublin. This must be at the forefront. We may now have a methodology whereby all see the reality and value in a fully operational smart card integrated system.

Mr. Eamon Ryan: The Minister is apportioning the blame for some of the delays on the public transport companies such as Dublin Bus. In that context, how can the Minister state, in response to my question earlier, that the RPA had sufficient power under the regulations? If it had such sufficient power, why did it not enforce such power with Dublin Bus if it did not co-operate?

The Minister stated that some practices that went on were unacceptable. Will he provide details of what he meant about how some of the operators related to this issue? For clarification, is the peer review group of the project being carried out by the Department of Finance? Was it requested by that Department? What prompted it to carry out such a review and when will it be completed?

Mr. Cullen: The Deputy may recall that the peer review group was established in the wake of the PPARS issue. My Department, rather than the Department of Finance, asked for this review to be carried out. We asked it to review the project to establish the current position. I should have the results of that review within the next few weeks. I hope it will provide a map of the way forward.

I said in my reply that the Department brought in an external expert to consider the status of the project. I saw a very interesting presentation as to its significance. Having seen the external expert's presentation, I believe that no one knew what they were talking about. Everyone concentrated on one issue, namely, the card. However, in terms of a fully operational integrated smart card system, some six or seven issues must be addressed. As far as I can gather, only one issue was being addressed. Significant fundamental issues about moneys, transfers and other governance issues were not addressed. This brought certain concerns home to me in terms of going forward. While I hope the review group will provide me with its views on the next step as far as the technology is concerned, carrying on as we are at present will not deliver the type of smart card technology or an integrated ticketing system that the public deserves.

An Leas-Cheann Comhairle: I call Question No. 71.

Ms Shortall: Will the Minister leave it with the RPA?

Mr. Eamon Ryan: Did no one know what they were talking about? If no one did, is it not the Minister's job to sort it out?

Mr. Cullen: I may have other options.

An Leas-Cheann Comhairle: We should turn to Question No. 71.

Mr. Eamon Ryan: No one knew what they were talking about.

Mr. Cullen: Yes. It is interesting. Everyone focused on a single issue, namely, the card.

Mr. Eamon Ryan: The Minister has spoken about pulling everything together.

Mr. Cullen: I found out about this because I pulled everyone together.

Mr. Eamon Ryan: Did no one know what they were talking about for 12 years?

Mr. Cullen: I can only answer for the time when I had responsibility. I seem continually to answer for what other people did in their time in other Departments and taking the blame for it. However, I am dealing with this issue, even though it was not originally put together by me.

An Leas-Cheann Comhairle: We should move to Question No. 71.

Regional Airports.

71. **Dr. Cowley** asked the Minister for Transport his views on whether Knock international airport is one of Ireland's international airports; if he will support an investment programme for the airport which will provide increased levels of service to the area as a whole, increase tourism in the region and encourage economic growth in light of the airport's significant regional development; and if he will make a statement on the matter. [16287/06]

Mr. Cullen: My Department assists Ireland West Airport Knock through a range of financial support mechanisms. Since 2000, the airport has received approximately €6.5 million in operational and capital support directly from the Exchequer. This ongoing support has greatly assisted the airport to maintain viable operations and to grow its business, especially on UK routes operated by low cost air operators, and I understand the airport constantly seeks to expand its range of services. My Department will continue to assist Ireland West Airport Knock in line with the relevant EU guidelines on financing of airports and the Department of Finance capital appraisal guidelines.

A total of €100 million will be available for investment in development and safety related infrastructure in all regional airports under the Transport 21 framework. In addition to the continuation of grant assistance for essential safety and security capital expenditure under the national development plan, Ireland West Airport Knock will also be eligible for capital expenditure grants where demand for additional air services can be demonstrated and where an economic case can be made to justify increased investment. A new grant scheme is being devised at present and I expect to be in a position to announce details shortly. In anticipation of the finalisation of the new scheme, my Department is considering a number of projects for the airport which are intended to enable the developing airport to comply with international standards to meet future passenger demand.

In addition to the proposed new capital grants programme, a new scheme of operational grant

assistance is being developed in line with EU guidelines which will be launched later this year.

My Department also supports regional air access through the essential air service programme, by providing financial compensation to air carriers on PSO routes, such as Knock-Dublin, where carriers would not be prepared to operate on a commercial basis.

Dr. Cowley: I am grateful to the Minister for his detailed reply to my question. He referred to €100 million which is available for security, development projects and so on at regional airports over five years. Even though it was announced in the budget last December, and it is now May, the money has not yet come on stream. Knock airport is seeking €29 million for an apron area in particular. It is facing congestion this summer because the planes that have been landing at the airport have been successful in increasing their flights, therefore, there will not be adequate apron area for these aircraft to turn around. There is a difficulty with the large aircraft landing at the airport, which has the third largest runway in Ireland.

When will the €100 million be made available, which would go a long way towards providing Knock airport with the €29 million it requires? While it was announced in the budget last December, it has not been made available so far.

Mr. Cullen: The Deputy is correct that €100 million capital is available under Transport 21 for regional airports. He may be aware that the EU has changed its guidelines in terms of the ability of states to invest in regional airports. Much of this is as a result of the activities of Ryanair and other regional airports which makes it much more difficult to make money available for specific airport projects. However, I hope the discussions are nearing completion in Brussels. We had to achieve an agreed set of guidelines with Brussels on the basis on which we would make money available to regional airports, which is why there has been no drawdown so far.

As the Deputy may be aware, a number of different plans have been submitted by Knock airport. We have now reached the point of putting in place the more realistic plans. I recently flew to Knock, which is a fine airport. I am aware of the issue of the apron capacity adjacent to the terminal. Clearly there is an issue in terms of expansion. I gather from members of the board of Knock airport that they would like investment to begin the project. As soon as the discussions in Brussels for a framework for capital funding for regional airports conclude, we will hone the proposals from Knock to see what the priority is and how we can roll out the resources required.

Dr. Cowley: I thank the Minister for that detail. When did the application go to Europe? I realise the Minister must get permission from Europe for this funding, but why did it take so long to sort

[Dr. Cowley.]

out an issue which was announced last December? Can the European dimension be speeded up because the Minister is waiting for a decision from Europe to be able to give the go-ahead for the project? Will the Minister clarify why the matter has taken so long?

Mr. Cullen: There is no proposal in Europe about a specific airport. We had to agree a framework with Europe. Europe would prefer if the Government gave no money to regional airports. As the Government disagrees with that point of view, it will continue to support regional airports. The Minister for Finance made available an extra €100 million for the development of regional airports because, spatially and economically, it is important to strengthen the regions.

We have been discussing the matter in Brussels for the past three or four months. We are approaching the end of the discussions and I hope the talks will conclude within the next week when there will be a clear framework to get into the individual discussions with Knock, Waterford and the other regional airports.

State Airports.

72. **Mr. Hogan** asked the Minister for Transport if he is satisfied with the delay in the publication of the business plans of the three State airports; the progress made in establishing each one as an independent authority; if he has personally intervened to accelerate this process; and if he will make a statement on the matter. [16195/06]

75. **Ms Lynch** asked the Minister for Transport the way in which he intends to deal with the debt at Cork Airport; and if he will make a statement on the matter. [16215/06]

101. **Ms B. Moynihan-Cronin** asked the Minister for Transport his views on the delay in the break-up of Aer Rianta into three independent airport authorities; if he has received the business plans for each of the three airports, which were due in April 2005; and if he will make a statement on the matter. [16246/06]

120. **Mr. Hogan** asked the Minister for Transport his views on the opinion of the Dublin Airport Authority that Cork Airport should carry the debt burden for the cost of the new terminal at Cork Airport; and if he will make a statement on the matter. [16196/06]

167. **Ms O'Sullivan** asked the Minister for Transport the way in which he intends to deal with the debt at Shannon Airport; and if he will make a statement on the matter. [16229/06]

Mr. Cullen: I propose to take Questions Nos. 72, 75, 101, 120 and 167 together.

The State Airports Act 2004 provides for the establishment of the three State airports at

Dublin, Shannon and Cork as fully independent and autonomous authorities under State ownership. New boards were appointed at all three airports in 2004. 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 Dublin Airport Authority during the interim period.

Under the Act, before Cork or Shannon airports can become fully independent, the Minister for Finance and I must be satisfied as to the financial and operational readiness of the airport authorities. Accordingly, each authority is required to prepare a comprehensive business plan and obtain our approval for these plans before any assets can be transferred. The three State airport authorities are continuing to work on the preparation of their business plans with the Dublin Airport Authority co-ordinating the process. In this context, there is a range of issues that need to be considered carefully. These include the unsustainable cost base at Shannon airport, the recent airport charges determination for Dublin Airport by the Commission for Aviation Regulation and the optimum mechanisms for the financing of the new terminal in Cork. These are complex issues that the airport authorities must consider carefully and, as I indicated previously, I have not imposed any artificial deadlines for the completion of this process. My Department will continue to liaise with the airports on the business planning timetable, taking account of the key issues that I have mentioned.

I look forward to the finalisation of the business planning process because of its importance to facilitating the development of dynamic, independent and financially sustainable State airports. The Government objective of airport restructuring must be achieved in a manner which underpins the financial sustainability of all three State airports.

Additional information not given on the floor of the House.

As to the treatment of debt upon transfer of assets, it is clear that the new Cork Airport facilities will benefit greatly the airport's users but the issue of its funding will have to be addressed. The way in which this issue is resolved will have to take account not only of what is commercially and financially feasible for Cork Airport, but also what is commercially and financially feasible for Dublin Airport. The future of Shannon and Cork as independent airports should have regard to the capacity of each airport to contribute to its own capital investment programme.

In this period of change for the State airport sector, I expect that the three airport boards will address the challenges and opportunities involved in restructuring under the State Airports Act 2004.

Leaders' Questions.

Mr. Kenny: Last week the House debated the sorry state of the electoral register. It is the fundamental duty of each individual to ensure they are registered on the Register of Electors but, in practice, this does not happen. Over the years, this duty has been carried out for local authorities by rate collectors, now revenue collectors. The situation socially and demographically has changed utterly in the past 20 years.

The Taoiseach will be aware that newspaper reports indicate that up to 800,000 individuals may be registered inaccurately on the register of electors. Obviously this would have serious implications for those standing for election in any constituency, irrespective of party or none. Unlike the Minister for the Environment, Heritage and Local Government, who has taken to blaming the local authorities for this debacle, the Trinity branch of Ógra Fianna Fáil — credit to it — was able to establish, under supervision, that 17,000 eligible voters in Dublin South-East alone are not registered. I said that the members of Ógra Fianna Fáil were supervised by academics from Trinity College. Obviously over the years, at least in some constituencies, given the way the register was compiled, Fianna Fáil people would want to have been supervised.

It appears that 15,000 people who have died or moved out of the area since 2002 are still on the register. I understand the rate collectors, now the revenue collectors, are paid on the basis of the numbers on the register, therefore, the old adage of never removing anyone from the register applies. It means it is in the interest of anyone to keep as many as possible on the register. What is the Taoiseach's estimate of the accuracy of the register? Does the Taoiseach hold the view expressed by some over the past few days that very many cases could be taken by those who are disenfranchised by not being on the register? Can the Taoiseach give an undertaking that no change to the register will take place until this fundamental issue of its accuracy is sorted out? Perhaps the Taoiseach might explain the Government's intentions in view of the failure of the Minister for the Environment, Heritage and Local Government to deal with the matter.

The Taoiseach: We probably all agree the issues surrounding the electoral register need to be addressed urgently. Those issues, including the over-statement of people on the register, have been around a long time. It was early in my political life when the register was properly dealt with by local authorities and the political system.

The Minister for the Environment, Heritage and Local Government, Deputy Roche, announced a number of measures to improve the accuracy of the register and is advancing these as quickly as possible so a significant improvement will be achieved. The crucial date is 1 November, six months from now. Officials from the Mini-

ster's Department have discussed these issues with a specially convened group of county managers, which had its latest meeting yesterday. The measures include the use of census enumerators or other temporary personnel to support local authorities in preparing the next register of electors and correcting it as part of an intensive registration campaign to be conducted during the summer. The Minister is prepared to increase ring-fenced financial resources for local authorities this year to update the register. They can deal with the matter on a full-time or overtime basis. An early start will be made on the local authority register work for the next campaign. An intensive advertising campaign has been under way for the past few years and an on-the-ground campaign is now necessary.

Other initiatives announced by the Minister include new arrangements for the removal of the names of deceased persons from the register and improved online search facilities for people to check they are correctly registered. A new software package has been devised for that purpose which makes that exercise fairly simple compared to a system which, if complicated or not, was not corrected for a number of years.

Voter fraud is one of the major issues which concerns me if not everyone else. Controls at all polling stations at election time will be strengthened, with updated guidelines in the area, before the next general election. The next register will be published in draft on 1 November. These are the most practical, sensible and realistic measures we can take in this area. I assure Deputy Kenny this issue is under consideration all winter and spring, and the measures are now being well advanced by the Minister.

Mr. Kenny: The Taoiseach has given an indication of something which clearly will not happen before winter and spring. He was not responsible for this situation, but as an aside, I recall in my by-election in 1975 at a school in north Mayo that "Up Fianna Fáil" was written on the roof of the school by the local presiding officer before the polling station opened.

Mr. Timmins: They are still looking for him.

Mr. Kenny: The polling station had to be closed for some time by the late Willie O'Brien.

It is currently the duty of the rates and Revenue collectors to collate information on those eligible to vote. It has never been a question of money but one of manpower and the physical ability to walk the footpaths and collect all the information. Is it the intention to employ extra people or to pay the Revenue collectors extra money to do this job?

Has the Taoiseach a view on the PPS system which apparently could eliminate wholesale fraud, particularly such as has occurred in Border counties in a number of elections? Does the Taoiseach agree with the view expressed by his

[Mr. Kenny.]

brother, the Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Noel Ahern, that one party represented in the House has been and is actively involved in wholesale fraudulent activity in regard to the electoral register? When the Taoiseach refers to fraud in his own constituency, is that what he refers to? Will it be necessary for every person who casts a vote in the next election on the ballot paper — as distinct from the decrepit electronic machines — to produce proof of identity such as a driving licence, a passport or a public utility bill, to confirm to presiding officers or polling clerks who they are? We know the electoral register is in an appallingly inaccurate state. Will the Government see to it the necessary manpower is put in place to make it accurate, and install systems to eliminate the fraud of which the Taoiseach rightly speaks, and which could probably be a contributory factor to persons making their way into this House by illegal and unconstitutional means? Will the Taoiseach see to it this happens, rather than merely giving out about local authorities as the Minister for the Environment, Heritage and Local Government has been doing? This is a fundamental, serious issue. People deserve to make their choice in an election, and while that is an individual responsibility which many thousands fail to act on, the mission statement of the Department of the Environment, Heritage and Local Government refers to development and implementation of a modern and efficient electoral system, and democratic governance and public participation in the electoral system. This is a fundamental duty.

The Taoiseach: Deputy Kenny asked a number of questions. I spoke of census enumerators or other temporary staff being used and ring-fenced resources used for overtime or weekend work. Therefore, it is obviously a matter of additional bodies to help.

Every local authority has its own system. The problem is that while people such as rate collectors and others are involved in collecting the information, there are not many of them. That is certainly true in Dublin for many years. While the campaign to get people onto the register is very active, what happens is that people never come off it. I have seen houses in my constituency where 80 people are supposedly living.

Mr. Timmins: All voting for the Taoiseach.

The Taoiseach: That is very difficult since these houses are supposed to have only four or five bedrooms. There was an extraordinary voter turn-out in some of those houses in the last general election.

The only way we can tidy up this is by having census enumerators or other temporary staff doing the leg-work. It is not an easy job, since not everyone now lives in the old terraced, semi-

detached or detached houses. It is difficult, and we see that the census enumerators have a more difficult battle than they had last time, certainly in Dublin and other cities, whatever about around the countryside. We are talking of additional staff — if we do not run into industrial relations problems, which I hope we will not — and the census enumerators are a good choice for the job because they have gone to courses in the winter, have undertaken practical work and have been on the ground for a number of weeks. Personally I think this is the best approach and I hope the industrial relations issues can be addressed.

Using the PPS numbers is probably better in the longer term. My other brother, alderman Maurice Ahern, has been arguing for this for years in Dublin Corporation and in the Fianna Fáil Party, and I think he is right. Using the PPS system would be a good way of addressing this but would require a good lead-in time, with modern technology.

Regarding voter fraud, strong legislation has been introduced in recent years to prevent abuses of the system, and this must be mirrored on the ground by vigilance on the part of polling staff and personation agents to ensure eligible voters can vote. The law is already there and it is a matter of presiding officers and personation agents implementing it. They must challenge people and demand information. That is important.

It is very important that the register campaign starts early. I mentioned earlier that there are approximately 30,000 deaths each year and those names should be removed from the register. Obviously if they are not and have not been, in a few years it builds up to sizeable numbers. New arrangements to delete the names of deceased persons are now in place. The new system allows for the efficient and timely deletion of the names of deceased persons from the register. There is also an on-line register search facility available for people to check if they are on the register. This provides more help to people and the Department has provided better linkage.

The Deputy asked me about my own experience of this and that of my colleagues in my constituency, which is a difficult enough one because of the number of flats and apartments in it. They tell me that it is not that people are not on the register but that nobody is taken off it. That is the difficulty. People who move on from flats and houses remain on the register because there is no check——

Mr. Kenny: The local authorities are paid according to the numbers on the register.

The Taoiseach: I accept that, and we had a similar problem years ago with the welfare offices and unemployment register offices. There is a job to be done on this and we will see what the enu-

merators can do in a short period on the census. It needs the same amount of time. The old job that used to be done on this, for various reasons — and this is not a criticism — has not worked and has not been effective.

I do not accept the argument that technology will solve this. I am afraid it will have to be a shank's mare exercise, which is the only way we will get a good register. We need to take on that challenge this year. Otherwise, with far too many people on the register, it is open to voter fraud.

Mr. Rabbitte: There seems to be an enormous repository of knowledge about this in the Ahern family but the problem is——

The Taoiseach: For good reason.

Mr. Rabbitte: Indeed, that seems to be the case since the Taoiseach entered politics. The problem is that we have a register which, according to the Minister for the Environment, Heritage and Local Government, could contain as many as 800,000 inaccuracies, with an electorate of approximately 2 million.

How can the Taoiseach give those answers with a straight face and tell the House he is glad there is now an urgency about this? Where is the urgency? The Minister in the House last week voted against the Labour Party Bill introduced by Deputy Gilmore and all the beauties on the backbenches followed his lead. Having voted down a Bill that provided a statutory basis for the use of third party databases, the Minister then went out and gave one of his many didactic interviews on radio in which he said that the use of third party databases would be the ideal solution and he instanced ESB bills as an example. Later in the day he had to change his view when he found there was no legislative basis for that. How can the Taoiseach conclude that this a man who is on top of a job and who has thought about this issue any more deeply than his predecessors thought about the electronic voting machines, which have cost us €60 million? What is the basis for this?

The Taoiseach spent Easter paying homage to the founders of the State. He is now administering a State where we cannot even have the right to vote, although he admits that he provides for the dead generations to vote. How are we supposed to take this seriously?

How much money is the Taoiseach providing for the shank's mare exercise to which he has referred? How long will it take? Does he accept that he is disabled, as Taoiseach, from calling a general election on a register that is admitted by his own Minister to contain more than 500,000 inaccuracies? The Taoiseach could not call a general election in those circumstances. How soon will the exercise be ready and will it be completed in time for the production of the register on 1 November next? What happens when members of the shank's mare force arrive at an

apartment in which two families are registered but nobody is at home? Do they erase them, in which case there might be a problem or do they not erase them, which also might cause a problem? Does the Taoiseach know, for example, whether it is intended to set aside the existing electoral register and start anew or simply to make additions to the current register, leaving the dead generations on it?

Has the Minister thought about any of these issues? He gives interviews and, somewhat like the Taoiseach, describes the problem. We know what the problem is. Everybody in the House knows. Deputy Roche is the Minister who, according to section 18 of the Electoral Act 1992, has a responsibility to “ensure the smooth and efficient registration of electors”. That is the responsibility of the Minister, not the local authorities whom he has been blaming for the past two days. What did the Minister do when my colleague, Deputy Quinn, raised this matter a number of months ago? What did he do when the Labour Party published its Bill? What did he do when Deputy Gilmore raised the matter at successive question times? Did he ever take it seriously? What action has been taken? Does the Minister accept that the Act says he has the responsibility for the “smooth and efficient registration of electors”?

Did the Minister examine, for example, the Social Welfare Consolidation Bill going through the House? That legislation provides for the exchange of databases between certain named public bodies. Could we not in a one-line amendment to the Bill authorise access to that information for the purposes of the electoral register? Is anybody in the Department examining the possible solutions because the Taoiseach's shank's mare team certainly will not authorise him to call an autumn general election, which would be devoutly desired by most citizens at this stage?

The Taoiseach: Deputy Rabbitte seems more concerned that I might call an autumn general election and if that is his concern, I will not. The legislation is clear on this issue. I am always amused when somebody in the House comes up with a new issue that has been around for years and says it is terrible. Deputy Rabbitte knows how the system operates. The Electoral Acts, over the years, have given the power to Ministers which has been delegated to local authorities. That is the way it has always been. I could ask Deputy Rabbitte, since his party controls many councils, what they have been doing in recent years in this regard.

Mr. Stagg: On a point of order, a Cheann Comhairle——

The Taoiseach: They have not even debated these issues.

An Ceann Comhairle: The Deputy cannot raise a point of order during Leader's Questions.

Mr. Stagg: No councils are controlled by the Labour Party.

Mr. D. Ahern: There never will be——

Mr. Stagg: It is a myth.

Mr. D. Ahern: ——and long may it continue.

The Taoiseach: Deputy Rabbitte listed his complaints about the register. The Minister for the Environment, Heritage and Local Government, Deputy Roche, has actively tried to improve the register. The best way is to get people to check the register. The best way of doing that, as was the case with the census, is by putting people on the street to do it. We can have any number of bland ideas about this number, that number, social welfare consolidation and the rest of it, but most of us who have been Members for some time and involved in general elections know that the only way to correct the register and get it right is if local authority officials or political activists go out and send back information to be checked. That is how the system has worked since the foundation of the State. There will not be any other system. That is what the enumerators are doing in the census.

Over recent months Deputy Rabbitte and his colleagues have been applying pressure, and rightly so, for the Government to look seriously at the question of using the census enumerators, on the back of the census, to do this job. That has been their strategy over recent weeks but they seem to have gone off that idea for some reason. Is it because they think it might work?

Ms Shortall: No, it is because the census is over.

Ms Burton: It is over now.

(Interruptions).

An Ceann Comhairle: The Taoiseach, without interruption, please.

The Taoiseach: The census people made it absolutely clear they would not do the two together.

Mr. Quinn: The Taoiseach could have instructed them.

The Taoiseach: They made it absolutely clear they would not do the two together.

Mr. Quinn: The Taoiseach could have instructed them. They are answerable to the Government.

An Ceann Comhairle: I ask Deputy Quinn to allow the Taoiseach to continue without interruption.

The Taoiseach: They made it absolutely clear that they could not, and would not, do the two jobs together.

We must be serious about this, which I thought Deputy Kenny was, although I have grave reservations as to whether Deputy Rabbitte is.

Looking back over several elections, there were always between 300,000 and 400,000 additional people on the register. The Minister for the Environment, Heritage and Local Government, Deputy Roche, is making a genuine effort and has moved on the issues of errors in the register, areas not registered properly and data not being dealt with properly in conjunction with local authorities who are the front line people in this matter. He is giving them the resources to improve the register for next autumn and winter. It is a big task and it is no good making the issues simplistic.

The importance of local authorities' cross-checking the register with other databases available to them has been highlighted. It is not the case that the Minister pulled back. He made clear what he believed could be dealt with and explored in databases. For those really interested in this, the Minister's efforts are more likely to get us a better register by 15 February of next year than any register we have had during the past 15 years. He should be supported.

Mr. Rabbitte: I have not heard any answers to my questions to the Taoiseach. When will this blitz start? When will it finish? How much money is being allocated to it? Will the old register be refurbished or will we start anew? How does the Taoiseach propose that the task force will have access to gated communities? Has any thinking been done on any of these issues?

It is true that Deputy Quinn suggested that the enumerators would be sent out with the census in one hand and a registration form in the other. It is true that now, on May 3, we have changed our position because the census was on 23 April and there would be no point in persisting with that solution. We have new solutions and we set them out in the Bill Deputy Gilmore introduced last week and which the Minister blustered down.

What are the answers to the questions I raised? What is wrong with bringing legislation before the House to enable the CSO to transfer the box on the census form with the name and address to an electoral register?

Has Deputy Cullen finished speaking? Perhaps we could provide a box in the electronic voting machines for it.

All we need is the name, address and nationality. That does not break any confidentiality. There is no legal prohibition, or right to withhold consent, to being registered as an elector. The CSO has the best and most up-to-date infor-

mation. Can we provide for that much to be transferred? None of the private data about income, earnings or family size will be transferred.

The Government seems to be making it up as it goes along, and Ministers come into the House claiming credit for whatever rhyme-off of statistics their back-up staff give them on a particular day. However, whenever anything goes wrong or when blame must be taken, they blame someone else. The Minister for the Environment, Heritage and Local Government, Deputy Roche, blamed the local authorities all weekend. The Tánaiste and Minister for Health and Children, Deputy Harney, blames the HSE when one tries to find out about accident and emergency departments. When we find out the Dublin Port tunnel will spue traffic into the left lane and worsen the traffic from Whitehall out, the National Roads Authority or the Port tunnel company will be to blame. There is never blame on the Government benches when something goes wrong.

Will the Taoiseach answer the questions I raised? How much money is allocated? When will it start and finish? Will it be a new register? Will it be reliable?

The Taoiseach: I will not go back over the points I already made. Deputy Rabbitte understands that when we put forward the issue of the census enumerators taking the two forms together — a suggestion with which I had no difficulty — they stated they were governed by separate legislation, the time in which it was put to them was inadequate as the census form was a separate operation for which they had done their field work and planning for eight or nine months, and given the confidentiality aspect, they had enough in one task. That solution was out.

We then suggested that if the census enumerators who had gone through all of this could be used, and if we overcome some IR difficulties which I hope we can, they would be ideal. Whatever number of them it takes would have to be paid to do it. It is a good suggestion and does not move away from the suggestion made by Deputy Quinn, which I thought was good and practical. I followed it up immediately when it was made. I cannot see any other practical way of doing it.

It will start as soon as possible but it would likely be a September or October job. That would seem to be best. November is the date for the draft register and then 15 February is the final date. It would also need the active engagement of local authority workers.

Mr. Rabbitte: Is the register due on 15 November?

An Ceann Comhairle: We cannot continue on this question all day. Deputy Rabbitte has already gone seven minutes over time.

Ms McManus: The draft register.

Mr. Rabbitte: The draft register is due on 15 November.

The Taoiseach: The work will be done by 1 November, but the final register is due on 15 February.

Mr. Rabbitte: They will only start in September.

An Ceann Comhairle: Deputy Rabbitte, we cannot continue this question all day.

Mr. Quinn: The Ceann Comhairle does not have to stand for re-election.

The Taoiseach: The enumerators are tied up with their census work until mid-June or the end of June. They will not do it in July and August. I do not believe July and August would be the best months to carry it out. Deputy Rabbitte knows that would not be practical.

Work on the issue of dealing with deaths is ongoing. It does not require people to call to the houses. The local authorities must step up their own efforts in this regard and the Minister has dedicated resources to do so. The issues surrounding fraud are already governed in the legislation. The Minister for the Environment, Heritage and Local Government, Deputy Roche, his Department and colleagues are making a genuine effort. If we can get the help of the CSO to do this we could have a far better register than the ones that in my experience we have had for the past two decades.

Caoimhghín Ó Caoláin: I welcome the Taoiseach's confirmation that the census enumerators will be further engaged during the summer months in a comprehensive exercise to upgrade and ensure the accuracy of the electoral register, something all democrats should want to see happen. If the Taoiseach or any of his brothers have information of voter fraud, they have a responsibility to report it.

I am quite sick, sore and tired of the continued slur against the party I am proud to represent by Aherns of any variety and the Kennys of this world who suggest that I and my colleagues are here by any other means than as a result——

Mr. Kenny: I do not suggest that at all.

Caoimhghín Ó Caoláin: Of course the Deputy does.

Mr. Kenny: I questioned the Taoiseach's brother.

Caoimhghín Ó Caoláin: They suggest that I and my colleagues are here by other means than as a result of the democratic choice of our communities and constituencies. Despite all their efforts, I assure them of one thing——

Mr. Kehoe: The Deputy is misleading the House.

An Ceann Comhairle: Allow Deputy Ó Caoláin without interruption.

Caoimhghín Ó Caoláin: —perhaps even in spite of them, we will return here in even greater numbers after the next general election.

Mr. Kenny: I never suggested any such thing.

Mr. Kehoe: He is misleading the House.

Caoimhghín Ó Caoláin: The only people who mislead the House are those who try to—

Mr. Kenny: I never mentioned—

An Ceann Comhairle: Allow Deputy Ó Caoláin to continue his question on a topical issue.

Mr. Kenny: I will not take that—

Caoimhghín Ó Caoláin: We know well what Deputy Kenny peddles and what he wants to peddle. Away to Mayo with you on your bicycle and do all the peddling you want between now and the election. You will have a lot of work to do.

Mr. Kehoe: Deputy Ó Caoláin is making false accusations.

(Interruptions).

An Ceann Comhairle: Allow Deputy Ó Caoláin, please.

Caoimhghín Ó Caoláin: Will the Taoiseach tell us why the Minister for Health and Children, Deputy Harney, could, last month, find time to address a private conference—

An Ceann Comhairle: The Deputy has already spent a minute and a half on one question on a topical issue. I ask him to continue on that question.

Caoimhghín Ó Caoláin: I have responded to the slur—

An Ceann Comhairle: We will not have a situation where any leader can come into the House and have two topical questions on the same day.

Caoimhghín Ó Caoláin: With respect, which I do not expect from the Chair—

An Ceann Comhairle: I ask the Deputy to continue on the question he was on. The Deputy's two minutes are now concluded.

Caoimhghín Ó Caoláin: No.

An Ceann Comhairle: Yes, Deputy.

Caoimhghín Ó Caoláin: Members of the Government, others on the Opposition benches and I have responded—

An Ceann Comhairle: The Deputy is not entitled to spend two minutes on one question and then move to another.

Caoimhghín Ó Caoláin: I have verified the accuracy of our mandate and our intent to abide by it.

An Ceann Comhairle: I have ruled leaders out of order before and I am sorry I have to rule the Deputy out today. The Deputy will have to find another way of raising those issues.

Caoimhghín Ó Caoláin: The Ceann Comhairle will not choose the question that I will put to the Taoiseach. With respect to the Ceann Comhairle—

An Ceann Comhairle: The Deputy chose the question.

Caoimhghín Ó Caoláin: I chose the question and I will put it.

Mr. Morgan: He has not put the question on the record.

Caoimhghín Ó Caoláin: I have not yet asked the question.

An Ceann Comhairle: The Deputy has asked the question and spent two minutes on it.

Caoimhghín Ó Caoláin: I have not asked a question.

Mr. Morgan: He should clarify what he has asked the Taoiseach.

An Ceann Comhairle: I ask the Deputy to obey the ruling of the Chair.

Caoimhghín Ó Caoláin: No, I must say—

An Ceann Comhairle: The Deputy knows the alternative.

Caoimhghín Ó Caoláin: I know what the Ceann Comhairle is doing, with respect.

An Ceann Comhairle: The Deputy knows the rule—

Caoimhghín Ó Caoláin: This is not the first time the Ceann Comhairle has used his position—

An Ceann Comhairle: —and just in case he has forgotten it—

Caoimhghín Ó Caoláin: I have a question to ask and I want the opportunity to ask it.

Mr. Morgan: The Ceann Comhairle has allowed people in the past.

An Ceann Comhairle: Standing Orders allow for a brief question on a matter of topical importance from the leader of the representatives——

Caoimhghín Ó Caoláin: Any other political leader whose party was being slighted in the way that the Ceann Comhairle has tolerated here would have the right to put the record straight and the Ceann Comhairle would not interrupt.

An Ceann Comhairle: The Chair has ruled leaders out of order in the past.

Mr. English: Should the Deputy get some leeway?

Mr. Morgan: The Chair has allowed them as well.

An Ceann Comhairle: The Chair has not allowed them.

Mr. Kehoe: The Deputy should be asked to leave the Chamber.

Caoimhghín Ó Caoláin: I have a question for the Taoiseach and I ask for the opportunity to proceed. Will the Chair allow me to proceed?

An Ceann Comhairle: No, we have already spent four minutes——

Caoimhghín Ó Caoláin: I am not allowed——

An Ceann Comhairle: The Deputy should have asked his question.

Caoimhghín Ó Caoláin: With respect, I have the right to assert the integrity of my party in this House against any slur levelled against it. The record will prove that time and again

An Ceann Comhairle: The Deputy does not have the right——

Mr. McGinley: It is victimisation.

Caoimhghín Ó Caoláin: I will defend that right, not only on my own part, but on the part of any other representative of any other party or none in this Chamber. That is surely something which each of us is entitled to do.

An Ceann Comhairle: The Deputy is absolutely correct but it should be done within the orders of the House, and it is not in order to do so on Leaders' Questions. One issue of topical importance is allowed on Leaders' Questions. Each leader has obeyed that ruling, and the Deputy has spent two minutes on the question.

Caoimhghín Ó Caoláin: I have not. I have probably spent two minutes trying to win my right to speak from the Ceann Comhairle.

An Ceann Comhairle: We have gone on for five minutes.

Mr. Morgan: The Deputy was interrupted.

Caoimhghín Ó Caoláin: I ask the Deputy to resume his seat.

Mr. Morgan: He was interrupted.

Caoimhghín Ó Caoláin: There is no point or purpose in arguing with the Ceann Comhairle.

An Ceann Comhairle: The Deputy is absolutely right.

Caoimhghín Ó Caoláin: He has demonstrated his antipathy to this party and this representative time and again.

An Ceann Comhairle: I resent that.

Caoimhghín Ó Caoláin: This is another example of it. It is a completely unfair and irrational ruling and I protest in the strongest possible terms.

An Ceann Comhairle: The Deputy is entitled to protest. For the benefit of all Members, we are eight or nine minutes over time on Leaders' Questions. There has been a strict rule that one question can be raised. There cannot be a situation where each leader rises in turn to comment on the leader before them, or in some cases, the two leaders before them.

Caoimhghín Ó Caoláin: I am proud to represent in this Chamber——

An Ceann Comhairle: There are ways of correcting the issue.

Caoimhghín Ó Caoláin: I have the right to reject the remark.

An Ceann Comhairle: The Deputy does not have the right, and if he is not happy with Standing Orders he should change them.

Caoimhghín Ó Caoláin: The Ceann Comhairle has allowed that in this Chamber time and again, as have his predecessors.

An Ceann Comhairle: I call the Taoiseach to respond to the Deputy's question.

Caoimhghín Ó Caoláin: The Ceann Comhairle brings no credit to the office he holds.

The Taoiseach: I have covered the ground for this. There will be an early start to the local authority register for this year. If we can we will use

[The Taoiseach.]

census enumerators or other temporary staff. We will make available a budget for local authorities. The next register will be published in draft form on 1 November. Clearly the work must take place up to that date and up to the final register on 15 February.

There have been meetings with managers and we have engaged actively with the local authority system, which has always undertaken this work completely. A Department was never engaged in this work. The local authorities on the ground make every effort to resolve as many difficulties as possible. We acknowledge that in most elections, the number of people on the register in comparison with the census is usually between 300,000 and 400,000 more.

An Ceann Comhairle: Does the Deputy wish to respond on the same issue?

Caoimhghín Ó Caoláin: I will avail of the right to speak. In the instances and approaches cited by the Taoiseach, will a serious effort be employed with regard to young people in second level education to ensure that school leavers who reach the age of 18 and are entitled to be included on the register will be automatically registered?

Mr. D. Ahern: Deputy Morgan is doing that. He wrote to a 62 year old man welcoming him as a new constituent.

An Ceann Comhairle: Deputy Ó Caoláin, without interruption.

Mr. Morgan: That is because he was a new constituent.

Mr. D. Ahern: He happened to be a Fianna Fáil councillor.

Caoimhghín Ó Caoláin: When the Ceann Comhairle's colleague is finished—

An Ceann Comhairle: He is not my colleague. The Chair has no colleagues in the House. The Chair is independent of all colleagues.

Mr. D. Ahern: He welcomed him, and he was 62. I have the letter.

Mr. Morgan: At least I am making the effort. The Government is making no effort whatsoever.

Mr. D. Ahern: The Deputy is welcome to write to an 18 year old, but this man was 62.

An Ceann Comhairle: The Minister should allow Deputy Ó Caoláin to continue without interruption and not to provoke Deputy Morgan.

Mr. Morgan: The Government is only going around slighting people.

Mr. D. Ahern: I have the letter.

Mr. Rabbitte: He believed in lifelong learning.

Caoimhghín Ó Caoláin: I assure the Minister, Deputy Dermot Ahern, that a 62 year old voter is as welcome to vote for Sinn Féin as any other.

I offer seriously the proposition, with little opportunity to develop these arguments. Surely we should engage with all our second level institutions and other schools and colleges throughout the country. That is a way of ensuring registration of young voters — we are talking about people surplus to the number that is out there in each constituency. I recognise, in some of the city quarters described, that that could happen. So-called “flatland” is a very movable area. It is not the reality in the greater number of rural constituencies.

The real issue in the greater number of rural constituencies, and equally applicable in city and urban centres, is that many young people are not registered. It would be an important element in any exercise undertaken that there would be direct engagement at second level education not only with those who are immediately coming on board in advance of the next election, but as part of CSPE, to encourage and inform young people of the importance of being on the register. That would take place from an outlook of facilitation. That is what is required.

I want to see everyone legally entitled to vote. Is the Taoiseach equally as keen to see everyone on the register who is legally entitled to be there? I look forward to the result in Dublin Central.

The Taoiseach: Eighteen year olds are always highlighted in the advertising campaign and that should be the case this time also. All political parties do their utmost to ensure that 18 year olds are on the register. Everybody who is legally entitled should be on the register. Deputy Ó Caoláin is missing the point. In the last election in 2002, well over 3 million people were on the register whereas the census done in April 2002 showed that fewer than 2.7 million people were entitled to vote. The register is way overstated. That was not the only election affected.

Mr. J. Higgins: Should the Government have started then?

Caoimhghín Ó Caoláin: The Government should not lose sight of the rights of those who are not on the register to be included.

The Taoiseach: I accept that. The Minister has been running a campaign based solely on getting people on the register.

Mr. J. Higgins: The last census was over four years ago. What has the Government been doing for the past four years?

An Ceann Comhairle: The Taoiseach, without interruption.

The Taoiseach: The entire campaign so far has been based on trying to get people on the register. It has been highlighted in the Dáil and the Seanad in recent weeks that a large number of people are on the register who should not be there because they have moved on or they are listed twice or several times. In some cases, people on the register may not exist at all.

Ceisteanna — Questions (Resumed).

Departmental Bodies.

1. **Mr. Kenny** asked the Taoiseach if he will report on the March 2006 meeting of the cross-departmental team of infrastructure and public private partnerships; and if he will make a statement on the matter. [12892/06]

2. **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. [14273/06]

3. **Mr. Rabbitte** asked the Taoiseach when the cross-departmental team on infrastructure and public private partnership last met; when the committee is due to meet next; and if he will make a statement on the matter. [14447/06]

4. **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. [15168/06]

5. **Mr. Sargent** asked the Taoiseach if he will report on the progress of the cross-departmental team on housing, infrastructure and public private partnerships; and if he will make a statement on the matter. [16183/06]

The Taoiseach: I propose to take Questions Nos. 1 to 5, inclusive, together.

The cross-departmental team on housing, infrastructure and public private partnerships last met on 4 April. The agenda included a presentation on broadband, which gave an overview of the impact of broadband, our objectives and challenges for the future. An overview of developments in the management and delivery of public private partnership was also presented by the Department of Finance. Transport 21 and the team's annual report were also discussed at this meeting. The annual report has just been finalised and will be published and laid before the Houses shortly. At the team's meeting on 1 March the discussion focused mainly on Transport 21, climate change and energy issues, in part-

icular the overall policy directions to be given to the Environmental Protection Agency in preparing its second national allocation plan. The next meeting of the cross-departmental team is scheduled for 10 May 2006. The team continues to assist in progressing and resolving issues relating to infrastructure planning and delivery.

Mr. Kenny: Last week I asked the Taoiseach about advertisements placed in the national media by the cross-departmental team. The Taoiseach responded to the effect that the advertisements were placed for public information and not propaganda purposes. He said if those who designed the advertisements felt they should include a Department's title, a logo or a photograph, that was all right but they should not be used for anything else and should be seen as public information rather than a means of promoting somebody.

That is fair, but I have in my hand the programme for the advertisement for the national development plan. It includes a fine picture of the Minister for Finance and the headline: "Government implements the national development plan." That amounts to promotion rather than public information. Indeed, it can be questioned whether the Government is implementing the national development plan, in view of the regional spending disparities. Does the Taoiseach have a view on these fine pictures?

On the cross-departmental committee on infrastructure and public private partnership, one of the fundamental failures of Government has been its inability to create access to broadband. People who come to Ireland from the US and all over Europe, as well as people in business in the State, are unable to gain access to the broadband communication system. Northern Ireland now has 100% coverage. Has the cross-departmental team discussed local loop unbundling and the obstacles put deliberately in the way of access for businesses and the public to a facility which is, as the Taoiseach said, as important as electricity was many years ago? Will the Taoiseach indicate when we can expect 100% broadband coverage?

The Taoiseach: Under the national development plan we have seen unprecedented investment in both our economic and social infrastructure. To build on that we are now working on the next national development plan and have initiated a consultation process involving the same range of organisations and groups which were involved in previous plans. There must be consultation and the documents to which the Deputy referred simply advertise the fact that the Government of the day is responsible for these matters.

There was recently a full presentation to the committee on broadband services. All who spoke on that occasion said the relatively late launch of competitive broadband services in this country by telecommunications and cable TV companies

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resulted in a low ranking in the league tables for take-up. The Government was not satisfied with that state of affairs but significant progress has been made in the past two years and when the figures are scrutinised again, we will be able to determine the current position. It emerged from that discussion and others with chambers of commerce and IBEC that there are now no difficulties for businesses. The Minister for Communications, Marine and Natural Resources set a target in 2004 of 400,000 broadband subscribers by the end of 2006. At that time there were fewer than 100,000 subscribers. It was estimated at our last meeting that there were approximately 320,000 subscribers in the first quarter of this year, so the roll-out of the service is progressing well.

Ireland's *per capita* broadband penetration is now 8%, while in the EU 25 the maximum is 12%. Two households in ten in Ireland have broadband by comparison with three households in ten in the other EU countries. The figure of 320,000 represents 110% growth in broadband in the past 12 months. In fairness to those involved, the figures are improving dramatically. Broadband take-up has tripled since the target was set in 2004. Ireland's broadband take-up rate is growing at more than twice that of the EU market — 110% as against 48% in the EU 25. That is understandable because of our low initial take-up. By catching up we are moving at a faster than average rate. The latest official figures from Com-Reg confirm that there were more than 270,000 broadband customers in the country at the end of last year.

In our liberalised and fully privatised broadband market private commercial broadband providers drive the roll-out of the service. The policies pursued by the Government increase both broadband coverage and competition in that market. Broadband is now available to approximately three quarters of the population and the Government has funded new broadband infrastructure through the national development plan, the metropolitan area networks, MANs, which the European Commission has recently endorsed, and the county and group broadband schemes. The figures are impressive. I readily admit they were slow to get started but that is being addressed. Given the number of operators in the field, the competition benefits consumers in that people get good value compared with four or five years ago.

Mr. J. Higgins: Is the Taoiseach aware of a speech made by his colleague, the Minister for Finance, Deputy Cowen, at the second Irish public private partnership policy forum on 5 April 2006? Is it not clear from that speech and from what the Taoiseach himself says that so-called public private partnership is really a flag under which this Government is relentlessly pushing the privatisation of public services? Is

public private partnership not a mechanism to channel lucrative State contracts to private developers and companies, many of whom contribute to right wing political parties?

What does the Taoiseach make of the Minister for Finance's boast that a large number of water projects are now being developed on a design-build-operate basis? Will the Government's next step be to privatise the water supply to homes, thereby reintroducing water charges which a people's movement forced out previously as an unjust extra tax?

Is the Taoiseach satisfied with how Dublin City Council operates the public private partnership policies of his Government? Public housing projects are being effectively turned over to private developers.

An Ceann Comhairle: Perhaps the Deputy's more detailed questions would be more appropriately directed to the line Minister. General questions may be asked of the Taoiseach.

Mr. J. Higgins: I am illustrating with one or two examples the effects of Government policy because that is how such matters are perceived locally. I want the Taoiseach to be answerable for that. The only reason the Government is driving public private partnerships is for ideological reasons and to facilitate powerful private corporate companies. The experience of the Jarvis schools shows that if schools were provided in the traditional way, in the long run it would be much cheaper for the taxpayer.

The Taoiseach: Spending under the public capital programme is at a record level. Many of the projects referred to by the Deputy are being delivered by it. In many cases — I accept not all — PPPs provide services such as water and sewerage schemes and housing and education services in a more efficient and speedy manner.

I have said many times in the past few years in answer to questions that until the Minister for Finance made changes, which he did recently, to the partnership rules, PPPs were not attracting enough of a critical mass of operators. It was not the case that investors saw great financial benefits from the process, rather they did not come here.

PPPs help in the delivery of sound capital projects on top of what the State is doing with its record level of spending under the capital programme. Good progress is being made in those projects under the control of the National Development Finance Agency. Many roads projects have been completed well in time and under budget to the highest international standards. This has also been the case in the provision of clean water and the removal of difficulties with sewerage systems. Dublin City Council has been involved in many of these schemes with the National Development Finance Agency and the Department of the Environment, Heritage and Local Government. Providing many such services

would have taken longer if we were working in the traditional way. It does not happen in every case, but in many cases it does.

Mr. Rabbitte: The Taoiseach has started discussions for a new social contract. In respect of the commitment in the last one to provide 10,000 affordable houses, how many of these have been built? Is the national spatial strategy still Government policy, given that it was ignored during the ill-considered and rushed announcement of the decentralisation programme?

Is the cross-departmental team involved in examining issues other than strategic ones, such as the particular route of the proposed Dublin metro? Is it involved in giving guidance on such matters? With the problems identified in the delivery of public private projects so far, does the team address the issue of waste in the delivery of those projects? Does it consider whether lessons can be learned from past mistakes in projects to ensure they can be delivered more efficiently in the future?

The Taoiseach: The cross-departmental group has dealt with those issues, mainly through submitting reports to Cabinet sub-committees. I hope there will be greater success in the delivery on a cross-departmental basis of water and sewerage programmes and roads programmes. Most of the issues concerned cover at least four or five Departments. The senior officials group and the individuals concerned work closely together. Departments involved include the Departments of the Environment, Heritage and Local Government, Transport, Finance, Agriculture and Food and Education and Science. In all the areas referred to by the Deputy, the Departments have been engaged in these issues in recent years.

Substantial progress continues to be made in the provision of social housing under Sustaining Progress. Some 70 projects on State and local authority lands are planned. Together with Part V housing provision, more than 10,000 housing units will be provided. Many of the units have yet to be delivered and in many cases it may take another few years. Suitable lands have been identified. The affordable housing initiative process which was established last year is working to deliver the units. It is reckoned that between 2006 and 2008, 15,000 housing units will be provided. The Affordable Homes Partnership Agency is considering in several areas swapping land for housing units, following the Harcourt Street model. That would be the fastest way to achieve housing provision.

The 2004 legislation facilitates direct sale of affordable housing from builders to eligible persons nominated by the planning authorities. That matter is being pursued by the Irish Home Builders Association with a view to ensuring accelerated delivery in Part V areas and affordable housing. On many of the State lands, the planning process, local authority commitment and

approval and service delivery will take time. More housing units will be rolled out this year, but it will take until 2008 before the figure of 15,000 is reached.

The national spatial strategy is still Government policy. It is taken into account in the national development plan and in other planning initiatives.

Ms McManus: Does it include the decentralisation programme?

Mr. Cowen: We are taking it into account in all those areas.

The Taoiseach: The proposed metro route has been discussed by the cross-departmental team. Its report on the authority for the greater Dublin area has been completed and discussed at the relevant Cabinet sub-committee. The structure presented in the report to the Minister will be discussed and decisions will be made in the next few months.

Caoimhghín Ó Caoláin: I recognise Mr. Robert McBride in the Distinguished Visitors Gallery. He is a former member of the post-apartheid South African Government, a former political prisoner and ANC activist. He is a grandson of the executed 1916 Rising leader, Major John McBride. I extend our welcome to him.

What proportion of the cross-departmental team's work is focused on the issue of housing? We have addressed this issue in the past. Does it address, for instance, spiralling house prices? The Taoiseach recently stated there is no great problem with the property market, that we should not be concerned with the relentless rise in borrowings for overpriced houses and that there was no indication of a downturn in the property market. Does he stand over these views, particularly in the context of the warning from the Irish Financial Services Regulatory Authority to banks to set more money aside for mortgage defaults? What is the Taoiseach's view of the concern expressed by the ESRI, the OECD and the Central Bank about the dangers of an over-valuation of the property market? In the first three months of 2006, average national house prices have risen by 3.5%, compared to just 1% in 2005.

An Ceann Comhairle: Sorry, Deputy, the question might be better addressed to the line Minister.

Caoimhghín Ó Caoláin: The Taoiseach recently spoke on this issue from a particular viewpoint. Is the Taoiseach aware the average house price across the State in the first three months of this year increased by almost €10,000 on the figure recorded for December 2005? Many people find it difficult to balance the Taoiseach's recently expressed views and these facts. Will the Taoiseach ask the cross-departmental team, in its

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remit for infrastructure, to address the displacement of so many young people from this city into neighbouring counties in Leinster and beyond, with the infrastructural demands that places on our system? Will the team consider the reality of the contribution of the spiralling cost of housing to the infrastructural demand beyond this city's limits?

Apart from repeating the mantra that increasing supply will bring down the price of housing, does the Government have any other proposals that will bring some solace and relief to young couples who are struggling to secure a home?

An Ceann Comhairle: That question is more appropriate to the line Minister.

The Taoiseach: The Deputy asked if the cross-departmental team spends much time on housing — it does and it spends much time on housing, roads and other essential infrastructure. The Minister and Ministers of State have spelt out a range of issues in these areas and there is no need for me to go into them.

The Deputy knows I did not say I was satisfied with the rate of increase in house prices. That is why I talk about supply — the greater the supply, the more likely it is there will be control on the demand side and that there will be areas where house prices do not go up. When the population and the standard of living is rising, and people are working, demand will exist.

The point I was making was that the value of housing stock is estimated at €500 billion while the mortgage value is €100 billion. That is not to say I do not wish for prices to moderate, for supply and balanced regional development, but with those figures anyone looking at a balance sheet would ask how that adds up to a difficulty.

That does not take away from all the initiatives that are under way. The cross-departmental team is primarily interested in an affordable housing partnership, with mortgage finance from private lending agencies available for affordable housing applicants and it has made good progress there. On the direct sale of affordable housing, it has co-ordinated the delivery of affordable housing between the four local authorities in the Dublin area and Kildare, Meath and Wicklow. It has brought forward additional land and been involved in a host of areas to make it easier for people to get affordable homes and it continues to do that.

Admittedly, as I said to Deputy Rabbitte, some of the schemes it has introduced take time. The affordable homes partnership was only set up in August and has now asked the industry for ideas about this. It is examining the submissions it received in this area at Christmas. It is actively engaged and communicating efficiently so that young people will have better information about affordable housing options and streamlining the process for young people making applications for

affordable housing. In fairness to those involved, they are doing a good job.

Mr. Sargent: When I tabled a question on the cross-departmental team on housing, infrastructure and public private partnerships, I was thinking about the report of the National Economic and Social Council, *Housing in Ireland, Performance and Policy*, which recommended in 2004 an additional 73,000 social housing units to be produced between 2007 and 2012, roughly 10,000 a year. Will the Taoiseach acknowledge that he just cannot keep his word on that? In 2005, 6,477 social housing units were provided, slightly up on 2004.

The Taoiseach cannot keep his word on the quantity so what will he do about the quality? Will he insist upon energy efficiency as a requirement for local authorities, an area where Fingal County Council has given leadership? Is the Taoiseach considering the need to reverse the decision the Government made to allow developers to pay cash to local authorities instead of building social houses? Has the Taoiseach evaluated that decision?

An Ceann Comhairle: That is a question for the line Minister.

Mr. Sargent: The cross-departmental team will have a strong influence on that decision.

An Ceann Comhairle: It is still a detailed question that should be addressed to the line Minister.

Mr. Sargent: I also asked about renewable energy infrastructure. Is the Taoiseach embarrassed that the European Union has decided to prosecute the Government for its failure to implement a renewable energy strategy? It must be acknowledged that as a State we have not delivered on our potential in this area.

The most damning evidence is that Dr. James Wickham, director of the employment research centre at Trinity College, Dublin, in the business section of *The Irish Times*, stated that Dublin workers are totally car dependent. He is talking about getting from Jobstown to Lucan or Balbriggan to Blanchardstown. Will the Taoiseach address that in terms of public transport? Dr. Wickham describes political inertia as being responsible.

An Ceann Comhairle: Again, that is a matter for the Minister for Transport.

Mr. Sargent: It will require more than the Minister for Transport because the Minister for Finance, sitting beside the Taoiseach, has a lot to do with it.

An Ceann Comhairle: I suggest the Deputy submits a question to the Minister for Transport.

Mr. Sargent: The team we are asking about must provide a more integrated, holistic approach than the Government has been able to provide. Will the political inertia mentioned by Dr. Wickham be shifted?

The Taoiseach: The commitment on affordable housing was that we would give over 10,000 housing units in total that were projected for delivery under the initiative and that will be achieved. It was never envisaged that it could be achieved over the short period of the programme but that the State would identify sites and hand them over. There are now 70 projects with State and local authority lands where this is planned. I would like to see it happen faster but the affordable housing initiative is playing its part, taking into account all it must contend with in terms of planning and other difficulties. The Deputy knows there are often difficulties as a result of objections to social and affordable housing in some areas. Some Members of this House could help us to press on in many of the projects because it is disheartening for those involved with the affordable housing initiative when they are trying to make progress.

Mr. Kitt: Including members of the Green Party.

Mr. Boyle: We have never opposed social housing.

Mr. Kitt: Check south Dublin.

The Taoiseach: Everyone should work with them to make progress in this area.

Mr. Sargent: We would build them if we were in Government.

The Taoiseach: We are doing that.

The Minister for Communications, Marine and Natural Resources has launched an initiative to increase the use of renewable energy technology in electricity production to reach an initial target of 400 megawatts of new renewable energy-powered electricity generation plants. That programme will more than double the contribution of renewable sources of electricity production from 5% two years ago to over 13% at the end of the decade. That is in line with the EU directive on the promotion of electricity from renewable energy sources and will increase the total capacity of renewable energy technologies built to 1,450 megawatts. That capacity requires a total investment of more than €400 million. The Deputy asked one other question.

Mr. Sargent: What is the position in regard to car dependency?

The Taoiseach: Transport 21 is a €34 billion programme dealing with public transport. The

Dublin Transport Authority is a new agency to manage all transportation in the greater Dublin area in the years ahead. For decades this country could not afford any capital programme. As the country develops we have to develop that programme. Transport 21 is the biggest public transport programme that has ever been produced here.

Mr. Sargent: And the motorways.

The Taoiseach: Substantial costs relate to the metro, extension of the Luas lines on which 20 million passengers travelled last year in its first year of operation, doubling the number of DART carriages, and enormous expenditure on the rail lines, work on which has finished. These are all huge public transport projects.

Mr. Rabbitte: Is the Taoiseach saying the Government is satisfied with the take-up of public private partnerships and about the process that must be gone through? Is he satisfied that the State is able to discriminate between the kind of projects the State ought properly to undertake and could properly undertake more cheaply than through a PPP? I wonder if I understood the Taoiseach's rebuttal of Deputy Sargent's point about the housing stock being worth €500 billion while credit is at €100 billion. Is it not fair to say that there are a great many wealthy people in housing worth €500 billion who have long since retired their mortgages and that it is those with more recent mortgages who, if there were a wobble, would be at risk in terms of the extent of credit available for that segment of the market?

The Taoiseach: I agree with the Deputy. It is always those with large mortgages, probably in the first three to five years, who bear the pressures. Given the level of increases we need to do all we can to moderate them. We have an increasing population with a strong disposable income and low money costs. When Jean-Claude Trichet said interest rates could be increased from 0.25% to 0.5% that applies pressure but the reality is that a decade ago people felt that if we could get money under 10% it was viable to have substantial mortgages. The argument I was making is that things changed so dramatically that the public do not see these fears as my generation or a later generation saw them. That is the reason people continue to put their money into property. Even if I tried to put a tax on property it would fail because there would be neither political nor public support for such a tax. Therefore, the incentive is for people to put more money into property which sometimes is all right but much of the time it is all wrong. That is the reality.

Mr. Sargent: What will the Government do about it?

The Taoiseach: I do not think anybody will bring back a property tax if that is what the Deputy is asking. Deputy Rabbitte raised the issue of public private partnerships. I reported to the House, in answer to him some months ago, that the process of identifying projects in the right categories on the capital programme and getting sufficient people who were prepared to go through the PPP process has been achieved. We did not have the expertise in many areas within the system. The Minister for Finance's initiative aims to accelerate delivery of PPPs in the areas identified and advises on the correct areas for key capital infrastructural projects in central Government areas. The new centre for enterprise, is in the National Development Finance Agency. Its role has expanded to include procurement function on behalf of Departments in addition to its existing role. Up to now it acted as an adviser to Departments on public private partnerships. It has now taken over the procurement function for Departments. The agency has commenced the new activity on an interim non-statutory basis.

The Department of Finance and its legal advisers, in consultation with the National Development Finance Agency, will bring forward amendments shortly to amend the legislation. The Minister has strengthened the board. The centre will have the skills and capacity required to support the procurement of key infrastructural projects in the central Government area. It has decided to work on three Departments to start, Education and Science, Health and Children and Justice, Equality and Law Reform. This should improve the deal flow of PPP projects in those three areas. The view is that it should stay with those three Departments for some considerable time. Obviously they are three major Departments. Ministers will continue to be responsible for the assessment of projects, including the decision to procure the project, but the National Development Finance Agency's centre for expertise will be responsible for procuring the projects within the parameters given to it and bring it all the way up to turn-key stage. This is a big change following much trial and error in some of these areas. The National Development Finance Agency has been able to bring some very good people into the process to deal with these large-scale projects.

Mr. Kenny: Will the Taoiseach give an indication of the number of PPP road projects that are under way? Can he indicate the scale of projects where future road tolls will be involved? In other words, are there a number of PPP road projects in respect of which the Government has decided there should be road tolls? Given that the Taoiseach said the Government was in the process of drawing up another national development programme, when does he expect it will be produced? Given that we are one-third of the way through in respect of motorways and national

primary routes and approximately 25 years behind in terms of national secondary routes——

An Ceann Comhairle: That question is certainly one for the line Minister.

Mr. Kenny: It comes under the Transport 21 programme. Will the national development programme address the fact that long after most people have left this House the infrastructure will still have to be provided?

The Taoiseach: Deputy Kenny will agree that at the current rate of work each year 15 major projects are being completed, approximately 15 start and approximately 15 are under way. At any one time there are between 45 and 50 major projects under way. Twenty years ago the number of projects under way was three and the timescales were much longer as the country did not have the resources, which was not the fault of anybody. There has been a persistent roll-out of projects during the past decade. The National Roads Authority and the local authority system using the compulsory purchase order and the planning regime are now able to plan the inter-city routes and many other routes on the road network. During the next decade I hope we can continue to put in the resources. If those doing the figures are right in terms of demographics, in ten years' time we will have a population of 5 million and in 25 years' time 6 million. In 2025 the population will approach 6 million compared to 20 years ago when we had a population of approximately 3.25 million. This is an enormous population change. If this growth continues — I am always a bit sceptical of such figures because in the early 1980s the same people told us our population would probably reduce to just above 3 million — we will have to plan on that basis.

This will require a large capital programme for the next 20 years to get the country to the scale required for such a population. The good news is that we have the structures, the agencies, the professional offices and, in many cases, the personnel in the State to undertake the required major civil and engineering works. Where we have a difficulty is in the area of the metro and other such developments. Take, for example, the Transport 21 project we put together recently. Who would be Mr. or Ms metro here? Nobody here has the capacity to take on that kind of project. To identify the leaders for these projects in the next few years will be the big challenge for the system. They will have to be paid accordingly. As in other countries, if we are to get the appropriate people to do these jobs, we are talking about sizeable contracts to attract them here. I do not think there is an alternative. We should do it. If we do not, we will be sorry in the future.

Requests to move Adjournment of Dáil under Standing Order 31.

An Ceann Comhairle: Before coming to the Order of Business, I propose to deal with a number of notices under Standing Order 31.

Mr. Crowe: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, that the Minister for Education and Science address the current unacceptable situation regarding a lack of school buses running to Kilcredan national school in east Cork where, last week, school children with concessionary tickets were removed from overcrowded school buses with no replacement transport for them.

Mr. Healy: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, in view of the fact that this is national pensions week, the need for the Government to stop foreign multinationals, who now own all but ten local newspapers, from undermining the existing defined benefit staff pension schemes and replacing them with defined contribution schemes, thereby denying staff a guaranteed pension outcome and significantly reducing their own employer contributions and to ask the Minister to make a statement on the matter.

Mr. Morgan: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the necessity for the Minister for Health and Children to take immediate action to end the ongoing crisis at the accident and emergency unit in Our Lady of Lourdes Hospital in Drogheda where patients are crowded into every corridor and room available.

Mr. Broughan: I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, to request the Minister for Communications, Marine and Natural Resources to present the major findings of the final Advantica report on the Corrib gas pipeline before the House and outline how he intends to move this project forward so the gas from the Corrib field will be urgently brought ashore in a safe and agreed manner; if he will indicate the stage the mediation process led by Mr. Peter Cassells is currently at and if he will make a statement on the matter.

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

Message from Seanad.

An Ceann Comhairle: Seanad Éireann has passed the Registration of Deeds and Title Bill 2004, without amendment.

Order of Business.

The Taoiseach: It is proposed to take No. 11, motion re Sea Pollution (Miscellaneous Provisions) Bill 2003 [*Seanad*]; No. 16, Employment Permits Bill 2005 — Report Stage, resumed; and No. 17, National Sports Campus Development Authority Bill 2006 — Second Stage, resumed.

It is proposed, notwithstanding anything in Standing Orders, that No. 11 shall be decided without debate. Private Members' business shall be No. 48, motion re oil and gas sources of energy in Ireland, which shall also take place tomorrow immediately after the Order of Business and shall be brought to a conclusion after 90 minutes on that day.

An Ceann Comhairle: There are two proposals to put to the House. Is the proposal for dealing with No. 11 without debate, motion re Sea Pollution (Miscellaneous Provisions) Bill 2003 agreed? Agreed. Is the proposal for dealing with Private Members' business agreed? Agreed.

Mr. Kenny: Can the Taoiseach give any indication of when the Government intends to bring in the legislation dealing with administrative fines for infringements of the maritime Acts with regard to fishing?

The Taoiseach: On the fines Bill, the heads of the Bill have been approved and I am informed we should have the Bill during this session.

Mr. Rabbitte: Has the Dalton report gone missing or does the Taoiseach know anything about it? Is the Minister for Arts, Sport and Tourism, Deputy O'Donoghue, squatting on it or what is the story? With regard to legislation, does the Taoiseach imply that whatever is necessary to refurbish the electoral register, the Government does not intend bringing forward legislation?

The Taoiseach: Not unless the Minister for the Environment, Heritage and Local Government wants to bring forward a proposal on the Electoral Act. There are already powers in that Act. I do not know about the Dalton report which deals with Bord na gCon. I will check on it for the Deputy.

Mr. Sargent: Given the report on the Corrib gas pipeline has been published, does the Government intend setting time aside for a debate on the issue? On promised legislation, the control of exports Bill does not seem to have a publication date. Has the Government in mind the Amnesty International report on Irish manufactured military and security equipment and components in this regard? This area does not have any legislative cover or regulation even though the public consultation process required and recommended such. Has the Government a

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view on that given the serious security and human rights implications?

The Taoiseach: Is the Deputy inquiring about customs and excise legislation?

Mr. Sargent: The control of exports Bill will deal with the matter. I would like to know if it is forthcoming.

The Taoiseach: I do not have a date for legislation to update our export control legislation and cannot say when it is due. The legislation is to be in line with recommendations of the recently published review of Ireland's export control system. I have no indication of when the heads of the Bill will be published.

Mr. Sargent: Will the Bill include military equipment?

Ms Enright: This is the 13th legislative programme published since I came into the Dáil. The register of persons considered unsafe to work with children has moved at last, but only from the Department of Education and Science to the Department of Health and Children. When is this issue likely to move from section C and when is legislation likely to be published on it?

The Taoiseach: Work so far has concentrated on developing procedures for vetting of convictions through the vetting unit. The development of a register gives rise to a range of legal policy and practical implementation issues. The Departments of Education and Science and of Health and Children are in discussion on the establishment of a pre-employment consultancy service. I do not have a date for when they will be able to bring forward proposals. I understand the Minister of State with responsibility for children, Deputy Brian Lenihan, is dealing with the matter.

Ms McManus: Two pharmacy Bills were promised. I understand the heads for one of these have been agreed by Cabinet. Will the heads be published and when will the legislation come to the House?

The Taoiseach: The heads have been approved by the Government. I will bring the Deputy's comments to the attention of the Tánaiste and ask whether the heads will be published.

Ms McManus: I understand the Tánaiste is taking the direction of limited consultation. It would be unfortunate if the heads of the Bill were not published.

The Taoiseach: I will raise that issue.

Caoimhghín Ó Caoláin: As the Tánaiste and Minister for Health and Children will not attend the Irish Nurses Organisation conference, per-

haps the Taoiseach will avail of the opportunity to explain to us the reason the nurses and midwives Bill has been put back for a further year. What is the reason for the further delay?

The Taoiseach: The legislation is listed for next year.

Caoimhghín Ó Caoláin: Why is that the case?

The Taoiseach: It is just not ready.

Mr. McEntee: We all thought we would have an accident-free May bank holiday weekend but it turned out to be the worst on our roads in years. Will the Taoiseach indicate if a date has been set for the introduction of the road traffic Bill?

The Taoiseach: It will be this session.

Mr. Stagg: I asked the Taoiseach previously about the communications Bill. Without discussing its contents, there is a particular section that deals with access by the Irish in Britain to signals from RTE. Will the Taoiseach indicate if it is likely that the Bill will be brought in and completed before the end of this session to ensure they will have the signal for the all-Ireland hurling and football finals in September?

The Taoiseach: I have tried to support Deputy Stagg in this effort. I am aware he has engaged in a lot of campaigning on this legislation and the technical issue that is involved. I have asked about bringing forward the legislation but there are also some issues around the technical requirements in terms of how they can do that. I understand that is being discussed. As soon as I get an answer I will write to the Deputy on the technical issue. I am told it is not a money or a legislation issue but a technical issue. As soon as I know, I will inform the Deputy.

Mr. Stagg: I thank the Taoiseach.

Mr. Boyle: In the light of press reports that proposals are being made to change the name of the Comhairle organisation and give it an English title, will the Taoiseach indicate the status of the Comhairle Bill, Second Stage of which the House has taken? Will that Bill be removed and a replacement Bill introduced?

The Taoiseach: The Comhairle (Amendment) Bill has been published and is ordered for Second Stage.

Mr. Boyle: That was not my question. If there is a proposal to change the name of the Comhairle organisation, will a new Bill be put before the House?

The Taoiseach: Not that I am aware of. My note indicates that the Bill has been published

and it is ordered for Second Stage. It is a matter to be taken up with the Minister.

Mr. Boyle: Did the chairman of the organisation say the title was being changed?

The Taoiseach: I have no information on it.

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

Mr. Durkan: In view of the urgency of energy matters, will the Taoiseach indicate whether the national oil reserves agency Bill has progressed since I asked him about it previously? Perhaps he will also comment on the electronic communications Bill. There are at least 50 Bills listed under section C in respect of which heads have yet to be approved by the Government. Has any priority list been drawn up and will the Taoiseach give some information to the House in that regard, given that at most one year remains before the next general election? It might be beneficial if a priority list could be drawn up now with a view to passing some of that legislation before the next general election. If so, will the Taoiseach confirm that?

The Taoiseach: The two Bills the Deputy is inquiring about are due this session. I understand the Whip put out the priority list in a schedule. We cover approximately 40 or 50 Bills a year and we have put out the legislation for the remainder of this year.

**Sea Pollution (Miscellaneous Provisions) Bill
2003 [Seanad]: Motion.**

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

That the order of the Dáil of 3 June 2004 referring the Sea Pollution (Miscellaneous Provisions) Bill 2003 [Seanad], to the Select Committee on Communications, Marine and Natural Resources be discharged and that the Bill be referred to the Select Committee on Transport pursuant to Standing Order 120(1) of the Standing Orders relative to public business and paragraph (1)(a)(i) of that committee's Orders of Reference.

Question put and agreed to.

**Employment Permits Bill 2005: Report Stage
(Resumed) and Final Stage.**

An Ceann Comhairle: We resume on amendment No. 100. Deputy Howlin was in possession. We will hear from the Minister.

Mr. Howlin: I move amendment No. 100:

In page 11, between lines 19 and 20, to insert the following:

“(3) An employment permit shall include or be accompanied by a summary of the principal employment rights of the employee.”.

Minister for Enterprise, Trade and Employment (Mr. Martin): The employment permit already contains a statement of the valuable new protections for migrant workers, including entitlement to the national minimum wage, the prohibition on the retention of personal documents and deduction of recruitment expenses. However, I am disposed to accept the Deputy's amendment that the permit, when issued, should be accompanied by a summary of the principal employment rights for the employee.

Amendment agreed to.

Mr. Morgan: I move amendment No. 101:

In page 11, between lines 22 and 23, to insert the following:

“Entitlements of a permit holder.

10.—(1) A holder of an employment permit shall be entitled to:

(a) the same tax and social benefits as nationals;

(b) be joined by his or her family where he or she holds a work permit valid for at least 12 months and where members of his or her family shall be entitled to work in the state; and

(c) obtain permanent residence after a period of 5 years.

(2) An applicant for a work permit who is a family member of an existing permit holder as provided for in *subsection (1)(b)* shall:

(a) be eligible for jobs which have not been advertised with FÁS in advance of their application;

(b) be entitled to apply for jobs in categories that would otherwise be ineligible for work permits; and

(c) not be subject to a fee for his or her application.”.

Amendment put and declared lost.

Mr. Martin: I move amendment No. 102:

In page 11, line 24, to delete “non-national” and substitute “foreign national”.

Mr. Hogan: A Cheann Comhairle, what section are we on?

An Ceann Comhairle: Amendment No. 102. It is page 11, line 24, section 6.

Mr. Quinn: Do I take it that, for the purpose of consistency, where the use of the word “non-national” appeared in the original text it is now being transposed to “foreign national”?

Mr. Martin: Yes. That amendment has been accepted and obviously the Bill—

Mr. Quinn: We have moved from the tradition where we had Catholics and non-Catholics in this country to Catholics and other denominations. I always found the non-national nomenclature quite offensive but we know its origin.

An Ceann Comhairle: We must move on, Deputy, because this amendment has already been discussed with amendment No. 101.

Amendment agreed to.

Amendment No. 103 not moved.

Mr. Martin: I move amendment No. 104:

In page 11, line 29, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 105 not moved.

Mr. Martin: I move amendment No. 106:

In page 12, line 13, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 107 not moved.

Mr. Martin: I move amendment No. 108:

In page 12, line 15, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 109 not moved.

Mr. Martin: On a point of order, I wish to inform the House that an intended amendment in the definition of the term “holder” on page 6, lines 8 and 9 from “non-national” to “foreign national” was omitted. I propose to effect this amendment by means of a correction by the Clerk of the Dáil. It is in the definition section. This amendment is consequential on the broader amendment.

An Ceann Comhairle: Could the Minister clarify matters for us?

Mr. Martin: An intended amendment in the definition of the term “holder” on page 6, lines 8 and 9 from “non-national” to “foreign national” was omitted. This is a technical textual issue. I

propose to effect this amendment by means of a correction by the Clerk of the Dáil.

An Ceann Comhairle: Is the Minister proposing this amendment?

Mr. Martin: Is it appropriate? I will do so if the House accepts it.

An Ceann Comhairle: We are going back to the beginning of the Bill.

Mr. Martin: We could deal with the amendment in the Seanad if we have to. I can propose the amendment in the Seanad if there are procedural difficulties.

Mr. Quinn: Could we temporarily recommit the Bill to allow us to deal with the amendment?

An Ceann Comhairle: Did this amendment arise on Committee Stage?

Mr. Martin: It is consequential on the decision to change terminology from non-national to foreign national.

An Ceann Comhairle: Perhaps the best way to deal with the amendment is to go into committee.

Mr. Quinn: We could go into committee now to deal with the specific issue and then revert to Report Stage.

An Ceann Comhairle: We will recommit just for this one amendment.

Bill recommitted in respect of the following amendment:

Mr. Martin: I move the following amendment:

In page 6, line 8 and 9, to delete “non-national” and substitute “foreign national”.

This amendment is consequential on earlier amendments accepted by the House. According to the amendment, “holder”, in relation to an employment permit, means the foreign national to whom it has been granted. I thank Deputies for their co-operation.

Amendment agreed to.

Bill reported with amendment.

Mr. Quinn: I move amendment No. 110:

In page 13, to delete lines 4 to 11.

Mr. Martin: I am not in a position to accept this amendment. The provision this amendment proposes to delete gives the Minister of the day discretionary powers to refuse a work permit application on the basis that the worker already has a work permit issued within the previous 12 months. The aim here is to balance the right of

an employer to expect that when he or she goes to the effort and expense of recruiting a non-EEA worker, the worker will remain with him or her for a reasonable period against the right of the worker to change jobs. We have opted for a 12-month period, after which a worker can leave his or her employer or change jobs. The balance achieved in the Bill is correct and allows discretion to be exercised in the area and for each case to be treated on its merits. This does not restrict the Minister's power to grant a new work permit to an employee should circumstances warrant it. For example, in the case of exploitation or if the employee has been treated unfairly, the Minister can then issue a new work permit to that employee for a new employment within the 12-month period.

Amendment, by leave, withdrawn.

Mr. Martin: I move amendment No. 111:

In page 13, line 7, to delete "non-national" and substitute "foreign national".

Amendment agreed to.

Amendment No. 112 not moved.

Mr. Martin: I move amendment No. 113:

In page 13, lines 10 and 11, to delete "non-national" and substitute "foreign national".

Amendment agreed to.

Amendment No. 114 not moved.

Mr. Martin: I move amendment No. 115:

In page 13, line 18, to delete "non-national" and substitute "foreign national".

Amendment agreed to.

Amendment No. 116 not moved.

Mr. Martin: I move amendment No. 117:

In page 13, line 20, to delete "non-national" and substitute "foreign national".

Amendment agreed to.

Amendment No. 118 not moved.

Mr. Martin: I move amendment No. 119:

In page 13, line 28, to delete "non-national" and substitute "foreign national".

Amendment agreed to.

Amendment No. 120 not moved.

Mr. Martin: I move amendment No. 121:

In page 13, line 30, to delete "non-national" and substitute "foreign national".

Amendment agreed to.

Amendment No. 122 not moved.

Mr. Martin: I move amendment No. 123:

In page 14, line 2, to delete "non-national" and substitute "foreign national".

Amendment agreed to.

Amendment Nos. 124 and 125 not moved.

An Ceann Comhairle: Amendment No. 126 arises out of Committee Stage. Amendments Nos. 126, 129, 131 and 149 are related and may be discussed together by agreement.

Mr. Martin: I move amendment No. 126:

In page 14, line 26, after "decision" to insert the following:

"(and, if the person does so, shall notify in writing the second-mentioned person of the reasons for the confirmation)".

Deputy Howlin raised this issue on Committee Stage and moved two amendments which are essentially encapsulated in amendment Nos. 129 and 131. We are proposing alternative amendments which we worked through with the Parliamentary Counsel in an effort to capture the spirit of Deputy Howlin's amendments. The amendments clarify the position in respect of the decisions to refuse or revoke an employment permit so that the persons appointed to conduct these reviews will be required to give reasons in writing for their decisions. Deputies Howlin and Quinn and I are trying to achieve the same outcome in this regard. In other words, if the Minister of the day revokes or refuses to issue an employment permit, the person who carried out the review must give reasons for his or her conclusions. This is the aim of amendment No. 126, which is similar to amendment No. 149.

Amendment agreed to.

Mr. Martin: I move amendment No. 127:

In page 14, line 27, to delete "non-national" and substitute "foreign national".

Amendment agreed to.

Amendments Nos. 128 and 129 not moved.

Mr. Quinn: I move amendment No. 130:

In page 14, between lines 29 and 30, to insert the following:

[Mr. Quinn.]

“(5) A decision on appeal under this section may be the subject of an application to the Ombudsman.”.

Mr. Martin: On Committee Stage, when we discussed an amendment proposing that reviews of decisions to refuse a permit could be the subject of an appeal to the Ombudsman, it was agreed that we would revisit the issue on Report Stage. Section 5(1)(e) of the Ombudsman Act 1980 states that the Ombudsman shall not investigate any action taken by or on behalf of a person if such an action is one taken in the administration of the law relating to naturalisation and the entry of foreign nationals, in other words, immigration, including economic migration arrangements. The office of the Ombudsman has confirmed that it does not have a role or function in reviewing an executive decision by the Minister for Enterprise, Trade and Employment to refuse or revoke an employment permit, which is an executive function. The office of the Ombudsman has pursued complaints relating to immigration matters in the past but these related solely to administrative actions, for example, delays or failure to provide adequate information about decisions. Accordingly, I do not propose to accept this amendment.

Amendment, by leave, withdrawn.

Amendment No. 131 not moved.

Mr. Martin: I move amendment No. 132:

In page 15, line 5, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 133 not moved.

Mr. Martin: I move amendment No. 134:

In page 15, line 11, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 135 not moved.

Mr. Martin: I move amendment No. 136:

In page 15, line 35, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 137 not moved.

Mr. Martin: I move amendment No. 138:

In page 15, lines 38 and 39, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment Nos. 139 not moved.

An Ceann Comhairle: Amendment No. 140 is ruled out of order.

Amendments Nos. 140 to 142, inclusive, not moved.

An Ceann Comhairle: Amendments Nos. 143, 144, 157 and 162 are related and will be discussed together.

Mr. Morgan: I move amendment No. 143:

In page 16, lines 14 and 15, to delete “or the employer”.

I have tabled amendments Nos. 143 and 144 because it is grossly unfair that an employee, a permit holder who has done no wrong, will be disqualified or have his or her permit revoked if the employer is convicted of an offence under the Bill. If the amendment is accepted, section 16(1)(a) will read: “in the opinion of the Minister, the holder of the permit has not complied with *section 19(1) or (2)*.” As the Bill stands, the employee will be the victim due to the conviction of the employer for an offence over which he or she will have no power.

Amendment No. 157 seeks to address a situation where an unscrupulous employer could pretend that he or she had renewed the work permit, which would result in the employee becoming illegal through no fault of his or her own. The amendment tries to build fairness into the section.

Amendment No. 162 seeks to give employees the right to seek alternative employment rather than immediately becoming illegal. In all cases, this is largely a by-product of the employer being the person who seeks and holds the permit. I do not want to labour the point because we have dealt with it at length on Second and Committee Stages.

Mr. Martin: I will be helpful to the Deputy, as amendments Nos. 143 and 144 would not have the desired objectives he has articulated. In fact, they may have the opposite impact in so far as they would take the employer out of the equation. If I were to accept them, in essence I would be excluding the employer from his or her responsibilities in this regard. In other words, the Deputy would be letting him or her off scot free. If the employer was guilty of fraudulent behaviour in respect of a work permit, only the employee would be left in the section. He or she would be the subject matter of potential difficulties because the word “employer” would be removed. That is not what the Deputy intends but it would occur. The employee holds the permit also. Under legislation, both the employer and the employee have the right to apply for a work permit.

Mr. Morgan: I thought it was just a copy of the permit.

Mr. Martin: No. The employee has the actual permit.

Mr. Morgan: There has been a change because I understood an employee was only obliged to get a copy.

Mr. Martin: For that reason, the employer is specifically mentioned in this section, which refers to the holder of the permit or the employer. If the employer does not comply with the provisions of the Bill, we want to be able to penalise him or her. We do not want to take the employer out of the equation. This is not what the Deputy intended but would be the impact of the amendments. He understands why I do not wish to accept them.

Mr. Morgan: There is a group of amendments. Does the Minister want to address the next two?

Mr. Martin: Yes. I understand what the Deputy is endeavouring to achieve with amendments Nos. 157 and 162. Under the new arrangements provided for in the Bill, the permit will be issued to the worker who will, therefore, know when the first permit expires as the date will be on it. If he or she does not receive a renewal permit shortly after the expiry of the first permit, he or she will know that one has not been granted. If an employer refuses to apply for a renewal permit, the Department will continue to favourably consider a work permit application in respect of the person concerned. Section 9(2)(d) of the Bill provides that the employment permit will contain an explicit statement that a new application for the grant of an employment permit may be made by the worker himself or herself. The matter is covered.

Amendment, by leave, withdrawn.

Amendments Nos. 144 and 145 not moved.

An Ceann Comhairle: Amendments Nos. 146 and 148 are cognitive and will be discussed together.

Mr. Martin: I move amendment No. 146:

In page 16, line 33, to delete "14 days" and substitute "28 days".

Both amendments result from our debate on Committee Stage when it was suggested to me by Deputy Hogan that we should extend from 14 to 28 days the period in which a decision to revoke a permit may be sought. I have agreed to the suggestion and I am moving an amendment to this effect.

Amendment agreed to.

An Ceann Comhairle: Amendments Nos. 147 and 150 are related and will be discussed together.

Mr. Hogan: I move amendment No. 147:

In page 17, to delete lines 1 to 7.

Mr. Martin: We discussed this matter on Committee Stage. I wish to re-emphasise to the House that the powers enshrined in section 16(5) are ones that I envision only being used exceptionally. Inevitably, there will be circumstances in which, for reasons of public interest, a decision to revoke a permit should take effect immediately. We are talking about exceptional circumstances. For example, if information on particular individuals is given to the Minister, he or she should be in a position to do something based on security advice. That is the only intention and the decision would be subject to review.

The next amendment seeks to delete lines 26 to 32, but they are necessary to ensure section 16(5) can be implemented and provide that when revocation of a permit is reviewed and cancelled, the period for which the permit will remain in force after the cancellation excludes the period between initial revocation and its cancellation. I hope the Deputy understands. This was a good tongue twister when I read it this morning.

Mr. Hogan: Will the Minister indicate the regulations he intends to impose in respect of this section? He mentioned that regulations and the criteria to be used in reaching a decision are to be produced. While this power will not be generously used, what circumstances does the Minister have in mind and what regulations does he wish to publish in conjunction with this section to provide the necessary safeguards?

Mr. Martin: To be honest, we have not formulated the regulations. In essence, we are talking about exceptional circumstances. I can revert to the Deputy.

Mr. Hogan: Before agreeing the regulations, will the Minister give an undertaking that he will bring them to the attention of the party spokespersons or the relevant committee?

Mr. Martin: Yes, before the Bill is completed.

Amendment, by leave, withdrawn.

Mr. Martin: I move amendment No. 148:

In page 17, line 13, to delete "14 days" and substitute "28 days".

Amendment agreed to.

Mr. Martin: I move amendment No. 149:

In page 17, line 24, after "decision" to insert the following:

[Mr. Martin.]

“(and, if the person does so, shall notify in writing the second-mentioned person of the reasons for the confirmation)”.

Amendment agreed to.

Amendment No. 150 not moved.

Mr. Martin: I move amendment No. 151:

In page 18, line 4, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 152 not moved.

Mr. Martin: I move amendment No. 153:

In page 18, line 7, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 154 not moved.

Mr. Martin: I move amendment No. 155:

In page 18, line 8, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendments Nos. 156 and 157 not moved.

Mr. Martin: I move amendment No. 158:

In page 18, line 14, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 159 not moved.

Mr. Martin: I move amendment No. 160:

In page 18, line 15, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment Nos. 161 and 162 not moved.

Mr. Martin: I move amendment No. 163:

In page 18, line 27, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment Nos. 164 and 164a not moved.

Mr. Martin: I move amendment No. 165:

In page 19, line 2, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 166 not moved.

Mr. Martin: I move amendment No. 167:

In page 19, line 31, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 168 not moved.

Mr. Martin: I move amendment No. 169:

In page 22, line 23, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 170 not moved.

An Leas-Cheann Comhairle: Amendments Nos. 171 and 172 are related and will be discussed together.

Mr. Martin: I move amendment No. 171:

In page 22, line 34, to delete “A person referred to in *subsection (1) or (2)* shall not keep” and substitute the following:

“Neither a person referred to in *subsection (1) or (2)* nor a person acting on his or her behalf shall keep”.

I agree with the Deputy that it is unconscionable that any person acting on behalf of the employer should hold or retain personal documents belonging to an employee. However, the Parliamentary Counsel has pointed out that the second part of amendment No. 172, as drafted, is too wide. For example, if accepted it would mean that a friend or family member of a migrant worker could not retain a personal document belonging to that worker without first securing the Minister’s permission. Hence, I propose amendment No. 171, which essentially captures Deputy Howlin’s proposals on Committee Stage.

Amendment agreed to.

Amendment No. 172 not moved.

Mr. Morgan: I move amendment No. 173:

In page 22, line 39, after “passport,” to insert “a driving licence, an identity card.”.

This amendment simply seeks to include both driving licences and identification cards on the list of documents the employer is prohibited from taking from the employee. For example, domestic employees could be isolated in some rural or secluded location and may not be fully aware of their rights under this Bill. Moreover, driving licences and identification cards are also fundamental items of documentation. One could argue

that while permit holders could have cars in here, the retention by their employers of their driving licences would render such people unable to drive. Identification cards are also essential personal items which should be included.

Mr. Martin: The Deputy has made a valid point and I accept the amendment.

Amendment agreed to.

Mr. Martin: I move amendment No. 174:

In page 22, line 42, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendments No. 175 and 176 not moved.

Mr. Hogan: I move amendment No. 177:

In page 22, to delete lines 43 to 46 and in page 23, to delete lines 1 to 11.

Mr. Martin: The safeguards inherent in section 24 are designed to combat fraudulent use or trafficking in work permits in respect of employment which, for example, may no longer exist where the employee has been made redundant or has left the employment for some other reason. The requirement to surrender the permit or a copy within four weeks of termination of employment must be seen in this context. If permits were to be left in circulation for longer periods, the risk of their use for illegal employment purposes would increase significantly. This is why failure to comply with this requirement is described as an offence. However, there are defences if the employer or employee concerned can demonstrate that reasonable steps had been taken to surrender the permit. Hence, given the safeguards within the Bill, there is no requirement to accept the amendment. The balance is correct in the Bill.

Amendment, by leave, withdrawn.

Mr. Martin: I move amendment No. 178:

In page 22, line 43, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 179 not moved.

Mr. Martin: I move amendment No. 180:

In page 22, line 45, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 181 not moved.

Mr. Hogan: I move amendment No. 182:

In page 23, between lines 11 and 12, to insert the following:

“25.—(1) Whereupon the employment permit of a foreign national who is not—

(a) a citizen of a European Union,

(b) a citizen of a European Economic Area country, or

(c) in possession of any permit that allows him or her to remain legally within the State,

expires or is revoked, he or she shall cease to be permitted to remain legally within the State after a period of 8 weeks has elapsed after the expiration or revocation of his or her employment permit, unless he or she obtains a permit under *paragraph (c)*.

(2) A person who contravenes *subsection (1)* shall be guilty of an offence.”.

Mr. Martin: A similar amendment was discussed on Committee Stage. It proposed a right to remain for eight weeks after the expiry of an employment permit. I undertook to give a statement regarding this matter on Report Stage.

The position is that the right to remain after the expiry of an employment permit is a matter for the Department of Justice, Equality and Law Reform. As such, it is not appropriate—

Mr. Hogan: Hence, such people will not remain for eight weeks.

Mr. Martin: —to the Employment Permits Bill and is a matter for consideration in the context of the forthcoming immigration and residence Bill sponsored by the Department of Justice, Equality and Law Reform. We have worked with that Department to dovetail many of the provisions of this legislation with the immigration and residence Bill.

In practice, the position at present is that within three months of taking up employment, a work permit holder must register with the Garda Síochána. On registration, permission to reside in the State is granted and a registration card is issued. The expiry date on this registration card is the same as that stipulated on the employment permit. Accordingly, I am not in a position to accept the Deputy’s amendment. However, I can undertake to discuss the matter with the Minister for Justice, Equality and Law Reform, Deputy McDowell.

Mr. Quinn: I wish the Minister luck.

Mr. Hogan: The motivation behind this amendment—

Mr. Martin: I take it that the issue is with the date.

Mr. Hogan: Yes.

Mr. Quinn: The Department of Justice, Equality and Law Reform will seek a period of eight hours.

Mr. Hogan: That was the motivation for tabling the amendment. It was pointed out, quite correctly, on Committee Stage that a time period should lapse to be reasonable and to allow people to tidy up their affairs before leaving the country. I hoped, by tabling this amendment which provides for an eight week period, to get an amendment from the Minister that would go some distance towards our position, rather than remaining at zero weeks. Effectively, at present the legislation states that the moment one's permit elapses, one must leave within the hour and while the interpretations of Departments may vary, that is the law.

Members must try to ensure that safeguards are put in place to allow people a reasonable length of time in which to be able to either renew their permit or, in this case, when all avenues have been exhausted and the permit has lapsed, to go home or elsewhere. I tabled an amendment with an eight week period for discussion purposes on Committee Stage and have done so again on Report Stage. I had hoped the Minister would take the opportunity to insert a period of three or four weeks to give some leeway to those caught in such a situation, often through no fault of their own, where the employer might decide to terminate employment or where the administrative process in Departments might be to blame for the way in which people are treated. I am disappointed the Minister has not seen fit to table his own amendment or to accept this one.

Mr. Quinn: I have some experience of dealing with the Department of Justice, Equality and Law Reform which regards every Irish citizen as a potential criminal, if not today, tomorrow. It is an extremely difficult body with which to deal. I am indicating this formally, as I have elsewhere. I urge the Minister to make the law exact, to give himself a period of eight weeks in order that he will have something with which to negotiate when legislation is introduced. The work permits section will give him chapter and verse in regard to the difficulties experienced in the past, unless they have been tidied up since. Given my experience over two decades, it is an impossible Department with which to deal in this area. If one reads the history by Dermot Keogh of the treatment of the Jews going back to the 1930s, the pattern has been ingrained. I urge the Minister to consider the Fine Gael amendment. Let it be enacted. When the Department of Justice, Equality and Law Reform introduces its legislation, the Minister will then have something with which to negotiate. Otherwise, there is nothing to stop that Department effectively giving people summary

notice to leave the State. As the Minister is a senior Government Minister, the matter is left to his discretion. He is dealing with work permits. If the Department of Justice, Equality and Law Reform introduces legislation with a wider remit, it will have to come to the Minister or his successor to negotiate. I suspect the House might be disposed to reducing the number of weeks from eight should it be required. This would give the Minister some bargaining power. However, if he does not accept the amendment, he will have no such power and be shown no mercy in St. Stephen's Green.

Mr. Morgan: I fervently support the amendment which is in keeping with the general thrust of amendments Nos. 157 and 162 in my name in trying to create space for permit holders who, through no fault of their own, find themselves without a permit, or certainly without employment.

Unfortunately, we all know what the attitude of the Department of Justice, Equality and Law Reform is. We read in the newspapers and see on our television screens virtually weekly that it is ruthless in dealing with any foreign national deemed to be here illegally. I would go further than the two previous speakers and say that, as the Taoiseach in waiting, the Minister should be courageous and accept the amendment. If he includes it in the legislation, he will be in a position of strength. We are all aware of what the attitude of the Department of Justice, Equality and Law Reform is to this issue. It has demonstrated no sympathy to those who find themselves in this position. The Minister could demonstrate compassion and consideration by accepting the amendment.

Mr. Martin: As a humble member of the Government, I work collectively with my colleagues—

Mr. Morgan: The Minister is the only one who is humble.

Mr. Quinn: The Minister in St. Stephen's Green does not realise that.

Mr. Martin: I have had good discussions with the Minister, Deputy McDowell, on his Bill and this one. Officials of my Department have worked with officials of the Department of Justice, Equality and Law Reform. The idea is to create a one-stop-shop to provide a much more effective facility and pathway for people coming to this country. In the context of economic migration, it is hoped people will enjoy immediate family reunification. The Bill will be liberal. Perhaps some of the stereotypical views articulated about the Department of Justice, Equality and Law Reform may not be reflected in the legislation. We have all moved on in how we

handle what has been a rapid and recent phenomenon, namely, the growth in migration levels.

Mr. Morgan: It is reflected each week.

Mr. Martin: There has been a turn-around in our fortunes from mass emigration and unemployment to almost full employment and significant inward migration. It is sensible to devise a proper framework to manage this change. The Bill endeavours to put a proper template in place. The immigration and residence Bill will complement it. It is not within my competence to deal with residency issues or naturalisation processes. I am not in a position, therefore, to accept the amendment. However, I will discuss the issue with the Minister, Deputy McDowell. I understand what the Deputies are endeavouring to achieve, namely, from the day a permit expires, there should be leeway in facilitating people to remain. In practice, this is what happens. We are all aware that no one leaves Ireland on the day his or her work permit expires.

Mr. Morgan: They are waiting for a knock on the door.

Mr. Martin: Not in regard to the work permit.

Mr. Quinn: It is less than a fortnight—

Mr. Martin: I will speak to the Minister, Deputy McDowell. His Bill provides the context in which to discuss the matter.

Mr. Quinn: I can predict his response.

Mr. Martin: The Deputy might be surprised.

Amendment, by leave, withdrawn.

Mr. Martin: I move amendment No. 183:

In page 23, line 34, after “to” to insert “a”.

This is a technical amendment proposed on the advice of the Parliamentary Counsel.

Amendment agreed to.

Mr. Martin: I move amendment No. 184:

In page 24, line 6, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 185 not moved.

Mr. Martin: I move amendment No. 186:

In page 24, line 8, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 187 not moved.

Mr. Martin: I move amendment No. 188:

In page 24, line 12, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 189 not moved.

Mr. Martin: I move amendment No. 190:

In page 24, line 15, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 191 not moved.

Mr. Martin: I move amendment No. 192:

In page 24, line 16, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 193 not moved.

Mr. Martin: I move amendment No. 194:

In page 24, line 28, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 195 not moved.

Mr. Martin: I move amendment No. 196:

In page 24, line 39, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 197 not moved.

Mr. Martin: I move amendment No. 198:

In page 24, line 42, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 199 not moved.

Mr. Martin: I move amendment No. 200:

In page 24, line 45, to delete “non-nationals” and substitute “foreign nationals”.

Amendment agreed to.

Amendment No. 201 not moved.

An Leas-Cheann Comhairle: Amendments Nos. 202 and 205 are related and will be discussed together.

Mr. Hogan: I move amendment No. 202:

In page 25, line 4, to delete “5” and substitute “2”.

Mr. Martin: As indicated on Committee Stage, I am not in a position to accept these amendments. Five years is not an unreasonable period to retain records relating to the employment of a non-national under the work permit arrangements. The required period for the retention of records mirrors that required by the Revenue Commissioners.

Amendment, by leave, withdrawn.

Mr. Martin: I move amendment No. 203:

In page 25, line 5, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendments No. 204 and 205 not moved.

Mr. Martin: I move amendment No. 206:

In page 25, line 8, to delete “for”.

This is a technical amendment tabled on the advice of the Parliamentary Counsel.

Amendment agreed to.

Mr. Martin: I move amendment No. 207:

In page 25, line 9, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 208 not moved.

Mr. Martin: I move amendment No. 209:

In page 25, lines 18 and 19, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 210 not moved.

Mr. Martin: I move amendment No. 211:

In page 25, line 22, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendment No. 212 not moved.

Mr. Martin: I move amendment No. 213:

In page 25, lines 30 and 31, to delete “non-national” and substitute “foreign national”.

Amendment agreed to.

Amendments Nos. 214 and 215 not moved.

An Leas-Cheann Comhairle: Amendments Nos. 216 and 217 are related and may be discussed together.

Mr. Hogan: I move amendment No. 216:

In page 28, line 1, to delete “12” and substitute “24”.

Amendment agreed to.

Amendment No. 217 not moved.

Mr. Quinn: I move amendment No. 218:

In page 28, between lines 4 and 5, to insert the following:

“(5) A dispute between an employer and an employee regarding the application of this Act may be referred to a rights commissioner and thereafter to the Labour Court.”.

Mr. Martin: Having carefully considered what was said during the discussion on Committee Stage, the Bill, as drafted, substantially allows for what is proposed. Specifically, section 26 prohibits the penalisation of employees by employers, while Schedule 2 permits complaints to be made to a rights commissioner in that regard. In addition, under paragraph 13(c) of the Schedule, the rights commissioner may require the employer to pay compensation to the employee, while under paragraph 2 of the Schedule, a decision of the rights commissioner may be appealed to the Labour Court.

Mr. Quinn: I take the point and I am glad it is covered, but we are dealing with foreign workers and solicitors who might advise in the first instance. In giving this right in the Schedule, the Minister does not make it as explicit as he would in the main text of the Bill. I accept, however, as he says, that the point is covered. This addition would simply provide the “belt and braces” in the primary text of the Bill rather than the Schedule. It would not contradict what is contained in the Schedule but simply reinforce it in the primary text.

Mr. Hogan: I support the amendment tabled by the Labour Party. The Bill seems to be providing for another layer of adjudication in dealing with work permits. There are existing processes which can be used rather than providing for a new one. We do not go straight to the rights commissioner if there is a dispute over the application for a work permit. We would end up in an expensive process which could be circumvented if we were to accept the amendment.

Mr. Martin: The Bill deals with the prohibition of the penalisation of employees. This relates to whistle-blowing and so on. We wanted it to be

quite clear that we would not allow an employer to use penalties and that if he or she did so, there would be a process by which the employee could pursue him or her. The most effective way of doing this is via the rights commissioner, as Deputy Quinn has proposed. Working with the social partners for some time, there is a general move towards endeavouring to resolve these issues outside court. If this can be achieved, it should be. To be fair, Deputy Quinn's amendment is wider in so far as it more or less states any dispute between an employer and an employee may be referred to the rights commissioner. It would have wider implications.

Mr. Quinn: We are talking about a dispute between an employer and an employee regarding the application of this Bill. We are mainstreaming those with work permits and giving them the set of rights of existing workers.

Mr. Martin: I am not averse to returning to the House on this matter but as we move towards the Seanad debate I will have more time to think about the full implications of every issue which could be the subject matter of a dispute which would not necessarily be referred to the rights commissioner.

Mr. Quinn: If it is a dispute which is referred to the rights commissioner, he or she can throw out the case if it is spurious.

Mr. Martin: I am genuinely prepared to consider the matter.

Mr. Quinn: I accept that.

Amendment, by leave, withdrawn.

Mr. Martin: I move amendment No. 219:

In page 29, line 5, to delete "under *subsection (4)*" and substitute "referred to in *subsection (4)*".

This is a technical amendment proposed on the advice of the Parliamentary Counsel.

Amendment agreed to.

Mr. Martin: I move amendment No. 220:

In page 30, to delete lines 16 to 20 and substitute the following:

39.—Section 1(1) of the Act of 2003 is amended—

(a) by inserting the following definition after the definition of "employer":

"'foreign national' means a non-national (within the meaning of the Immigration Act 1999);",

and

(b) by deleting the definition of "non-national".

Acceptance of this amendment involves the deletion of section 39 of the Bill.

Amendment agreed to.

An Leas-Cheann Comhairle: Amendments Nos. 221 and 222 cannot be moved as a result of amendment No. 220 being agreed to.

Amendments Nos. 221 and 222 not moved.

Mr. Martin: I move amendment No. 223:

In page 34, line 21, after "1982" to insert "and section 134 of the Companies Act 1990".

This is a technical amendment proposed on the advice of the Parliamentary Counsel.

Amendment agreed to.

Bill, as amended, received for final consideration.

Question proposed: "That the Bill do now pass."

Mr. Martin: I propose to bring forward an amendment to the Bill on Committee Stage in the Seanad to insert an enabling provision to permit me, as Minister, by regulation, to allow, continue or restrict access to our labour markets by nationals of Romania and Bulgaria. The purpose is to facilitate the entry of those countries into the European Union. That decision will be taken later in the year in accordance with labour market trends and must be implemented before the expected accession of Romania and Bulgaria on 1 January 2007. I propose to move the relevant amendment in the Seanad and then return to the Dáil.

Mr. Quinn: That means the Minister can consider some of the other propositions we have made since he must return to the Dáil.

Mr. Martin: That is correct.

I thank Opposition Deputies. We had a very constructive debate on Committee Stage and have taken on board quite a number of amendments. The discussion on Committee Stage and the interaction between us have allowed for a better and more enhanced Bill. I thank my officials for the hard work they put into the drafting of the Bill and, in particular, for their tolerance and acceptance of the consequences arising from the change of "non-national" to "foreign", which was very necessary. That gave rise to 79 consequential amendments. Therefore, someone had to pore over the detail of the legislation and ensure the full implications were reflected in the complete text. I also thank the Ceann Comhairle

[Mr. Martin.]

and Leas-Cheann Comhairle for facilitating the debate.

Question declared carried.

**National Sports Campus Development
Authority Bill 2006: Second Stage (Resumed).**

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

Mr. Curran: The last day I spoke to the Bill I noted that when people talked about the development at Abbotstown, they referred to it as a national development. It has sometimes been said the facility has been developed at the expense of other local facilities. That is anything but the truth. The level of expenditure by the Government, in particular by the Minister for Arts, Sports and Tourism, on local sports facilities, should be acknowledged. In the period 1998 to 2004 more than 4,500 local projects were funded, in particular under the national programme for the provision of swimming pools. There is a new swimming pool under construction in the Clondalkin area, while all local GAA and soccer clubs have benefited. Gone are the days when children used to change at the side of the field.

One problem is that some clubs are very small and fragmented. In many cases South Dublin County Council has taken the lead role in bringing together a number of local clubs to provide combined facilities funded under the sports capital programme. That is a model which needs to be rolled out in other areas because we have many small soccer and athletics clubs which do not have a membership of sufficient size to justify owning their own facilities. South Dublin County Council has delivered such facilities in taking the lead role.

People look at the Government's commitment to sport and agree, for example, that it has provided funding for the GAA for the development of Croke Park, the National Aquatic Centre and the redevelopment of Lansdowne Road. However, these are major projects for elite athletes and sports persons.

The Government is committed to providing sporting facilities for all people, at all levels, throughout our community. National facilities are absolutely essential. Ideally, they will be used by the elite sports stars whom we, as a nation of sports lovers, admire. Such stars are the catalyst which encourages people to take up sports. If one looks at the history of sport here, any time Ireland has performed well abroad at a major international event, whether it be winning medals in boxing, performing well in the World Cup or even when a county wins the All Ireland, locally the knock-on effect is an enormous take-up of that sport by children. A national stadium can be the catalyst that encourages people to participate in sport.

Recently I attended a conference dealing with childhood obesity. It was worrying to note that

obesity levels in children here are not in line with the European average but are closer to the average in the United States of America. That is a worrying trend but developments like that proposed at Abbotstown can play an important role in this regard. We should not think of the development as being solely for the use of elite athletes. While it is intended as a facility for elite athletes, it will also act as an inspiration for young people entering a career in sport and will benefit the health of the nation.

Obviously, we all take pride in our elite athletes and sports people when they take part in international competition and that is something we want to promote and foster. Every time we participate in the Olympic Games, the post-mortem afterwards centres on what more we could and should do for our athletes. The development at Abbotstown will address that to some extent.

The Community Games is one of the leading organisations promoting sport. It also promotes community involvement, active citizenship and participation in sporting activity, not just for the sake of winning. For years, many of its national events have been staged in Santry and Mosney. I hope the facilities developed in Abbotstown will be made available to the Community Games organisation. It is a large organisation that actively encourages young people to engage in sporting activity at all levels. For people in many areas that lack sporting organisations and facilities, the Community Games is their introduction to sport. I will not name all the famous athletes who have come through the ranks of the Community Games and gone on to win international recognition but I hope the organisation will be provided with the opportunity to avail of the facilities at the Abbotstown complex. The facilities at Mosney are no longer of the highest standard and an organisation like the Community Games should be given the opportunity to organise events at Abbotstown.

I take issue with a point raised by Deputy Joe Higgins with regard to the management of the new board. He argued that the management should be made up of nominees from various sporting organisations rather than be appointed by the Minister. I disagree. If the former was the case, membership of the board would become a popularity contest and a power struggle between the bigger sporting organisations. The section in the legislation that provides for the Minister to appoint the chairman and 12 people to the committee will ensure that we have the correct mix of management expertise and sporting enthusiasm on the board, which is critically important. If we did not have that type of mix, Abbotstown would not develop to its full potential.

Phase one, which is well planned at this stage, comprises the national field sports training centre, catering for rugby, Gaelic games, soccer and hockey as well as an indoor training centre which will provide facilities for more than 30 governing bodies of sport, including basketball, bad-

minton, boxing, judo, table tennis and so forth. Many of the latter sporting organisations have not, to date, had adequate facilities to enable them to participate at the highest level or attract international competitions here. The development at Abbotstown will assist them greatly in this regard. I do not wish to go into details on the lay-out of the centre, but the fact there is a national training centre as well as a sports hall that can house approximately 1,500 people, will allow many sporting organisations to participate at international level and entice international athletes here.

On the subject of enticing and encouraging participation and bearing in mind the Olympic Games of 2012 in London, I would like to see this development well under way by then. It would be a unique opportunity for a small country like Ireland, in the run up to those games, to have many international sports people coming here, participating in sport. It is participation in sport at that level that acts as a catalyst for young people entering into sport. The date 2012 needs to be firmly set in everyone's mind because that year will provide an international opportunity that we, as a small nation, might not see again. It will provide an opportunity to attract to this country, athletes of the calibre that Ireland would not normally see, in a range of disciplines. I hope everything will be done to have the authority established and the facility up and running in a successfully by then. I commend the Bill to the House.

Mr. Hayes: I welcome the opportunity to speak on this Bill, which will provide for the establishment of the national sports campus development authority on a statutory basis.

The primary functions of the authority will be to develop a sports campus on the Abbotstown site, to furnish, equip, manage, operate and maintain it as well as to encourage and promote its use by professional and amateur sports people and members of the public. The campus will provide a central building, which will include living accommodation, gymnasias, fitness training, medical and recovery areas. It will also provide training areas for rugby, soccer, Gaelic games and hockey field games. Each of the three areas will have a range of natural turf and synthetic pitches, some floodlit, which will allow teams to train in secure, private locations. The plan also envisages a national indoor training centre and a sports hall that will host more than 30 indoor sports, with a capacity for 1,000 spectators.

The range of facilities to be provided at Abbotstown, are certainly impressive but they are not before time. Ireland lags behind the rest of the first world in terms of the facilities it provides for its professional athletes and its sporting citizens in general. As mentioned by Deputy Deenihan, Ireland lags far behind countries like the United States of America, England, Australian, New Zealand and even former com-

munist countries in central and Eastern Europe in terms of its sports facilities. Nonetheless, belated though plans for Abbotstown are, they are very welcome. I hope the new authority will discharge its duties efficiently and effectively and that the new facilities will be open to the public and to professional athletes as soon as possible.

While in many respects it makes a great deal of sense to locate a centre such as Abbotstown in Dublin, as a rural Deputy, I must stress the need not to neglect the rest of the country. In small towns and villages throughout Ireland, sporting facilities are often lacking. Were it not for the sustained efforts of the GAA through the years, it is hard to imagine what sports outlets young people would have in rural Ireland. However, while hurling and Gaelic football are part of the fabric of the nation, they are not sports that every young person can participate in, or wishes to participate in. Therefore, the State has a responsibility to provide other options. In addition, the climate here means that indoor facilities are a must.

I have spoken before about the potential of facilities which lie idle all over Ireland. I refer to parish halls which remain locked most of the time owing to high insurance costs and the difficulty of finding volunteers to organise and supervise activities. I have mentioned my view that young people often turn to drink because of boredom. Going to the pub with their friends is the only social outlet available to them. In this context, it is high time we examined the underutilised resource parish halls provide. These buildings are generally large enough to host a range of activities such as badminton, indoor soccer, dancing classes, table tennis, volleyball and softball. However, high insurance costs mean they are not open to the people of the parishes most of the time. When they are, supervision is required. However, as we are all aware, the level of participation in voluntary work is declining. The demands of a strong economy put pressure on families to have both parents in the workforce and people simply do not have the time to engage in voluntary activity in their communities. Paying people from within local communities to provide supervision would go a long way towards addressing this problem. The bottom line is that if we are serious about providing our young people with alternatives to drink, drugs and boy-racing, we must put our money where our mouth is and come up with imaginative ways to tap into the resources available within our communities.

In respect of other community facilities such as all-weather pitches, I have seen how national lottery and local authority grants can make a big difference. However, such grants generally only meet part of the cost and the school or community in question must fundraise to attempt to meet outstanding costs. In this day and age, this should not be the case. I remember attending a function with the Minister in Cahir, County Tipperary last year, where the local community and school got together to open a wonderful

[Mr. Hayes.]

facility. The Minister will agree that a community in a wealthy economy should not have to engage in the major effort and lobbying that went into securing funding for the project in question. Sports facilities such not be treated as a luxury in a wealthy First World country such as Ireland but should be seen as a normal part of life.

The grants provided for sports facilities in communities such as all-weather pitches or floodlit walkways around pitches should be increased to ensure they meet most of the costs involved. Providing floodlit walkways is an excellent way to encourage people to walk around pitches instead of on roads which can be extremely busy. Several accidents have happened. There is proof that facilities such as walkways are of significant benefit to many, particularly in rural areas. The Government should be amenable to this and consider developing them.

While local communities must be equipped with sports facilities, so too must our schools. Fine Gael recently surveyed 1,400 primary schools in respect of their sports facilities. The study revealed that PE was not taught in our schools. According to the Irish Heart Foundation, that is the reason one in five children in the five to 12 age group is overweight or obese. We do not have sufficient facilities available in our schools, a point that has been consistently highlighted. Only 23% of primary schools have a sports hall and for most of the year Irish weather is unsuitable for taking children outside. It is impossible for teachers to implement a physical education programme without facilities. Of the schools which had a sports hall only a small percentage had a hall of more than 170 sq m, the size of two badminton courts. The simple fact is that schools are heavily reliant on national lottery grants and fundraising. However, I reiterate that sports facilities such not be viewed as a luxury in a wealthy country such as Ireland. They are a necessity.

I welcome the Bill. I hope the National Sports Campus Authority will be successful and fulfil all of its obligations in an efficient and effective manner and that the facilities at Abbotstown give our athletes the opportunity to compete at the highest level worldwide. Moreover, I hope it encourages Irish people of all ages to embrace sport. I urge the Minister to examine the micro-level of small communities, as well as the gaps in the provision of sports facilities and consider how they can be addressed. Will he examine the issue of paid supervisors in the small community halls which lie idle?

In my constituency a parish community has raised substantial funds. Those involved made several applications to the Minister's Department for national lottery funding but were turned down on every occasion. They changed their application to meet the Minister's guidelines. Will he consider their current application in view of what I have stated and not let down rural communities

which are growing and prospering? They need these facilities. I hope the Minister will listen to what I have stated.

Ms F. O'Malley: I also welcome the opportunity to speak on the introduction of the Bill which will have a swift and easy passage through the Dáil because few could disagree with it. As the Minister outlined, it provides the opportunity to provide a blueprint for great development in all areas of sport, not only physical facilities, but also, importantly, the sciences behind sport.

When I was a member of the Oireachtas committee with responsibility for arts, sport and tourism, we reviewed what had happened on the road to Beijing and — I cannot remember where the last Olympic Games were held——

Mr. O'Donoghue: Athens.

Ms F. O'Malley: I thank the Minister. We considered where we would be in terms of the games in London onwards. We must examine and prepare. A particularly good aspect of what is proposed under the national sports campus development plans is the recognition that stars and athletes are not born overnight and that medals must be planned for. Facilities must be provided. This is one way to ensure we will have a good turnout at future Olympic Games.

Sport is not only about elite performance and performers. Every one of us benefits from it. As a nation, we are internationally recognised for being tremendous supporters. Everybody loves to see the Irish playing because the supporters are well known for getting behind the team. It is a pity we will not be at the World Cup. We will probably back the Poles and give them a great sense of how the Irish nation supports its teams and our enthusiasm for sport.

Sport is also a great way to divide people. A great example is the recent rugby match between Munster and Leinster. I had difficulties regarding where I am from and grew up and where I now reside and make my living. Nonetheless, if one is born in Munster, one remains a Munster supporter. It is a great indicator of how sport captivates the imagination of the country. We are a naturally enthusiastic nation when it comes to sport and should do whatever we can to develop sports facilities.

The strategic goals of the Irish Sports Council are built around the concepts of participation, performance and excellence. While the excellence factor may be for the elite performers, the Irish Sports Council is very keen to get the rest of us participating, getting out and using facilities. The Minister has mentioned how much money has been invested in the sports infrastructure since 1997. It is quite remarkable, and we can see the results. Everybody comments on the good facilities, be they swimming pools or whatever now more available in our own local communities.

It is good to have a proper blueprint for how these sporting facilities are to be developed. With that in mind, this National Sports Campus Development Authority Bill 2006 is a beginning. Previous speakers indicated what will be provided in it. I have one note of concern. In Limerick we have a good facility for sporting excellence, which people can travel to even from abroad for services available there. I wonder how that facility will fit in with the plan. I hope the Limerick facility will not become second best to the Abbotstown facilities. That is my only concern.

As we develop the site and excellent proposed facilities, we must be cautious. The experience with the National Aquatic Centre will have sobered us somewhat in how we deal with vast sums of public money being spent. I hope the lessons we have learned from that will not be forgotten. It is a cause of concern when we are about to embark on a major project, with vast amounts of public money about to be invested, though some of it will be in partnership. We must be careful with regard to how the money is spent and the manner in which we get the best value for taxpayers' money.

It is an enormous site, at 500 acres, in north County Dublin. We should look at how that will be developed. The facility will be on 500 acres of very valuable land. I hope we think of putting some kind of housing or infrastructure there to maximise the potential.

Previous speakers mentioned opportunities provided with regard to the Olympic Games being held in London. I echo this, as it is an enormous opportunity for us. It is good that we will have proper sporting infrastructure in place so that we can maximise those opportunities for the country. When it was announced last year that London would be the venue for the 2012 Olympics, most people here were delighted because it represents such an enormous opportunity. It gives us an opportunity to invest money into different services. In my own area there are great facilities for yachting and water sports. We envisage opportunities in Dún Laoghaire where we can provide facilities for some of the people who will be training. These facilities will be adjacent to the venue for the games. The opportunities are quite enormous.

Deputies referred to the report of the national task force on obesity. We should be careful on this issue, which relates back to our high incidence of diabetes nationally. One way, and possibly the best way, to combat this is to get people more fit. The provision of a good network of sporting facilities is a simple way of ensuring that people get involved in sports, be it on a competitive and professional level or at a purely social and recreational level.

The advantages of being involved in sport are well known. Apart from anything else, it gives people a great sense of identity, whether it is an allegiance to a county or a club. That can be a

character-building experience for people. The Minister is to be commended on what he is planning to bring in under the terms of the Bill. I look forward to one day visiting the good sporting facilities we will have and enjoying the recreational amenities that will come with it.

Mr. Connaughton: I welcome this Bill. The establishment of a national sports campus authority is a good idea. Most of what I had planned to say has been said already, but there are a number of issues I would like to flesh out with the Minister. The authority will oversee, plan and develop a sports campus at Abbotstown. I remember Abbotstown being a leader in a field when the State veterinary laboratory was there many years ago. Many people from the farming community around the country would remember Abbotstown with great affection over the years.

As every other speaker in this debate has stated, sport contributes to the well-being of millions of people, be they participants or spectators, in its varying aspects. Sport has something for everybody. As every year goes, we in Ireland are getting more hungry for sport. This is whether we are involved with it or debating it, and even includes people who were never of the sporting kind. We have wall to wall analysis of matches, and it must drive the small minority of people who have no time for televised sports around the bend for so much sport to be on television. The reason for this is that an appetite rightly exists for the sport.

We will start at the beginning. Young people starting out have a myriad of subjects they must master in their formative years. These include a formal school education, with many young people doing their best coming up to their exams as we speak. The hard grind of formal education is very important. There is also the aspect of self development, which is so important to every human being. There are personal matters, such as accepting responsibility for their own actions, developing interpersonal relationships and socialising.

A large part of young people's training for life is the participation in sport, or being fit in one way or another. This does not have to be participation in a competitive sport. Many people find a niche in non-competitive sports, others like team sports and others prefer lonely individual sports such as marathon running. It relates to what people want to do.

With regard to the budget for sport, there is a good return for every euro spent on two areas of Irish life. These are the provision of good sports facilities for young people and youth work activities. Putting these together, for every euro spent on these as a nation and economy, we reap rich rewards in the end. There is no doubt that there is a direct correlation between the amount of money spent, the manner in which youth work programmes are organised and the way that sporting activities are organised and integrated.

[Mr. Connaughton.]

This is not just related to top class men and women in sports. The best way to combat crime is to provide huge resources in terms of money, manpower and the necessary professionalism. I do not represent a city constituency but towns like Ballinasloe, Tuam and Loughrea. I have always found that crime is lower in a community that is well organised and where there is a good spirit. This can be achieved by local sports facilities, whether GAA, soccer or rugby, and good recreational facilities where young people can congregate in a non-drinking environment. I will come to other aspects of a national and international nature but the underlying principle should be for every half parish in Ireland to get a slice of the cake. As the Minister knows, many people have asked whether Abbotstown is in danger of becoming, for whatever reason, the "favourite son". Will money be pumped into it at the expense of smaller towns? I hope the Government will get the balance right. What is proposed in Abbotstown is right for Ireland at this stage but I hope there will be value for money. Small local communities must also be looked after.

I have heard the Minister speak on a number of occasions in the House and at various openings around the country, to which he is entitled, as would any Minister. He should give himself a pat on the back for the investment the Government has made in sport. We now have the resources to do things we could not even dream of ten years ago. I hope if we are around in ten years' time the position will be the same so we must use the money wisely and get value for what we spend. Some of the projects we have initiated over the years have not come up trumps on that score.

This Bill will create the environment for a new type of professionalism. The Minister said in his introduction to the Bill that sports funding for 2006 would amount to €243 million. That is a great deal of money, but allowing for our increased resources in the form of the tax take it may not be any greater than five or ten years ago. I do not have the figures but they tend to grow accordingly.

The Irish Sports Council received €40.9 million. I saw the Irish Sports Council at the Committee of Public Accounts and am very impressed with what it does. Given what happened in Athens, however, and notwithstanding our athletes put up as good a show as they possibly could, we will have to do better at the next Olympic Games, and even more so at the 2012 games.

It is hugely important for the Irish Sports Council to have funds to allocate to athletes for training. We were not able to do that ten, 12 or 20 years ago because we did not have the money and had other priorities, whichever Government was in power. The countries which had resources at the time and decided sport should be a priority, have done very well as a result. That is why the USA and the UK, New Zealand and Australia

have done well. Even relatively poor countries like Russia did extraordinarily well and its achievements at the Olympic Games have been nothing short of astounding.

In that context a country gets what it pays for. We are a small country with a small pool of athletes but in the past ten or 12 years we have had some astonishing victories on the world stage, though they have not happened very often. It is significant that the achievements of Ronnie Delaney, whom I saw on television the other night, in winning the gold medal in the mile race, has not been emulated since 1956. We have gone close on a number of occasions and of course there was Sonia O'Sullivan, among others. Our cyclists were outstanding but sports people like that do not emerge very often. The Irish Sports Council must foster the talent, which undoubtedly exists, from a much earlier age so that more people rise to the surface at both national and international level. If the raw material exists, as I am led to believe it does, the Irish Sports Council can give €3,000 or €6,000 out of its €41 million to an athlete to give up everything to train, though that is not a huge contribution on the part of the State. We will have to make up our minds whether we want to reach the top. There will always be one or two exceptional athletes such as we have had over the years but we must aspire to having a crop of athletes reaching a high standard, if not gold medal standard.

I hope the national sports campus development authority being established by this Bill will help to identify raw talent. I hope that nothing is spared in terms of finance and manpower to nurture that talent to success for Ireland. There are many ways to sell Ireland and one is on a podium. When an athlete receives his or her gold medal every television station in the world will carry it and the tricolour will be raised. No matter who the viewers are they will always associate a country in those circumstances with excellence.

A number of Deputies mentioned that the success of London in being awarded the Olympic Games in 2012 will work wonders for us. If our facilities are good enough, which I
7 o'clock hope they will be by that time after six further years of investment in facilities, I envisage many national teams coming to Ireland, maybe a year before the games proper, to train. Many teams will use them immediately prior to the games, which will attract television coverage. It is the next best thing to Ireland having the Olympic Games. It is a huge job to run an Olympic Games and any big city that has done so has been put to the pin of its collar to make a success of it. I am sure the Minister's Department and the Olympic Council of Ireland are preparing for it already. Six years is a very short time in which to plan an Olympic Games.

Debate adjourned.

Private Members' Business.

Energy Resources: Motion.

Dr. Cowley: I move:

That Dáil Éireann, concerned that Ireland's natural wealth should fully benefit the citizens of this State, notes (in this State):

- that oil and gas (hydrocarbon) taxation is seriously flawed and outdated;
- that our hydrocarbon legislation covered by the Finance Act 1992 which allows for a 25% corporate tax is the lowest in the world;
- that no royalties or other production related levies are demanded, with 100% write-offs for the oil companies' activities that can effectively wipe out any tax take to the State;
- that we continue to issue frontier licences to the oil companies for not less than 15 years;
- that there is no onus on the oil companies to use an Irish service port for their operations or to use Irish jobs, goods or services;
- the subservient attitude of the Minister for Communications, Marine and Natural Resources and his Department-PAD (petroleum affairs division) to the multinational oil companies;
- the meaningless public consultation process (strategic environmental assessment) announced by the Department of Communications, Marine and Natural Resources under EU Directive 2001/42/ EC (11 April 2006) (SI 435 of 2004 and SI 436 of 2004) with rushed timescale (25 May 2006) required prior to the next allocation of licences for off-shore oil and gas exploration, and designed to exclude the public rather than include them;

and now calls for:

- recognition of the fundamental principle that oil and gas reserves within the control of the State belong to the Irish people and must be recovered and used in a way that benefits the great majority of the population rather than powerful corporate interests;
- the immediate scrapping of the "giveaway" 1992 legislation with the re-introduction of a realistic tax take, with royalties, and an automatic "stake" of 50% in any oil or gas discovery;

- the establishment of an independent oil and gas inspectorate to monitor closely all multinational oil company operations to ensure that this State fully benefits from all oil and gas exploration activities;
- a complete freeze on the issuing of any further exploration licences pending proper consultation with the Irish people (and until all relevant environmental data are gathered and assessed);
- proper and comprehensive assessments, including meaningful consultation with and representation of communities affected by oil and gas development;
- no more frontier licences to be issued — do it a better way;
- an independent official on behalf of the people of Ireland be installed on all multinational oil rigs to monitor oil and gas operations in Irish waters; and
- the establishment of a publicly owned gas and oil exploration and recovery agency to investigate the exploration and recovery of hydrocarbon resources without being dependent on multinational oil and gas conglomerates;

Nothing in this motion contradicts the reality of global warming and the finite nature of hydrocarbon resources making it imperative that the State invests massively in alternative sources of energy which do not damage the environment and are sustainable and available in Ireland.

I wish to share my time with Deputies Finian McGrath, Harkin, James Breen and Healy.

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

Dr. Cowley: I have long been upset about the scandalous giveaway of our natural resources. Article 10 of Bunreacht na hÉireann states:

All natural resources, including the air and all forms of potential energy, within the jurisdiction of the Parliament and Government established by this Constitution and all royalties and franchises within that jurisdiction belong to the State subject to all estates and interests therein for the time being lawfully vested in any person or body.

Article 6 of the Constitution states:

All powers of government, legislative, executive and judicial, derive, under God, from the people, whose right it is to designate the rulers of the State and, in final appeal, to decide all questions of national policy, according to the requirements of the common good.

[Dr. Cowley.]

How then is the common good being served by the ongoing and scandalous giveaway of our natural resources by our Government? Is it not time for the people to insist on the exploitation of our own resources for our own benefit because the common good requires it? Will it require a redesignation of the rulers of the State by the people for this to happen?

The State's right to an ownership stake in any oil or gas find has been abolished since 1987. There is also no longer any right to royalties, which were equal to between 8% and 16% of the value of any production, irrespective of the profitability of the development company, and a corporate tax level of 25%, the lowest in the world. This tax liability can be written off by the oil companies against their other activities so that they will pay little or no tax for the privilege of raping Mother Ireland for her natural resources.

It has been estimated that the Corrib gas field will be half exhausted in ten years' time before Shell will have to pay even one cent of tax. Oil prices, however, have increased dramatically in recent years. Since the Corrib gas field was declared commercial, its value has soared. Today a barrel of crude oil is worth a record price of \$74.78. We must contemplate the scenario where we will be obliged to pay the same price for our own Corrib gas as we pay for gas which comes from the interconnector, as well as face increased petrol and heating oil costs. Shell will make a killing by forcing us to buy back our own gas at the same price that we pay for imported gas. Given that the imported gas includes higher transport costs, Shell will actually be charging us more for our Corrib gas than a North Sea gas producer will get for its gas.

Is it any wonder the people of Mayo are up in arms about the shenanigans of Shell and its partners when all we are getting is grief and no gain for our county? Despite this the giveaway continues with the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, preparing to license a further area of potentially rich oil and gas prospects on the west coast on the same terms. The oil companies have been invited to cherry-pick from an area of approximately 18,000 sq. km., stretching from west of Clare to due north of the Foyle estuary. It is an area equivalent to about a quarter of the Irish land mass. The Government has been dragged kicking and screaming into consulting the people about this by the EU. It has, however, ensured it is a meaningless consultation process with only nine days' notice — a complete sham.

The full extent of the scandal was highlighted by Colm Rapple when he recently outlined the ExxonMobil saga. Exxon had Irish offshore interests in the 1970s and 1980s but it had not applied for licences in recent years. Had Exxon been interested it undoubtedly would have been granted the licence that was instead issued in November 2004 to Sir Tony O'Reilly's compan-

ies, Providence Resources and Sosina Exploration. The US oil giant would have got preference over Tony O'Reilly's company if it had applied at the time. However, because it did not, it is now paying a high price for coming in late. The fact that it is willing to pay that higher price confirms the ridiculousness of the Government's licensing policy.

Providence and Sosina were able to demand a continuing 20% stake in the licence, although ExxonMobil will be paying all exploration costs, estimated to be over €100 million. Had the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, not issued the licence 16 months ago, he could have demanded a 20% stake for the people in any of ExxonMobil's finds. Instead that 20% will go to Providence and Sosina. In the meantime it would be irresponsible for the Minister to issue any more offshore licences until the people are fully consulted about what is going on and agree what they wish to give the oil companies, if anything. That should be the people's prerogative.

A recent report makes clear the Government intends to maintain the present licensing and taxation terms despite the fact that most of the exploratory wells drilled in the Slyne-Erris-Donegal areas have encountered oil and gas. It also indicates a high level of optimism for the future. Under these terms, however, the licensed companies effectively own any gas or oil they find. There is no requirement to land any gas or oil in Ireland. There is nothing to stop an offshore developer from allowing oil to be shipped away in tankers to refineries abroad. So much for the extra security which could come from having crude oil or gas landed in the State.

Where is the logic in the failure to reconsider the offshore licensing terms in light of spiralling energy prices and the recent Forfás report on Ireland's oil dependency which highlights our vulnerability to a looming crisis in liquid energy supplies? Enough is enough. Too much has already been given away to powerful corporate interests. The giveaway 1992 legislation must be scrapped. A realistic tax take must be introduced with royalties and an automatic stake of 50% in any oil or gas discovery. It is time the people demanded what belongs to them.

Mr. F. McGrath: This is an important motion on our natural resources and highlights the urgent need for all our citizens to benefit from them in a fair and just manner. I commend the Independent Members on uniting in tabling this commonsense motion in the taxpayers' interests. We have agreed the fundamental principle that oil and gas reserves in the control of State must belong to the people.

Mr. J. Higgins: Hear, hear.

Mr. F. McGrath: They must be recovered and used in a way that benefits the majority of the

population rather than powerful corporate interests.

We need a Chavez approach, not a Ray Burke one. We need openness, accountability and a fair and sensitive approach to our natural resources. The conservative forces of the new right in society that want simply to hand over our oil and gas reserves to private speculators and their financial backers must be tackled head on. Our citizens need to know where their resources and taxes are going.

Access to information is fundamental to a healthy democracy. The Independent Members see their role as representing the taxpayer and the citizen. There is also a question of trust. I demand the establishment of an independent oil and gas inspectorate to monitor closely all multinational oil company operations to ensure the State benefits from all oil and gas exploration activities. Proper and comprehensive assessments, including meaningful consultation with and representation of communities affected by oil and gas exploration, must be introduced. This acknowledges the role of the Rossport five who I commend on their work on this issue.

The oil and gas giveaway must stop. There is growing evidence that Irish waters will yield more oil and gas finds. Despite this the Government is sticking to its policy of giving away the rights of these resources for a pittance without even requiring the finds are landed in the State. Some 33 wells will be drilled over the next six years and, of these, 15 have already identified oil and gas finds. Who will benefit from this exploration? The hydrocarbon legislation covered by the Finance Act 1992 which allows 25% corporate tax was further reduced in the 2002 budget to 12.5%. This is the lowest corporation tax in the world. Successive Governments and Ministers have a subservient attitude to multinational oil companies. The tipping of the cap, or rather the complete rolling over, to these companies is a disgrace and is not effective or strategic Government planning.

The bottom line is we will see little revenue and may not even enjoy extra security from having crude oil and gas landed in the State. There is a lack of joined-up thinking, leaving Ireland very vulnerable to the looming oil crisis. Many are fed up that the great oil and gas giveaway continues. It is up to all Members to wake up to its reality. This motion is not just about our oil and gas reserves but above all a commonsense approach to the development of our economy.

Ms Harkin: Although the Independent Members' motion is about our oil and natural gas resources, it is also about a particular mindset. The Government, which we entrust with managing our taxes and providing for our future, is on a permanent selling spree as seen with Eircom, State-owned buildings and, soon, Aer Lingus. Either that or it is on a give away of our natural resources of gas and oil, as our Minister prepares

to license further areas of the Atlantic on give away terms. I understand the oil companies must be offered a sweetener but the Minister is handing over the entire sugar bowl. The generous terms offered could perhaps be understood 20 years ago when there was no clear evidence of what lay under the Atlantic seabed. In recent years, however, we have found out the potential and there is no reasonable explanation for the continuation of such generous terms.

Looking at our counterparts in Norway and across the Irish Sea, we see a different picture. The Norwegian state has a substantial stake in Statoil and, coupled with a reasonable tax take, Government petroleum revenues will be approximately €40 billion in 2005 alone. To put this in context, when we launched the national development plan in 1999 for 2000-06, we were looking at expenditure of €40 billion over six years. We may or may not have the same reserves as Norway but we are not investing wisely or prudently like it did. We are not protecting the economic interests of this or future generations. We have a valuable natural resource that is running out worldwide and that increases in value every week but we still persist in giving it away.

The first line of the Government amendment states the development of Ireland's natural resources benefits the citizens of this State. This is patently untrue because of the extraordinarily generous terms offered to multinational oil companies. Equally, it is not true on a regional basis. Before the last election, two Ministers promised the delivery of gas to the west and north west, with Sligo and Letterkenny named. They used a Cabinet decision to that effect to garner votes in the election but since then the Government has continuously backtracked from that commitment.

In the final analysis, it does not matter where the gas is coming from, the pipeline must be built. The people of the west are being asked to take the risk with no guaranteed benefit in return.

Mr. J. Breen: For centuries this country has been blessed with a vast store of natural energy reserves. Unfortunately, little was done to preserve these national assets, as successive Governments failed to put in place long-term strategies that would have protected, preserved and maximised our resources. To compound matters, little has been done to maximise revenue collectable by the State from those who have exploited our energy reserves. The opposite has happened, with proper tax dividends that should be paid to the State reduced and no other levies being demanded of companies with worldwide budgets of billions of dollars. No operational structures to encourage those foreign multinationals to use Irish territory, ports, goods or labour markets were put in place.

Successive Administrations, however, have increased taxation on fuel for the ordinary consumer, resulting in the exorbitant prices we pay for domestic and motor fuels, with an occasional

[Mr. J. Breen.]

sop thrown to householders, as in the last budget where a slight reduction in duty on home heating oil was announced. If those foreign-based oil companies paid their fair share of tax, the already over-burdened taxpayer might think this Government was serious about an equitable tax system. They know, however, that is far from the truth.

While I accept the need to attract foreign investment, it should not be at the expense of ordinary citizens. We are merely the caretakers of the national assets of our country on behalf of the public. We should examine how to maintain investment while maximising the revenue entitlements of the State. It is time to abolish the ridiculous incentives which, however necessary they once may have been, now merely make us the industrial doormat of Europe. We are major international players so we should stand up and ensure proper safety standards are in place. We should stop selling ourselves short by the ludicrous granting of exploration licences which are then sat upon to prevent others from gaining such licences.

This Government has in the last year turned to every website and press briefing of those that understand the importance of fuel and energy markets and policies. It then cherry picks what it thinks sounds good and calls it its own. If this headless chicken Administration stood still for a moment and listened to the ordinary people affected every day by poor Government choices, we might have a fairer taxation system, more employment, a safer industrial environment and proper thinking on energy policy.

Ms C. Murphy: The opening sentence of the article *Life After the Oil Crash* reads: "Civilisation as we know it is coming to an end soon". This is not the wacky proclamation of a doomsday cult or conspiracy theory society, rather it is the scientific conclusion of the best paid and most widely respected geologists, physicists and investment bankers in the world. These are rational, professional, conservative individuals who are absolutely terrified by the phenomenon known as global peak oil.

Given that we are one of the most oil dependent countries in the world, we must ask what we are going to do. It seems obvious that the first thing to do is to stop giving our reserves away. The scarcer oil and gas become, the more economic it will be to harvest smaller finds. What are we doing, then, issuing frontier licences? Those pursuing such a policy are in total denial. This motion calls for an end to this practice. There is no argument that can justify it. We must end the give away of something the Irish people, not the Government, own.

We must replace oil and gas by giving serious consideration to renewable energy. While measures like the new household grant scheme are welcome, we must be more ambitious and we must simplify the process by which people can

avail of such schemes. Those trying to avail of these grants are running into red tape, with local authorities adopting different approaches to the need for planning permission for solar panels. It must be simple for people to be proactive. The Government must consider potential problems instead of expecting the public to work their way through the red tape. The Minister for the Environment, Heritage and Local Government must issue planning guidelines so we can maximise the take up.

Bringing gas onshore must be done with the cooperation of the public. They should not feel that their safety can be traded. Otherwise communities adjacent to finds will resist. What has happened in Rossport does not make people feel confident.

Energy will form an important part of the manifestos during the next general election. The public will want a plan of action to deal with the ongoing petrol and diesel increases. There are obvious concerns already. The predicted regular increases for charges for ESB and gas will require more than a pedestrian response that aims for 13% of electricity to be produced from renewable sources by 2010. The looming decision prior to the allocation of offshore licences for exploration for oil and gas is critically important. Bringing gas onshore at any price is not sustainable politically.

Mr. Healy: I support the motion by the Independent Deputies calling on the House and the Government to recognise the fundamental principle that oil and gas reserves within the control of the State belong to the Irish people and that these must be recovered and used in a way that benefits the majority of the people and not just powerful corporate interests, and calling for the immediate scrapping of the give away legislation and the introduction of a realistic tax take with royalties and an automatic stake of 50% in any oil or gas discovery.

The current taxation situation is seriously out of date and flawed. The hydrocarbon legislation, which goes back to the Finance Act 1992, allowed for 25% corporation tax, which was then reduced to 12.5%, the lowest in the world. That may have been understandable in the early 1990s but when we now know there are huge oil and gas reserves off the west coast, it is unbelievable that the Government would continue to allow this.

A total of 33 wells will be drilled in this area off the west coast in the next six years. Up to 15 of those will be development wells sunk into identified oil and gas finds. Between six and ten wells will be drilled in areas already licensed to oil companies. There are huge oil and gas reserves in that area. The current situation is an absolute giveaway. This motion calls for the benefits of those oil and gas resources to be made available to the majority of the people, not just the powerful corporate interests, and that they be brought ashore in Ireland and used for the benefit of the people.

Mr. Eamon Ryan: I commend my colleagues, the Independent Deputies in the Technical Group, for tabling this motion which my party is happy to support. The principal clause in the motion concerns what our Independent colleagues are seeking, namely, recognition of the fundamental principle that oil and gas reserves within the control of the State belong to the Irish people and must be recovered and used in a way that benefits the great majority of the population rather than powerful corporate interests. I agree with that and it is important that we debate it as a principle in looking for oil.

Recently I read an interesting book, *The Prize* by Daniel Yergin, on the history of oil in the past 150 odd years since it was first discovered and developed in Pennsylvania and Pittsburg and obviously in Baccou in the Middle East and beyond the North Sea. That was an interesting read on the evolution that occurred during that time. This new resource that was discovered, this remarkable energy dense, transportable liquid, which transformed civilisation was initially there for all to grab. It was a Klondike situation where people kept whatever they could get. As the history of oil evolved one trend was clear, that the governments and the people who owned that land where the oil or gas was found gradually recognised it as their natural resource rather than the corporation that happened to strike a well and find it.

During the 20th century the ownership of that resource was increasingly recognised as belonging to the people by gradual stakes, 20% initially, then 50% which was a landmark decision until one reached the examples in Norway and elsewhere where it was fully under the ownership of the people. It is remarkable and sad that in that history of a greater evolving recognition, even by the oil and gas companies, of a share of that resource going to the local population, our history in oil and gas exploration has gone in the other direction. It has been well documented and outlined by others as to how a former Minister, Mr. Ray Burke, and the Taoiseach were active in allowing and engineering for that reversal of what has been the international trend. That position should be reversed again.

The Minister will say that our prospecting in terms of oil and gas discoveries have been poor and that is the reason for the giveaway that has been allowed. The circumstances are changing, as Deputy Catherine Murphy has outlined. We are in a different exploration world from the one that existed five years ago in terms of the need and urgency for companies to explore. I turned to advice in this area from Colin Campbell, a former geologist, who worked for many years in the Porcupine Basin and the other seas off the west coast looking for oil and gas and who takes a neutral independent position since he is retired. It is unfortunate, having listened to his view, that we do not have extensive resources and that we are geologically unlucky. We may find other pockets

of oil or gas — hopefully he will be proved wrong — for the economic health of the country, but while there are possible reserves out there, there are not huge fields yet to be discovered.

I contend that what is out there should be developed in a manner that benefits the Irish people foremost and not the interests of an offshore exploration company. If we reassert that right to ownership and to a percentage share from such resources it will not dissuade companies in the current climate, where there is such urgency for them, to replace the dwindling resources they have. The current rate is, in effect, a giveaway. I do not believe that a fair share for the Irish people, in the current climate, would be inappropriate or would dissuade companies from exploring for the limited resources that exist.

It was interesting to hear Deputy Catherine Murphy speak about the concept of peak oil, an issue that is close to my party's heart, and draw attention to this issue in terms of energy resources and how we need to change every decision in Government on the basis that we are facing a geological reality of dwindling availability of such resources within my lifetime. The central message of the Forfás report, published two weeks ago, while it contained certain analyses on the exposure of this country, was lost in the separate media argument about whether we should go nuclear, and it did not address the fundamental issue. The fundamental issue for us is that we have to change every aspect of Government policy in recognising that gas and oil will be increasingly less available and that we are remarkably exposed.

On that basis we would welcome the development of the Corrib gas field. I am surprised there has not been more discussion on that issue this evening given that it is a topical issue on the day the Minister has, at last, published the Advantica report. It is the major gas resource that we have to bring ashore. It is topical that report is available today and I have a chance to comment on it. I have been frantic trying to read through the 170 odd pages to form an assessment of it. The consistent message from every page is that the local people were right. The issues of concern they mentioned, that this was a unique high-pressured pipeline and, therefore, should be treated with absolute care as opposed to the way it was treated by the Government, is borne out by this report of independent experts. Their concerns about the umbilical pipe going so close to the existing pipe are borne out in the report which describes as highly unusual the lack of information, lack of monitoring and lack of management by the Government.

It is clear from this report that the local residents were correct. What are the consequences of that? The main point which came through to me in this whole sorry saga of the development of the Corrib gas field is that the Government, being so closely wedded to the corporate short-term interests of a company in whose interests it is to

[Mr. Eamon Ryan.]

bring gas ashore as quickly and as easily as possible, missed the bigger picture. It did not act as the arbiter and the representative of the interests of the people. The failure of the Government to monitor and set proper standards for the oil and gas companies has brought us to this difficult local position. It is that same attitude of the Government that it has to do whatever the corporate world says it should do that is outlined again in the Minister's amendment.

Our responsibility, first and foremost, is to the long-term interest of and benefit to the Irish people. I do not believe the licensing arrangements and the management of the gas and other oil projects on hand do not fulfil that simple criteria set out in the motion.

I commend my Independent colleagues for tabling the motion. The Advantica report is worthy of a debate given what it states about the Corrib gas pipeline. It is only by proper open discussion, which the Government failed to allow, that we can lead to a proper resolution of the whole issue. I welcome the opportunity to say a few words on the report and commend the motion to the House.

Mr. Ferris: Sinn Féin supports the motion and its intent. While most people are aware of the concerns of the Rosspoint community in regard to the health and safety aspects of the Corrib project, few are aware of the wider issues surrounding mineral exploration. This motion addresses those issues and suggests solutions. They are broadly the same as those proposed by my party in the past and remain the core of our policy on this country's natural mineral resources. The main issue for the people of Rosspoint is the safety of the pipeline, but those involved in the campaign have also voiced their views on how the Corrib field might be developed to the benefit of both the local community and the Irish people as a whole, rather than in the interests of the companies that currently hold the licences.

It was interesting that while the men were held in prison last summer, not only were people angry over the reasons they were being held, but they were genuinely astounded by the terms and conditions governing the exploitation of our oil and gas reserves. They could not believe that the State offers the lowest tax rate on oil and gas profits in the world or that the tax can be written off. Nor could they believe that the State does not take royalties. The frontier licence scheme effectively hands over control to whatever company is issued with the licence for a particular exploration block.

When people were told this they were understandably annoyed. When they were further informed of whom some of the key characters involved in framing the terms were, they were even more upset. That is the reason I have on several occasions called for a full investigation of the issuing of licences and changes made to tax

and royalties regulations for the benefit of the exploration companies. One of the ways this might have been done was to expand the remit of the Flood tribunal to examine the role of the discredited former energy Minister, Ray Burke, in this sorry affair.

Whenever I or others have raised the terms and conditions that govern the exploration sector, we have been told that the giveaway terms are necessary to entice the multinationals to drill oil wells to take control of the "potential" vast reserves that lie off our coast. I use the word "potential" because the truth is that no-one, except, perhaps the companies that have conducted exploratory drills, knows what is out there. I can speak from personal experience as I worked on oil rigs for a while and know of the secrecy surrounding tests where a find or traces of a find are made.

It is of vital importance that there is a State body to oversee the sector and to ensure that we are not completely dependent on the multinationals. It is not the case that as a result of the State taking a proactive role or of increasing the tax take and imposing royalties none of the exploration companies would be interested in becoming involved. It is clear from the experience of other countries that increasing the role of the state does not have a detrimental effect.

Norway is a good example of a state that has followed a very different route to that of this state. So successful has Norway's approach been that it has enabled that country to enjoy an unprecedented period of economic growth and prosperity, one that has funded substantial social spending. It has also enabled Norway to resist the temptation to join the EU. Thus, it has managed to retain considerable national sovereignty over its economy, not least its natural resources. The experience of the Norwegian fisheries in contrast to the decimation of the Irish sector under the Common Fisheries Policy is another case in point. We are all acutely aware of the detrimental effect of that policy on our coastal communities.

A few facts will illustrate the potential benefits of implementing proper public supervision of the exploration sector. Since the discovery of the first oil find at Ekofisk in 1969, the industry has brought hundreds of billions of euro into the Norwegian economy. Currently, the industry brings in approximately €30 billion per year, and in 2004 accounted for 21% of GDP.

Due to the role of the state, through the state company Statoil, and through direct and indirect taxes a high proportion of the value created from the sector goes into the public purse. In 2004, the state's net cash flow from the petroleum sector amounted to 28% of its total revenue. Since 1969, net revenues to the state have amounted to approximately €700 billion in current terms.

When we consider that the Corrib field has been estimated to be worth up to €21 billion, we can see the potential benefits if a similar regime was applied in this State. We would be talking of more than €10 billion from Corrib alone, not to

mention the Kinsale field or the possibility that oil and gas will also be brought ashore at other locations. Imagine how far that would go in solving some of the problems this Government claims it does not have the money to solve. If we utilised properly the resources we have available through exploration and developed a proper tax and royalty system, many of the social problems of the State could be alleviated by the moneys generated.

It is also significant that it was a Norwegian company Hydro that made the first oil find at Ekofisk in 1969. Although there are non-Norwegian companies involved no Norwegian Government of any political colour has ever believed that such an important natural and national resource ought to be handed over in the shameful manner that has been done here. Nor have there been any serious ideological objections to the central role of Statoil nor any campaigns by other than the lunatic right wing fringe — the Nordic equivalent of the Progressive Democrats one might say — to sell off this valuable asset to friends as, no doubt, the Progressive Democrats would do. At least in Norway, the friends in question would probably be Norwegians rather than from Texas or Royal Dutch Shell.

I will briefly refer to the reports released this afternoon by the Minister on the safety aspects of the Corrib pipeline. As Dr. Mark Garavan has already stated, the reports do not address the central concerns of those who object to the pipeline and who demand that the process takes place off shore. No doubt the Shell consortium will attempt to use the reports to justify recommending work on the pipeline. As long as this does not have the support of the people of north Mayo whose concerns have not yet been addressed, this will be a grave error on its part.

The people of north Mayo are not satisfied that their safety concerns have been met. They will resist any attempt to impose on them a pipeline that puts their lives and those of future generations in jeopardy. I commend them on the courage they have shown and the role they have taken in standing up to multinationals. They are ordinary people from rural Ireland who were shamefully abandoned by the system and the State. They had to go to prison to show the country and the world that they would not be walked over by Shell oil or anybody else. I commend them for that. I have no doubt they will continue to stand up against any impositions on them as a result of this report.

I urge the Minister to take into consideration what I have said, particularly with regard to our natural resources and their shameful sell-off to multinationals by a person in Government of very questionable character. That person should be investigated as to why he allowed our natural resources to be sold off — given away for nothing — without benefit to the people.

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I move amendment No. 1:

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

“— recognises:

- that the development of Ireland’s natural resources benefits the citizen of the State;
- that the present fiscal terms for petroleum are based on the present perception of prospectivity in offshore Ireland and recognise that we compete with other jurisdictions for exploration investment;
- that the State is in receipt of royalties in relation to its major production facility at Kinsale;
- that the completion of a comprehensive (and expensive) work programme is a requirement of frontier licences and failure to complete such a programme will result in either relinquishment or revocation of the licence;
- that in practice Irish ports are widely used by petroleum companies but an obligation for the compulsory use of Irish ports would be anti-competitive and contrary to EU law;
- the need for the State, as part of its energy policy, to increase the share of petroleum to be provided from indigenous resources in offshore Ireland; and
- the implementation by the State of its requirements under the strategic environmental assessment directive (2001/42/EC);

notes:

- that work is already under way by the Minister for Communications, Marine and Natural Resources on a review of the State’s present fiscal terms to ensure that the State receives its appropriate share;
- that the Department of Communications, Marine and Natural Resources is engaged in the monitoring of petroleum exploration and production operations to ensure that the State is fully informed and fully benefits from these activities;
- that proper and comprehensive consultation is carried out in relation to petroleum activities; and
- the continuing enhancement of policy in relation to renewable and alternative energy;

[Mr. N. Dempsey.]

rejects:

- a freeze on the issue of any further exploration licences including frontier exploration licences which would not be in the national interest;
- the need for the establishment of any new agency or inspectorate in light of the structures currently in place and being put in place; and
- the need for any change in existing Government policy in relation to petroleum activities other than the review of fiscal terms currently under way and any changes which might be necessary following the publication of the *Advantica* and other reports.”

With regard to Deputy Ferris’s final comment on people’s character, the phrases “people in glass houses” and “throwing stones” come to mind.

The Government has one aim in managing Ireland’s oil and gas resources, namely, to benefit our citizens. If we do not harness these resources, the State makes nothing out of them and the citizen does not benefit at all. Despite the fairytale world in which most of the Deputies who have spoken live, oil and gas are notoriously difficult to find—

Mr. F. McGrath: We live in the real world.

Mr. N. Dempsey: —in the real world. It is especially difficult to find and exploit in the waters off the west coast of Ireland. Historically, exploration companies come here with a 20-1 chance of even finding oil or gas, and that is at a huge cost. Even to drill one exploration well can cost in excess of €20 million.

(Interruptions).

An Ceann Comhairle: At least eight speakers spoke from the Technical Group, all without interruption. The Minister is entitled to the same courtesy as was afforded the members of the Technical Group, and the Chair will insist that he gets it. The Minister to continue without interruption.

Mr. N. Dempsey: Thank you, a Cheann Comhairle. Even to drill one exploration well can cost in excess of €20 million in the area we are talking about. What the Deputies are proposing is that the Irish taxpayer foots this bill on a 20-1 chance.

My anxiety increases when we examine other aspects of what the Deputies are saying in the motion. They appear to be unable to grasp the timing in this issue. Oil prices are high. That makes it more worthwhile, as some Deputies said, to explore in areas like Ireland’s waters that were previously out of bounds due to cost. I accept that many oil and gas companies are beginning to look at Ireland again. It is inevitable that technological

changes in hydrocarbon production and use are driven on by periods of relatively high oil prices such as the one we are experiencing now. Those advances make profitable exploration more likely in areas such as those we are talking about off the west coast of Ireland. It is at times like these that we must use our available policies to best effect to take advantage of the interest in discovering the resources we have at our disposal. One day, no doubt, the world will have moved beyond using hydrocarbons. At that point the resources will be of no use to us, or anybody else for that matter.

That the Deputies opposite appear to be unaware of these realities is of concern. They would prefer that we would spend these vital years, when oil prices are as they are currently, creating a monster of a State oil exploration agency. I do not know if they have any idea of the length of time it would take for such an agency to be able to fulfil even the most basic of the technical functions it would need for oil and gas exploration in our waters. That is a good example of the woolly thinking and wrong-headedness in this motion.

I am nearly 20 years a Member of this House and I have never seen a Private Members’ motion that was so badly prepared, badly researched and based on such misconceptions.

Dr. Cowley: The Minister’s performance is abysmal.

Mr. N. Dempsey: I am prepared to accept that the Deputies opposite were caught on the hop with the bank holiday weekend. How else could one explain that in the initial draft of the motion—

Dr. Cowley: Attack is the best method of defence.

An Ceann Comhairle: Allow the Minister continue without interruption.

Mr. N. Dempsey: —the proposers did not know that the corporation tax on exploration was 25%, not 12.5% as they originally put in their motion? How else can we explain the fact that they do not know royalties are still being paid for the Kinsale gas field or the statement in their motion that we “allow oil companies to sit for up to 20 years on exploration and still do no exploration”? That statement is untrue and they had to amend it. Is that ignorance or wilful ignorance? I am prepared to be charitable and say that is what happens when a group of Deputies from many different ideological backgrounds or none come together.

Mr. Healy: The Minister is defending the indefensible.

Mr. N. Dempsey: Based on that level of ignorance the motion asks us, at a time of growing con-

cern over the availability and price of hydrocarbons, to freeze the issuing of any further exploration licences and the establishment of procedures and bodies that would ensure no indigenous supplies of gas or oil would come to this country virtually *ad infinitum*. This group of intrepid parliamentarians appear to believe we should leave ourselves at the mercy of the volatile market situation we face currently and refuse to exploit our own natural resources for the benefit of this country.

Mr. Healy: For the benefit of corporate interests.

Mr. N. Dempsey: This State has a relatively clear set of choices when it comes to the exploitation of oil and gas resources. The Deputy should bring himself up to date and get his facts right. What he said tonight was wrong.

Mr. Healy: We are not wrong.

An Ceann Comhairle: Deputy Healy, allow the Minister to speak without interruption.

Mr. N. Dempsey: The first option we have is to do nothing and leave the resources where they are because to touch them means there would be some impact on the environment or whatever. Some people, admittedly a small minority — I am not sure if there are any on the opposite side of the House — advocate that course of action. Given that it is clear that the commercial production of oil and gas can make a major contribution to Ireland's economic development, that is not a sensible or logical course of action and it is not one the Government would pursue. The positive contribution made by natural gas from the Kinsale Head and Ballycotton fields alone demonstrates that.

To refer to a point I made earlier, in an era of substantial energy price volatility and in the face of pressing security of supply concerns, access to our own resources is now more critical than ever.

Mr. F. McGrath: We do not control them. The Minister is giving them away.

Mr. N. Dempsey: On that basis, the Government is fully committed to realising the full potential of oil and gas resources in offshore Ireland.

Dr. Cowley: The Minister is giving them away.

Mr. N. Dempsey: Deputy Cowley crying about the fact that the Corrib developers will get more money because this project has been delayed is a bit rich when one considers the role he played in it over the past two or three years.

Dr. Cowley: At least I stand up for my constituents.

Mr. N. Dempsey: The second choice that faces us is to prospect for, extract and process these resources ourselves, as advocated in the motion and as some people on the Opposition benches would have us do. That would be a huge, costly and very risky exercise. The risks for the State, financial and otherwise, of such a course of action would be immense.

Dr. Cowley: The Minister should think of the return.

Mr. N. Dempsey: We have seen that Ireland has proven in the past to be a very difficult territory in which to prospect successfully. That is because of geology and geography, with less than one in 20 exploratory wells resulting in commercial finds. It must be remembered that these highly expensive wells are only drilled after extensive and expensive geotechnical surveys.

Even if such a State company were to be successful in locating commercially viable wells where so many international companies have been singularly unsuccessful, the company would then have to make massive investments in machinery, equipment, recruitment and training to put itself in a position to exploit this putative resource before any of that resource could be extracted. All that time, our energy dependence on other countries would be growing. The costs of doing this *ab initio*, particularly in maritime environments as harsh as those found off the Irish coast, would be astronomical. We would end up paying the very firms the framers of this motion resent millions of euro in consultancy fees as the State agency tried to set up and upskill.

If we had such a company, one can imagine the reaction I would get from the very Deputies who tabled this motion if I had to go to the Minister for Finance every year looking for €100 million or €150 million to drill exploration wells off the west coast of Ireland, rolling the dice with less than a one in 20 chance of success.

Dr. Cowley: The Minister is losing millions.

Mr. N. Dempsey: I can think of many more productive uses for public money than speculating in this way. It is for this reason that option two is not an option as far as I or the Government is concerned. The third option I mentioned has been the foundation of Government policy in this State for decades and has been supported and embraced by all Governments for many years. We have encouraged competent private sector companies to invest in the search for and production of oil and gas in Irish waters and have benefited financially from that. We spread the risk across these agencies and as a result, derive some benefit from our natural resources. The Opposition, which framed this motion, would have the taxpayer take all the risk.

Dr. Cowley: The Minister should visit Norway and examine the situation there.

Mr. N. Dempsey: In the scenario favoured by the Opposition, a find in one field would be negated by 19 inevitable failures.

Dr. Cowley: Have the Norwegians got it wrong?

An Ceann Comhairle: The Minister, without interruption.

Mr. N. Dempsey: The Opposition would have us start from square one, with no experience, no equipment and no structures in place in one of the most challenging marine environments on the planet.

Dr. Cowley: The Minister should look at Norway.

Mr. N. Dempsey: I have a piece of advice to the Deputies opposite — stay out of the casinos and away from the ponies. I do not think they would make too much money on them.

The private sector is recognised as having the resources, expertise and practical experience essential for such a task. These companies have decades of experience of this type of hazardous and financially risky operation, while this State does not. It is not a difficult choice to make. Some of my Opposition colleagues have a habit of stressing the need for greater self sufficiency and yet, for some strange reason, they think that stopping all prospecting in Irish waters is going to help.

Ireland imports approximately 85% of its gas requirements, which is in stark contrast to the position ten years ago when approximately 95% of our gas requirement came from indigenous supplies through the Kinsale field. We need an indigenous gas supply for the very obvious reason that, in the future, Ireland will be at the very end of a very long supply chain bringing gas from Russia to Europe. As a direct consequence of this, we will be vulnerable. We have witnessed some of the effects of this recently.

Even the EU is becoming increasingly reliant on imported oil and gas, much of which is sourced from geopolitically volatile regions. In addition, increased demand has highlighted deficiencies and bottlenecks in transportation networks, further contributing to price instability. Increasing energy costs are already having an effect on our economy. They are a central factor in driving inflation, which in turn has an adverse effect on our competitiveness and our ability to create jobs.

As Deputy Catherine Murphy noted, we can offset some of the effects of our reliance on imported energy by turning to renewable and sustainable sources. We have doubled our renewable generating capacity over the past two years and now have 846 MW of capacity in renewable

energy. In the same vein, I recently announced measures to double the amount of renewable electricity on the grid by 2010 through the renewable energy feed in tariff system, or REFIT, a programme which will cost €119 million over the next 15 years.

New measures to grant aid domestic renewable heating — the greener homes grant programme — have also recently been launched by my Department. Following the 2005 pilot mineral oil tax relief scheme for biofuels, which will see the introduction of 16 million litres of biofuels placed on the market, a further package of €205 million has been agreed for the period until 2010, which will enable us to reach the target of 2% market penetration by biofuels in 2008 — 163 million litres of biofuel.

Despite this, we will be reliant on fossil fuels in several important sectors of our economy for the foreseeable future. Therefore, we must do everything in our power to reduce our dependency on imports of these fossil fuels. In that context, the Corrib project must be seen as strategically important for our long-term security of supply. Existing gas resources, including that of Corrib, are only capable of making a substantial contribution to Ireland's requirements for a number of years. Given current demand, these will quickly decline and must be met from elsewhere. The proposal to freeze future licensing rounds, thus removing the possibility of discovering further resources, is both mad and bad for this country and its people. If, as some Deputies claim, they are interested in making Ireland more self-sufficient, why are they trying to insist that we remain dependent on imported energy and remove the possibility of discovering our own supplies of oil and gas? Future licensing is an imperative if Ireland is to deal with security of supply, an issue that is becoming more acute by the month.

There has been much uninformed comment and insinuation about the fiscal terms under which exploration companies operate in this country, much of which is patent nonsense which fails to recognise any of the realities we have discussed today. I politely ask the Opposition at least to carry out some research in this area. The current licensing terms are merely a reflection of the relative difficulties experienced by those prospecting for hydrocarbons in Irish waters in the past. In other words, they are set to attract the only companies in the world capable of finding and drilling our natural resources and thus benefiting the Irish consumer.

Dr. Cowley: The Minister is giving these resources away and getting nothing for them. It makes no sense.

Mr. N. Dempsey: This fact has been accepted by every Government that has taken power since 1992. The situation facing those prospecting for oil and gas off the Irish coast bears repetition.

Out of a total of 121 exploration wells drilled in Irish waters since the 1960s, there have been only four commercial finds.

Dr. Cowley: That the Minister is aware of.

Mr. N. Dempsey: Up to 1987, when the present terms were introduced, Ireland had made one commercial find. Over the same period, Norway had made 60 commercial finds and, on average, each was significantly larger than Kinsale. A comparison of success rates for exploration drilling carried out for my Department in 2003 showed that the UK and Norway had 1 in 8 and 1 in 10 success rates respectively between 1982 and 2001. In the same period, Ireland had a 1 in 20 success rate.

This lack of success has been reflected in past difficulties in sustaining exploration effort. For example, in January 1999, there were a total of 25 offshore exploration licences, including 19 frontier. Today, there are 13 offshore exploration licences, including 11 frontier. The conclusion is that the industry does not regard attractive terms as compensating for the lack of prospectivity. This conclusion is supported by the facts that all the eight frontier licences which were issued in the 1995 Porcupine round are now relinquished. All but one of the 11 licences issued in the 1997 Rockall round are now relinquished.

In addition, the cost of drilling exploratory wells in Irish waters is high because environmental factors require the use of deep water drilling rigs, which are much more expensive to operate than shallow water rigs. In the North Sea, the average water depth is less than 200 metres and an exploration well costs approximately €8 million. The last two exploration wells drilled offshore Ireland were in 1,500 metres of water and cost in the region of €20 million each.

The relative lack of existing infrastructure for handling these resources means the cost of exploiting the fields, should finds be made, is much higher. The rationale behind the current terms is to encourage exploration in the Irish offshore. Despite the fact some people view them as excessively generous, there have been very low levels of exploration in the past 30 years and much of our offshore remains underexplored. Some Deputies seem to have a whole range of information that not even the oil companies had. The Department would welcome the opportunity to get the information, seismic data and so on that Deputy Cowley has, but that—

Dr. Cowley: Dead ducks had this information.

Mr. N. Dempsey: —no one in the Department or oil companies seems to have.

If we were as generous as the ideologues and Deputies claim, we would have a greater response and more interest, that is, unless one believes in the conspiracy circulated by Sinn Féin. It believes

that there are considerable quantities of oil and gas off our shores, the Government and companies know about them and we are intent on giving these supposedly large reserves to multinationals for nothing. However, the reality is that it is still difficult to sustain interest in prospecting in Irish waters. Of the 26 frontier exploration licences awarded between 1994 and 1999, each to run for at least 15 or 16 years, 21 have been relinquished. If we were sitting on these large reserves, would people be handing back their licences?

There are indications that current prospects may prove to be more successful. One can only assume that commercial finds would increase the attractiveness of Ireland to those looking to prospect. On that basis, the licensing terms are and always have been open to review. If a reform of the Irish fiscal system to redress the balance or obtain a greater share of petroleum rent for the State is necessary at some point in the future, it will be done. If it is possible to extract a royalty payment without killing off interest in exploring Irish waters, it will be done. However, before we get to that point, we must have a viable sector to tax. I remind Deputies that 40% or 50% of nothing is nothing.

Dr. Cowley: We are getting nothing at present.

Mr. N. Dempsey: The fiscal regime in place must be sufficiently progressive to accommodate future variations in oil and gas prices and the high cost of deep water field development. In this context, I have recently put a review of the current scheme in motion and my Department will shortly seek tenders to have an expert review of proposed changes to the Irish exploration and production fiscal regime.

Dr. Cowley: The Minister has seen the light.

Mr. N. Dempsey: However, these licensing terms were not always the same. Until 1987, the terms did not exempt gas and oil developments from royalty payments. The Kinsale gas field paid, and still pays, royalties. While that field is now in its depletion stage, royalty payments received to date amount to approximately €150 million.

Dr. Cowley: That amounts to nothing.

Mr. N. Dempsey: However, by 1987, prospecting had almost completely dried up in Irish waters because the terms were regarded as unfavourable compared to those in operation in other jurisdictions. The decision was taken to change them. The changes tracked changes made in other north-western European countries. Royalty payment schemes ceased to apply in the United Kingdom, Norway, the Netherlands and Denmark, the major oil and gas producers in north-western Europe. When these countries, each a much more inviting prospect for oil com-

[Mr. N. Dempsey.]

panies, changed their tax systems, Ireland had no choice but to do likewise.

I will briefly explain to whoever drafted this motion exactly what the situation is in respect of frontier licences.

Mr. Browne: Hear, hear.

Dr. Cowley: There is nothing wrong with the motion. What is wrong with it? The Minister is picking hairs.

Mr. N. Dempsey: In particular, Deputy Healy did not seem to know the position.

Dr. Cowley: The Minister is trying to find fault with the motion because he cannot answer the argument.

Mr. N. Dempsey: There seems to be some confusion about what is involved when an operator obtains a frontier licence. It is impossible for an oil company to hold a licence without undertaking any exploration. The licences are premised on the completion of an ongoing work programme, which must be agreed by my Department in advance. The Department monitors the progress of the licences and insists on regular reporting.

Exploration licences are not issued without work programmes. In most cases, the programmes include an obligation to drill an exploration well. Under the current licensing terms for offshore oil and gas exploration and development devised in 1992, it is impossible for a company to hold on to an exploration licence for its full term without drilling at least one well. In the case of frontier exploration licences under the 1992 terms, the drilling of two wells would be required to enable the licences to last full term. All but five of the 26 frontier licences granted between 1994 and 1999 have been relinquished. Why would the oil companies surrender these licences if they had no requirements to undertake exploration work?

Deputies also came up with the bright idea of forcing companies to use certain Irish ports. As these Deputies should be aware, the government of any EU member state may not demand the use of certain ports by petroleum companies or anyone else. I do not know how the Deputies came up with this idea. EU Directive 94/22/EC of 30 May 1994 addresses anti-competitive measures by national governments in the prospecting, exploration and production of hydrocarbons. It is simply not an option for the State to demand that companies operating in Irish waters base in one port or the other. For reasons of practicality, a number of Irish ports have been used in recent years by exploration companies and this is likely to continue. For example, Killybegs has been a major beneficiary, as have Cork and Foynes.

Cork harbour has been used to service the Kinsale gas field since the field began construction.

I would like to address some of the nonsense being propagated about the public consultation process for the next allocation of licences. It is alleged and repeated in this motion that we did not meet our obligations under the strategic environmental assessment directive, but that is plainly untrue.

Dr. Cowley: That was a total sham.

Mr. N. Dempsey: My Department advertised the process in the *Irish Independent* on 11 April and local papers in counties Donegal, Sligo, Mayo and Galway later that week.

Dr. Cowley: There were only nine days notice and no meetings.

Mr. N. Dempsey: It held regional consultative meetings in Sligo on 20 April and Galway on 21 April. Three meetings were held in Dublin on 18 and 19 April for the industry sector, non-governmental organisations and the State to present the draft report to explain its methodology and conclusions and to hear concerns.

Dr. Cowley: There were no meetings in County Mayo. The people were not asked to make submissions. That is hardly a consultation process.

Mr. N. Dempsey: The report was made available on the Internet and in county libraries and a four-week period for the receipt of responses to the report was allowed.

Dr. Cowley: It was a complete non-process.

Mr. N. Dempsey: I take this opportunity to emphasise to the House that our regime for the governance of oil and gas exploration and production is the best fit for our particular circumstances.

Dr. Cowley: It is a total giveaway.

Mr. N. Dempsey: Current high energy prices present us with a series of challenges and opportunities. The challenges are obvious but the opportunities may be less so. We have an opportunity to foster a new environment for oil and gas exploration in our waters. Through careful use of the policy instruments available to us, we can take advantage of increased interest in areas such as Ireland because of high prices and new technologies in deep sea exploration and, with a little luck, dramatically reduce our dependence on imported hydrocarbons. However, this can only be achieved if we continue to strike the best balance between royalties for the State and the possibility of greater energy independence. Equally, the State must retain the confidence of its people in its competence to deal with any

international company that operates in this jurisdiction.

As I have explained in this House a number of times, there is a complex and comprehensive range of regulatory and legal instruments in place that must be fully complied with by any company if it is to operate in our waters. It is clear that there is a comprehensive and thorough regime in place for the management of any projects that come our way. As Deputies are aware, developments are in train in respect of the Corrib project that will further strengthen this area. However, because of the concerns expressed by local residents and the fact that this was the first use of that type of pipeline in the country, and notwithstanding the list of consents it needed to go through, I ordered a safety review of the onshore pipeline in August last year.

Advantica, which is a world leader in the field of pipeline safety, was appointed to carry out this work.

It conducted an exhaustive and highly professional review of the project as a whole—

Dr. Cowley: There are causes which the Minister has denied.

Mr. N. Dempsey: —looking at all aspects of the design and manufacturing procedure. In addition, with the aid of my Department's technical advisory group, it conducted two separate phases of public consultation with the community in the area. The first was to elicit general queries on the subject and the second was to present a draft report and to hear responses.

As Deputies are aware, I received its report today. I have published the Advantica report, as well as two technical advisory group reports. Advantica found that proper consideration was given to the route and design of the project and if the conditions outlined are met, that the project "should be accepted as meeting or exceeding international standards". It also set out a series of recommendations which I accept. A central recommendation is that setting a pressure limit of 144 bar on the pipeline would, in combination with the extremely thick wall of the pipeline, dramatically reduce the risk to those living in the line's vicinity.

The technical advisory group report accepted all the Advantica recommendations and, in addition, made some recommendations in its own right. In particular, it made a recommendation in respect of the redesign of the landfall isolation valve to incorporate a further stage of pressure limitation over and above Shell's current design proposals. The effect will be to demonstrably guarantee that Advantica's recommendation on limiting the pressure will be achieved in practice.

Moreover, on the recommendation of both the Advantica and technical advisory group reports—

An Leas-Cheann Comhairle: The Minister should conclude.

Mr. N. Dempsey: The reports have been published and are publicly available. They have been delivered in County Mayo and it remains for those involved in the mediation process to work together to resolve any further difficulties they might have. It is crucial that this project succeeds and that all sides engage constructively in the mediation process.

Dr. Cowley: The Minister scuppered the mediation process today.

Mr. Durkan: This motion is timely in that it provides Members with the opportunity to reflect on an issue which currently engages public and private minds, both nationally and internationally. This is beneficial and should be done. The motion provides Members with time to reflect on the available options, our experiences to date and on alternatives for the future.

I am somewhat disappointed that the motion does not dwell sufficiently on the development of alternatives, which must be done. It is Fine Gael policy to ensure that we develop our natural resources to the best of our ability and for the benefit of the State and its people, in all possible ways. The faster and more effective we are in respect of the exploration process, the more beneficial it will be to our economy. This debate takes place at a time when Members are informed that there are no unlimited resources available. Hence, it is important to proceed in such a fashion.

Members should consider our experiences to date. It is interesting that the Advantica report has been published when this motion is before the House. Simultaneously, international oil reserves are in question due to political instability and oil prices are escalating on a daily basis, which is of enormous benefit to oil companies. Each time some well-meaning and concerned expert makes a pronouncement regarding the lack of security of future fuel supplies, I am uncertain that the oil companies do not rub their hands in glee and go to the bank immediately on that basis.

I refer to the Corrib gas field and our experiences in that regard. I fully accept and am fully conversant with the concerns expressed by the independent group. Whatever happened and whatever procedures were followed, not everything was done in a desirable manner. It would have been beneficial for the Minister to have acknowledged that point tonight and I hope he will do so before the debate ends.

Dr. Cowley: He will not. He will simply shoot the messenger. That is what he does.

Mr. Durkan: Even in the best run societies, mistakes can be and have been made. It was

[Mr. Durkan.]

unfortunate that insufficient cognisance was taken of the needs of local people and the community dividend during the initial stages of the development of oil and gas exploration for resources which are as yet unknown. This was a simple matter which should have been taken on board. While no one expects buckets of gas or oil to be handed out to local people — it does not work that way — the needs of the local community should always be borne in mind.

For example, it would be crazy to lay down a water main in any part of the country and to exclude local people from it. Hence, if one wishes to reconsider this case, it would be a simple matter to examine our consciences carefully and ask whether we did the right thing. With all due respect to the Minister and everyone else involved, matters should have been handled slightly differently.

Dr. Cowley: They were obliged to go to jail for 94 days to have their point of view considered.

Mr. Durkan: As someone with some knowledge of both the inside and the outside of prisons, I am familiar with the circumstances. People should not be obliged to go to such extremes to make their point. However, one should remember that those remaining outside will tell them that they are doing a great job. It is somewhat different for those who are inside. All Members should be conscious and careful of the sensitivities.

I do not agree with the call for no more frontier licences as we must carry on with exploration. However, it is important that the Minister should regularly review the degree to which returns go to the State or to the oil companies who carry out the explorations, as the case may be. We have two options. For example, as was suggested in the motion, the State could take over all oil, gas and other mineral exploration. I do not agree with this crazy notion. It would result in a cost of endless billions to the State and unfortunately, economic circumstances would dictate whether any exploration took place. Undoubtedly the oil, gas and other exploration companies are best placed in this respect. Hence, the technique that is required is to be able to define the precise level at which they should be rewarded or otherwise and at which the State can get royalties from their efforts. I am familiar with the debate that has taken place in respect of—

Dr. Cowley: What about Norway?

Mr. Durkan: I will come to Norway shortly. The situation there is not exactly the same.

It is important to find the correct level at which to intervene to avoid killing off the goose that lays the golden egg. No one will be interested in anything we might have to offer unless some incentive exists. This is the way of the world and

is how profits are made. Unfortunately, in recent weeks, Members have even seen a bank sell its own premises for money. This is the way we are and it is a manifestation of the “enterprise” State. It is important to find the correct level and to develop the industry to the best of our ability, while ensuring that it is done equitably and with regard for the future.

It is true that Norway has done extremely well. It remained outside the European Union, following a strategic decision made in the knowledge that it had resources which were clearly available to it at the time. Hence, a slight difference exists and it is not exactly comparable to our case. The Norwegians knew 20 years ago that they had resources available and made the strategic decision to remain outside the European Union. From their perspective, that was a good decision. However, somewhat different circumstances apply in Ireland. Our economy and population have grown dramatically in the past ten to 15 years. Prior to that, the population and the economy were going in the opposite direction. We are in a different situation from many Scandinavian countries. Whether we like it or not, their economies have not expanded.

In 1987, the then EFTA countries, which included Norway and Switzerland, had a higher *per capita* income than any of the European member states, with the exception of Luxembourg. These were outperformed only by the United States, Japan and Western Germany. Explorations indicated that resources were evident in the region at the time and they had the information that stood them in good stead. Our situation is not the same as Norway. We presume we have resources, but we do not yet know the full extent of them. They may be greater or lesser than we think.

However, the crucial factor from the Minister’s point of view is to remember the following. Any future arrangements entered into should bear in mind that, in the event of any further agreements with exploration companies, at a certain point, there should be a condition whereby the Government could intervene and say a situation has been reached where the State should be getting more or whatever the case may be. There must be revisionary clauses which, if put in place, would benefit the State and safeguard the country and the Government. This would address the issues raised by the Independent group. There must be an ongoing review of progress which will be to our benefit.

The Minister of State referred to a figure of 163 million litres. I am preoccupied with the reference to litres because I tend to talk in old figures. If one divides the figure by four, one will get gallons, which does not sound as impressive. It would be a great help if Ministers could repeat these measures in old fashioned gallons. In the old days, we were familiar with a gallon of water, a gallon of oil or whatever.

Mr. Browne: We have moved on.

Mr. Durkan: When one went to buy diesel or petrol, one dealt in gallon measures. Litres are interesting from the point of view of people who want to magnify the figures.

We must continue with exploration licences in the future and encourage and support enterprise. We must ensure it is done in a way that will encourage the investor, on the one hand, with sufficient return for his or her investment while, on the other, protecting the national and natural resources. As we proceed into the future, increasing emphasis should be placed on alternatives. I congratulate the Government on the paper it produced recently. It agreed with almost every aspect of the Fine Gael proposals on alternative energy. It took the Government six months to produce the paper, but I congratulate it on a great job.

Mr. Browne: We do not have to depend on Fine Gael.

Mr. Durkan: It took the Government six months but it did a reasonably good job. However, it does not propose to spend as much money. I will give the Minister of State some advice. If, for example, oil at the pumps dries up at some stage, if one turns on the switch in the morning and nothing happens, or if one plugs in the kettle in the morning or evening and the only thing that purrs is the cat, that will concentrate minds. I congratulate the Government on belatedly adopting the Fine Gael policies on the development of alternative energy resources.

Mr. Browne: Fine Gael has no policy.

Mr. Durkan: We priced them, which is more than the Government did. The fact that the Minister expressed that opinion is a clear indication that he has not even read them. Someone must have read them. The Government's researchers must have read them because it adopted our policy. I congratulate the Government on doing so because it is a positive sign. It is an indication of change and that the Government recognises the need to prepare for such a scenario. I do not believe the Doomsday scenario because there is ample space for technology to overtake the difficulties that lie ahead and for alternatives to be developed. It is the natural road to go to develop these alternatives. As the Minister of State will be aware, a number of people are already involved in that area in his county of Wexford.

It is important to have a policy in place. It must be an evolving policy because circumstances may change from month to month, week to week or certainly from year to year. There must be an ability to change dramatically over a three or four-year period. Therefore, it is very important that whatever policies are adopted in that area in the future, clear thought is given to the ability to roll over the policy, to go from a four to an eight,

12 or 16-year period as required. There is no point in the Government saying that because it has a four-year policy, it has done its job. It will not work like that.

While the oil companies are laughing all the way to the bank, they have the ability to damage the alternative energy industry. They need only drop their prices, which they can do at any time, and leave the alternative energy industry high and dry, so to speak, which happened in the past. In the evolution of an energy policy, it is imperative for the Government to take account of this fact and continue with the research and development programme which is necessary. Otherwise, the day will dawn when people will press the switch and nothing will happen. I would like to be a fly on the wall in the Minister of State's kitchen at that time to see his reaction.

Mr. Browne: We will be in Government in four years' time.

Mr. Durkan: If the Minister of State thinks the reaction in the kitchen will be bad, wait until he sees the reaction of the public. This is a serious matter. If all the electronic gadgets in offices, households and so on throughout the country grind to a halt at a particular time, there will be fun.

It is imperative for the Government to emphasise to a greater extent than it has done in the past the whole area of alternative energy. It should try to ensure that some provision is made. It should not operate on the same basis as in the past, namely, that everything will be all right on the night and, if we continue down the road we are on, we are sure to find a turn off that will go in the right direction. It does not happen that way.

I have reservations about the motion because some of the points are based on ideological grounds only. This is not about ideology; it is about practicality. It is about industry, jobs, the future, security of supply and the independence of the economy of the country in the future.

Mr. Browne: It is in safe hands.

Mr. Durkan: I am not sure about that. I have seen some funny things happen in recent years. How can the Minister of State say this, coming from a party in the House that gave this country electronic voting which resulted in €60 million going down the drain. This money was wasted and squandered and proved nothing.

Debate adjourned.

Adjournment Debate.

Nursing Home Subventions.

Mr. Callanan: I thank the Minister of State for attending the Dáil to hear my call for extra fund-

[Mr. Callanan.]

ing for nursing home subvention in the western area, especially County Galway, where the level of enhanced subvention has been reduced. I will quote the difference in levels of subvention paid in the different areas. These figures were received from the association of nursing homes and include the full amount of basic and enhanced subvention. The rates are as follows. Those in the eastern area get €680, the southern area, €557 and the north-eastern area, €432, while the rate for the western area is €299 to €310. Clearly, the rates paid in the eastern area are more than double those paid in the west. I accept there may be a small difference in charges, but nothing like this.

Currently, there is a particular problem with the Galway area, where the enhanced subvention is capped at €85, giving a total rate of €275, leaving a major shortfall to be filled by relatives, even after taking old age pension into account. The annual budget for subvention in Galway last year was €9 million, but due to great demand, €11 million was spent. The HSE has now instructed the people involved that they must revert back to the figure of €9 million this year, so there must be a cutback. I call on the Minister of State to provide the money or to tell the HSE to provide the money for the increased enhanced subvention, especially in the Galway area, and to try to make the differences more appropriate so that payments in the eastern area are equivalent to those in the western area.

The criteria for improved enhanced subvention are also being curtailed. If a patient is on a waiting list for a public bed for which he or she is eligible, is offered a public bed and refuses, enhanced subvention payment ceases after a 28-day period. Where a patient's personal moneys have been depleted over the years while in a nursing home, enhanced subvention priority up to a maximum of €85 per week may be granted. This is subject to review. A patient must be resident in a nursing home for a maximum of six months to be in receipt of subvention prior to making an application for enhanced subvention. Exceptional cases will be reviewed by the general manager. This makes matters very difficult for patients in the western area. Nursing home charges have increased substantially in the past few years, but the biggest problem is that the basic subvention of €190 has not increased since the 1990s. This must be reviewed and a higher rate paid.

I thank the Minister of State for introducing the home care packages. I always believed home-based subvention should be brought in, but the home care packages are no doubt as close as the Minister of State can get to this. It means people can be treated in their own homes. I also felt the choice should be there. It is important that people can stay in their own homes and be treated there for as long as possible. I have nothing against nursing homes but if a survey were carried out, I

believe most people would like to remain in their own homes for as long as possible. A time may come when that is not possible, but the home care packages are very welcome. I hope the scheme will be expanded to include more moneys in the future. I thank the Minister of State and ask him to review the situation, especially in Galway, and have the subvention rates increased to an acceptable level.

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I am taking this matter on behalf of my colleague, the Tánaiste and Minister for Health and Children, Deputy Harney. I thank Deputy Callanan for raising the question as it provides me with an opportunity to outline to this House the current situation with regard to the nursing home subvention scheme.

A nursing home subvention may be paid towards the cost of private nursing home care, where a person is unable to meet the cost and where he or she has been assessed as needing nursing home care by the Health Service Executive and where the person has satisfied a means test. The amount of subvention granted will depend on the degree of nursing home care required, that is medium, high, maximum, and the amount of the person's assets, including property, stocks and shares, savings and so on. The rates of subvention payable are as follows: medium dependency, €114.30 per week, high dependency, €152.40 per week and maximum dependency, €190.50 per week.

The nursing home subvention scheme was introduced to assist with the cost of private nursing home charges and was not intended to cover the entire cost of nursing home care. Under Article 22.3 of the Nursing Homes Subvention Regulations 1993, the HSE may enter into an arrangement with a registered private nursing home to provide inpatient services under section 52 of the Health Act 1970. In making an arrangement with a private nursing home under Article 22.3, the HSE may pay more than the maximum rate of subvention, as mentioned already, relative to an individual's level of dependency, for example in cases where personal funds are exhausted, in accordance with Article 22.4 of the Nursing Homes (Subvention) (Amendment) Regulations 1996. The application of these provisions, however, is a matter for the HSE in the context of meeting increasing demands for subventions.

The average rate of subvention paid by the HSE generally exceeds the current approved basic rates mentioned above. Spending on the nursing home subvention scheme has increased from €5 million in 1993, when it was introduced, to in the region of €140 million in 2005. Additional funding for services for older people and palliative care amounting to €150 million was allocated in the 2006 budget. This is the largest ever increase in funding for services for older people and demonstrates the Government's con-

tinued commitment to older people and putting them at the centre of health policy now and in the future.

The investment package is primarily focused on caring for people at home, in accordance with their expressed wishes. This is in line with international trends and reflects the growing independence of older people who want to stay living in their own communities. However, for those requiring residential care, the Government has allocated an additional €20 million towards the nursing home subvention scheme for 2006 to provide for extra subvention payments and address the variations in payments in different areas, as alluded to by Deputy Callanan.

The Department of Health and Children is working on primary legislation to expand the policies and principles of the subvention scheme to facilitate implementation of the scheme by the HSE throughout the country and it is intended to bring this legislation before the Oireachtas in the near future.

The thresholds contained in the Nursing Homes (Subvention) Regulations 1993 regarding an applicant's assets and the value of an applicant's primary residence were increased by regulation on 14 December 2005 to bring them into line with today's values.

A working group chaired by the Department of the Taoiseach and comprising senior officials of the Departments of Finance, Health and Children and Social and Family Affairs was established following publication of the Mercer report, Study to examine the future financing of long-term care. The objective of this group was to identify the policy options for a financially sustainable system of long-term care, taking account of the Mercer report, the views of the consultation undertaken on that report and the review of the nursing home subvention scheme by Professor Eamon O'Shea. The report of the group has been submitted to Government and is being considered.

Hospital Services.

Mr. McGinley: I thank the Leas-Cheann Comhairle for again allowing me to raise this important matter, namely, the continuing crisis in Letterkenny General Hospital, where patients on trolleys are a regular feature of hospital life and operations and appointments are cancelled on a daily basis. What has precipitated tonight's debate is the report carried out by a United Kingdom health care consultancy firm, Tribal Secta, into the situation in Letterkenny General Hospital. The report has not been published and is not available yet, but some of the findings are reported in today's media. The report is an indication of the way the hospital has been more or less abandoned in recent years.

Let me be clear on one issue, however. The report does not negatively reflect on the staff in Letterkenny General Hospital. On the contrary, they are complimented for their dedication to

duty while working in almost impossible conditions. Any person who has been treated in Letterkenny General Hospital as an inpatient or an outpatient will vouch for the commitment, dedication, professionalism and sincerity of the staff who try their best to put up with the current conditions at the hospital.

The report details a litany of problems, difficulties, infrastructural deficiencies and shortcomings at the hospital, concluding that the accident and emergency department is "not fit for delivering emergency care in the twenty-first century". What an indictment that is. The report also finds that during the first six months of 2005, more than 1,100 admissions to the hospital had to be cancelled. Since then, the situation has deteriorated and is almost out of control. Patients on trolleys are the rule rather than the exception.

The report focuses on the accident and emergency unit and finds that it is incapable of meeting the demands on its services. The hospital's day-case ward is regularly used as a holding area for accident and emergency patients, resulting in the cancellation of elective procedures. Emergency and urgent admissions are given priority over elective work and cancellations are now routine, due to the rising number of patients requiring admission. The report also states that patients have had operations cancelled up to three or four times. I am aware of a patient who has had to endure five cancellations in four months.

It is not simply an accident and emergency crisis, but a whole hospital crisis that stems from the core problem of a chronic shortage of beds in Letterkenny. This shortage initiates a chain reaction of over-crowded wards leading to over-crowding in the accident and emergency unit, which spills over into the day-case ward and eventually even into the coffee dock. This chain reaction and its knock-on effects is the everyday situation in Letterkenny.

In truth, what has been found by the consultants is nothing that we have not been aware of for many years. While we did not need consultants to tell us what is happening in Letterkenny General Hospital, their report nevertheless highlights the crisis and might provoke the Government into seriously addressing the situation. While the hospital has been given approval to go to tender for the construction of a new accident and emergency department, this will not become available for at least three or four years. The report strongly recommends interim improvements, such as the provision of a temporary building to expand the treatment space now available to the accident and emergency department. I strongly support the adoption of that recommendation, which would relieve difficulties in the short term. The provision of the new accident and emergency block and 60 or 70 additional beds is the only long-term solution.

We need to plan for the future, given the age profile of the population of Donegal, which has a higher than average percentage of people over 65. Elderly people have recurrent illnesses and need

[Mr. McGinley.]

continuous treatment. There will be increased and more incessant demands on the facilities in Letterkenny General Hospital in the next ten to 15 years. This is not the first, second or even the third time I have raised this issue this year. I will keep raising the matter until I get an acceptable response that will give some hope to the people who have to depend on the services, often unavailable for many, in Letterkenny General Hospital. I seek an immediate response and definite news from the Minister of State.

Mr. T. O'Malley: I am taking the adjournment on behalf of my colleague, the Tánaiste and Minister for Health and Children, Deputy Harney.

Tackling the current difficulties with accident and emergency departments is the Government's top priority in health. The service being provided to some patients in accident and emergency departments is unacceptable and must be improved.

The objectives are to reduce the numbers waiting for admission, the time spent waiting for admission and the turnaround time for those who can be treated in accident and emergency departments and do not require admission.

The HSE is continuing to implement the ten point action plan. In addition, it has been agreed with the HSE that a number of additional measures will be implemented by the executive. These include the setting of performance targets for individual hospitals. In terms of implementation, the HSE is tackling the issue on a hospital-by-hospital basis and is developing hospital-specific, time-based targets related to accident and emergency units and delayed discharges. The executive is also engaged in the development of financial incentives linked to performance in these areas and the development of additional targeted initiatives aimed at delivering an immediate and sustained impact.

In the immediate term, the HSE is introducing a series of measures to improve facilities for patients and staff in accident and emergency departments. Long-term care beds are being secured from within the private sector to facilitate the discharge of patients who have completed the acute phase of their care. The acute beds that become available as a result of this initiative will be ring fenced for those patients awaiting admission in accident and emergency departments. Funding is being made available within the capital programme to develop admissions lounges to ensure that patient privacy, dignity and comfort are preserved while awaiting admission to an acute bed.

The HSE has established a dedicated task force to oversee the implementation of the framework for improving the efficiency and effectiveness of services in our accident and emergency departments. The task force will support individual hospitals, including Letterkenny General Hospital, in identifying specific problems and addressing them. It will work with hospitals to

introduce a system of whole hospital performance measures to improve the patient's journey, not alone through the accident and emergency department but through the hospital system, from admission to discharge.

Letterkenny General Hospital serves an estimated catchment population of more than 137,000 and employs almost 1,300 whole time equivalent staff. The Government is committed to the development of acute hospital services at Letterkenny General Hospital. Since 1997, the Hospital's annual allocation has increased by €60 million. In 2005, the hospital treated nearly 20,000 more in-patients and day cases than in 1997. There are now 550 more staff at the hospital and 70 more beds than in 1997.

With regard to accident and emergency facilities at Letterkenny General Hospital, the Tribal Secta report found that the hospital needs a larger, purpose-built, accident and emergency department to allow proper triage, streaming and care of accident and emergency patients. The HSE intends to provide a new accident and emergency department and medical admissions unit at the hospital. The medical admissions unit will streamline the processing of acute medical emergency patient referrals, ensuring that patients are prioritised on the basis of need and, where necessary, admitted to an acute in-patient bed. This project is currently at design and planning stage.

In the interim, the HSE has approved capital funding for the provision of 30 beds for Letterkenny General Hospital. These beds will be provided by way of a modern modular building to be erected on the campus of the hospital. A planning application has been submitted and tender documents are in the process of being completed. It is intended that this modular building will be procured through an accelerated tender process, with a view to having the beds available for use before the end of 2006. This development, which is in addition to 11 new beds already opened this year, will increase capacity at the hospital from 313 to 343, an increase of almost 14% from the start of the year. It is expected that current capacity pressures at the hospital, including pressures in the accident and emergency department, will be greatly alleviated under this initiative.

The HSE has also had detailed discussions with the hospital with regard to implementing interim measures to improve the facilities at the accident and emergency department, as recommended in the Tribal Secta report. A number of proposals are being examined, including the options for increasing the space and providing additional facilities for the accident and emergency department by relocating other departments at the hospital.

Decentralisation Programme.

Mr. Costello: I welcome the Minister for Finance and the Minister of State at the Department of Finance to the House. It is a rare honour.

The decision by the former Minister for Finance, Mr. McCreevy, to decentralise thousands of civil servants, announced in his budget a number of years ago, was a political decision that has caused chaos in the lives of thousands of civil and public servants and their families. That was the legacy of the great free marketeer we had as Minister for Finance for many years. Essentially, it was a question of putting profit before people, without much consideration as to their lives, and making a contribution towards winning the next general election for Fianna Fáil. We see how he has gone on to Europe to introduce the services directive. He has had more opposition there than he had in this country. Perhaps that is a reflection on all of us.

My point is about the 400 FÁS employees in Dublin, only six of whom have opted to transfer to Birr, County Offaly. Interestingly enough, this is the constituency in which both the Minister for Finance, Deputy Cowen, and the Minister of State at the Department of Finance, Deputy Parlon, are both representatives. They have special responsibility for decentralisation.

The key to the issue is that decentralisation was presented and promoted as a voluntary transaction and agreement by the people concerned. However, every FÁS employee who seeks a promotional post must first sign a contract to move to Birr, which immediately renders the transfer compulsory. A gun is being placed to the head of every person who feels they can take a step up the ladder.

FÁS is the only State agency using promotional posts to compel people to decentralise. That is the bottom line. It is not the Civil Service; it is a public service agency. The members of FÁS are not civil servants; they are public servants. It is the one agency using the promotional posts mechanism to compel people to transfer to Birr.

The Labour Court intervened in this matter and decided in favour of the FÁS employees. However, the Department of Finance will not allow FÁS to implement the Labour Court recommendations. The only explanation I have for this is that the Minister and Minister of State responsible for decentralisation have Birr in their constituency and, come hell or high water, they are determined to ensure that the people from FÁS transfer there as soon as possible, perhaps before the next general election. This is a disgrace and an insult to many of the public and civil servants who have served the State so well over the years. They must now uproot themselves and their families and live in an area to which they specifically decided they did not want to transfer, at whatever stage in their career they may be.

Decentralisation is good. I am in favour of it. However, enforced decentralisation is anti-democratic. It is more akin to a form of dictatorship if people have a gun to their heads in terms of whether they will decentralise. That is not a voluntary system. This sector of the State agency FÁS is at the core of this compulsory transfer mechanism now being used. Will the Minister for

Finance tell the House why, if the Labour Court could come to an agreement and decide in favour of the FÁS employees, he and his Department were not prepared to accept the decision and act accordingly?

Minister for Finance (Mr. Cowen): I am pleased to have this opportunity to update the House on the position regarding the decentralisation of FÁS. Under the Government's decentralisation programme, FÁS is due to move its head office to Birr, County Offaly. FÁS is one of the seven State agencies identified as early movers by the decentralisation implementation group from among the 30 agencies covered by the programme.

It would be helpful to refer to the Labour Court recommendation to which the Deputy refers. In its recommendation in a dispute between SIPTU and FÁS concerning decentralisation and FÁS contracts of employment, the Labour Court considered the written and oral submissions of the parties. The court also noted the terms of the company and union industrial relations procedures agreement and stated it was of the opinion that FÁS was in breach of the consultation procedures provided for in that agreement. However, it made no ruling on the substantive issue of the relocation clause. Instead, it recommended that the matter be referred back to the appropriate central body, at which level the issues should be teased out with a view to arriving at agreed long-term solutions in consultation with all of the parties involved.

Before Easter, discussions between the parties were held on two occasions under the auspices of the Labour Relations Commission, LRC, to see whether progress could be made. Media comment by SIPTU suggested that an initial agreement was reached at the Labour Relations Commission from which the Department of Finance subsequently withdrew. I want to clarify that no agreement was reached at the LRC between the parties at any stage during the discussions. At the first session, a draft text was prepared by the industrial relations officer following a series of discussions with both sides. However, this written text was not seen by the employer side before it was presented to the union.

Differences remain between the parties which must be addressed through further dialogue. It would not be helpful at this point to get into details on the elements of the negotiations. Naturally, I strongly support using all the established consultation and dialogue mechanisms and I hope that further discussions will lead to a resolution.

Decentralisation is a voluntary programme. From the outset, guarantees have been given by the Government that all employees not wishing to transfer out of Dublin will be facilitated with an alternative post in Dublin if the situation arises. Promotions policy must take account of the reality of decentralisation.

Mr. Costello: There is the rub.

Mr. Cowen: They are the facts.

Mr. Costello: Six people are prepared to move.

Mr. Cowen: We recognise also that there is a need to address the concerns of people remaining in Dublin.

The Deputy refers to the low take-up rate of staff in FAS. The data to date indicate that the number of internal applicants is low. However, the Deputy may also be aware that some unions represented in State agencies have effectively opposed the central applications process. This has resulted in a lack of co-operation in the collection of data on the real levels of interest in the decentralisation in those agencies.

I will take the opportunity to update the Deputy generally on progress with the programme. He claims to agree with it. I was a Member of the House when a decentralisation programme was cancelled by a Fine Gael-Labour Government, subsequently resumed by a Fianna Fáil Administration and successfully implemented. Significant progress continues to be made in the implementation of the decentralisation programme. More than 10,600 civil and public servants have made applications through the central applications facility to relocate. The central applications facility continues to receive new applications every week. It is anticipated that interest will increase further as building and timetables firm up.

On the property side, for which the Minister for State has responsibility, site or building acquisition negotiations have been completed in 17 locations. Contracts have been received for an additional six locations. Suitable sites have been identified in a further 15 locations and negotiations to acquire have either commenced or are close to commencement in these locations.

Agreement has been reached on a number of human resource and industrial relations issues in the Civil Service which has enabled progress on the transfer of staff and promotions.

9 o'clock Discussions are ongoing in other areas. Actual movement of staff within and between Departments and offices is now under way, with almost 1,400 staff already assigned to posts which will decentralise. All decentralising organisations have produced implementation plans setting out the detailed arrangements they are putting in place to plan for relocation while also ensuring business continuity.

Thirty State agencies are due to decentralise under the most ambitious programme instigated by the State. I am satisfied that good progress has been made in planning for the relocation of these agencies.

The decentralisation implementation group has identified seven agencies, where issues such as the location, mix of staff, business and size of the organisation were favourable, as early movers. In general it has recommended that a more individu-

alised approach be taken to this element of the programme.

I recognise that progress in human resource issues has not been as rapid in the State agencies as in the Civil Service. The Civil Service has had the opportunity to develop an understanding of the decentralisation process over the years from previous and very successful programmes. The experience gained by Civil Service bodies is important in ensuring that the State agency programme can be carried through.

The decentralisation implementation group recognised that proposals for inter-organisational mobility are a new development for State agencies, but it indicated that it is precisely this type of ground-breaking initiative which is needed to give impetus to the implementation of the programme. The process is facilitated by the engagement, through discussion and dialogue, of staff interests. I am happy that issues in dispute in FÁS can be addressed and that its decentralisation programme can remain on track.

Deputy Costello has made certain assertions which have no foundation in truth or fact. They remain assertions. Based on what I have said, I am sure he will take due consideration of the assertions and perhaps retract some of the more outrageous allegations.

Mr. Costello: Please spell them out for me.

Mr. Cowen: I am a former Minister for Labour and I know what industrial relations are about. I have always worked through the machinery. At no time have I sought to influence a scenario which does not respect the legitimate interests of everybody with regard to this matter. I have stated in my speech that it is through dialogue that we will deal with these problems. The assertion made by the Deputy that there is some attempt to change the voluntary nature of the programme is not correct.

I have outlined in my speech the question of State agency employees moving to other activities if they wish to remain in Dublin, which is consistent with the decentralisation programme. It is a new experience and it will require a groundbreaking initiative. We are prepared to work with the concerned interests, including unions, on all these matters.

Mr. Costello: Will these people have to sign a contract for promotional posts?

Mr. Cowen: The political assertions made by the Deputy are, as usual, without foundation.

An Leas-Cheann Comhairle: Deputy Connolly has the next item. He has five minutes.

Mr. Cowen: I have answered the matter factually.

Mr. Costello: They are compulsory.

Mr. Cowen: The Deputy is either mischievous or ignorant of the facts. I think it is mischievous.

Mr. Costello: Why do these people have to sign a contract to move to Birr?

An Leas-Cheann Comhairle: I call Deputy Connolly.

Mr. Cowen: The Deputy should get his facts right.

Mr. Costello: The facts are right. I find it hard to see why FÁS is on industrial action if that is the case.

Services for People with Disabilities.

Mr. Connolly: I thank the Ceann Comhairle for selecting this item for debate. The issue of banking difficulties for people with intellectual disabilities was brought to me by a senior social worker who is very concerned about recent new practices in banking circles. He indicated that there were no difficulties with current customers who had intellectual disabilities. The arrangements they have will be maintained.

With regard to opening a new bank account, these people require a certain level of assistance, which varies at times. This relates in the past two years, in particular, to people with intellectual disabilities who try to open an account, transfer an account between banks or try to establish third party mandates. Some banks have made it especially difficult for people with a disability to open, operate or maintain a bank account.

Difficulties exist with regard to third party mandates, which are necessary in some cases. In the case of people with disabilities, it is understandable that they would need a third party mandate. Some banks have equated people with intellectual disabilities to persons of unsound mind. That terminology belonged in mental health legislation, and people with intellectual disabilities do not come under that heading. I have that terminology in a letter from a bank. It is a sad reflection if banks typecast people in this way. The issue needs to be addressed.

Some banks also believe that people with intellectual disability are incapable of conducting their own affairs, and therefore third party mandates are not appropriate. They contend that these people do not have the intellectual capacity to sign mandates or the capability to give informed consent. Regrettably, I have an instance of this being brought to my attention in letter form. The banks write to clients in this regard.

It is a reasonable expectation to have and operate a bank account. It is a basic right. The banks and the Health Service Executive should meet to reassess the issue and form some type of policy which would be beneficial to the person with an intellectual disability. Such policy should be practical and operational, giving dignity back to the person with an intellectual disability.

This matter needs to be urgently addressed. It is all the more urgent given that the nursing home moneys are now coming on stream. The same type of issues will have to be addressed in that case. Will the lofty ideals of the banks continue when such large volumes of cash will be determined? One would think at times that the banks possibly do not want the hassle of looking after a small account which bankers may feel is not appropriate to certain circles. The issue of informed consent will present difficulties. The people involved may not have the same level of caring people to look after them. People may come out of the woodwork to get their hands on the nursing home moneys. We must address the issue now as the time is appropriate.

The stance of the banks is at odds with the approach of the Health Service Executive which promotes a right-spaced social model of care focused on independent living. It raises equality issues and a possible violation of the right to equal citizenship for people with an intellectual disability. Recently we passed legislation which was supposed to help safeguard people with intellectual disabilities. It is not progressing a cause in this instance. We should return to it to see how it affects people at operational level.

Banks probably have their own policies and reasons, perhaps relating to cash laundering, but at local level the people caring for individuals with an intellectual disability should have some authority. It is part of the educational process and integrating these people back into society. It relates to keeping these people in society. That is what these issues are about. The operation of a bank account and education are real life issues which we should advocate to people. Large financial institutions should not put impediments in place.

The banks should formulate a clear policy. It is almost like they are indicating that they do not want the hassle of a small account. Much paperwork and obstacles are put in place. These people with intellectual disabilities have the same right as anybody else to have and operate a bank account. I ask that the Health Service Executive and the financial institutions address the matter together.

Mr. T. O'Malley: On behalf of the Minister for Justice, Equality and Law Reform, who cannot be in the House tonight, and for the benefit of the House in general I am pleased to respond to the matter raised by Deputy Connolly. We have come a considerable distance in implementing the agenda of mainstreaming and equality for people with disabilities, and the legislative framework in respect of people with disabilities has advanced significantly during the tenure of this Government.

The Employment Equality and Equal Status Acts were instrumental in protecting people with disabilities against discrimination. From there, the Government moved to positive action

[Mr. T. O'Malley.]

measures to enhance the participation of disabled people in society by introducing the national disability strategy in 2004. This is focused on the implementation of a strong new legislative framework of requirements of public bodies to enhance services for people with disabilities as provided under the Disability Act 2005. A multi-annual investment programme of €900 million in the period up to 2009 in the health services area forms part of the strategy. The strategy also comprehends the Comhairle (Amendment) Bill, which provides a new legislative basis for the provision of advocacy services for people with disabilities. While much of the reform I have mentioned relates to the public sector and the services it provides, in many of our day-to-day transactions the service to people with disabilities is improving, with a greater focus now on services for those with different needs. There is much still to do in this area but progress has been made.

In dealing with the important issues raised by the Deputy in this motion, I also speak about the role of the Irish Financial Services Regulatory Authority. The Financial Regulator was established on 1 May 2003 and is responsible for the regulation of all financial services firms in Ireland, including banks. The Financial Regulator has an important role in the protection of consumers as it is a distinct component of the Central Bank and Financial Services Authority of Ireland with clearly defined regulatory responsibilities.

In the area of consumer protection, the main tasks of the Financial Regulator are to help consumers to make informed decisions on their financial affairs in a safe and fair market and to foster sound, growing and solvent financial institutions that give consumers confidence that their deposits and investments are secure. In providing consumer protection, the focus of the Financial Regulator is on problem prevention through providing consumer information and education about the costs, risks and benefits of financial products, monitoring competition in the market for financial services and working with the Competition Authority. The Financial Regulator also promotes the interests of consumers of financial products and imposes and enforces rules on financial services firms regarding how they deal with consumers, particularly how they sell financial products.

The Financial Regulator has been examining issues around access to financial services and one of the main issues highlighted by consumers is the difficulty in opening bank accounts. As part of its consumer education mandate, the Financial Regulator has taken a number of specific initiatives to inform consumers about the costs, risks and benefits of various financial products. These have involved publishing consumer guides and

cost surveys on financial products and fact sheets, including a fact sheet entitled How to Open a Bank or Building Society Account, all of which assist consumers in making financial decisions that are in their own best interests.

Further, the Health (Repayment Scheme) Bill 2006 will regulate patient private property accounts by introducing a statutory framework to protect patients' interests, particularly in the context of large repayments that may be placed in these accounts. The Deputy may be aware that this Bill is on Second Stage in the Dáil. It is intended to make the application process as simple and as user friendly as possible while providing appropriate safeguards against fraud and preventing the exploitation of those not in a position to manage the repayments they will receive. The legislation will provide for the regulation and administration of patient private property accounts to ensure the money in these accounts is used for the benefit of the patient and that money held in these accounts can be invested on behalf of the patient.

The Minister for Health and Children may also appoint an independent overseer for the administration of these accounts and receive reports on, among other things, the operation of the scheme and the appeals process. These reports shall be laid before each House of the Oireachtas. The legislation also provides that all accounts and funds related to the scheme may be audited by the Comptroller and Auditor General.

Finally, in the wider context of legal capacity in general, I can inform the Deputy that as part of its current programme of work, the Law Reform Commission has been engaged in important research on the matter. In May 2005, the Law Reform Commission published a consultation paper entitled Vulnerable Adults and the Law: Capacity, and convened a well-attended conference in December 2005. In its consultation paper the Law Reform Commission examines capacity in context, approaches to legal capacity, legislative reform, existing legal mechanisms to address loss of capacity, capacity to contract, personal relationships and capacity to make health care decisions.

I understand that two central elements will form the basis of the Law Reform Commission's final report. The first is the question of how the law should approach the concept of capacity to make decisions. The second considers what structures are needed to support vulnerable persons when they come to make these decisions. The final report, which will contain recommendations and draft legislation, is expected to be published later this year. The report will receive early attention by my Department and by other relevant Departments.

The Dáil adjourned at 9.15 p.m. until 10.30 a.m. on Thursday, 4 May 2006.

Written Answers.

The following are questions tabled by Members for written response and the ministerial replies as received from the Departments [unrevised].

Questions Nos. 1 to 5, inclusive, answered orally.

Questions Nos. 6 to 63, inclusive, resubmitted.

Questions Nos. 64 to 72, inclusive, answered orally.

Public Transport.

73. **Mr. S. Ryan** asked the Minister for Transport his views on the submission made by Dublin Bus requesting an extra 200 buses to serve existing and new routes and to meet demand from areas of rising population; when he intends to make a decision on this matter; the amount of funding set aside in 2006 for the purchase of new buses; and if he will make a statement on the matter. [16218/06]

104. **Mr. Gogarty** asked the Minister for Transport the number of new buses which will be added to the Dublin Bus fleet in 2006; the funding arrangements that will provide for them; the timetable he will follow for the opening up of bus routes to new private operators in Dublin; and the arrangements that will apply. [16282/06]

116. **Mr. Morgan** asked the Minister for Transport his views on the recent Dublin Bus Network Review; and its recommendations he intends to implement. [16173/06]

138. **Mr. G. Murphy** asked the Minister for Transport if he has approved increased funding for Dublin Bus to allow for the purchase of additional buses; if he has agreed to provide funding to fully meet the capacity increases envisaged by Dublin Bus up to 2010, as outlined in its recent network review; and if he will make a statement on the matter. [16205/06]

142. **Mr. Morgan** asked the Minister for Transport if he has received a request from Dublin Bus for additional buses; if so, the number requested;

and if Dublin Bus will receive the required number. [16174/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 73, 104, 116, 138 and 142 together.

As I indicated in my reply to Priority Questions 66 and 676 my Department is currently considering an application from Dublin Bus for funding for 200 additional buses to be delivered in 2006 and 2007. The application is being considered in the context of Transport 21, the bus network review completed recently by Dublin Bus and the bus market reform process. I expect to make a decision shortly on the application having regard to the outcome of my deliberations on bus market reforms.

The Dublin Bus Network Review completed recently by MVA consultants for Dublin Bus demonstrates the continuing key role of the bus in meeting Dublin's transport needs. It also provides a comprehensive assessment of the challenges facing the bus service arising from traffic congestion, growing peak time demand and the perception of the service as fragmented and limited. The review outlines a staged plan for the improvement of the network including the provision of additional buses on a phased basis commencing with 200 in 2006 and 2007 period. As I have already indicated an application for funding for 200 buses is under consideration.

The review also proposes very significant changes in the service including substantially more cross city services, limited stop express services from outside the M50, high frequency orbital services and local self contained networks in some of the larger towns. It also calls for radical additional traffic management and bus priority measures to favour bus movements.

I understand that Dublin Bus is consulting widely on the review including with the Dublin local authorities, the DTO and Quality Bus Network office. Having regard to the outcome of this consultation process and developments in relation to bus market reform, my Department

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will discuss with Dublin Bus and other interests how best to pursue the development of the Dublin bus network and services.

Port Development.

74. **Mr. Eamon Ryan** asked the Minister for Transport his proposals for the change of use of any port lands within Dublin Port to provide for new residential developments; and the process that would have to be followed to allow for such developments. [16275/06]

Minister of State at the Department of Transport (Mr. Gallagher): Dublin Port is a State-owned company established under the Harbours Act 1996. It is the country's premier port in terms of throughput and turnover, and as such is of vital strategic importance to our trading economy. The Act provides that the principal objects of the company include the provision of such facilities, services and lands in its harbour for ships, goods and passengers as it considers necessary.

The company is required to take all proper measures for the management, control, operation and development of its harbour. Decisions regarding the land within the port estate are a matter for the port company and its board in the first instance. More generally, a process is underway in my Department to examine future port capacity requirements at a national level, particularly for unitised trade. The ports have been invited by advisors working for the Department to make detailed project submissions regarding their development plans.

I might add that decisions regarding the change of use of land are a matter for the local planning authority, which in the case of Dublin Port is the Dublin City Council.

Question No. 75 answered with Question No. 72.

Road Safety.

76. **Mr. McGinley** asked the Minister for Transport the provisions which are in place to ensure that drivers with provisional licences are not permitted to operate public service vehicles; and if he will make a statement on the matter. [16252/06]

Minister for Transport (Mr. Cullen): A person with a provisional licence is not permitted to carry any passenger for reward; must be accompanied by a person who holds a driving licence in respect of the vehicle category being driven and must display "L" plates front and rear.

The Road Traffic (Licensing of Drivers) Regulations 1999 to 2004 requires that the driver of a vehicle with passenger accommodation for more than 8 persons must hold a category D driving licence. If such a vehicle has passenger accommodation for not more than 16 persons a category D1 driving licence will suffice. There is no separ-

ate licensing requirement under public service vehicle regulations in respect of the drivers of such large public service vehicles.

In relation to small public service vehicles such as taxis and hackneys, all drivers must hold a PSV licence granted by the Garda Commissioner in addition to the normal category B driving licence for cars. Enforcement of these requirements is a matter for An Garda Síochána.

77. **Mr. G. Murphy** asked the Minister for Transport if he will introduce measures to increase the level of back seat belt usage; and if he will make a statement on the matter. [16206/06]

Minister for Transport (Mr. Cullen): Official statistics relating to seat belt wearing are compiled and published by the National Roads Authority (NRA). The most recent published data is contained in the 2005 Survey of Seat Belt Wearing Rates. The 2005 survey shows that the wearing rate for adults in the rear seats of cars remained unchanged at 46% from the last survey in 2003. However, in relation to school children travelling in the rear seats of cars, the 2005 survey found an increased level of wearing on the 2003 position. The 2005 surveys found that rear seat belt wearing by primary-going school children and secondary-going school children was 60% and 55% respectively, compared to rates of 48% and 44% in 2003.

On 3 April 2006 I extended the fixed charge system to cover a wide range of penalty point and non-penalty point offences. The non-wearing of a seat belt by an adult passenger (a person aged 17 years or over) in the front or rear of a motor car is one of the offences that I brought into the fixed charge system. From 3 April 2006, a person who contravenes the seatbelt requirement will be issued with a fixed charge notice giving him or her the option of making a fixed charge payment of €60 within 28 days or €90 within the following 28-day period in lieu of a court prosecution. Since August 2003, failure by a driver of a car to wear a seat belt or to permit a person under 17 years of age not to be appropriately restrained in a car has been a fixed charge offence with charges applying as indicated above and with 2 penalty points applying on payment of a fixed charge and 4 penalty points on conviction by a court.

I will shortly be making Regulations to transpose Directive 2003/20/EC concerning the compulsory use of seat belts into national law. Essentially, this Directive requires seat belts to be worn where they are fitted to seats on motor vehicles. It also provides that children under 3 years of age may not travel in a car or goods vehicle unless they are restrained by an appropriate child restraint system.

The extensive road safety public awareness programme conducted by the National Safety Council includes specific measures relating to seat belt wearing and the legal sanctions for non-compliance. In particular, the importance of rear

seat passengers wearing seat belts is graphically depicted in the NSC public awareness campaign video that is frequently transmitted on television.

Traffic Management.

78. **Mr. Sherlock** asked the Minister for Transport if he has satisfied himself with the level of statistical information available to local authorities outside of Dublin on traffic congestion commuter numbers, freight traffic, mode use and so on; the efforts he has made in terms of funding to support the provision of such information; if a funding stream exists for such research; and if he will make a statement on the matter. [16238/06]

Minister for Transport (Mr. Cullen): Statistics on these issues are available from a variety of sources including the Central Statistics Office and State agencies. For example, statistics on commuting patterns and mode use are available from the Central Statistics Office in publications such as the Census of Population (Travel to Work, School and College) Volume, and the Road Freight Transport Survey. Statistics on freight and other traffic flows on the national road network are made publicly available by the National Roads Authority.

I acknowledge that there is a need to improve the quality of transport statistics. My Department has carried out a review of its statistical requirements in recent months, in the context of the Central Statistics Office's recent evaluation of administrative and statistical data holdings (Statistical Potential of Administrative Records (SPAR) Report). My Department is in contact with the CSO in relation to securing the services of a full time statistician with a view to developing a Data/Statistics Strategy for this Department to support both policy-making and improved dissemination of transport statistics.

Road Safety.

79. **Mr. Rabbitte** asked the Minister for Transport if he has satisfied himself that the statistical and evaluation data available to his Department from road collisions, the Courts Service, and An Garda Síochána is adequate to comprehensively evaluate road safety measures and strategies; and his proposals to improve information in this regard; and if he will make a statement on the matter. [16225/06]

Minister for Transport (Mr. Cullen): Statistics relating to road accidents are based on information provided by the Garda Síochána, and are currently published by the National Roads Authority (NRA) in their annual Road Accident Facts reports. The most recent report, now entitled "Road Collision Facts", relates to 2004 and is available in the Oireachtas Library and on the NRA website. Statistics relating to 2005 are not yet fully analysed or authenticated.

The 2004 report refers in particular to the various contributory factors to collisions where such

data is available. In that context the Report in respect of 2004 notes that driver error accounted for 88% of all contributory factors in respect of all collisions where such were identified. Pedestrian error was the next most listed factor at 8% with road factors accounting for 2% of all of those listed. The remaining factors listed related to vehicle and environmental factors.

While the report contains a detailed analysis of the collisions which occurred during that particular year it does not address a ranking order for contributory factors to collisions on a specific or general basis. However, the Report notes that during the hours of the day most strongly associated with drinking and driving, some 26% of fatalities were recorded. The reports provide a significant degree of knowledge that supports and informs the deployment of road safety measures, which are pursued within the planning framework of the multi-annual Road Safety Strategies.

The establishment of the new Road Safety Authority (RSA) will have a significant input into advancing the road safety agenda in the future and it will further seek to enhance the collection and collation of data. The RSA functions include a mandate in relation to road safety information and statistics and to carry out road safety research. This will enable further in depth analyses to be carried out into the causes of road traffic accidents and the evaluation of what future preventative action might be taken to reduce road fatalities.

80. **Mr. Gilmore** asked the Minister for Transport the reason for the excessive delay in reintroducing height restrictions for heavy goods vehicles; if he has submitted 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 (details supplied). [16244/06]

98. **Mr. O'Dowd** asked the Minister for Transport the actions he intends to pursue to reduce the number of trucks involved in collisions with railway bridges; and if he will make a statement on the matter. [16273/06]

139. **Mr. Penrose** asked the Minister for Transport if his attention has been drawn to Iárrnód Éireann that show there have been 691 bridge strikes by over-sized trucks in the past five years; and the action he proposes to take to reduce the number. [16241/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 80, 98 and 139 together.

I am aware from Iárrnód Éireann that the number of bridge strikes by heavy goods vehicles has increased from 82 in 1995 to 203 in 2005. Iárrnód Éireann has taken a number of initiatives to reduce the incidence of bridge strikes including a signage programme on all headroom restricted

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bridges and an information and publicity campaign to highlight the need for care and attention on the part of HGV drivers. Iarnród Éireann has also published a map identifying each bridge height and has distributed the map to hauliers.

It should also be noted that Section 138 of the Railway Safety Act, 2005 provides for increased penalties — up to €50,000 and/or imprisonment for up to 3 years — for bridge strikes. I am also currently considering the re-introduction of a restriction on the height of heavy goods vehicles taking account of the wide-ranging submissions received in my Department arising from the public consultation on the matter last year. I expect to make a decision in this matter shortly.

In the event that it is decided to introduce a statutory height restriction for 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).

Rail Network.

81. **Mr. G. Mitchell** asked the Minister for Transport when the decision on the route which will link up the two existing LUAS lines will be taken; if he has met with Dublin Bus to discuss his concerns with regard to one of the possible routes through the city centre; and if he will make a statement on the matter. [16257/06]

Minister for Transport (Mr. Cullen): Transport 21 provides inter alia for a city centre Luas link between St. Stephen's Green and the Luas Red line. The RPA is at present progressing this project.

In November 2005, the RPA launched a public consultation on five potential routes for linking both Luas lines in the city centre. Over 200 submissions were received by RPA on the various route options and discussions are on-going to deal with issues that have arisen. The RPA is engaged in dialogue with Dublin Bus, the City Council and the DTO in relation to the implications for other road users, including buses. Officials of my Department have met both the RPA and Dublin Bus to discuss this project.

The RPA will consider the proposed routes of the project taking account of views submitted by those who participate in the public consultation. Following this, RPA will submit a business case to my department for approval after which they will apply for a Railway Order. This in turn will lead to a public inquiry, where all views can be put forward for consideration by the Inspector to the Inquiry. The Inspector will then make his/her recommendations to me and I will make a determination in due course.

Air Services.

82. **Mr. Deasy** asked the Minister for Transport

the position in relation to the completion of an open skies agreement between the EU and the US; and if he will make a statement on the matter. [16263/06]

Minister for Transport (Mr. Cullen): The European Commission and US authorities concluded the EU-US Aviation negotiations on Friday 18 November 2005. The Agreement was considered by the Transport Council in December 2005, where the text of the agreement received unanimous support. The Council observed that improvements in the US rules on ownership and control of airlines would be an essential element for a Stage One deal to be concluded. The US is revising its rules on ownership and control at present and expects to be in a position to publish these rules in the near future. The matter will then go before the Transport Council for final approval.

Question No. 83 answered with Question No. 70.

84. **Mr. Penrose** asked the Minister for Transport if regulations exist banning an airline from offering standing only passenger spaces on scheduled flights; and the action he proposes to strengthen regulations in this regard. [16242/06]

Minister for Transport (Mr. Cullen): The Irish Aviation Authority has informed me that the current European regulations and aircraft certification standards require the provision of an approved seat and restraint system for each passenger.

Road Safety.

85. **Mr. Crowe** asked the Minister for Transport the steps which have been taken by his Department regarding the road safety issues arising from the recent tragic school bus accident in Clara, County Offaly. [16172/06]

119. **Mr. Cuffe** asked the Minister for Transport if the bus driver involved in the fatal crash in County Offaly in April 2006 was driving on a provisional licence; if his Department has been provided with evidence of insurance of the vehicle; if he has satisfied himself that appropriate checking and enforcement measures are in place to regulate commercial bus operators; and if he will make a statement on the matter. [16280/06]

131. **Ms Shortall** asked the Minister for Transport the outcome of his Department's investigations into the school bus crash in County Offaly in March 2006; and the legislative, regulatory or enforcement changes he is proposing as a result of this accident. [16211/06]

135. **Mr. Connaughton** asked the Minister for Transport the actions he intends to take in

relation to the recent school bus tragedy in Clara, County Offaly; and if he will make a statement on the matter. [16259/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 85, 119, 131 and 135 together.

The Garda Síochána is investigating fully the circumstances surrounding the tragic bus incident in Co. Offaly on 4 April 2006. In carrying out the investigation, I am conscious that the gardaí will be examining whether a breach of the road traffic law or road transport law contributed to this incident. I am also conscious of the possibility that legal proceedings might be instituted following the completion of the Garda investigation. Therefore it would be wholly inappropriate for me to comment on the accident at this stage and I do not propose to do so. However, I wish to assure the House that my Department will co-operate fully with the gardaí in their investigation in connection with this incident and will have regard to the outcome of such investigations for regulation an enforcement of road traffic and road transport law.

I should point out that an extensive range of requirements relating to the vehicle, driver and operator must be satisfied in order to use a bus in a public place.

All buses are required to comply with statutory requirements relating to the construction, equipment and use of vehicles as set out in the Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963 to 2002, the Road Traffic (Construction and Use of Vehicles) Regulations 2003 to 2004 and the Road Traffic (Lighting of Vehicles) Regulations 1963 to 1996. These regulations set down the requirements in relation to basic matters such as brakes, steering, lighting, etc. Safety standards applied under these regulations relate, inter alia, to maximum passenger accommodation, overall vehicle weight and axle weight limits and the fitment of speed limiters. Notwithstanding the general speed limits that apply to vehicles, single deck buses are subject to a maximum speed limit of 80 km/h with double deck buses subject to a maximum speed of 65 km/h. All buses over 1 year old are liable to annual roadworthiness testing.

It is a matter for licensed operators to ensure that all of the vehicles in their fleet comply fully with the appropriate licensing requirements. Any bus operator who acquires new or replacement vehicles must have those vehicles authorized on their licence before they can be legally operated as part of their passenger transport business. A list of licensed operators is available on the Department's website at www.transport.ie together with an advice notice for persons engaging bus operators.

While the Garda Síochána are stepping up enforcement of road traffic and road transport law generally, the number of Transport Officers

in my Department is being increased from 9 to 18 this year.

Public Transport.

86. **Mr. Howlin** asked the Minister for Transport when he intends to increase bus licensing fees in view of the fact that the administrative costs to his Department amount to approximately €850,000 each year but his Department receives approximately €5,000 in fees and in view of the fact that many fees have not been increased for 51 years; and his views on whether under the 1932 Act he may make regulations increasing the fees before the passing of further primary legislation. [16311/06]

Minister for Transport (Mr. Cullen): The current level of fees for licences issued in accordance with the Road Transport Act 1932 does not meet the true cost of administering and enforcing the bus licensing system. This is but one aspect of the acknowledged limitations of the 1932 Act and it reinforces the need for reform and modernisation of this legislation.

Proposals for a major reform of the public transport market, involving independent regulation, and including the introduction of a new legislative basis for the award of bus route licences that will be applied in respect of all operators are being progressed. The new legislation will incorporate a modern structure for the application of fees for licences.

As the legislative proposals will present a comprehensive framework for the future of all bus licensing, I do not propose at this stage to pursue a change in the regulations that established the current level of fees. However I will keep this matter under review in the light of the advancement of the overall reform agenda for access to the bus market.

Greenhouse Gas Emissions.

87. **Mr. Allen** asked the Minister for Transport the measures he intends to bring forward to reduce the level of pollution caused by the transport sector; and if he will make a statement on the matter. [16204/06]

337. **Mr. Durkan** asked the Minister for Transport his plans to encourage both public and private transport towards compliance with Kyoto principle; and if he will make a statement on the matter. [16575/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 87 and 337 together.

I share the concern of both Deputies about reducing the environmental impact of transport. However transport emissions must be considered in the context of the sector's pivotal role in supporting economic prosperity, regional development and social inclusion. Growth in transport

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emissions is driven by strong transport demand associated with our sustained economic growth. In the context of strong population and household growth, high employment rates and increased passenger and freight movements, reducing or slowing the growth of transport emissions represents a considerable challenge.

In recognition of this challenge, my Department identified sustainability as a key objective in the Statement of Strategy 2005-2007 and is seeking to incorporate the economic, social and environmental dimensions of sustainability into the development and delivery of transport policy.

Transport 21 points the way forward. It provides for total capital funding of over €34 billion in transport over the next ten years, and represents a major rebalancing of investment in favour of public transport, which will facilitate modal shift to public transport. It will see public transport capacity in the Greater Dublin Area almost double over the period of this investment programme. A substantial portion of the Dublin suburban rail network will be electrified. It will also see major investment in the national rail network, with improved and more frequent mainline rail services and the development of the Western Rail Corridor and the Cork suburban rail network. There will also be significant investment in regional and local bus services.

Transport 21 also provides funding for a range of sustainable transport initiatives. The purpose of these initiatives is to facilitate the mainstreaming of sustainability criteria into transport investment decision-making and to make cleaner, more environmentally-friendly vehicles available, embracing public transport, the haulage industry and taxis. These initiatives include pilot projects for biofuel and hybrid-electric technologies, and eco-driving. My Department is engaging with the relevant sectors to progress these initiatives.

Emission reductions from the new vehicle fleet can be achieved through vehicle efficiency improvements undertaken by vehicle manufacturers and Ireland supports the EU Voluntary Agreements negotiated between the Commission and the motor industry. My Department has responsibility for implementing EU vehicle standards and ensures that each new vehicle entering into use in Ireland conforms to the relevant standards, including emissions. Complementary to this, optimal vehicle operation enhances fuel efficiency. The National Car Test, which was introduced in 2000, facilitates such improved vehicle standards.

Tackling the impact of transport emissions requires a cross-Departmental approach involving a number of Government Departments. I am determined to ensure that my Department will continue to play its part in ensuring that the transport sector makes its contribution to the important task of achieving Ireland's national greenhouse gas emissions targets under the

Kyoto Protocol, and to deliver on an increasingly sustainable transport provision.

Air Services.

88. **Ms O. Mitchell** asked the Minister for Transport if, in relation to the two recent incidents in which two Irish-registered aircraft were grounded at Prestwick Airport resulting from a bomb scare, he has satisfied himself with the decision taken to keep passengers on board for a prolonged period; if this unsatisfactory practice will not be repeated on any Irish aircraft; and if he will make a statement on the matter. [16256/06]

Minister for Transport (Mr. Cullen): I am aware of the general circumstances surrounding the recent hoax bomb scares on a Ryanair and Aer Arann aircraft. Both airlines have furnished initial reports on the incidents to my Department. I understand that Ryanair has also been in touch with the UK Department for Transport in the matter.

Given that the bomb threat warning was detected while each aircraft was flying within UK airspace, it was a matter for the UK Authorities to implement their contingency planning arrangements to address the particular security emergencies. I understand that the UK Authorities are reviewing the handling arrangements for these particular emergencies. The House will wish to know that I have written to Mr. Alistair Darling, MP, UK Secretary of State for Transport concerning the handling of the both incidents by the UK Authorities with particular regard to delays relating to the disembarkation of passengers and crew from both aircraft upon arriving at Prestwick Airport.

Finally, I have asked the National Civil Aviation Security Committee to establish if there are any lessons to be learned insofar as emergency planning procedures for aviation in the State is concerned. The Committee will be meeting shortly. This Committee which is chaired by a senior official from the Department of Transport comprises representatives of Government Departments, Dublin Airport Authority, airlines, the Garda Síochána, the Defence Forces, An Post, Customs and Excise, Irish Aviation Authority and the Irish Airline Pilots Association.

Road Safety.

89. **Mr. McCormack** asked the Minister for Transport if he has fully satisfied himself that there is a sufficient two-way flow of information between the Gardáí and the National Drivers File, in relation to the implementation of the National Road Safety Strategy, specifically the penalty points system; and if he will make a statement on the matter. [16261/06]

Minister for Transport (Mr. Cullen): The development of the support system for the pen-

alty point system involved significant and ongoing consultation with all the State Agencies involved including An Garda Síochána, the Court Service, the Vehicle Registration Unit of the Department of the Environment, Heritage and Local Government and the Department of Justice Equality and Law Reform. The position is kept under review and where improvement is desirable this will be pursued.

Driving Tests.

90. **Mr. G. Mitchell** asked the Minister for Transport if he remains committed to using the private sector to reduce the driver testing waiting backlog; if so, the way in which he intends to do this; when it will commence; and if he will make a statement on the matter. [16258/06]

171. **Ms McManus** asked the Minister for Transport the way in which he intends to reduce the waiting times for a driving test in view of the ongoing difficulties in increasing the number of driving tests. [16222/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 90 and 171 together.

I refer the Deputies to my reply to Question No. 502 on Tuesday 25 April. As I have indicated on a number of occasions, the delay in providing driving tests is a matter of regret to me. I believe it not only represents a poor service to the public but it is also hampering the development of initiatives which I wish to pursue and which will contribute further to road safety. The driving test and those who deliver it are a key element in the road safety strategy.

It is my objective to eliminate the backlog of driving tests by mid-2007 and my Department has developed a package of measures in consultation with staff interests to achieve this. Additional staff have been made available to the driving test service. 7 additional testers have been trained and are carrying out tests while a further 10 driver testers are due to commence training shortly.

I am pleased to acknowledge that a very high number of the existing driver testers have indicated that they will participate in a bonus scheme which commenced in February and will make a significant contribution to the reduction of the backlog. My Department is still in a position to offer early tests to those applicants requiring an urgent test, once they provide satisfactory documentary evidence of the reason why.

An important element of the package of measures to reduce the backlog was a proposal to contract out a set of numbers of driving tests. The Civil Service Arbitration Board has determined that, otherwise than by agreement, the contracting out of core work of driver testers to a private firm is not contemplated or permitted by the provisions of paragraph 21.9 or by any other provision of Sustaining Progress.

However The Board urged a resumption of discussions at which all options — and they emphasised all options — should be considered, with a view to ensuring that a solution is implemented without delay. My officials are currently in discussions with the Unions in relation to a way forward with a view to dealing with the backlog by the middle of 2007.

Public Transport.

91. **Mr. Ferris** asked the Minister for Transport his plans regarding the privatisation of Dublin Bus routes; and when he intends to implement them. [16179/06]

160. **Mr. English** asked the Minister for Transport when he will implement measures to allow for competition in the Dublin bus market; when this will progress; and if he will make a statement on the matter. [16199/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 91 and 160 together.

I am committed to modernizing the regulatory framework governing public transport, not just in Dublin, but nationally. In particular, at the launch of Transport 21, I said that I was convinced that we need a new approach to transport in the Greater Dublin Area, delivered through a single authority with the power to ensure joined-up thinking and delivery across all transport modes.

In advancing the regulatory agenda, discussions have taken place with the key stakeholders. These discussions form part of a process of engagement that will facilitate and inform the determination of the appropriate structure for the new framework and supporting legislation.

This process will also be informed by the work of the Team which was appointed to finalise the remit, structures and human resource requirements of the proposed Dublin Transport Authority. I have now received the report of the team and am currently reflecting on its recommendations. I will finalise my consideration of how best to proceed with public transport reform in the context of the institutional structures recommended by the Team. I would hope to be in a position to publish legislation on the matter in the current year.

In the interim, under the existing regulatory regime, my Department will continue to process any applications or notifications for new or amended bus services received from both private bus operators and Dublin Bus.

Road Safety.

92. **Ms McManus** asked the Minister for Transport if he has satisfied himself with the state of preparedness within his Department for the introduction of the digital tachograph; and the strategy in place to co-ordinate efforts with An Garda Síochána. [16213/06]

Minister for Transport (Mr. Cullen): From 1st May, 2006 the following vehicles put into service for the first time must be fitted with a digital tachograph:

- Vehicles used for the carriage of goods where the maximum permissible weight of the vehicle including any trailer or semi-trailer exceeds 3.5 tonnes;
- Vehicles used for the carriage of passengers which, by virtue of their construction and equipment, are suitable for carrying more than 9 persons, including the driver.

Associated with the introduction of this new technology, is the issue of smart cards for use in the new system. In Ireland, my Department is responsible for the issue of smart cards for drivers, companies, workshops and enforcement. Since February of this year my Department has been issuing these cards and the gardaí have now agreed to assist with this process in verifying the identity of drivers. From this week all drivers can go to their local Garda station to have their identity checked instead of coming to my Department's public office in Dublin. We very much welcome the co-operation and assistance of the gardaí in this matter.

Traffic Management.

93. **Mr. Ferris** asked the Minister for Transport his views on whether the recent ban on trucks in the second lane of motorways will result in a number of negative effects for road users here. [16180/06]

Minister for Transport (Mr. Cullen): The motorway driving rule that the Deputy refers to is not a recent measure but in fact was introduced as far back as 1st October 1997 with the commencement of the Road Traffic (Traffic and Parking) Regulations 1997 (SI No. 182 of 1997). The rules for traffic on a motorway contained in article 33 of these 1997 Regulations have therefore been part of road traffic law for a number of years at this stage and my Department is not aware of any major adverse effects for road users.

Road Network.

94. **Mr. Boyle** asked the Minister for Transport if, under the conditions set out by An Bord Pleanála for the widening and upgrade of the M50, a demand management plan for the motorway will have to be presented within three years of the completion of the first phase of the M50 upgrade; the analysis which has been done on such demand management systems to date; and the account which is being taken of the need for such a demand management system in the contract arrangements that are currently being agreed for tolls on the approach roads to the M50. [16277/06]

164. **Mr. J. O'Keeffe** asked the Minister for Transport if he has decided the method which will be used to replace the existing system of tolling on the M50; when barrier free tolling will be operational on the M50; and if he will make a statement on the matter. [16249/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 94 and 164 together.

At the outset, I should explain that the planning, design and implementation of national road improvement projects, including the M50 upgrade and other roads joining up with the M50, is a matter for the National Roads Authority (NRA) and the local authorities concerned.

The M50 upgrade project involves the widening of around 31km of motorway from 2 to 3 lanes in each direction, from the M50/M1 interchange near Dublin airport through to the Sandyford Interchange and the upgrades of the interchanges along this length. The upgrade work will take place in three phases, Phase 1 of which has commenced on the carriageway between the Red Cow and Galway Road roundabouts and is due for completion in mid 2008. Phase 2 comprises the widening of the remainder of the M50 and the upgrade of the other interchanges. Phase 3 comprises the widening of the 3.2km West-link section from the N3 to the N4.

Following the decision to abolish the West-link toll and replace it with a single point free-flow toll in 2008, it was decided to tender separately for the toll collection aspects of the M50 from the Phase 2 upgrade (construction) project. This will allow the NRA greater flexibility in the future with regards to tolling and demand management on the M50. The NRA is aiming to award the contract for Phase 2 in April 2007 and expects that construction will be completed in 2010. This contract will contain no tolling element and will be unaffected by any demand management decisions. The M50 free-flow contract will be a service contract (term limited) whereby the operator collects tolls for the NRA but does not determine the tolling strategy.

The statutory power to levy tolls on national roads, to make toll by-laws and to enter into toll agreements with private investors in respect of national roads is vested in the NRA under Part V of the Roads Act 1993 (as amended by the Planning and Development Act 2000). In that context, the NRA will bring forward specific proposals for the single-point free-flow toll arrangement for consideration later this year. A German consultancy firm has been engaged by the NRA to advise on the technology aspect of free-flow tolling.

The planning permission granted for the M50 upgrade requires that a scheme of specific demand management measures for the motorway corridor be published no later than three years after the upgrade (which includes Phase 1, Phase

2, and Phase 3) has been completed which, as I mentioned above, is anticipated to be in 2010. For this reason, the barrier free tolling arrangements will need to be adaptable to meet the medium to long term needs that arise. Comprehensive research and analysis is being undertaken by the NRA and will continue in the coming years in order to address the post 2010 situation.

Driving Tests.

95. **Mr. Sargent** asked the Minister for Transport the measures he intends to take to discourage the long-term reliance on provisional licences; and if he intends to introduce new licensing regulations in this regard. [16286/06]

122. **Mr. Rabbitte** asked the Minister for Transport his proposals to curtail the number of provisional licence holders legally allowed to drive unaccompanied; when he expects to take action in this regard; and if he will make a statement on the matter. [16223/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 95 and 122 together.

While I am preparing amendments to driver licensing regulations to discourage long term reliance on provisional licences, the implementation of any licensing reform is dependent on the current unacceptable driver testing backlog being cleared.

Port Development.

96. **Mr. Perry** asked the Minister for Transport if, with regard to the Shannon Foynes Port Company upcoming strategic review of its property and land portfolio, the Government have input into the study; if the Government have to approve plans before they go ahead as the outcome of the review could involve selling off property and land assets; and if he will make a statement on the matter. [13648/06]

Minister of State at the Department of Transport (Mr. Gallagher): Shannon Foynes Port Company is a State-owned company established under the Harbours Act 1996. The Act provides that the principal objects of the company include the provision of such facilities, services and lands in its harbour for ships, goods and passengers as it considers necessary.

The company is required to take all proper measures for the management, control, operation and development of its harbour. Decisions regarding the use of the land within the port estate are a matter for the port company and its board, in the first instance. On 15 March 2006, Shannon Foynes Port Company announced that it is conducting a strategic review of its property portfolio, which could result in a major expansion

and upgrade of its facilities in the Shannon Estuary at a cost of over €100 million.

The company projects significant increases in its volume of trade over the coming years and investment in new modern facilities that can handle bigger ships is required to accommodate this growth in trade. Whatever the conclusions of this review, the company has said it will continue to work in partnership with other stakeholders in the region.

More generally, a process is underway in my Department to examine future port capacity requirements at a national level, particularly for unitised trade. The ports have been invited by advisors working for the Department to make detailed project submissions regarding their development plans.

These submissions have recently been received, including one from Shannon Foynes Port Company, and are currently being evaluated. It is intended to finalise a report over the coming months.

Road Safety.

97. **Ms Burton** asked the Minister for Transport his views on the extraordinary delay in publishing the outcome of the review of the National Car Test; his further views on whether it is acceptable that the public and the Houses of the Oireachtas are denied access to this report; the cost of the report to the Exchequer; the actions that have been taken on foot of the recommendations; and when he intends publishing same. [16230/06]

113. **Mr. Connaughton** asked the Minister for Transport when reform to the National Car Testing Service will be introduced; and if he will make a statement on the matter. [16260/06]

326. **Ms O. Mitchell** asked the Minister for Transport if the report into the mid-term review of the national car test has been published; if not, his plans to publish this report; the main recommendations contained in this report; the way in which he intends to proceed in relation to this report; and if he will make a statement on the matter. [16539/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 97, 113 and 326 together.

The report on the outcome of the mid-term review of the national car testing service conducted by PricewaterhouseCoopers (PwC) for my Department was received in the Department at the end of October 2005.

My Department has concluded discussions with the National Car Testing Service (NCTS) on the recommendations contained in the PwC report. The discussions were conducted in accordance with the contract change procedures provided for in the Project Agreement between the Minister for Transport and the NCTS for the operation of

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the car testing service. I expect to receive shortly a submission from my officials on the outcome of these discussions. On receipt of the submission, I intend to make an early decision in relation to recommendations contained in the report. As soon as I have made that decision I will publish the PwC report on my Department's website.

The Supervision Services Contract with PwC for the supervision and monitoring of National Car Testing Service Limited includes the carrying out of the mid-term review on behalf of the Department. Accordingly, the cost of the report was not an additional charge on the Exchequer.

Question No. 98 answered with Question No. 80.

Air Services.

99. **Mr. Stanton** asked the Minister for Transport his views on the content of the European voluntary airline passenger service commitment; and his further views on whether it should be fully implemented; and if he will make a statement on the matter. [16248/06]

153. **Mr. Stanton** asked the Minister for Transport his views on the European voluntary airline passenger service commitment, in particular the sections which deal with persons with disabilities and limited mobility; and if he will make a statement on the matter. [16247/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 99 and 153 together.

In 2001 airlines in Europe developed the Airline Passenger Service Commitment following consultation with representatives of air travellers, European governments and the European Commission. The Service Commitment contained non-legally binding commitments to deliver defined standards of service to air travellers and stated that signatory airlines should develop their own individual service plans incorporating the Airline Passenger Service Commitment. However, not every airline supported this project.

In the intervening period this non-binding arrangement has effectively been superseded by European legislation. European Community Regulation No. 261/2004, which established common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, came into effect on 17 February 2005. This Regulation provides that EU air carriers must provide monetary compensation, a refund, a return flight, or else assistance (meals, refreshments or accommodation) to passengers, depending on the circumstances of the delay, cancellation, of the flight in question, or if boarding is denied due to overbooking.

Under the Regulation, airlines must pay compensation for all long delays and cancellations at short notice, even if this is for reasons beyond their control. However, airlines will not have to pay compensation if the delay or cancellation is caused by adverse weather conditions, security risks, safety concerns, air traffic control problems, or industrial action. The Commission for Aviation Regulation has been designated as the body responsible for enforcing these Regulations in Ireland.

In the last year a Proposal for a Regulation which establishes rules for the protection of and assistance to Persons with Reduced Mobility when travelling by air has been drawn up and is almost complete. This Proposal asserts that there shall be no discrimination against Persons with Reduced Mobility travelling by air and sets out minimum standards of service and assistance before, during and after flying, in airports and on airlines, at no cost to such persons.

It is expected that the proposed Regulation will be adopted by a Council of Ministers shortly. The rights for assistance for Persons with Reduced Mobility would then come into force in Member States in early 2007, while other parts of the Regulation would come into force in early 2008.

I believe that the formal regulatory approach provides more certainty for passengers and Ireland has strongly supported both proposals.

Road Traffic Offences.

100. **Mr. McGinley** asked the Minister for Transport if he has satisfied himself with the situation whereby the drivers of cars not registered here cannot be awarded penalty points; the progress which has been made toward creating European-wide penalty point recognition; and if he will make a statement on the matter. [16251/06]

Minister for Transport (Mr. Cullen): On receipt of notification from An Garda Síochána of payment of a fixed charge in respect of an alleged penalty point offence or notification from the Courts of a conviction for a penalty point offence the appropriate penalty points are endorsed on the person's driver licence record in the National Driver File where a person holds an Irish driving licence. In the case of a person who holds a foreign driving licence or has no licence a record is created in the National Driver File for that person and the penalty points are recorded on that record. If the person subsequently obtains an Irish driving licence the points are then applied to that person's driver licence record on the National Driver File. The foregoing arrangements apply irrespective of the registration status of the vehicle.

Road Safety issues are considered at EU Council (Ministerial) meetings and also at official level in the EU on an ongoing basis. In that con-

text, it is recognised by the EU that, from an enforcement perspective, the growth in cross-border traffic throughout Europe has meant that agencies have to deal with an increasing number of road traffic violations committed by drivers of vehicles registered in other States.

A European Commission Transport and Energy directorate (DGTREN) project is examining the current state of play in cross-border enforcement of road traffic laws within the European Union. The project, named CAPTIVE, is examining bilateral/multilateral agreements and other instruments (such as Directives and Conventions) which address the cross-border enforcement of road traffic offences.

Question No. 101 answered with Question No. 72.

Rail Services.

102. **Mr. Noonan** asked the Minister for Transport the new or additional freight services which have been developed by Irish Rail since 2000; if he has satisfied himself that Irish Rail is sufficiently robust in seeking to expand such business; and if he will make a statement on the matter. [16267/06]

129. **Ms O'Sullivan** asked the Minister for Transport the actions he has taken since taking up his position to encourage greater use of freight by rail; the outcome of these actions in terms of percentage tonnage carried by that mode in each year since taking office; and if he will make a statement on the matter. [16234/06]

166. **Mr. McCormack** asked the Minister for Transport his views on the expansion of the national rail freight industry; the initiatives he has pursued in order to advance such an aim; and if he will make a statement on the matter. [16262/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 102, 129 and 166 together.

The Strategic Rail Review, commissioned by my Department, contained a comprehensive examination of the rail freight business and its realistic potential to support economic development and contribute to sustainable development. Iarnród Éireann, in responding to the challenges contained in the Review, developed a business plan with regard to freight. The company's goal is to return the rail freight business to profitability. To help achieve this turnaround, Iarnród Éireann withdrew from loss-making groupage, palletised and single container rail transport in the recent past. The company carried a total of 1,904,628 tons of freight in 2004 and 1,660,147 tons in 2005.

Despite recent setbacks, the company has made progress in growing the rail freight business

in areas such as mineral ore and pulpwood where it holds a competitive advantage over road haulage. Iarnród Éireann has:

- increased the trainload pulpwood business by modifying surplus wagons and providing additional services for Coillte between the West of Ireland and the South East;
- recently altered rail schedules to provide three additional trains per week for Tara Mines with a potential to carry an extra 85,000 tonnes per annum of lead and zinc between Navan and Dublin Port,
- modified surplus platform wagons to provide a trainload service for containers between Ballina and Waterford Port.

It is clear, however, that the company has genuine difficulty in identifying business opportunities which offer reasonable volumes of business on a regular basis to make up complete train loads. It is not feasible to run trains with one or two containers. Most Irish industry is focussed on 'just in time' transport and as our road network continues to expand and improve across the country, the role of rail freight becomes more problematic, because all rail journeys involve road movements at each end of the logistics chain. Furthermore, in Ireland distances are short. The experience across Europe is no different. Rail freight activities are most economic where distances are long, where there are large volumes to be transported and where the freight to be carried is not time sensitive.

Since 1999, Iarnród Éireann has invested over 1.5 billion euro in rebuilding the railways, with Government and EU support for the investment programme. This has delivered improvements in new trains, upgraded infrastructure and customer facilities. While such investment has primarily focused on improving passenger services, the investment in improving rail infrastructure also has a direct beneficial impact on freight activities.

The market for rail freight will be fully liberalised in a matter of months but so far there has been very limited interest shown in this development.

State Airports.

103. **Mr. Allen** asked the Minister for Transport the contingency plan which will be put in place at Dublin Airport to deal with the issue which will arise once the construction of a second terminal at the airport begins; if he has satisfied himself that this terminal can be completed by 2009; the estimated cost of this project; and if he will make a statement on the matter. [16203/06]

Minister for Transport (Mr. Cullen): It is a day to day operational matter for the Dublin Airport Authority (DAA) to ensure that disruption to the

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operation of Dublin Airport is minimised during the construction of Terminal Two and I have no function in the matter.

However, I am advised by the DAA that great care will be taken to ensure that the potential for such disruption is kept to the minimum during the construction work. The DAA is very much aware of the need to deliver Terminal Two within the timeframe set by the Government. The specifications of the new terminal, with regard to size and design, are currently the subject of discussions with airport users.

When making the decision on Terminal Two, the Government approved a triple safeguard to ensure maximum efficiency and cost effectiveness of the new terminal. As part of that safeguard, the specification and cost of the new terminal will be independently verified by consultants recently appointed by my Department and this work has already commenced.

Question No. 104 answered with Question No. 73.

Rail Network.

105. **Mr. O'Dowd** asked the Minister for Transport the progress which has been made in the development of a Metro system for Dublin; and if he will make a statement on the matter. [16274/06]

Minister for Transport (Mr. Cullen): Transport 21 includes two Metro lines — Metro North from St. Stephen's Green to the north of Swords, in the vicinity of Lissenhall, to be completed in 2012 and an orbital line, Metro West, linking Tallaght with Ballymun and serving Clondalkin, Liffey Valley and Blanchardstown which is scheduled for completion, on a phased basis, by 2014.

I launched a public consultation process by the RPA on the route of Metro North on 28 February 2006. The consultation concerns three potential routes. The views of the public and key stakeholders are being sought on the three routes and the station locations along the three routes, as well as any other options which stakeholders may consider relevant. Arising from the public consultation process, the RPA will decide during the summer which alignment to proceed with.

Metro West, when completed will provide a high quality public transport alternative for the increasing number of people travelling along the corridor between Tallaght and Dublin Airport and provide an alternative public transport option to the M50. The proposed route for the Metro West line will connect with the Luas Red Line at Tallaght, the Kildare and Maynooth suburban rail lines, the new Lucan Luas line and with Metro North at Ballymun. It will serve Clondalkin, Liffey Valley and Blanchardstown.

The RPA have commenced alignment studies for this project.

Road Safety.

106. **Mr. Crawford** asked the Minister for Transport if he intends to introduce additional measures to reduce the level of speeding on roads by heavy goods vehicles; and if he will make a statement on the matter. [16198/06]

Minister for Transport (Mr. Cullen): Speed limits that apply to specified classes of vehicles under the Road Traffic Act 2004 are termed Ordinary speed limits. Since 20 January 2005 a maximum speed limit of 80 km/h applies to goods vehicles that have a design gross vehicle weight in excess of 3,500 kilograms on all roads except where a lower road speed limit applies. The same level of fixed charge and penalty points that applies to breach of a road speed limit apply to breach of the Ordinary speed limit of 80 km/h.

Since 1993 (in accordance with EU Directive 92/6) goods vehicles over 12 tonne design gross vehicle weight and buses over 10 tonne design gross vehicle weight must be fitted with speed limiters so that their speed may not exceed 90 km/h and 100 km/h respectively. In December 2005, I made Regulations extending the requirement for speed limitation to be fitted to include all goods vehicles over 3.5 tonnes design gross vehicle weight and all passenger vehicles having more than 8 passenger seats. These Regulations gave effect to EU Directive 2002/85.

It is an offence to drive such a vehicle without a speed limitation device or with a device which is not functioning correctly. The penalty for such an offence is a fine up to €3,000 or to imprisonment for a term not exceeding 3 months or to both.

I intend in the upcoming Road Safety Bill to make provision to enable me at the appropriate time to apply the fixed charge and penalty point systems to these speed limitation offences.

The enforcement of speed limits and the speed limiter provisions is a matter for the Garda Síochána and, where prosecutions are initiated, for the Courts.

107. **Mr. Gogarty** asked the Minister for Transport further to the recent chemical spillage on the N28 Carrigaline to Ringaskiddy road, the measures which are in place to ensure the safe road transport of such hazardous substances. [16281/06]

Minister for Transport (Mr. Cullen): Persons engaged in the transport of dangerous goods by road must comply with a range of requirements set down in the Carriage of Dangerous Goods by Road Regulations 2004. The Regulations, which were made by the Minister of State at the Department of Enterprise, Trade and Employment,

impose duties on the various participants associated with the carriage of the dangerous goods. The range of requirements to be met under the Regulations come within the remit of a number of Government Departments and State bodies, namely, the Departments of Justice, Equality and Law Reform; and Transport as well as the Health and Safety Authority; the Radiological Protection Institute of Ireland; the National Standards Authority of Ireland; and the Irish National Accreditation Board. The lead body for the purposes of the Regulations is the Health and Safety Authority.

The Regulations contain requirements for the vehicles as well as the tanks, receptacles and packaging containing the dangerous goods. They require that the drivers and others involved in the transport of the dangerous goods (including their packaging, loading, filling, unloading) be adequately trained and, in the case of drivers, hold certificate to that effect.

Vehicles used in the carriage of dangerous goods by road must conform to certain technical specifications. My Department has been assigned responsibility for Part 5 of the Regulations relating to the technical examinations of such vehicles to determine whether a vehicle meets the specified technical requirements for the class or classes of substances which it is proposed to transport using that vehicle. It is a requirement for the use of such a vehicle in a public place that it has undergone a technical inspection and been issued with a certificate of approval. A certificate of approval is valid for 12 months. Enforcement of the requirement for a vehicle to have a valid certificate of approval is carried out by the Health and Safety Authority.

Transport 21.

108. **Mr. M. Higgins** asked the Minister for Transport the progress made to date on Transport 21 projects; and if he will make a statement on the matter. [16232/06]

312. **Mr. Callely** asked the Minister for Transport the measures which have taken place to progress transport 21. [16690/06]

313. **Mr. Callely** asked the Minister for Transport if there have been delays to progressing any aspects of Transport 21, and if so, the reasons for those delays. [16691/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 108, 312 and 313 together.

In the four months since Transport 21 became operational, significant progress has been made. On Luas I have received applications from the Railway Procurement Agency for two Railway Orders for Luas extensions to the Docklands and to Cherrywood.

The Public Inquiry in relation to the Cherrywood extension was held in March 2006 and the Inspector submitted his findings to me on 18 April, which I published last week. In accordance with the relevant provisions of the Transport (Railway Infrastructure) Act 2001, I am now considering all of the relevant documentation in relation to the project, including the Inspector's report, and will make a decision on the application in due course.

The Inspector appointed for the Public Inquiry in relation to the proposed Luas extension to the Docklands has announced that the Inquiry will start on 29 May 2006. The Railway Procurement Agency is also well advanced with public consultation processes in relation to Metro North, the Luas spur to Citywest and the linking of the existing Luas lines in the city centre.

As regards heavy rail, the first phase of the DART Upgrade project was completed on time and within its budget. Delivery of the 67 new intercity carriages for operation on the Dublin-Cork route will be complete later this year and they will be introduced into service gradually, allowing Iarnród Éireann to provide a service every hour on the route by end 2006. The Public Inquiry for the Kildare Route project was held from 24 January to 2 February this year. The Inspector's report of the inquiry is expected in the coming weeks.

I expect to receive, shortly, a Railway Order application in respect of the re-opening of the railway line between Glounthaune and Midleton. Design of Glounthaune to Midleton section and the 3 new stations is ongoing.

On 9 March 2006 I launched the construction of the new Docklands rail station. Trackwork and the clearance of the site have begun and a planning application has been lodged with the Dublin City Council. Tender documents are currently being prepared and Iarnród Éireann hope to go to tender this month.

Planning permission has been received for the new intercity railcar depot at Portlaoise and contracts have been awarded. Construction is due to commence in October 2006, for completion in September 2007, in time for delivery of the first of the 150 intercity railcars.

Dublin Bus took delivery of 20 additional buses funded by the Exchequer in December and January. All 20 have entered service. An application from Dublin Bus for funding for 200 new buses is being assessed in my Department in the context of Transport 21, the future bus needs of the Dublin area and the Bus Network Review conducted by Dublin Bus and with regard to the outcome of discussions on the future regulation of the bus market.

Bus Éireann submitted a Development Plan to me for the next three years in late 2005 and based on that the company submitted an application for funding for the purchase of 295 buses over the

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same period. This is currently under consideration in my Department.

During 2006, the National Roads Authority expects to complete thirteen projects with a combined length of over 82 kilometres. In addition work is expected to commence on fifteen projects with a combined length of 334 kilometres. Already work has commenced in 2006 on the N5 Charlestown Bypass and the N25 Waterford Bypass. A list of the 2006 completions and commencements is seen in the tables.

Road Projects to be completed in 2006

Route	Scheme
N2	Monaghan Bypass
N2	Ashbourne Bypass
N4	Edgeworthstown Relief Road
N7	Naas Upgrade
N8/N73	Mitchelstown Relief Road
N15	Ballyshannon/Bundoran
N21	Castleisland/Abbeyfeale
N25	Kinsalebeg
N25	Kinsale Road Interchange
N30	Enniscorthy/Clonroche
M50	Dublin Port Tunnel
N52	Mullingar Bypass
N55	Cavan Bypass

Road Projects to commence in 2006

Route	Scheme
N3	Clonee/South of Virginia Bypass (PPP)
N4	Dromod Rooskey
N5	Charlestown Bypass
N6	Kinnegad/Athlone Phase 2
N7	Limerick Southern Ring Road Phase 2 (PPP)
N7	Nenagh to Limerick
N8	Cullahill/Cashel
N8	Cashel/Mitchelstown
N9	Kilcullen/Waterford (Northern Section) Phase 1
N9	Kilcullen/Waterford (Southern Section) Phase 1
N11	Enniskerry Junction Improvements
N11	Kilpeddar Delgany Jn. Improvements
N25	Waterford City Bypass
M50	M50 Upgrade Scheme Phase 2 (PPP)
N80	Mountmellick Relief Road

Air Services.

109. **Mr. Crowe** asked the Minister for Transport if the Government has learned from the disastrous examples of Eircom, Aer New Zealand and rail in Britain that privatisation is not an ideology for the common good; and if, in view of

these examples, he will reconsider the privatisation of Aer Lingus. [16171/06]

Minister for Transport (Mr. Cullen): I note that the Deputy is seeking to enter into an ideological debate rather than seek information. It is clear that neither public nor private ownership serves as a guarantee of financial or commercial success and there are many examples of shortcomings and financial failure of State companies across the world.

I have set out on many occasions the rationale for the Government's decision on the future of Aer Lingus. I do not propose to reconsider the matter on the grounds suggested by the Deputy.

Road Traffic Offences.

110. **Ms Lynch** asked the Minister for Transport when he intends activating the remaining non-commenced penalty points categories, and the further additions he intends making to this list. [16227/06]

Minister for Transport (Mr. Cullen): The roll-out of the penalty points system to the range of offences set out in the Schedules to the Road Traffic Act 2002 was commenced in October 2002. It was progressed further in 2003, 2004, and significantly extended from 3 April 2006. The total number of offences to which the penalty point system now applies is 35.

The progressive extension of the penalty point system will continue to be pursued and additional offences may be included at some stage in the future. I have no definitive timeframe in mind at this point in relation to the remaining offences.

Road Safety.

111. **Mr. Hayes** asked the Minister for Transport the progress made by his Department in expanding the number of off-road articulated vehicle testing facilities nationally; and if he will make a statement on the matter. [16271/06]

Minister for Transport (Mr. Cullen): The appointment of authorised testers for the purposes of compulsory annual roadworthiness testing of commercial vehicles is a matter for local authorities in accordance with the European Communities (Vehicle Testing) Regulations 2004. I understand that there are currently 157 authorised testers in the country.

Road Signage.

112. **Mr. Gilmore** asked the Minister for Transport the action he proposes to take to consolidate regulations with the aim of curbing the proliferation of road traffic signage in urban areas, particularly in relation to bus lane and cycle lane signage; and if he will make a statement on the matter. [16245/06]

Minister for Transport (Mr. Cullen): Under section 95 of the Road Traffic Act 1961 road authorities may provide regulatory traffic signs and non-regulatory traffic signs such as information, direction and warning signs as they consider desirable. Such signs must be in accordance with the Traffic Signs manual.

At locations where bus lanes or cycle tracks are provided the relevant regulatory traffic signs including roadway marking signs must be provided to inform road users of the existence of the facility in question and to support the operation and enforcement of these regulatory measures.

As stated already responsibility for the provision of traffic signs is vested in each individual road authority and I have no proposals to impose restrictions on the exercise of this function and in particular to require that less signage be provided in relation to bus lane or cycle track facilities.

Question No. 113 answered with Question No. 97.

Harbours and Piers.

114. **Mr. Deenihan** asked the Minister for Transport if the necessary funding will be provided to enable Tralee and Fenit Harbour Board to carry out essential, structural, operational and safety work at Fenit Harbour, including repairs to the viaduct from a dredging refurbishment of the main pier, provision of a new car park, remedial work to West Wall and Crossed Quay and so on; and if he will make a statement on the matter. [16115/06]

Minister of State at the Department of Transport (Mr. Gallagher): Responsibility for Tralee and Fenit Harbour and for 12 other regional harbours operating under the Harbours Act 1946, transferred from the Department of Communications, Marine and Natural Resources to the Department of Transport with effect from 1 January 2006.

Funding of €600,000 was provided in 2004 to Tralee and Fenit Harbour towards repairs to the viaduct and for the widening of the pier. The Harbour Commissioners were made aware in correspondence at that time that there was no commitment to provide further Exchequer funding for additional works; that they would have to make arrangements to provide funding for any additional works from their own resources.

The Commissioners have recently sought additional funding for remedial works at their harbour. Their funding proposals and those from the other regional harbours will be considered over the coming months, in the context of the necessity to prioritise the limited available budget towards essential safety and remedial works.

The limited resources available in the Department for expenditure on regional harbours are being concentrated on essential safety and remedial works, pending the transfer of the har-

bours to local authority or port company control, in accordance with the Government's Ports Policy Statement, which was published in January 2005.

Road Safety.

115. **Mr. Naughten** asked the Minister for Transport the anticipated timeframe for the introduction of reduced speed limits outside schools; and if he will make a statement on the matter. [16160/06]

148. **Mr. Naughten** asked the Minister for Transport the financial provisions he intends to put in place to introduce special reduced speed limits outside schools; and if he will make a statement on the matter. [16159/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 115 and 148 together.

The decision to apply a special speed limit, including the application of a periodic speed limit, at any location is a matter for determination by each city council or county council. I have no function in relation to the timing of the imposition of special speed limits at any location.

The making of special speed limit bye-laws is subject to the timeframes provided in section 9 of the Road Traffic Act 2004. Statutory time periods are laid down in relation to the publication of public notices, in respect of consultation with specified bodies and, where the proposal to apply or revise a speed limit relates to a national road, consent in writing must be obtained from the National Roads Authority. The provision and funding of traffic signs, including speed limit signs, on non-national roads is a matter for each individual road authority and, in the case of national roads, is a matter for the National Roads Authority.

However, I am not satisfied that all local authorities have recently exercised or are in the course of exercising their functions in this area as I have outlined above. I have written to that effect to all the local authorities and I hope that they will focus quickly on the issues, if they have not already done so.

Question No. 116 answered with Question No. 73.

Cycle Facilities.

117. **Mr. Quinn** asked the Minister for Transport the action he has taken further to the submission made by the Dublin Cycling Campaign to him on 23 February 2006 in relation to the repeal of the requirement for cyclists to use a mandatory cycle lane where one is provided; and the way in which he intends to approach this issue. [16212/06]

Minister for Transport (Mr. Cullen): As I indicated in reply to Parliamentary Question No. 499

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of 21 March 2006 the contents of the submission in question have been noted and the present requirements regarding the use of mandatory cycle lanes will be looked at in the context of the review of the current traffic and parking regulations 1997-2005 that is being undertaken in my Department.

At present under road traffic regulations in place since 1998 where a cycle track, bounded by solid white line roadway marking, is provided it is mandatory for cyclists to use that track. Since 3 April 2006, it is a penalty point for a driver of a mechanically propelled vehicle to drive in such a cycle track since that area of the road is reserved exclusively to cyclists.

The other type of cycle track that a local authority may provide is one that is bounded by a broken white line roadway marking. Restricted access to vehicles is permitted in those cycle tracks because a vehicle can drive in that cycle track to park there while goods are being loaded or unloaded for a period not exceeding 30 minutes. Penalty points do not apply to drivers of vehicles who enter that type of cycle track.

The position being put forward by the Dublin Cycle Campaign Group is that they want to have the mandatory use requirement abolished and to leave individual cyclists have the option whether or not to use the dedicated cycle track space or to use other traffic lanes adjoining if they so wish. A number of policy issues arise for consideration including the safety of the cyclists, the danger of cyclists weaving in and out of traffic, and the role of the Local authorities in identifying on-road space or, in some cases off-road space, to provide cycle track facilities to promote and facilitate cycling as a mode of transport. Work in relation to this issue is ongoing.

Air Services.

118. **Mr. Hayes** asked the Minister for Transport if he will report more fully on the IPO process proposed for Aer Lingus, including the time-scale and the process by which shares will be offered for sale; and if he will make a statement on the matter. [16272/06]

126. **Mr. English** asked the Minister for Transport his position regarding the partial privatisation of Aer Lingus; his views on whether the airline will receive private sector investment by summer 2006; and if he will make a statement on the matter. [16200/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 118 and 126 together.

In May 2005, the Government agreed to the State disposing of a majority shareholding in Aer Lingus in order to facilitate equity investment in the company. The Government mandated myself and the Minister for Finance to appoint advisers to advise on the nature, scale and timing of an

investment transaction and to revert to Government with proposals for the implementation of an investment transaction.

In accordance with that mandate, following consideration of the report prepared by our advisors, the Minister for Finance and I agreed proposals for the implementation of an investment transaction and those proposals were noted by Government at its meeting on 4 April 2006. The investment transaction will take place by means of an initial public offering of shares in Aer Lingus on the Stock exchange. Our advisers have been mandated to prepare for a transaction as soon as possible taking account of stock exchange rules and market conditions.

Question No. 119 answered with Question No. 85.

Question No. 120 answered with Question No. 72.

Driving Instruction.

121. **Mr. Bruton** asked the Minister for Transport the measures which will be implemented to improve the driving instruction sector; and if he will make a statement on the matter. [16253/06]

158. **Ms B. Moynihan-Cronin** asked the Minister for Transport the progress made on the registration of driving instructors; and when he expects quality standards to be set down. [16243/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 121 and 158 together.

Proposals developed by my Department for the regulation and quality assurance of driving instruction will involve a test of the competence of individual instructors. A working group comprising representatives of my Department and of instruction interests has formulated the design of the standards that a driving instructor must meet. The standard will set out criteria for entry to the driving instructor profession and the three part exam comprising a written exam, a practical driving test and a test of instructional capability that instructors will have to pass in order to be registered.

Responsibility for implementing the standard of driving instruction and establishing a register of driving instructors will be with the proposed Road Safety Authority. I am considering what arrangements will be put in place to oversee implementation of the standard in the context of the establishment of the Authority. As part of this process the standard referred to above will form the basis for a consultation document to be issued shortly which will set out the requirements that driving instructors will have to comply with in order to be registered.

Question No. 122 answered with Question No. 95.

Traffic Management.

123. **Mr. Costello** asked the Minister for Transport the regulatory reforms he is proposing in connection with the introduction of a heavy goods vehicle ban and permit system in Dublin City. [16217/06]

Minister for Transport (Mr. Cullen): I propose to make road traffic regulations to provide that control on entry to roads or an area/zone may be applied in respect of goods vehicles by reference to the number of axles on the vehicle. This regulatory measure will be applied through the provision of a traffic sign that must be provided at the entry point on each road or area/zone to which the control on entry measure is being applied. I will be prescribing a new regulatory traffic sign for this purpose.

The new regulations for control of movement of goods vehicles will have national application and will not apply to Dublin City Council alone. The detail and parameters of operation of such controls and restriction on vehicle movements are traffic management issues to be determined at local level so it will be a matter for each individual road authority to decide if, when and where such a traffic management measure should be applied in their area, to determine the periods of operation and the number of axles on the goods vehicles to which the controls should apply.

Provision is contained in section 35 (2) (t) of the Road Traffic Act 1994 as inserted by section 26 of the Road Traffic Act 2004 for the application of a permit system to exempt permit holders from the application of prohibitions and restrictions to specified traffic from entering or using specified roads. I will be prescribing a fee for the issue of such permits but the detail and operation of the permits will be a matter for each local authority.

124. **Mr. Durkan** asked the Minister for Transport the steps he proposes to take to facilitate easy access with parking facilities for rail commuters, with particular reference to the need to encourage the use of the rail services in order to alleviate road traffic congestion; and if he will make a statement on the matter. [16182/06]

Minister for Transport (Mr. Cullen): One of the central strategic aims of my Department is to attract people out of their cars and onto public transport, so reducing congestion, and also pollution, and improving overall quality life in Ireland. There are several developments necessary to achieve this end. Provision of appropriate parking facilities for rail commuters is one of them.

In the Greater Dublin Area, there is a strategy in place to develop rail-based park and ride facilities. This strategy was drawn up by the Dublin Transportation Office (DTO), and was approved last Summer by my Department. The strategy envisages facilities at 22 locations on the existing and proposed rail network within the Greater Dublin Area (GDA).

In the present year, I have made capital funding of €5 million available for the development of appropriate park and ride projects in the GDA. Capital funding will also be provided in succeeding years under TRANSPORT 21. There will be no revenue support to subsidise operating costs of Park and Ride facilities. My Department will consider applications for this funding by public bodies for specific projects on a first-come, first served basis. They will be evaluated according to their business cases, and against the strategic value they offer, as assessed against the DTO strategy.

Each of the provincial cities has development plans including the development of bus priority measures and park and ride facilities. I have made funding of €11.5 million available under TRANSPORT 21 for projects in this category in 2006.

Departmental Agencies.

125. **Mr. Broughan** asked the Minister for Transport the progress made to date in establishing a Dublin Transport Authority; and if he will make a statement on the matter. [16235/06]

132. **Mr. Crawford** asked the Minister for Transport if he has satisfied himself with the progress made to date in the establishment of a Dublin Transport Authority; if all the members of the Authority's board have been selected; if not, the reason therefor; and if he will make a statement on the matter. [16197/06]

157. **Mr. Boyle** asked the Minister for Transport when the new Dublin Transport Authority will be in operation; the responsibilities of the proposed agency; the staffing and funding structure for the agency; and the powers the authority will have in its dealings with both public and private transport operators and the Dublin Transport Office and the local authorities in the greater Dublin area. [16278/06]

314. **Ms O. Mitchell** asked the Minister for Transport when the Dublin Transport Authority will be established; if he will fast-track its establishment in view of its important role in the delivery of Transport 21; and if he will make a statement on the matter. [16528/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 125, 132, 157 and 314 together.

In November 2005 I appointed a Dublin Transport Authority Establishment Team. I asked the Team to:

- make recommendations on the establishment of a transport authority for the Greater Dublin Area, addressing the remit of the authority, its powers, structure, organisation and human and other resource requirements and such other matters as the Team considered appropriate;
- give advice on the content of legislation required to establish the proposed authority on a statutory basis; and
- make recommendations on what interim arrangements should be put in place pending the enactment of the legislation.

The Team has finalised its work and I received its report at the end of March. I am currently considering the report and its recommendations.

I intend to bring proposals in relation to a Dublin Transport Authority to Government in the near future. Consideration is also being given to interim arrangements which, pending the enactment of legislation to establish the Authority on a statutory basis, would facilitate putting in place the human resource and organisational structures of the Authority at an early stage following a Government decision.

Question No. 126 answered with Question No. 118.

Road Traffic Offences.

127. **Mr. Sargent** asked the Minister for Transport the measures he has taken to institute the recognition of penalty points with the Northern Ireland authorities; and when the system will come into operation. [16285/06]

Minister for Transport (Mr. Cullen): The North/South Work Programme which was agreed by the North South Ministerial Council, included a commitment to examine the mutual recognition of penalty points between the Republic of Ireland and the North. However, in addition to the fact that separate penalty point systems operate in the two jurisdictions on this island, the system that operates in Northern Ireland differs from that applying in Great Britain. For that reason, it was agreed that it would be more appropriate to pursue the question of mutual recognition of penalty points on the basis of the operation of the three systems and that it would also be more appropriate that it would be dealt with under the auspices of the British-Irish Council.

It was agreed at the British-Irish Council meeting on the 9 February last that officials should examine the prospects for greater co-operation in the treatment of road traffic infringements where the penalty falls short of disqualification. At that meeting I also formally agreed with the UK Minister of State for Transport to enter into bilateral arrangements on the mutual recognition of driving disqualifications as envisaged in the EU Convention on Driving Disqualifications.

The development of a system of mutual recognition of lesser offences presents complex legal questions and will require the negotiation of a bilateral agreement between the two Governments and probably the passage of primary legislation to support such an agreement. It is recognised that as there are three separate systems for penalty points in operation, straightforward mutual recognition of points is not practical. Nevertheless, an agreement to recognise lesser offences not covered in the Convention might be feasible whereby the offences could be notified and the penalties appropriate to such offences in each jurisdiction applied.

As Northern Ireland has the lead role for transport matters in the BIC, the authorities in that jurisdiction are taking the lead in considering this issue. It was agreed that officials examine the issues further and report back by the end of May. Given the complexities I expect further work will be necessary at that stage.

Road Network.

128. **Mr. Quinn** asked the Minister for Transport the steps that are in place to alleviate the expected traffic congestion on the M50 and Westlink when the Port Tunnel opens later in 2006; the expected date for the opening of the tunnel; and if he will make a statement on the matter. [16216/06]

140. **Mr. Deenihan** asked the Minister for Transport if the Dublin Port Tunnel is still on target to open to traffic for summer 2006; and if he will make a statement on the matter. [16264/06]

141. **Ms Enright** asked the Minister for Transport the additional measures which will be implemented on the M50 and M1 to deal with the increase in traffic as a result of the opening of the Dublin Port Tunnel; and if he will make a statement on the matter. [16265/06]

149. **Mr. Stagg** asked the Minister for Transport the legislative changes he envisages making to facilitate the optimum use of the Dublin Port Tunnel, in particular in relation to the use of the right hand lane by heavy goods vehicles in both tunnels. [16239/06]

340. **Mr. Durkan** asked the Minister for Transport the extent to which current and anticipated traffic flows have been examined with a view to avoiding traffic chaos when the Port Tunnel is opened; if other plans have been examined with a view to alleviating road congestion on the M50 at that time; and if he will make a statement on the matter. [16579/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 128, 140, 141, 149 and 340 together.

At the outset, I should explain that the planning, design and implementation of national road improvement projects, including the Dublin Port Tunnel, is a matter for the National Roads Authority (NRA) and the local authorities concerned, in this case, Dublin City Council.

As a major new element in Dublin's road network, the Port Tunnel will have a significant beneficial impact on traffic flow in the Dublin area. I understand that the civil engineering work within the tunnels has now been largely completed and that the main focus of work has shifted to the installation of the mechanical and electrical systems which make up the safety and control features of the project. The latest indications from Dublin City Council and the NRA are that the main construction and installation work in the Tunnel is expected to be completed in June, with the Tunnel opening to traffic in late August, early September. However, in the interest of public safety, the exact opening date will be contingent on satisfactory completion of the testing and commissioning of the tunnel's operational and safety features, including the training of operational and emergency staff.

Traffic management in general is a matter for the appropriate local authority in the area. In this instance, the traffic management and control arrangements that will apply following the opening of the Tunnel are a matter for Dublin City Council. I understand that the Council together with the NRA are working to ensure that the Dublin Port Tunnel, when open, will integrate smoothly with the road network at both the M1/M50 junction and in the port area.

I am very conscious of the need to co-ordinate the commissioning of the completion of the Dublin Port Tunnel with the upgrade of the M50. My officials and I are consulting with all stakeholders, including Dublin City Council, to ensure that a co-ordinated strategy is developed for the opening of the Tunnel. Dublin City Council's Heavy Goods Vehicle (HGV) Management Strategy is an important part of this process in that its purpose is to ensure that maximum traffic benefits are secured from the Dublin Port Tunnel.

I understand that the Strategy was considered by Dublin City Council on 10 April 2006 and that at that meeting, the Council decided to introduce

the Strategy with a full extended cordon as and from 1 January 2007. From that date, there will be no surface access routes to Dublin Port for the restricted vehicles identified in the Strategy except through the Port Tunnel between the hours of 7am and 7pm each day. The Executive of the Council are in the process of putting in place arrangements to implement the Council decision.

My Department's formal role will be to put in place the necessary regulations regarding road signage and related matters to support the strategy. This work is underway.

Question No. 129 answered with Question No. 102.

Question No. 130 answered with Question No. 70.

Question No. 131 answered with Question No. 85.

Question No. 132 answered with Question No. 125.

Driving Tests.

133. **Mr. McEntee** asked the Minister for Transport if he has satisfied himself with the current situation whereby driver testers are failing to carry out the required number of driving tests; the measures he intends to take to ensure that existing testing requirements are reached; and if he will make a statement on the matter. [16202/06]

Minister for Transport (Mr. Cullen): The number of driving tests scheduled to be conducted by a driver tester each day depends upon the time of year, the category of vehicle being tested, the test location and if a tester is working overtime. A driver tester's normal working hours are from 9.15 to 5.30. In the case of driving tests in cars, eight 50 minute tests per day are normally scheduled. Driving tests in higher category vehicles normally take two car test slots and motorcycle tests are scheduled for an hour. In addition, the schedule of tests is altered during the winter months when testers are scheduled for a test during their normal lunch time to compensate for tests lost due to shorter daylight hours.

Tests actually conducted by individual testers are affected by a range of factors which include late cancellations or applicants failing to attend, time allowances for staff to travel to test centres, non compliance with conditions, and weather conditions. In addition, annual leave arrangements, sick leave and normal training absences can affect the total number of tests delivered by individual testers during the year.

There are no indications that testers are failing to deliver on driving tests as scheduled. However

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I do believe that a combination of improved technology and changes in work practices should enable us to increase the present level of applications taken off the waiting list, which at present is about 1300 per tester per year in normal time, and also to reduce the number of tests not conducted due to no shows or late cancellations. The procurement process for the improved systems is underway and the need for changes is being discussed with the testers.

Rail Services.

134. **Ms O. Mitchell** asked the Minister for Transport if new carriages have been introduced by Irish Rail on the Dublin-Cork route during 2005; if not, the reason therefor; the date by which such carriages will be introduced; and if he will make a statement on the matter. [16255/06]

Minister for Transport (Mr. Cullen): Iarnród Éireann is taking delivery of 67 new carriages which will enter service on the Cork-Dublin route during the course of this year. To date, 6 sets of 8 carriages have been delivered. The first of these carriages is due to enter service in the coming weeks following the completion of commissioning tests and sign off by the Railway Safety Commissioner. I understand from Iarnród Éireann that it expects to have all the new carriages in service by end 2006.

Question No. 135 answered with Question No. 85.

Driving Instruction.

136. **Mr. Gormley** asked the Minister for Transport the steps he has taken to introduce initial compulsory training for motorcyclists; and if motorcyclists with provisional licenses will be required to display L-plates. [16284/06]

Minister for Transport (Mr. Cullen): A working group, including motorcycle interests has been considering the appropriate standards that will apply to compulsory initial practical training for motorcyclists. Overseeing the introduction of such training will be the responsibility of the proposed Road Safety Authority. It is also my intention that a requirement that motorcyclists with provisional licences must display L-plates will be introduced.

The necessary regulatory provisions are currently under consideration having regard to the need for amendments to the Road Traffic Acts and a recent Supreme Court decision which found that primary legislation underpinning regulations to transpose EU Directives must, notwithstanding any powers already contained in the legislation, contain a power to make regulations for the purpose of transposing EU Directives.

Transport 21.

137. **Mr. Cuffe** asked the Minister for Transport the changes he intends to make to the Transport 21 plan in view of the Forfás report on oil dependence here; the long term predictions on traffic volumes which underpinned that plan; and the assumed oil price within the transport models that were used in that regard. [16279/06]

Minister for Transport (Mr. Cullen): My Department identified sustainability as a key objective in its Statement of Strategy 2005-2007 and it was taken fully into account in preparing Transport 21. Transport 21 aims to optimise the efficiency of the overall transport network, which will result in more economic use of oil.

Transport 21 also provides for a major re-balancing in favour of public transport. It will see public transport capacity in the Greater Dublin Area almost double over the period of this investment programme. A substantial portion of the Dublin suburban rail network will be electrified. It will also see major investment in the national rail network, with improved and more frequent mainline rail services and the development of the Western Rail Corridor and the Cork suburban rail network. There will also be significant investment in regional and local bus services.

The roads investment under Transport 21 will result in a more efficient, free-flowing road network, with consequent fuel economies.

Transport 21 also provides funding for a range of sustainable transport initiatives. The purpose of these initiatives is to facilitate the mainstreaming of sustainability criteria into transport investment decision-making and to make cleaner, more environmentally-friendly vehicles available, embracing public transport, the haulage industry and taxis. These initiatives include pilot projects for biofuel and hybrid-electric technologies, and eco-driving. My Department is engaging with the relevant sectors to progress these initiatives.

Question No. 138 answered with Question No. 73.

Question No. 139 answered with Question No. 80.

Questions Nos. 140 and 141 answered with Question No. 128.

Question No. 142 answered with Question No. 73.

Proposed Legislation.

143. **Mr. O'Shea** asked the Minister for Transport when he intends publishing the promised Road Traffic Bill. [16219/06]

Minister for Transport (Mr. Cullen): The Government is pursuing the commitment given in the national Road Safety Strategy to introduce legislation to address a number of priority issues, in particular, drink driving and speeding. The Government recently approved the priority drafting of a new Road Traffic Bill. It is intended that the Bill will be published during the current Dáil session.

Port Development.

144. **Mr. Neville** asked the Minister for Transport when he will develop and implement a national ports policy, in particular to deal with capacity problems; and if he will make a statement on the matter. [16270/06]

Minister of State at the Department of Transport (Mr. Gallagher): Current Government policy in relation to the port sector is outlined in the Ports Policy Statement, which was published in January 2005 and is available on the Department of Transport's website. This document identifies important policy issues to be addressed in the short to medium term.

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 coordinated manner. A study is currently underway in my Department to examine future port capacity requirements, particularly for unitised trade. The Department has engaged advisors expert in this field, Fisher Associates, to help carry out the study.

Detailed project submissions from the commercial ports with unitised trade expansion plans have been received and are being evaluated by Fisher Associates. Seven submissions were received from ports around the country. It is intended to finalise the report over the coming months.

The purpose of this process is intended to help determine whether the anticipated capacity requirement for our growing economy can be met through the successful advancement and implementation by the port sector of some combination of the various proposals currently under development in the sector.

Public Transport.

145. **Mr. Stagg** asked the Minister for Transport the action he is taking to encourage the greater take-up of annual commuter tickets; and if he will make a statement on the matter. [16237/06]

Minister for Transport (Mr. Cullen): Each of the CIÉ companies has seen a substantial increase in the sale of annual and monthly commuter tickets in recent years. Much of the growth

can be attributed to the tax savings accruing to those who commit to purchasing annual tickets under the Tax Saver scheme which comes under the remit of my colleague, Mr. Brian Cowen, T.D., Minister for Finance. For example, Dublin Bus has 1,700 companies actively purchasing monthly and annual tickets directly from Dublin Bus for their employees.

Iarnród Éireann and Dublin Bus are currently undertaking a joint marketing drive involving advertising and direct mailing promotional material to a large number of companies in the Greater Dublin commuter area. In addition, a comprehensive media campaign is currently underway with advertising taking place in daily and Sunday newspapers, bus shelters, externally on buses, DART billboards and on platforms in all rail stations. The Railway Procurement Agency (RPA) will shortly be running a campaign to promote sales of these tickets for the LUAS also.

Information and application forms are also available on the companies websites regarding these tickets.

Pension Provisions.

146. **Mr. Noonan** asked the Minister for Transport if a decision has been reached in relation to the Aer Lingus pension fund deficit; if the Government is prepared to contribute to this fund to meet the deficit; if so, the extent to which it will contribute; and if he will make a statement on the matter. [16268/06]

159. **Caoimhghín Ó Caoláin** asked the Minister for Transport the measures which have been discussed to address the €250 million pensions shortfall in Aer Lingus. [16178/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 146 and 159 together.

As the Deputy will be aware, I have no direct function in relation to the funding of the pension schemes in which Aer Lingus participates. I understand that, on the basis of the most recent actuarial valuation, the Irish Airlines Superannuation (General Employees) Scheme is in deficit if provision is to be made for future increases in pensions to reflect growth in the Consumer Price Index (CPI). I also understand that, under the rules of the Scheme, there is no guarantee in relation to the granting of increases in pensions. Such increases are entirely at the discretion of the Trustees of the Scheme. If no such increases were to be paid then the Scheme would in fact be in surplus.

In the context of the planned IPO of shares in Aer Lingus I have said that the Minister for Finance and I are open to considering the question of the company using part of the proceeds from issuing new shares to address the funding position

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in the company's pension scheme in the context of an overall solution involving increased employer and employee contributions going forward. I have mandated Aer Lingus management to engage with the trade unions to address the key concerns of staff in relation to a third party investment, including pensions.

Road Safety.

147. **Mr. Durkan** asked the Minister for Transport when, in conjunction with other Government Departments, he will be in a position to collate the data relating to fatal motor accidents; if he will put in place the necessary structures to facilitate this procedure in an effort to determine precisely, insofar as is possible, the cause or causes of road traffic deaths; and if he will make a statement on the matter. [16181/06]

336. **Mr. Durkan** asked the Minister for Transport the reason a central unit is not appointed to correlate statistics on road traffic accidents with particular reference to obtaining information from the Gardaí, the local authorities and the health services with a view to precise identification of the cause or causes with the objective of taking appropriate action to reduce the number of such accidents, particularly those ending in fatalities; and if he will make a statement on the matter. [16574/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 147 and 336 together.

Statistics relating to road accidents are based on information provided by the Garda Síochána, and are currently published by the National Roads Authority (NRA) in their annual Road Accident Facts reports. The most recent report, now entitled "Road Collision Facts", relates to 2004 and is available in the Oireachtas Library and on the NRA website. Statistics relating to 2005 are not yet fully analysed or authenticated.

The 2004 report refers in particular to the various contributory factors to collisions where such data is available. In that context the Report in respect of 2004 notes that driver error accounted for 88% of all contributory factors in respect of all collisions where such were identified. Pedestrian error was the next most listed factor at 8% with road factors accounting for 2% of all of those listed. The remaining factors listed related to vehicle and environmental factors.

Other than this, the Report does not address a ranking order for contributory factors to collisions on a specific or general basis. The Report, however, notes that during the hours of the day most strongly associated with drinking and driving, some 26% of fatalities were recorded.

The annual road collision reports provide a significant degree of knowledge that supports and

informs the deployment of road safety measures, which are pursued within the planning framework of the multi-annual Road Safety Strategies. In addition, the Road Safety Authority (RSA) will have a significant input into advancing the road safety agenda in the future. The functions assigned to the Road Safety Authority include a mandate in relation to the collation of data and statistics as well as policy research and development.

While a central unit is not currently appointed to collate statistics on road traffic accidents, the new Authority as part of its remit, can examine how best to gather and collate statistics and information on road traffic accidents from the relevant Departments and Agencies with a view to the precise identification of the cause or causes of road fatalities with the objective of taking appropriate action to reduce the number of such accidents. Research undertaken by the RSA will also enable further in depth analyses into the causes of road traffic accidents and the evaluation of what action might be taken to prevent recurrence.

Question No. 148 answered with Question No. 115.

Question No. 149 answered with Question No. 128.

Road Traffic Offences.

150. **Mr. M. Higgins** asked the Minister for Transport if he has satisfied himself with the level of public awareness of all of the penalty points categories; the measures that have been taken to provide public information; the reason a new Rules of the Road booklet has to be published; and the progress of same. [16228/06]

317. **Mr. Lowry** asked the Minister for Transport when the long overdue revised Rules of the Road booklet will be published; the reason for the prolonged delays in publishing; the further reason previous promises of publishing a revised text by Autumn have not been honoured; and if he will make a statement on the matter. [15982/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 150 and 317 together.

I am satisfied that an intensive public awareness campaign has been undertaken in relation to the penalty point system. The National Safety Council (NSC), as the agency mandated with responsibility for road safety education and information, operates a dedicated penalty point website www.penaltypoints.ie. This website has recently been redesigned/updated in the context of the extension of the penalty point system.

In addition, the National Safety Council ran a public education/awareness campaign about the new penalty points offences, which took place

from the end of March in the lead up to the 3 April 2006 date for the extension of the penalty points system. The campaign included newspaper advertisements outlining the details of the new offences. Furthermore, the Council are continuing to operate the penalty point advertising campaign “Get the Point, Not the Points” on television and radio, in order to promote awareness amongst road users of the penalty point system.

My Department is now completing its work on the revision of the Rules of the Road booklet. As it is several years since the Booklet was up-dated there has been a very considerable amount of work involved in that many significant changes in the overall area of road traffic law have to be reflected in the revised booklet.

This work is now substantially complete and it is intended to place the revised draft Rules of the Road on the Department’s website by the end of this month. In the interim, my officials are checking with the new Road Safety Authority that they are content with the scope of the new draft document. A short opportunity for comments on the revised draft Rules of the Road from the public will then be provided and the new booklet will be finalised and published this Summer.

It is intended that the booklet will be made available for sale. The new booklet will also be made available on-line and this will ensure that in future the booklet will provide up-to-date information on an ongoing basis.

Marine Accidents.

151. **Mr. Perry** asked the Minister for Transport the provisions which are currently available if pollution occurs at sea as a result of a shipping accident (details supplied); the facilities which are available to the authorities here to stop pollution here and to clean up spilt cargo; if Ireland complies with all EU legislation in this regard; and if he will make a statement on the matter. [13647/06]

Minister of State at the Department of Transport (Mr. Gallagher): The Irish Coast Guard of the Department has responsibility for preparedness for and response to marine casualty and pollution incidents within the Irish Pollution Responsibility Zone. This responsibility includes initiating, controlling and directing marine casualty and counter-pollution operations. Ireland complies with all EU legislation in this regard.

The incident to which the Deputy refers occurred on 11 and 12 March last in the UK Pollution Responsibility Zone and was managed by the UK Maritime and Coastguard Agency. The Belgian-registered ship, the “Sesam”, was successfully towed to safety in Belfast Lough. The Irish Coast Guard was not involved in managing the incident.

For management of the Irish Pollution Responsibility Zone senior Coast Guard officers are authorised under national legislation to monitor or intervene in actual or threatened marine pollution incidents for the purpose of preventing, mitigating or eliminating danger from pollution or threat of pollution by oil or any other substance. The authorised officers may issue directions to the owner, master, salvor or person in charge of a ship following upon a maritime casualty to take such actions and do such things as they consider necessary and reasonable.

The Coast Guard operates a range of counter-pollution policies. For sea incidents involving actual pollution, the primary response is by mechanical oil recovery and cargo transfer capabilities. For pollutants that come ashore physical recovery is both mechanical and manual and is undertaken with the aid of public works equipment.

Response to pollution incidences is co-ordinated by one of the three rescue co-ordination centres at Dublin, Malin Head, and Valentia and specialist computer modelling programs are available to support decision-making. The Coast Guard is also responsible for supervising the planning and implementation by local and Harbour authorities of arrangements for the protection of coastal amenity, fishery and wildlife areas, the removal of oil from the coastline and, in the event of a major incident, the direction and co-ordination of the shore response.

National stockpiles of pollution response equipment, which is being added to each year, are kept at Dublin, Killybegs and Castletownbere. However, no country has sufficient State equipment to respond to every pollution emergency. Additional equipment and personnel can be sourced through the EU’s Civil Protection Monitoring and Information Centre. This was the case with Spain when a major pollution incident occurred in 2002 involving an oil tanker “Prestige”. There are also commercial companies providing response equipment on request and guaranteeing to have it on-site within 12 to 24 hours. The Irish Coast Guard has authority to contract equipment from such commercial companies.

I am satisfied that the Coast Guard at present has adequate resources to effectively carry out its responsibilities in management of Ireland’s role in countering and managing marine pollution incidents, including any incident of the type to which the Deputy refers.

Road Safety.

152. **Mr. Neville** asked the Minister for Transport if he will report on the progress made to date in relation to the introduction of speed cameras nationwide as set out in the National Road Safety Strategy; and if he will make a statement on the matter. [16269/06]

Minister for Transport (Mr. Cullen): The Government is pursuing the commitment given in the Road Safety Strategy to introduce a network of privatised speed cameras. A Working Group chaired by the Department of Justice, Equality and Law Reform and representing my Department, the Garda Síochána and other relevant agencies, has carried out an in depth examination into the issue of the engagement of private sector interests in the operation of speed cameras.

The Group's report, which has been presented to the Government, makes a series of recommendations, which include proposals that will require the introduction of changes to the current Road Traffic Acts.

The Government recently approved the priority drafting of a new Road Traffic Bill which will contain the necessary legislative provisions to provide for the private operation of speed cameras. It is intended that the Bill will be published during the current Dáil session.

The Department for Justice, Equality and Law Reform has commenced the tendering process to select an operator. This work will run in parallel to my Department's legislative efforts.

Question No. 153 answered with Question No. 99.

154. **Mr. McEntee** asked the Minister for Transport if he intends to introduce additional targeted measures to reduce the level of road deaths among non-nationals; and if he will make a statement on the matter. [16201/06]

Minister for Transport (Mr. Cullen): The National Safety Council is the agency mandated with responsibility for road safety advertising and education. The Council has now published road safety leaflets in 8 languages including Polish, Latvian and Lithuanian. The leaflets have been distributed widely through foreign newspapers that are in circulation in this country and throughout the relevant communities. The leaflets are also available to the Gardai for distribution as they see fit.

The Council is also working with its advertising agency on the production of a road safety radio campaign targeting non-nationals along the same lines as the Health Safety Authority advertisements relating to the construction industry. The www.gometric.ie website already displays information in 5 languages, in addition to Irish and English, in relation to the metric speed limit structure that applies on our public road network.

In addition, the Chief Executive designate of the Road Safety Authority (RSA) has announced that he intends to talk to the relevant Embassies to discuss what other appropriate measures might be taken to promote road safety awareness and reduce the level of road deaths among non-nationals.

Port Development.

155. **Mr. Broughan** asked the Minister for Transport his views on the possibility of moving Dublin Port to Bremore in Drogheda in view of the capacity constraints and traffic management issues at the site; the preparatory work his Department is engaged in on the possibility of moving the port; and if he will make a statement on the matter. [16221/06]

Minister of State at the Department of Transport (Mr. Gallagher): There are no proposals to move Dublin Port to Bremore in Drogheda. A study is currently underway in my Department to examine future port capacity requirements, particularly for unitised trade. This process flows out of the Government's Ports Policy Statement published in January 2005.

The Policy Statement identified the provision of adequate port capacity as a key challenge for the future. It sets out a framework to ensure that capacity needs are identified, planned and progressed in a coordinated manner.

The ports have been invited by advisors working for the Department, Fisher Associates, to make detailed project submissions regarding their development plans. Fisher Associates have recently received seven submissions from ports around the country. A number of these are from ports on the east coast that currently serve the greater Dublin area, including Dublin Port and Drogheda Port. The submissions, which include a proposal from Drogheda Port in relation to the provision of port facilities at Bremore, are currently being evaluated and it is intended to finalise the study over the coming months.

This process is intended to help determine whether the anticipated capacity requirement for our growing economy can be met through the successful advancement and implementation by the port sector of some combination of the various proposals currently under development in the sector. I might add that the implications for traffic congestion represents one of the criteria that is being looked at as part of the evaluation of the submissions that I referred to earlier.

Road Network.

156. **Ms Shortall** asked the Minister for Transport if he has satisfied himself with the regulatory regime governing the operation of roadworks in respect of direct work carried out by local authorities at sites on public roads; the way in which non-statutory requirements and guidelines laid down by the National Roads Authority through their contract system can be enforced in respect of local authorities in cases in which no such contract may exist; and the reason for his inflexibility in dealing with this regulatory oversight. [16220/06]

Minister for Transport (Mr. Cullen): The planning, design and implementation of national road

improvement projects is a matter for the NRA. Regional and local roads, which constitute the greater percentage of public roads in Ireland, are a matter for the Department of Environment, Heritage and Local Government and the relevant local authority.

In relation to national roads, the NRA have confirmed that the same statutory provisions governing the operation of roadworks applies equally to works procured through contract mechanisms and works carried out by the direct labour force of local authorities. In relation to non-statutory requirements and guidelines produced by the NRA, I understand that the NRA operates a grant-aided system for the carrying out of works by local authorities on national roads. It is a matter for the NRA to monitor and ensure compliance with the appropriate non-statutory requirements and guidelines applicable in the case of each grant-aided project.

Question No. 157 answered with Question No. 125.

Question No. 158 answered with Question No. 121.

Question No. 159 answered with Question No. 146.

Question No. 160 answered with Question No. 91.

Road Traffic Offences.

161. **Dr. Upton** asked the Minister for Transport the steps he is taking to address the problem of drug driving; and if arrangements will be made with the Courts Service for drug driving offences to be recorded in order that the prosecution rate and incidence of this offence may be properly analysed and tracked; and if he will make a statement on the matter. [16226/06]

Minister for Transport (Mr. Cullen): I have asked my officials to liaise with the Courts Services to pursue improved analysis and tracking of the issue of drug driving offences. The Road Traffic Act 1994 makes provision that a member of the Garda Síochána may, where he or she is of the opinion that a person in charge of a mechanically propelled vehicle in a public place is under the influence of a drug or drugs to such an extent as to be incapable of having proper control of that vehicle, require that person to go to a Garda station and further require that person to submit to a blood test or to provide a urine sample which will then be subject to analysis by the Medical Bureau of Road Safety.

The Medical Bureau of Road Safety also analyses blood and urine specimens received under the Road Traffic Acts for the presence of a drug or drugs where the level of alcohol determined is under the legal limit of 80mg/100ml in blood and

107mg/100ml in urine or when a specific request for drug analysis has been received from the Gardaí when the alcohol result is above the legal limit.

In September 2004 the Director of the Medical Bureau of Road Safety and Head of Forensic Medicine at University College Dublin commenced teaching a post graduate course in the Higher Diploma in Forensic Medicine at the University's Faculty of Medicine. This course includes teaching on drugs, alcohol and driving including drug recognition. The first cohort of graduates has completed the course and graduated formally in December 2005.

Discussions between the Garda National Traffic Bureau, the Medical Bureau of Road Safety and the Department of Forensic Medicine at UCD are now at an advanced stage with a view to the training of Gardaí in the recognition of driving under the influence of drugs. It is hoped that training programmes will commence in this regard in Autumn 2006.

State Companies.

162. **Mr. J. O'Keeffe** asked the Minister for Transport the progress which has been made in relation to the sale of the Great Southern Hotels Group; when this sale will proceed; and if he will make a statement on the matter. [16250/06]

Minister for Transport (Mr. Cullen): I understand that the Great Southern Hotel Group (GSH) has retained advisors to examine and advise on all aspects of the disposal process for the hotels. I am informed by the Dublin Airport Authority, of which the Great Southern Hotels Group is a subsidiary, that the focus on the process to date has been on communicating with staff and trade unions, developing an appropriate strategy for the marketing and sale of the hotels.

A process of full engagement with staff and unions has been put in place and meetings with staff have taken place in all of the hotels. Meetings continue to take place between the unions and GSH and its advisors and further discussions are planned.

The advisors to GSH are in the process of finalising a plan for the marketing of the hotels and the sale process is expected to commence shortly throughout.

State Airports.

163. **Mr. Bruton** asked the Minister for Transport the number of security breaches identified at each of the national airports in 2004, 2005 and to date in 2006; the measures which have been introduced to significantly reduce the number of such breaches; if he has satisfied himself that the current security systems in place at all airports are sufficiently robust; and if he will make a statement on the matter. [16254/06]

Minister for Transport (Mr. Cullen): It is not the practice on security grounds to disclose information about breaches of airport security or the corrective measures that may be implemented to address any such breaches. The requirements for airport security are prescribed by EU Regulation No.2320/2002 and associated implementing legislation.

I am satisfied that the aviation security practices and procedures implemented at Irish airports conform to the standards set by the European Union. Aviation security arrangements at Irish airports are kept under continuous review by my Department and the National Civil Aviation Security Committee. The Committee is chaired by a senior official from my Department. The Committee comprises representatives of Government Departments, State Airports, airlines, the Garda Síochána, the Defence Forces, Customs and Excise, An Post, Irish Aviation Authority, the Irish Airline Pilots' Association and the Regional Airports.

Question No. 164 answered with Question No. 94.

Air Services.

165. **Caoimhghín Ó Caoláin** asked the Minister for Transport the reason he has insisted on the privatisation of Aer Lingus without satisfactory consultation with Aer Lingus staff and their union representatives. [16177/06]

Minister for Transport (Mr. Cullen): I do not accept that I have not consulted satisfactorily with Aer Lingus staff or trade unions on the future of the company. Prior to the Government decision in May last year to dispose of a majority shareholding in Aer Lingus to facilitate equity investment in the company I had consulted with the trade unions on the future ownership structure and funding requirements of the company as required under the terms of Sustaining Progress.

Since then and prior to the recent decision concerning the basis on which an investment transaction is to take place I met with a delegation of the Aer Lingus trade unions and officials from Congress on three separate occasions in June 2005 and on 2nd March and 3rd April this year.

In addition, the agreement reached with the Aer Lingus trade unions concerning the Employee Share Ownership Plan (ESOP) provides for a consultation process in relation to any third party investment in Aer Lingus. Pursuant to that agreement Department officials and the advisors to the Minister for Finance and myself have met on a number of occasions with the advisors to the Aer Lingus Employee Share Ownership Trust (ESOT) and the Aer Lingus Central Representative Council (the latter being a representative body of the Aer Lingus Unions).

Question No. 166 answered with Question No. 102.

Question No. 167 answered with Question No. 72.

Road Network.

168. **Mr. Costello** asked the Minister for Transport the way in which he intends to deal with the difficulties presented by Directive 2004/54/EC in respect of the Jack Lynch Tunnel. [16214/06]

Minister for Transport (Mr. Cullen): Last week, I signed Regulations to implement EU Directive 2004/54/EC (Minimum Safety Requirements for Tunnels in the Trans-European Network.) The Regulations establish levels of technical provision that must be attained in all tunnels falling within the ambit of the Directive. It also establishes procedures and processes to govern the design, construction and operational phases of such tunnels.

The Jack Lynch Tunnel in Cork is one of two tunnels in Ireland, the other being the Dublin Port Tunnel, that fall under the ambit of the Directive. The Jack Lynch Tunnel is of comparatively recent construction and was designed and built having regard to current modern standards in terms of tunnel safety. A detailed review on the Tunnel will be completed in the next few months in order to evaluate its compliance with the terms of the Directive. However, it is not anticipated that significant modifications will be required.

Because this is an existing tunnel already in operation, the Directive provides that Member States have 30 months from the date of entry into force of the Directive, i.e. until October 2006, to carry out such an assessment and any refurbishments have to be completed within 10 years from the date of entry into force of the Directive, i.e. by 2014.

Taxi Regulations.

169. **Mr. Sherlock** asked the Minister for Transport the progress made in completing arrangements in order that Section 36 of the Taxi Regulation Act 2003 can be commenced. [16240/06]

Minister for Transport (Mr. Cullen): Section 36 of the Taxi Regulation Act 2003, as amended by section 36 of the Road Traffic Act 2004, provides for a system of automatic disqualification from applying for or holding a small public service vehicle driver or vehicle licence in respect of persons who have been convicted of one of a range of very serious offences, including murder, manslaughter and various sexual, drug trafficking and other offences.

In view of the potential effects the application of this section will have on both existing and potential licence holders and the need in particular to ensure that appropriate systems are in

place to address applications to the Courts under the section, a very particular set of specific arrangements must be in place before the section can be commenced. The process of adopting those arrangements is currently being considered through consultation between the Commission for Taxi Regulation, An Garda Síochána, the Courts Service, my Department and the Office of the Attorney General.

The commencement date for the section will be determined when the necessary arrangements have been settled. An appropriate period of advance notice of the proposed commencement of the section will be required to allow persons who may be affected by the provisions, in particular existing licence holders, to clarify their position with the courts as is specifically provided for in the section.

Rail Services.

170. **Mr. Eamon Ryan** asked the Minister for Transport if his Department was consulted by Iarnród Éireann before it decided to discontinue the carrying of bicycles on certain interurban rail journeys; and if he will make a statement on the matter. [16276/06]

Minister for Transport (Mr. Cullen): Iarnród Éireann has advised me that the company continues to carry cycles on most InterCity rail services. All existing locomotive hauled InterCity trains and the new InterCity trains shortly to be introduced on the Dublin-Cork line, will carry cycles. In addition, the new fleet of 150 InterCity railcars currently on order for use on all regional routes including Dublin to Limerick, Tralee, Galway, Waterford, Westport, Sligo and Rosslare are being designed to carry cycles.

Cycles are not carried on DART or commuter services or on regional services where commuter rolling stock is currently being used.

Question No. 171 answered with Question No. 90.

National Statistics.

172. **Mr. Kehoe** asked the Taoiseach the average age of marriage in the State for the past twenty years; and the breakdown of the figures. [15762/06]

Minister of State at the Department of the Taoiseach (Mr. Kitt): The average age of marriage for selected years since 1986 up to the most recent year that published information is shown in the table.

	Average Age (years) of Groom	Average Age (years) of Bride
1986	27.6	25.6
1991	28.7	26.9
1996	30.2	28.4
2002	32.5	30.4

Environmental Assessments.

173. **Mr. Eamon Ryan** asked the Taoiseach the plans and programmes of his Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16357/06]

The Taoiseach: Neither my Department nor any of the Bodies under its aegis have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004.

Departmental Expenditure.

174. **Mr. P. McGrath** asked the Taoiseach if his Department makes the Irish national daily newspapers available on-line for staff within his Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in his Department; and if he will make a statement on the matter. [16436/06]

The Taoiseach: To assist the business needs of the various Divisions, especially policy Divisions, national daily newspapers are made available to a range of Departmental staff as set out in the table.

Grade	No. of Staff	No. of daily papers		
		1	2	3
Assistant Secretary and Higher	6	3	3	—
Director, Principal, Assistant Principal	36	31	5	—
Higher Executive Officer and others	43	37	3	3
Special Advisers	10	1	2	7

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In 2005, the overall cost to the Department of all daily printed Irish and international papers was €75,234.09. The cost for the Irish Times was €30,029, the Irish Independent €18,014 and the Examiner €7,548. Two of these are available free of charge on-line, the other is a subscription based service.

The Library service of the Department maintains on-line subscriptions to a wide range of publications, particularly specialist ones. These are availed of by staff in support of their Departmental research activities. The range of such service is kept under review and will be expanded in accordance with demand.

Child Care Services.

175. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children the position regarding the case of a group (details supplied) in County Tipperary who have applied for assistance in setting up a community playgroup. [16058/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): As the Deputy will be aware, I have responsibility for the Equal Opportunities Childcare Programme 200-2006 (EOCP) and the National Childcare Investment Programme 2006-2010, which are being implemented by the newly established Office of Minister for Children.

With regard to the application for staffing grant assistance under the EOCP referred to by the Deputy, I understand that the community based group in question was approved €36,000 staffing grant assistance, over three years. An application for continuation staffing funding was recently assessed and declined on the basis that the child-care service has not committed to opening sessions of 3.5 hours per day, has demonstrated limited impact on parents accessing education training or employment and has not fully addressed the conditions of the previous staffing grant. However, an additional €3,000 over three months was approved, to enable the Group to introduce a fee structure which will ensure sustainability.

I understand that the Group has requested a review of the decision on future funding. Pobal (formerly known as Area Development Management Ltd.), who administer the Childcare Programmes, is currently in dialogue with the Group and is awaiting further information from them to substantiate the review request. The Group have been requested to submit a revised impact summary form and evidence regarding its focus on disadvantage.

Following this review a decision will be made and the Group will be informed of the outcome in due course.

Health Services.

176. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children the number of drug and alcohol treatment centres in South Tipperary and the entire country to cater for adults and adolescents with addiction problems; where these centres are located; the number of places which are available in each centre; the average waiting period for a place in each centre; and her plans to expand existing services. [15926/06]

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.

177. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children the number of people who are presently on waiting lists for orthodontic treatment in South Tipperary; and the average waiting period nationally. [15927/06]

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.

Tribunals of Inquiry.

178. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the reason the non-statutory Dunne Inquiry has missed five deadlines for producing a report. [15928/06]

179. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the reason the Dunne Inquiry has been allowed to continue in session for over four years without producing a report; the cost of the inquiry to date; and if she will justify the expenditure on an inquiry that has furnished no report or findings to date. [15929/06]

180. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if she will explain or justify the reason for the private nature of the Dunne Inquiry in view of the fact that the issues under investigation are matters of public interest and concern. [15930/06]

181. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if she will

ascertain the extent of co-operation the Dunne Inquiry has received from hospitals and health board or regional offices; and if she will make a statement on the matter. [15931/06]

182. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the plans which have been put in place by the 29 hospitals who have admitted selling pituitary glands to companies (details supplied) to contact the next of kin of deceased persons from whom these glands were obtained without knowledge or consent. [15932/06]

183. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if she will establish a further Statutory Inquiry into the matters arising from the Dunne Inquiry. [15933/06]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 178 to 183, inclusive, together.

On foot of a Government decision of 1st September 2004, the Dunne Inquiry ceased to exist on 31st March, 2005. On that date the Chairman, Ms. Anne Dunne S.C. submitted a Report to me. Following its examination by the Attorney General I was advised that it could not be published for legal and constitutional reasons.

On 3rd May 2005, the Government approved the appointment of Dr. Deirdre Madden to prepare a final report on post mortem practice and procedure. Dr. Madden submitted her Report to me on 21st December 2005 and it was laid before the Houses of the Oireachtas on 20th January, 2006. I have accepted the recommendations in Dr. Madden's Report and the Health Service Executive, my Department and the Department of Justice, Equality and Law Reform are proceeding to implement them. The Health Service Executive will consider the issue of pituitary glands in line with Dr. Madden's recommendations.

Grant Payments.

184. **Mr. Wall** asked the Tánaiste and Minister for Health and Children the position of an application for a home care grant by a person (details supplied) in County Kildare; and if she will make a statement on the matter. [15934/06]

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.

Children in Care.

185. **Mr. Lowry** asked the Tánaiste and Minister for Health and Children when children will be returned to the care of their mother (details supplied) in County Tipperary; and if she will make a statement on the matter. [15958/06]

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.

Departmental Funding.

186. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children the reason funding for the Rape Crisis Centres has been capped for the past five years; and if she will make a statement on the matter. [15962/06]

Minister of State at the Department of Health and Children (Mr. S. Power): My Department does not directly fund or co-ordinate health and personal social services to victims of abuse. Monies are made available each year, formerly through the health boards, and now through the Health Services Executive, for the provision of services to women victims of violence. In recent years there has been a substantial increase in funding so that now over €12 million is provided annually for the provision of such services. Since the enactment of the Health Act 2004, the distribution of this funding is now a matter for the Health Services Executive. 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 Projects.

187. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 168 of 29 March 2006 if she will provide an update on investigations into a company (details supplied); if procurement procedures were adhered to in awarding contracts to the company; if there are tax issues outstanding with regard to fees paid to the company; and if she will make a statement on the matter. [15967/06]

Tánaiste and Minister for Health and Children (Ms Harney): I have been advised by the HSE that the position remains as set out previously in response to Parliamentary Question 168. The HSE Head of Internal Audit has been asked to conduct an audit into the procurement process

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and procedures. This report is due to issue shortly. I will ask that you be provided with full details as soon as they become available.

Child Care Services.

188. **Ms Enright** asked the Tánaiste and Minister for Health and Children the maximum grant available for pre-school support; the number of hours required to qualify for the maximum grant; if additional funding is available to children with special needs; and if she will make a statement on the matter. [15968/06]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): Funding for childcare facilities is provided by the Office of the Minister for Children under the Equal Opportunities Childcare Programme (EOCP) 2000-2006, which is co-funded by the European Union and the Exchequer, and under the new, Exchequer funded, National Childcare Investment Programme 2006-2010.

Capital grant assistance is available to both community based/not for profit organisations and private sector childcare providers, for both pre-school children and school-going children out of school hours, to build, renovate or equip childcare services where a proposal meets with the programme objectives. The level of funding which may be allocated to a particular project is determined by a number of criteria, including the extent to which the project caters for children with special requirements. In the case of private sector childcare providers, the maximum grant under the EOCP was €50,790. Under the new Programme, the grant for this sector has been increased to €100,000. In the case of community sector groups, an overall ceiling of €1.4 million per individual grant allocation is currently applied.

In areas of significant disadvantage, staffing grants are available to community based groups providing childcare services which meet the needs of disadvantaged parents. To benefit from funding, groups must pay particular attention to supporting disadvantaged families and to the implementation of a fee structure tailored to the differing economic circumstances of their client group thereby ensuring that childcare places subsidised by the EOCP are targeted towards those most in need. Facilities providing only limited hours of service may not qualify for such funding. While this will vary, non school age childcare facilities are encouraged to provide a minimum service of 3.5 hours per session and to remain open for up to 46 weeks per annum. Staffing grants under the EOCP will continue in place until the end of 2007.

Nursing Home Subventions.

189. **Mr. F. McGrath** asked the Tánaiste and

Minister for Health and Children if assistance will be given to persons (details supplied) regarding the €200 shortfall in relation to nursing home care; and if the family will be given the maximum support on this matter. [16007/06]

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.

Hospitals Building Programme.

190. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the allocation of capital expenditure of phase 2b at Mullingar General Hospital for 2006; and if she will make a statement on the matter. [16008/06]

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. This includes responsibility for considering new capital proposals or progressing those in the health capital programme. Accordingly, my Department is requesting the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

191. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the timeframe for the opening of four empty wards at Mullingar General Hospital; and if she will make a statement on the matter. [16009/06]

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. This includes responsibility for considering new capital proposals or progressing those in the health capital programme. 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.

192. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the timetable for the completion of phase 2b of Mullingar General Hospital; and if she will make a statement on the matter. [16010/06]

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. This includes responsibility for considering new capital proposals or progressing those in the health capital programme. Accordingly, my Department is requesting the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Nursing Home Subventions.

193. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children the number of patients in private nursing homes who are in receipt of nursing home subvention at low dependency, medium dependency and high dependency; and if she will make a statement on the matter. [16011/06]

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.

194. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children if, in relation to nursing home subvention, when a widow has her house valued at €250,000, has savings of €5,000 and receives an old age contributory pension, is in the high dependency category of care, the level of nursing home subvention which would have been payable in June 2003, June 2004, June 2005 and March 2006; and if she will make a statement on the matter. [16012/06]

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.

Health Service Funding.

195. **Mr. Hayes** asked the Tánaiste and Minister for Health and Children if additional funding will be provided to a women's refuge (details supplied) in County Tipperary as their budget is insufficient to meet the staffing and other needs of the shelter. [16051/06]

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.

Private Health Insurance.

196. **Mr. McGinley** asked the Tánaiste and Minister for Health and Children the contingency plans which exist should there be a sudden downturn in revenues if VHI subscribers cancel their personal private health insurance in view of the ineffective hospital services they are receiving and are of the opinion they are not getting value for money; and if she will make a statement on the matter. [16052/06]

Tánaiste and Minister for Health and Children (Ms Harney): Data relating to the Private Health Insurance Market for the period 2001-2004 shows that there has been a continuous increase in the number of persons covered by private health insurance.

Year	Total Insured Persons	PHI Coverage as a % of Population	Total Premium Income
	(000)	%	€000
2001	1,871	48.5	Not Available
2002	1,941	49.4	821,951
2003	1,999	49.8	978,165
2004	2,054	50.4	1,061,000

The estimated Total Premium Income figure for 2005 is approximately €1.153bn. Also, in a Market Review of the Private Health Insurance Market in Ireland published in September 2005, the Health Insurance Authority found on-going support for availing of private health insurance cover. The Market Review also found that most consumers appeared to be happy with all aspects of their private health insurance plan and choice of insurer and that despite a series of premium increases, the majority of consumers still felt that private health insurance was good value for money. I am satisfied therefore that private health insurance consumers are satisfied that they are getting value for money from their health insurers and that no sudden decrease in the revenues of the private health insurers will occur.

Children in Care.

197. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the number of Irish born and non-Irish born children of migrant parents, including asylum seekers, who

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have been separated from their parents through deportation or detention and are currently in State care; their whereabouts; and if she will make a statement on the matter. [16053/06]

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.

198. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children if she will ask the Health Service Executive for the Eastern region, where it has been reported that most unaccompanied minors seeking asylum are housed, to report on the number of those children who are currently in State care; the number who have gone missing and the number still missing; and if she will make a statement on the matter. [16054/06]

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.

199. **Aengus Ó Snodaigh** asked the Tánaiste and Minister for Health and Children the number of children in State care who have gone missing in each of the past five years; the number of those children who are still missing; and if she will make a statement on the matter. [16055/06]

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.

Health Services.

200. **Mr. J. Breen** asked the Tánaiste and Minister for Health and Children the number of people who have contracted clostridium difficile; the number of cases which have proven to be

fatal as a result of this superbug; and if she will make a statement on the matter. [16060/06]

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.

Hospital Services.

201. **Mr. McGinley** asked the Tánaiste and Minister for Health and Children if there are plans to provide x-ray facilities for the community hospital in Donegal Town; and if she will make a statement on the matter. [16061/06]

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.

Noise Pollution.

202. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children the reason a noise complaint issue (details supplied) has not been resolved; and if she will deal with this matter. [16062/06]

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 again requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

203. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she will work closely with the vocational educational committee to ensure that the arts programme supports at women's aid centres are continued and developed as the children need this service; and if she will ensure funding will not be cut. [16063/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The post of co-ordinator of the arts programme referred to in the Deputy's question is funded by the Health

Service Executive and the delivery of the arts programme supports at Women's Aid centres is funded by the relevant VEC under the auspices of the Department of Education and Science.

The Deputy's question relates, in part, 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.

204. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she will develop a strategy for the provision of an early intervention programme on a national scale for all children with Down's Syndrome and the improvement of speech and language services; if she will ensure the lifting of the embargo on the employment of further services; and if services generally will be improved for all children with a disability. [16113/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I should make clear at the outset that there is no embargo on recruitment in the public health service. It is a matter for the Health Service Executive, as part of its management of its employment ceiling, to determine the appropriate staffing mix required to deliver its service plan priorities, including disability services. I have repeatedly stressed the need for compliance with approved employment levels consistent with safeguarding and indeed enhancing the delivery of front line services and achieving an appropriate balance between clinical and non-clinical employment levels. The Deputy will also wish to note that approved employment levels for the health service have been adjusted since 2002 in line with Government policy on public sector employment and also to take account of specific policy measures aimed at increasing service levels. My Department is currently in discussions with the Department of Finance to agree increases in the employment ceiling for the health sector including increases arising from the Disability Strategy.

With regard to the remaining issues raised by the Deputy, these matters relate to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

205. **Mr. Allen** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Cork has been waiting for almost twelve months to get an appoint-

ment with a specialist on autism for their daughter; and her views on whether the person has rights to schooling and other supports but cannot get those supports at the present time due to the failure to get an appointment with a specialist on autism. [16127/06]

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.

Nursing Home Care.

206. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children if her Department of the health board has received complaints regarding a nursing home (details supplied) in County Wicklow; if so, if they have been investigated; and if she will make a statement on the matter. [16154/06]

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 understand that the HSE previously received correspondence in regard to this specific case, and following investigation issued a reply in December 2003.

Professional Qualifications.

207. **Mr. J. Higgins** asked the Tánaiste and Minister for Health and Children her views on representations from a person (details supplied) in Dublin 15 concerning the difficulties faced by fully qualified dentists from the Ukraine and other non-EU countries resident here who seek permission to practice as dentists in this State. [16157/06]

Tánaiste and Minister for Health and Children (Ms Harney): Under the Dentists Act, 1985, the Dental Council was established as the body responsible for the registration of dentists and for the regulation of their activities. In order to practise as a dentist it is necessary for an individual to register with the Dental Council. Under the terms of Directive 78/686/EEC and other relevant agreements, EEA nationals who hold a scheduled dental qualification are entitled to register and practise in Ireland. These qualifications have been set down after considerable negotiation and

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are intended to ensure patient safety remains at the forefront in the practise of dentistry, while allowing for movement of professionals between Member States.

Persons who hold non-EEA qualifications do not have an automatic entitlement to be recognised for entry on the Irish Register of Dentists. However, the Dental Council facilitates such persons by holding an annual examination for dentists from outside the EEA who wish to practise their profession in Ireland. Success in this examination confers entitlement to registration in the Register of Dentists.

Medical Cards.

208. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if an application for a medical card will be expedited in the name of a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [16161/06]

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.

209. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the reason a bed has not been provided for a person (details supplied) in county Kilkenny; and if the matter will be expedited and a bed made available forthwith. [16162/06]

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.

210. **Dr. Twomey** asked the Tánaiste and Minister for Health and Children the number of elective surgeries that were cancelled in each of the health regions for 2004, 2005 and to date in 2006; and if she will make a statement on the matter. [16169/06]

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.

Medical Cards.

211. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a medical card will issue immediately to a person (details supplied) in County Kilkenny. [16314/06]

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.

212. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children if a long stay public bed will be provided for a person (details supplied) in County Kilkenny at either Castlecomer, Freshford or Ballyragget Hospitals, Co. Kilkenny; and if she will make a statement on the matter. [16315/06]

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.

Health Services.

213. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children the reason persons (details supplied) in County Mayo have been refused transport to University College Hospital and Merlin Park Hospital, Galway; and if she will make a statement on the matter. [16341/06]

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 case investigated and to have a reply issued directly to the Deputy.

Medical Cards.

214. **Mr. Crawford** asked the Tánaiste and Minister for Health and Children if she has satisfied herself with the number of medical cards which have been provided to date; if her attention has been drawn to the fact that many in great need are having cards delayed due to the level of bureaucracy involved; the reason a seriously ill self-employed person who had to stop work as a result of cancer and applied in January 2006 for a medical card is still receiving queries regarding their non-existent income at a time of serious trauma and incapacity; and if she will make a statement on the matter. [16342/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Health Service Executive (HSE), was established on 1 January 2005 under the Health Act 2004. Under the Act, the Executive has the responsibility to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. This includes responsibility for the assessment of initial applications for medical cards and the review/renewal of existing cards. Information provided by the HSE indicates that as at 1st April 2006, 1,177,442 persons had medical cards. This represents an increase of 32,359 on the corresponding figure for January 2005. The Government commitment to provide a net 30,000 additional medical cards has, therefore, been met, and indeed exceeded.

I am informed that the HSE has established a Schemes Modernisation project which includes aims to standardise application and review processes nationally in respect of the General Medical Services and related schemes. This is to ensure a system which is fair, responsive, person centred and transparent and at the same time provides appropriate controls.

Since 2004, I have made significant improvements to the way in which people's eligibility for medical cards and GP visit cards is assessed. In January 2005, I increased the income guidelines used in the assessment of medical card applications by 7.5%. In June 2005, I simplified the means test for both medical cards and GP visit cards. It is now based on an applicant's and spouse's income after tax and PRSI, and takes account of reasonable expenses incurred in respect of rent or mortgage payments, childcare and travel to work. This is much fairer to applicants. In October 2005, the income guidelines for both medical cards and GP visit cards were increased by an additional 20%. This means the income guidelines are now 29% higher than they were at the end of 2004. Persons aged 70 years and over are statutorily entitled to a medical card, regardless of income, since 1 July 2001. If the Deputy is aware of a particular case where difficulties are being experienced he should raise the matter directly with the HSE.

Hospitals Building Programme.

215. **Ms B. Moynihan-Cronin** asked the Tánaiste and Minister for Health and Children the situation with regard to the provision of a new community hospital in Dingle, County Kerry; and if she will make a statement on the matter. [16343/06]

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. This includes responsibility for considering new capital proposals or progressing those in the health capital programme. Accordingly, the Department is requesting the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Parliamentary Questions.

216. **Mr. N. O'Keeffe** asked the Tánaiste and Minister for Health and Children the reason for the delay in the issuing of a reply in a follow up on a parliamentary question, which her Department in its response of 21 March 2006 confirmed that it would be replied to directly by the parliamentary affairs division of the Health Service Executive; and if her attention has been drawn to the fact that no reply has issued to date. [16344/06]

Minister of State at the Department of Health and Children (Mr. S. Power): My Department has been advised that a reply was issued on the 28th April 2006 by the Health Service Executive (HSE) in relation to Question No. 282 of 21st March 2006.

Hospital Waiting Lists.

217. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Mayo is still waiting to be called for an MRI scan; and if she will make a statement on the matter. [16345/06]

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 case investigated and to have a reply issued directly to the Deputy.

218. **Mr. Gogarty** asked the Tánaiste and Minister for Health and Children the number of people waiting for a heart bypass operation at St.

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James's Hospital, Dublin; the average length of time from admission to operation; the longest current appointment scheduled; and if she will make a statement on the matter. [16346/06]

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.

219. **Mr. Gogarty** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in Dublin 20 was told they would be operated on but was subsequently discharged, instead being informed that they would be dealt with in three to four weeks; if this operation will be progressed sooner; if she or the Health Service Executive will accept responsibility for this person's diminished quality of life post-assessment or deterioration or loss of life post-assessment and pre-operation; and if she will make a statement on the matter. [16347/06]

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.

Environmental Assessments.

220. **Mr. Eamon Ryan** asked the Tánaiste and Minister for Health and Children the plans and programmes of her Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16358/06]

Tánaiste and Minister for Health and Children (Ms Harney): I wish to advise the Deputy that 'health' is not one of the sectors whose plans are covered by the Strategic Environmental Assessment (SEA) Directive and which are listed in regulation 9(1)(a) of the transposing Irish Regulations (SI No. 435 of 2004) introduced by the Minister for the Environment Heritage and Local Government.

Hospital Services.

221. **Mr. Rabbitte** asked the Tánaiste and Minister for Health and Children if, in relation to the Adelaide and Meath Hospital at Tallaght, there are plans to move the diabetes centre (details supplied); and if she will make a statement on the matter. [16380/06]

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 Promotion.

222. **Mr. Eamon Ryan** asked the Tánaiste and Minister for Health and Children the amount allocated for 2006 for the implementation of actions contained in the Strategic Action Plan for Breastfeeding in Ireland; and the amount and details of expenditure in 2005 on same. [16381/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Department of Health and Children is committed to raising the profile of breastfeeding and encouraging more and more parents to breastfeed. In 2005 a total of €385,000 was spent on the promotion, protection and support of breastfeeding, €200,000 of which was spent on awareness raising activities, information development and dissemination. This included the National Breastfeeding Awareness Campaign (September and October, 2005) which consisted of radio and print advertising and a series of high profile PR events.

The balance of €185,000 was spent on the development and dissemination of national policies including "Breastfeeding in Ireland: a Five Year Strategic Action Plan". Other activities included the development of information resources to support the Maternity Protection (Amendment) Act 2004, the production of a breastfeeding promotional video for use within the health and allied sectors and involvement in EU initiatives.

The Health Service Executive (HSE) has responsibility for the management and delivery of health and personal social services under the Health Act, 2004, including the monitoring and implementation of the Strategic Action Plan. In respect of expenditure in 2006, the HSE is making a significant investment in the promotion, protection and support of breastfeeding. Accordingly my Department has requested the Parliamentary Affairs Division of the Executive to forward details of this investment directly to the Deputy.

Health Service Staff.

223. **Mr. Morgan** asked the Tánaiste and Minister for Health and Children if care attendants employed by the Health Services Executive are employed on a statutory basis or otherwise; and if otherwise, the type of employment involved. [16383/06]

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 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 Allowances.

224. **Dr. Upton** asked the Tánaiste and Minister for Health and Children if she will consider amending the rules governing the blind welfare allowance scheme in order that those in receipt of a blind pension and disability benefit are not, due to the amount they receive in respect of these two payments, precluded from receiving the blind welfare allowance; and if she will make a statement on the matter. [16384/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Persons who meet the medical eligibility criteria for Blind Welfare Allowance will be paid Blind Welfare Allowance provided that their income does not exceed the eligibility threshold. Income in excess of the threshold is deducted from Blind Welfare Allowance on a euro for euro basis. All applicants are assessed in accordance with the same rules irrespective of the source of their income. Therefore beneficiaries of the two allowances are not necessarily precluded from receiving Blind Welfare Allowance.

Questions Nos. 225 and 226 withdrawn.

Hospital Services.

227. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if a complete review of the provision of transport to people to attend hospital outpatient appointments and admissions will be undertaken in conjunction with the Department of Social and Family Affairs; her views on introducing a voucher system under the free travel pass scheme which will enable people living in rural isolated areas to avail of transport for hospital appointments; and if she will make a statement on the matter. [16411/06]

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 Executive has advised that its National Ambulance Office intends to conduct a comprehensive review of patient transport services. The separation of the Emergency Medical Service and the Patient Transport role of the Ambulance Service has been identified as a key objective in the Executive's 2006 service plan. 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 Harkin** asked the Tánaiste and Minister for Health and Children when funding will be made available for designated transport for cancer patients; and if she will make a statement on the matter. [16416/06]

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 respond directly to the Deputy in relation to the matter raised.

229. **Mr. Perry** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in County Sligo will be called for their treatment in Sligo General Hospital; and if she will make a statement on the matter. [16420/06]

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 case investigated and to have a reply issued directly to the Deputy.

Departmental Expenditure.

230. **Mr. P. McGrath** asked the Tánaiste and Minister for Health and Children if her Department makes the Irish national daily newspapers available on-line for staff within her Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in her Department; and if she will make a statement on the matter. [16437/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Irish national daily newspapers are available on-line to staff in the Department. Five Assistant Secretaries, two Directors, 30 Prin-

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principal Officers and 15 staff in a professional grade receive a copy of one Irish national daily newspaper. Three members of staff receive a copy of more than one Irish national daily newspaper. The cost in 2005 of purchases of each printed daily newspaper, which includes provision for a range of offices such as the Press Office and the Office of the Tánaiste, is as in the table.

	€
Irish Times	22,932
Irish Independent	10,734
Irish Examiner	5,146
Daily Star	3,083
Evening Herald	2,460
Guardian	466
Financial Times	2,061
The Sun	221
Daily Mirror	279
Daily Telegraph	219
The Times	204
The Independent	241

Health Services.

231. **Mr. Gregory** asked the Tánaiste and Minister for Health and Children the steps she will take to ensure that a social worker's service be made available to patients in the psychiatric ward in the Mater Hospital, Dublin 7; and if she will make a statement on the matter. [16496/06]

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.

Housing Aid for the Elderly.

232. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in County Clare was refused a grant under the housing aid for the elderly; and if she will make a statement on the matter. [16497/06]

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. This includes responsibility for the provision of the Housing Aid Scheme for the Elderly, on behalf of the Department of Environment, Heritage and Local

Government. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

233. **Mr. Wall** asked the Tánaiste and Minister for Health and Children the guidelines that a nursing home must adhere to in regard to room temperature for patients within the nursing home; the mechanism his inspectors use to ensure such guidelines are adhered to; and if she will make a statement on the matter. [16511/06]

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 Homes (Care and Welfare) Regulations 1993, made under the Health (Nursing Homes) Act 1990, set out the standards which private nursing homes must adhere to. The Health Service Executive currently carries out inspections in private nursing homes. Article 11.2(k) of the Regulations provides that in every nursing home suitable and sufficient accommodation must be provided which meets the minimum standards. Suitable and sufficient heating with a minimum heating of 65 degrees F (18 degrees C) in bedroom areas and 70 degrees F (21 degrees C) in day areas is required.

In the context of the Health Bill 2006, the process has begun to review the current system with a view to strengthening the powers available to those involved in inspecting facilities and to extend a strengthened inspection system to public facilities.

It is also intended that the Bill will provide for the setting and monitoring of standards for residential facilities for older people. In addition, the Department has commenced a review of the Nursing Homes (Care and Welfare) Regulations 1993, and is working in conjunction with the Health Service Executive (HSE), the Social Services Inspectorate (SSI) and the Irish Health Services Accreditation Board (IHSAB), with the intention of developing standards that will apply to all residential services for older people. It is intended that the Health Bill 2006 will establish both the Health Information Quality Authority (HIQA) and the SSI on a statutory basis and will contain provisions to underpin a more robust inspectorial system.

Services for People with Disabilities.

234. **Ms O'Sullivan** asked the Tánaiste and

Minister for Health and Children the progress which has been made in addressing the issues that have to date prevented the opening of the six unit complex for persons with moderate to severe intellectual disability at a centre (details supplied) in County Limerick; when the units will be fully open and fully funded; and if she will make a statement on the matter. [16512/06]

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.

Health Services.

235. **Mr. Deasy** asked the Tánaiste and Minister for Health and Children the expected commencement and completion date for the proposed re-development of St. Vincent's Hospital, Dungarvan, County Waterford. [16535/06]

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. This includes responsibility for considering new capital proposals or progressing those in the health capital programme.

Accordingly, my Department is requesting the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

236. **Mr. G. Mitchell** asked the Tánaiste and Minister for Health and Children if the transfer of a person (details supplied) in Dublin 12 to a location nearer their spouse and former home will be arranged; and if she will make a statement on the matter. [16548/06]

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.

Home Care Package.

237. **Mr. Ring** asked the Tánaiste and Minister for Health and Children the amount which has been provided for the home care package since it was introduced for the Health Service Executive western region; when this home care package was

introduced; the number of applications which have been received for the home care package; and the number of people who have been approved for the home care package. [16583/06]

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.

Services for People with Disabilities.

238. **Mr. Stanton** asked the Tánaiste and Minister for Health and Children further to Parliamentary Question No. 351 of 31 January 2006, if the programme of consultation between her Department and the Health Service Executive in relation to the implementation of Part 2 of the Disability Act 2005 has been completed; the conclusions of the consultation programme; if the drafting of the necessary regulations provided for in Part 2 has begun; the timescale for the full commencement of the provisions of Part 2; and if she will make a statement on the matter. [16584/06]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The programme of consultation with key stakeholders in relation to Part 2 of the Disability Act is still underway. As a part of that consultation process, a conference was held in Mullingar in February 2006 specifically focusing on the area of assessment of need. The conference brought together representatives of the major stakeholders in the area of disability, including service providers and representatives of people with a disability. A discussion paper has been produced on foot of the conference to facilitate the broader consultation process currently taking place.

A series of three consultation workshops will be held during May 2006 in Dublin, Carrick on Shannon and Cork. Those invited include all of the major voluntary bodies representing people with disabilities. It is expected that at the conclusion of these meetings over 400 people will have participated in the consultation process.

The ongoing preparatory work with the HSE, Department of Education and Science and the National Council for Special Education which I referred to in my earlier reply is continuing. The outcome of the consultation process, together with the other preparatory work will provide the basis for drafting the necessary regulations provided for in Part 2 and inform my Department in relation to the timescale for commencement of the provisions of Part 2.

Under Sections 31 and 32 of the Disability Act my Department is required to prepare a Sectoral

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Plan for the implementation of the Act. Work on this plan is currently underway.

Health Service Staff.

239. **Mr. J. O'Keefe** asked the Tánaiste and Minister for Health and Children if her Department has guidelines for employers in the health sector when employing non-national professional care staff regarding fluency in English; and if she will make a statement on the matter. [16653/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to human resource management issues in 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.

Tax Code.

240. **Mr. F. McGrath** asked the Minister for Finance if he will work closely with the Departments of Agriculture and Food and Communications, Marine and Natural Resources in assisting relief for farmers growing rape seed for the future energy needs here; and if assistance will be given in the development of alternative energy sources. [16066/06]

Minister for Finance (Mr. Cowen): While the promotion of biofuels, which would include rapeseed oil, is primarily a matter for my colleague, the Minister for Communications, Marine and Natural Resources, I am pleased to inform the Deputy that in Finance Act 2006, I have provided for significant excise tax reliefs to promote biofuels in Ireland.

The new large-scale scheme of excise relief is likely to stimulate much activity in the agricultural sector. Once the necessary EU State Aid approval has been granted, the Department of Communications, Marine and Natural Resources will advertise the scheme to potential beneficiaries and set out the procedures for applying for the excise relief.

I will continue to work closely with my two Cabinet colleagues on this and all other relevant issues.

241. **Mr. Wall** asked the Minister for Finance if the tax affairs of a person (details supplied) in County Kildare are up to date; if a tax rebate is owed to the person; and if he will make a statement on the matter. [16083/06]

Minister for Finance (Mr. Cowen): I have been advised by the Revenue Commissioners that the income tax affairs of the taxpayer are up to date. PAYE Balancing Statements for the years 2002 to 2005 inclusive have issued to the taxpayer, together with cheques for refunds arising.

Garda Stations.

242. **Mr. Quinn** asked the Minister for Finance the expected start date, completion date and cost of the proposed refurbishment of Kevin Street Garda Station; the cost of relocations of Garda resources required during this refurbishment; and if he will make a statement on the matter. [16095/06]

243. **Mr. Quinn** asked the Minister for Finance the cost of alterations required to any Garda station receiving transfers from Harcourt Terrace Garda Station on its closure in order to facilitate the additional Gardaí and workloads being attached to these stations; the timescale for completion of these alterations; and if he will make a statement on the matter. [16096/06]

Minister of State at the Department of Finance (Mr. Parlon): I propose to take Questions Nos. 242 and 243 together.

On the direction of the Minister for Justice, Equality and Law Reform Harcourt Terrace Garda Station is to be closed and used to procure housing units under the Affordable Housing Initiative.

This Office is currently in discussion with the Garda Authorities in relation to accommodation provision for the personnel who are moving from there. No timescale or costings have been developed. Timescale and costings will be determined on completion of these discussions.

Communications Masts.

244. **Mr. Haughey** asked the Minister for Finance the number of mobile phone companies which utilise the mast at Clontarf Garda station; if there is a limit to the number of companies which can use this mast; if there is a limit to the number of antennae which can be added to it; the way in which non-ionising radiation will be monitored at this location; if information in relation to non-ionising radiation from this mast will be made available to the public; and if he will make a statement on the matter. [16103/06]

Minister of State at the Department of Finance (Mr. Parlon): At present, two mobile phone companies have been granted licences by the Commissioners of Public Works to install telecommunications equipment on the mast at Clontarf Garda Station. The number of companies that can be located on any particular mast is limited by space restrictions. The telecommunications equipment installed by the mobile phone companies on Clontarf Garda Station Mast was installed under the exempt development provisions contained in Class 31 of the 2001 Planning and Development Regulations and the number of additional antennae that can be added is limited by the said Class 31.

Under the terms of their licence agreement with the Commissioners, the mobile phone operators are obliged to install and operate all equip-

ment within current standards and E.U. regulations and adhere to the guidelines on exposure limits to emissions, issued by the International Commission on Non-Ionizing Radiation Protection, (ICNIRP).

In addition, the Commissioners' consultants monitor all such developments on behalf of the Commissioners to ensure compliance with the regulations is achieved from the outset. They will then measure the emissions on an annual basis to ensure this compliance is continuous. Information on emissions from the Clontarf mast will be made available to members of the public on request.

245. **Mr. Haughey** asked the Minister for Finance the amount which the Office of Public Works receives from the mobile phone companies for the use of Garda stations for masts and base stations; if it is appropriate for the Office of Public Works to also monitor the emissions of non-ionising radiation from such centres; and if he will make a statement on the matter. [16104/06]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works estimate that the licensing of Garda masts for use by mobile phone companies will generate gross revenue in excess of €3m in 2006. This includes both the income generated by the 1997 agreement and the new standard licences being rolled out to all mobile phone companies in respect of Garda masts.

The Commissioners' consultants monitor all such installations on Garda masts to ensure they are constructed and operated in accordance with current standards and E.U. regulations and adhere to the guidelines on exposure limits to emissions, issued by the International Commission on Non-Ionizing Radiation Protection, (ICNIRP). The emissions are then monitored on an annual basis to ensure this compliance is continuous. It is also open to the Commission for Communications Regulation, ComReg, to measure the emissions from any particular site at any stage.

Tax Code.

246. **Mr. Penrose** asked the Minister for Finance if there is a policy reason, in relation to policy which he is pursuing which permits tax relief to be available on vehicles powered by electricity, dual fuel vehicles and those that can be powered by bio-ethanol fuels; his views on affording the same tax relief to vehicles that use bio-diesel; and if he will make a statement on the matter. [16141/06]

Minister for Finance (Mr. Cowen): In recognition of the need to tackle the issue of climate change and reduce our dependency on fossil fuels, this Government has introduced a number of tax reliefs aimed at promoting environmentally friendly vehicles, in addition to the promotion of

alternative motor fuels. Firstly, a VRT relief for hybrid electric vehicles was introduced in January 2001. The purpose of the scheme — which provides for a 50% reduction in the VRT charge — is to encourage the purchase of vehicles that use a combination of an internal combustion engine and an electric motor to derive motive power. This hybrid electric technology results in significantly lower pollutant emissions than conventional vehicles powered exclusively by internal combustion engines.

In Budget 2006, I extend this 50% VRT relief to include flexible fuel vehicles. These are defined as cars or small vans produced so as to be capable of using a blend of ethanol and petrol containing a minimum of 85% ethanol. Inclusion of this category in the 50% VRT relief should encourage the purchase of vehicles that have been manufactured with flexible fuel capabilities which will result in lower pollutant emissions than conventional vehicles fuelled exclusively by petrol/diesel. The scheme does not extend to cars designed to run on high-grade biodiesel as this technology is at a very limited stage.

Aside from these initiatives aimed at promoting environmentally friendly vehicles, this Government has followed up a recent pilot scheme to promote Biofuels with, as announced in Budget 2006, a much larger-scale five-year €200m Excise Relief Scheme. The level of excise relief will start at €20 million in 2006 and will be increased to €35 million in 2007 and to €50 million in each of the following three years. This relief, when fully operational, is expected to support the use and production in Ireland of some 163 million litres of biofuels per year. This is 20 times the current level of biofuels that is excise-relieved under the pilot scheme and is expected to represent 2% of the transport fuels market by 2008. The Deputy may wish to note that this Scheme will of course cover the promotion of Biodiesel. Further details in respect of this Scheme will be announced by the Department of Communications, Marine and Natural Resources once the necessary EU State Aids approval has been granted; the application with the Commission is being progressed currently.

EU Directives.

247. **Mr. G. Murphy** asked the Minister for Finance the cost effect which the expiry of derogations from EU Directives (details supplied) will have on energy users; and the sectors which will be effected. [16336/06]

Minister for Finance (Mr. Cowen): Under the EU Energy Tax Directive — 2003/96/EC — Ireland, together with virtually all other Member States, has a number of derogations, which are set to expire at the end of this year. These derogations, effectively exemptions from the requirement to apply EU minimum and maximum excise tax rates, are varied in nature. For example, they include the tax reliefs which apply under the Dis-

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abled Drivers Scheme, reduced excise applying to fuel used in public transport, and reduced rates applying to private boating.

The European Commission has commenced communications with Member States, including Ireland, in connection with the post-2006 position with respect to these derogations. In this regard, we have stated our desire to retain these derogations for public policy reasons and consequently the Deputy should note that the Government will seek to ensure that the users/sectors involved should not be adversely affected. I am not in a position to put forward an appropriate costing at this stage in respect of the costs involved if the derogations were to expire.

Environmental Assessments.

248. **Mr. Eamon Ryan** asked the Minister for Finance the plans and programmes of his Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16359/06]

Minister for Finance (Mr. Cowen): My Department does not have any plans or programmes, which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004.

I have asked the Office of Public Works to provide information directly to the Deputy, in relation to any relevant plans or programmes, which that Office may be undertaking.

Decentralisation Programme.

249. **Mr. Deasy** asked the Minister for Finance if difficulties have arisen with the decentralisation of Ordnance Survey Ireland to Dungarvan, County Waterford, due to its status as a State agency; and if he will make a statement on the matter. [16408/06]

Minister for Finance (Mr. Cowen): As part of the Decentralisation Programme it is intended that Ordnance Survey Ireland (OSI) will decentralise to Dungarvan, County Waterford. I am informed by OSI that arrangements for decentralisation are proceeding in accordance with their implementation plan and that a site has been acquired in Dungarvan by the Office of Public Works (OPW). OSI have submitted a detailed plan of its requirements in the new location to the OPW.

The Government and the Decentralisation Implementation Group (DIG) have always recognised that there are complexities involved in the State Agency aspect of the decentralisation programme. Traditionally there is no experience of

decentralisation among state agencies and no tradition of inter-organisational transfer or movement among staff. However, both the Government and the DIG remain of the view that these challenges can be addressed through the active engagement of management and unions.

Departmental Expenditure.

250. **Mr. P. McGrath** asked the Minister for Finance if his Department makes the Irish national daily newspapers available on-line for staff within his Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in his Department; and if he will make a statement on the matter. [16438/06]

Minister for Finance (Mr. Cowen): Daily newspapers, both on-line and in printed format, are made available to senior managers, and other staff where appropriate, as a current knowledge of Irish and international economic and other developments is in many instances integral to the duties of the job. The tables give details of the number of daily newspapers supplied to staff members on a grade by grade basis and of the costs of printed daily newspapers purchased by my Department in 2005.

Grade	Number of staff who receive an Irish daily newspaper
Secretary General	1
Secretary General (PSMD)	1
Second Secretary	3
Assistant Secretary General	11
Chief Medical Officer	1
Deputy Chief Medical Officer	1
Principal Officer	48
Minister's Adviser	1

Of the staff listed above 23 are in receipt of more than one daily newspaper.

Newspapers Purchased in 2005	Costs in € for 2005
Irish Times	30,734
Irish Independent	12,777
London Times	208
Financial Times	15,420
The Guardian	350
London Independent	241
Herald Tribune	522
Irish Examiner	4,262
Le Monde	530
Wall Street Journal	702

Newspapers Purchased in 2005	Costs in € for 2005
Mirror	270
Star	760
The Sun	237
Evening Herald	1,933
Daily Telegraph	207
Daily Mail	206
Irish News	20

Structural Funds.

251. **Mr. Connaughton** asked the Minister for Finance the action which will be taken regarding unspent monies allocated to the Border Midland Western and south and east regions under the current round of EU structural funds, when this round ends later in 2006; and if he will make a statement on the matter. [16531/06]

Minister for Finance (Mr. Cowen): Structural Funds investments are delivered through seven Operational Programmes under the National Development Plan/Community Support Framework (NDP/CSF) 2000 to 2006. These Programmes are directly managed and implemented by Government Departments, the Regional Assemblies or other agencies.

Under the EU Structural Funds regulations, expenditure incurred on EU co-funded measures can continue up to the end of 2008 in order to draw down our full entitlement of Structural Funds. The same regulations require that each annual commitment of Structural Funds to an Operational Programme must be drawn down within two years of the year of commitment otherwise the funds are lost.

The most recent monitoring data reported to my Department indicates that at the end of December 2005, the Structural Funds expenditure for January 2000 to December 2005 stands at 99% of target for the corresponding period. Based on progress reported to date, I believe that Ireland will drawdown its remaining entitlements to Structural Funds for both the Border, Midlands and Western Region and the Southern and Eastern Region.

The data also indicates that overall some €44.8 billion has been expended under the NDP/CSF over the period January 2000 to the end of December 2005. This represents 90% of total target expenditure for the corresponding period. The Managing Authority for each of the Operational Programmes has systems in place to monitor the ongoing implementation of the co-funded measures. Additional monitoring is carried out by a Monitoring Committee which meets twice yearly to oversee the ongoing implementation of the Programmes. Each Department and Agency responsible for implementing the co-funded measures is required to ensure that the risk of loss of Structural Funds is minimised by prioritising expenditure on such measures.

National Development Plan.

252. **Mr. Sargent** asked the Minister for Finance if when the old National Development Plan funding finishes at the end of 2006 there will be alternative funding allocated to Sustainable Energy Ireland under the new format of National Development Funding to cover the period 2007 to 2013; and if he will make a statement on the matter. [16664/06]

Minister for Finance (Mr. Cowen): The preparation of the next NDP (2007-2013) is proceeding at present. Proposals for investment under the next NDP will be considered across a wide range of policy areas. The final composition, priorities, structure and objectives of the next NDP with supporting financial allocations are ultimately a matter for consideration and decision by Government and the issue of NDP funding for Sustainable Energy Ireland will be decided in that context.

Alternative Energy Projects.

253. **Mr. Carey** asked the Minister for Communications, Marine and Natural Resources the grants which are available to help promote the development of bio-fuels; and if he will make a statement on the matter. [16494/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): A number of initiatives are in place to support the development of a biofuels sector in Ireland. The 2005 pilot mineral oil tax relief scheme for biofuels has resulted in eight projects being awarded excise relief and will result in 16 million litres of biofuels being placed on the Irish transport market by next year. Building on the success of this scheme and following extensive discussions with industry and relevant Government Departments and agencies, I agreed with the Minister for Finance a further targeted package of excise relief valued at €205m, which was announced in the Budget. The new excise relief programme, which is subject to State-aid approval, will be rolled out from this year to 2010 and will enable us to reach the initial target of 2% market penetration by bio-fuels by 2008. When fully operational the relief is expected to support the use and production of some 163 million litres of biofuels each year. I am also providing funding towards the capital cost of developing biofuels processing facilities, which will critically underpin the excise relief package.

Sustainable Development Strategy.

254. **Mr. Sargent** asked the Minister for Communications, Marine and Natural Resources if funding for the Sustainable Energy Ireland house of tomorrow initiative will be continued when the new building regulations are implemented in 2007; and if he will make a statement on the matter. [16665/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): House of Tomorrow is a research, development and demonstration programme with a focus on stimulating widespread uptake of more sustainable energy planning, design, specification and construction practices in the Irish housing market. The aim is to develop capability in the building industry and create a growing network of visible examples of superior practice, so as to encourage higher standards across the housing market as a whole and raise the expectation of house buyers.

To date 77 demonstration projects, comprising 3,500 housing units in 25 counties, have been approved by Sustainable Energy Ireland (SEI) for funding, as well as a further 23 projects in the fields of research, development, training and international collaboration. It is a condition of the programme that these demonstration projects show an improvement of at least 40% in thermal energy and CO₂ performance standards relative to the Building Regulations 2002.

There is a growing appetite and capacity in both the house building sector and local authorities to adopt and apply the standards set in this programme. We intend to maintain the momentum of this programme as an instrument of market change. The task of improving building standards is an evolving and progressive one. Indeed, proven experience on House of Tomorrow schemes will itself help to drive regulatory change. In the event of any strengthening of the energy requirements in the Building Regulations in 2007, opportunities will be explored for still further improvements in the planning, design and construction of Ireland's housing stock to deliver more affordable, comfortable, energy secure and environmentally-friendly living conditions. Energy consumption in housing remains responsible for one quarter of national energy related greenhouse gas emissions, and requires continued priority focus.

Support will continue for sustainable energy interventions in the housing sector, including the continuation of the House of Tomorrow.

Telecommunications Services.

255. **Mr. Deenihan** asked the Minister for Communications, Marine and Natural Resources when broadband internet access will be available in Keel, Castlemaine, County Kerry; and if he will make a statement on the matter. [15998/06]

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).

My Department administers a group broadband scheme which is designed to promote the

roll-out of broadband access through the establishment of sustainable broadband services in towns, villages, rural hinterlands and under-served areas of larger towns on the basis of local and regional authority coordination and community driven initiatives.

The most recent call for proposals has now closed and I will be considering making a further call shortly.

Fisheries Protection.

256. **Mr. G. Mitchell** asked the Minister for Communications, Marine and Natural Resources if he will make a statement on the concerns expressed by a club (details supplied). [15999/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): I wish to advise that a reply issued on the 26 April 2006 to the letter referred to by the Deputy.

The matter to which the Deputy refers is that of the Government's policy for the restructuring of the inland fisheries sector, which is based on the recommendations contained within the report by Farrell Grant Sparks following their review of the sector, published last November. The Government has decided that a fundamental restructuring of the sector is required. It considered that this reform would result in a better model for the State's role in the sector, better resource management, more and better involvement of stakeholders, better corporate governance and value for money.

Under this policy the executive functions of the existing Central and regional fisheries boards will be subsumed into a single national inland fisheries authority (NIFA). The existing regional fisheries boards will be transformed into regional advisory boards, relieved of the burden of direct corporate responsibilities, which will allow members to concentrate on regional issues and the carrying through of reforms.

It is my firm belief that contrary to the concerns expressed by the club referred to by the Deputy, the policy adopted by Government will allow the sector to reach its full potential through more coherent and consistent policy making and resource allocation and will give the whole range of stakeholders the opportunity to be influential in the conservation, protection, development and promotion of the inland fisheries resources.

Harbours and Piers.

257. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources the timeframe for the commencement and completion of work on Woodquarter Pier, Cranford, County Donegal following the allocation of funding that was approved; and the exact work that will be undertaken. [16000/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): Woodquarter Pier is owned by Donegal County Council and responsibility for its repair and maintenance rests with the local authority in the first instance.

In November 2005 total funding of €10,000 was approved towards public lighting at Woodquarter Pier. However Donegal County Council was unable to carry out the works before the end of 2005. A programme for the funding of small harbours within the overall 2006 Fishery Harbours Development Programme is under consideration at present and funding for Woodquarter Pier will be considered under this programme taking into account the amount of Exchequer funding available and overall national priorities.

Fisheries Protection.

258. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources the way in which the controls on fish are applied and policed; if checks have been performed to ensure that a company (details supplied) is not transferring fish without a licence; and if he will make a statement on the matter. [16001/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): All aquaculture operators must apply to the Department of Communications, Marine and Natural Resources for permission to move fish between licensed aquaculture sites. These applications are examined and approved on the basis of their compliance with the specific conditions contained in individual aquaculture licences and on the basis of their compliance with the provisions of the relevant fish health legislation (as required by EU Regulations). This system provides a record against which the husbandry and stock records kept by the individuals granted permission to move fish between licensed sites may be subsequently verified and checked. With regard to the specific matter raised by the Deputy and the named company I wish to inform you that the arrangements for monitoring and inspection of fish farms are as set out in my reply to the Deputy's Question No. 348 of 25 April 2006. The Department has asked the company concerned for details of fish movements between licensed areas, and will be reviewing the position in detail when this information is received.

Alternative Energy Projects.

259. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the proposals and incentives available for domestic wind turbines; the estimated number of such turbines currently in operation; if his Department supports the concept of domestic wind turbines; the estimated capacity that could be supplied to the grid beyond domestic use; and

if he will make a statement on the matter. [16047/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): There is a common perception that micro-scale production of electricity from wind turbines can only succeed if access to a net-metering type incentive is in place.

Sustainable Energy Ireland (SEI) launched a study entitled "Metering Options for Small-Scale Renewable and CHP Electricity Generation in Ireland". The report identifies that more than 80% of the electricity meters installed in Ireland are backstopped. The meters cannot therefore operate in reverse which is an essential requirement for net metering.

SEI plans to commission additional work on the technical issues for connecting commercial renewable and CHP small-scale electricity generation this year. The various options, including net metering, will be revisited once that report is to hand. The practical resource can only be quantified after the technical issues arising in the connection process are resolved.

Mobile Telephony.

260. **Mr. Haughey** asked the Minister for Communications, Marine and Natural Resources the basis for the adoption of the international limits for non-ionising radiation from mobile phone masts and base stations; the possible health effects arising from same; and if he will make a statement on the matter. [16105/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The international limits on public exposures for non-ionising radiation, developed by the International Commission on Non-Ionising Radiation Protection (ICNIRP), have been adopted in Ireland on the basis of EU Council Recommendation 1999/519/EU on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz).

My Department does not have any scientific data, which as yet supports the contention that exposure to non-ionising radiation below these limits damages human health.

Broadcasting Legislation.

261. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources the number of households here that do not have digital television services; the percentage of households here which will therefore be directly affected by the digital switchover; if these households are concentrated in specific geographical areas or are characterised by certain age or socio-economic trends; if he has made a decision on a timeframe for analogue switch-off; and if he will make a statement on the matter. [16152/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The Commission for Communications Regulation (ComReg) keeps statistics in relation to television usage in Ireland. ComReg's latest quarterly report (ComReg 06/15) published in March 2006, indicates that the total number of households with a television in 2005 was 1.43 million. Of these, approximately 43% have digital television.

While my Department is developing proposals for a national roll-out of digital terrestrial television, a decision has not yet been made on a date for analogue switch-off.

Telecommunications Services.

262. **Mr. Timmins** asked the Minister for Communications, Marine and Natural Resources the position in relation to access to broadband in Boleynass, County Wicklow (details supplied); when it will be available; the body which is responsible for same; and if he will make a statement on the matter. [16326/06]

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).

My Department administers a group broadband scheme which is designed to promote the roll-out of broadband access through the establishment of sustainable broadband services in towns, villages, rural hinterlands and underserved areas of larger towns on the basis of local and regional authority coordination and community driven initiatives.

The most recent call for proposals has now closed and I will be considering making a further call shortly.

Alternative Energy Projects.

263. **Mr. Kehoe** asked the Minister for Communications, Marine and Natural Resources if he will report on the arrangements for persons who operate wind farms on their property; his plans to break the ESB's monopoly over same; and if he plans to allow for net metering in the future and to give independence and autonomy to persons who operate such farms. [16327/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The licensing and authorising of wind energy projects are matters for the Commission for Energy Regulation. I have no statutory function in these matters.

Earlier this year Sustainable Energy Ireland (SEI) launched a study entitled "Metering Options for Small-Scale Renewable and CHP Electricity Generation in Ireland". The report identifies that more than 80% of the electricity

meters installed in Ireland are backstopped. The meters cannot therefore operate in reverse, an essential requirement for net metering. SEI plans to commission work on the technical issues for connecting commercial renewable and CHP small-scale electricity generation this year. The various options, including net metering, will be revisited once that report is to hand.

Environmental Assessments.

264. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources the plans and programmes of his Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16360/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The exploration round for the offshore Slyne/Erris/Donegal area, which was announced by me on 25 January 2006 is being treated as a plan under the aforesaid Regulations and a Strategic Environmental Assessment (SEA) is being prepared.

The final Environmental Report is due to be completed within the next month. There are no other Plans or Programmes which have been identified by my Department as requiring an SEA.

In relation to State Agencies under the aegis of the Department, the identification of Plans and Programmes requiring the preparation of an SEA and their subsequent completion, is a day to day matter for the bodies concerned in which I do not have a function.

Departmental Expenditure.

265. **Mr. P. McGrath** asked the Minister for Communications, Marine and Natural Resources if his Department makes the Irish national daily newspapers available on-line for staff within his Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in his Department; and if he will make a statement on the matter. [16439/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): My Department subscribes to on-line access to one daily newspaper for staff. The remaining daily newspapers are not made available on-line.

The Department provides a printed copy of the newspaper, to which we subscribe on-line, to 33 staff members of the Department at senior man-

agement level. The table outlines the relevant grade breakdown.

Secretary General	1
Deputy Secretary	1
Assistant Secretary	5
Minister's Adviser	1
Press Adviser	1
Principal Officer	10
Assistant Principal	14
Total	33

The cost of daily newspapers is met from budget allocation, which also includes the costs of relevant sectoral, technical, professional and financial publications, magazines, periodicals, local publications and other printed matter of relevance to the Department's broad remit. In the time available it is not possible to extrapolate relevant individual costs for each newspaper published on a daily basis within the State. However, based on examination of the relevant account, the costs of providing all printed Irish daily newspapers to officials of my Department was circa €21,700 in 2005.

Fisheries Protection.

266. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources his views on introducing a catch and release system for pike angling here in the interest of preserving of stocks here; the process that would have to be followed to introduce such a measure; and if his Department has a preferred position on the matter. [16507/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Angling for Pike is currently governed by Bye-law No. 667 of 1990. This Bye-law prohibits the taking and killing of more than one pike on any one day and prohibits the taking or killing of any pike exceeding 3 kgs (6.6 lbs) in weight.

Under the Fisheries Acts, the Fisheries Boards are primarily responsible for the management, conservation, protection and improvement of inland fisheries including pike stocks. As Minister, I rely on the advice of the Boards in determining policy and legislative measures aimed at protecting these stocks. In this regard, I understand that proposals to amend this Bye-law are being considered by the Boards at the moment.

I can assure the Deputy that I will consider any proposals tendered by the Fisheries Boards as soon as I receive them.

Human Rights Issues.

267. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will clarify Ireland's position on the blockade of Cuba. [15953/06]

269. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will raise the blockade on Cuba to all international meetings; and if he will work on building bridges between Cuba and Ireland. [15955/06]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 267 and 269 together.

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 its entire 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". We will continue to make clear our opposition to the embargo as appropriate.

Relations between Ireland and Cuba have developed in recent years, particularly since the establishment of diplomatic relations in 1999. Our Ambassador in Mexico City is accredited to Cuba. In 2001, Cuba established a resident Embassy in Dublin, which has been headed by a resident Ambassador since October 2005. Prior to that the Embassy was headed at Chargé d'Affaires level, with the Cuban Ambassador to Ireland resident in London. The Chargé d'Affaires and subsequently the Ambassador have been and continue to be extremely active in seeking to promote links between the two countries based, inter alia, on people-to-people contact and cultural activities. And of course, many Irish people have visited Cuba in recent years.

I welcome these developments and I would certainly wish to see the bilateral relationship between Ireland and Cuba develop further. Unfortunately, the ongoing large-scale violation of human rights in Cuba and the unacceptable attitude of the Cuban Government towards the resident EU Embassies in Havana are a serious impediment to the further development of relations with Cuba. Large numbers of prisoners of conscience are still in detention in Cuba and its Government continues to refuse to co-operate fully with the Personal Representative of the High Commissioner for Human Rights.

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

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the ultimate aim being to encourage a process of transition to pluralist democracy in Cuba.

The above remains the position of the Government and of our EU partners. I would also again urge the Cuban Government to release prisoners of conscience and to respect internationally acknowledged principles and practices in relation to EU missions in Havana so that dialogue can be resumed. I have no doubt but that such steps by the Cuban Government would impact positively on the next evaluation of the EU Common Position on Cuba.

268. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will raise the Miami Five case with the US authorities; and if he will highlight their plight at all United Nation and European Union meetings. [15954/06]

274. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will send out a briefing document on the Miami Five case to all Irish Embassies around the world; and if this miscarriage of justice will be ended. [15942/06]

275. **Mr. F. McGrath** asked the Minister for Foreign Affairs the reason persons (details supplied) are being denied the right to visit their spouses; if he will raise this unnecessary punitive measure with the US authorities and the United Nations; if he will demand the humane treatment of prisoners and the US's obligation to protect family life. [15943/06]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 268, 274 and 275 together.

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 9th 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 shortly.

As I have previously informed the House on a number of occasions, the Government has no standing in this matter, which is a bilateral consular question between the US and the Cuban authorities and, consequently, I do not intend to raise this matter with the US Government. Visa applications from members of the families of the accused in order to visit the accused are also a matter for the US authorities, and it would not be appropriate for me to raise the matter with those authorities.

Question No. 269 answered with Question No. 267.

EU Directives.

270. **Mr. Eoin Ryan** asked the Minister for Foreign Affairs if he will make a statement regarding the amount of legislation which was enacted in 2005 and which originated from the European Union in the form of EU regulations or EU directives. [16125/06]

Minister for Foreign Affairs (Mr. D. Ahern): The number of EU measures transposed into Irish law in 2005 was 226.

International Agreements.

271. **Mr. Timmins** asked the Minister for Foreign Affairs if Ireland's is a signatory to the Antarctic Treaty of 1959; if not, if he has examined the means by which Ireland may become one; if Ireland is a signatory of the Madrid Protocol of 1991; and if he will make a statement on the matter. [16151/06]

Minister for Foreign Affairs (Mr. D. Ahern): Ireland is not party to either the Antarctic Treaty, or the Protocol to this Treaty known as the Madrid Protocol on Environmental Protection.

The Antarctic Treaty was signed on 1 December 1959 in Washington on behalf of twelve states — Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, South Africa, United Kingdom, United States and USSR. The signature of the Treaty was the culmination of cooperative work undertaken by scientists from the twelve states in question during the period 1 July 1957 to 31 December 1958, designated by the United Nations as "International Geophysical Year". The Treaty entered into force on 23 June 1961.

The primary intention of the Treaty is to ensure "in the interests of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord". It applies to the area south of 60° South latitude, an area now designated as the Antarctic Treaty Area. More specifically, the Treaty prohibits nuclear tests and radioactive waste disposal by States Parties and promotes international scientific cooperation in Antarctica. It also sets aside the potential for sovereignty disputes between States Parties by providing that no new claims to territorial sovereignty or enlargement of standing claims would be made by States Parties.

The Protocol on Environmental Protection to the Antarctic Treaty, signed in Madrid in 1991, entered into force on 14 January 1998 and supplements the 1959 Treaty. It designates Antarctica as a natural reserve, devoted to peace and science, and with the States Parties committing themselves to the comprehensive protection of the Antarctic environment and dependent and associated ecosystems. Only states which are party to the Antarctic Treaty can become party to the Protocol.

While the Treaty has been in operation since 1961, support for it is far from universal and less than one quarter of states have become party. This is also the case with the 1991 Protocol.

The reason for the relatively small number of States Parties is that many states take the view that the Antarctic, like the deep sea bed and outer space, should be declared part of the “common heritage of mankind”, the benefits of which must be shared with mankind as a whole on an equitable basis. These consider that a new UN agreement in which all states could have an input into its terms would be the best means of ensuring full accountability for act. The reason for the relatively small number of States Parties is that many states take the view that the Antarctic, like the deep sea bed and outer space, should be declared part of the “common heritage of mankind”, the benefits of which must be shared with mankind as a whole on an equitable basis. These consider that a new UN agreement in which all states could have an input into its terms would be the best means of ensuring full accountability for actions undertaken in and concerning Antarctica.

Ireland, under successive governments, has been sympathetic to the view that the Antarctic should be seen as part of the common heritage shared universally and therefore has not acceded to the Treaty or the Protocol. The Government follow closely Antarctic-related developments. Ireland supported the adoption of United Nations General Assembly Resolutions 57/51 on 30 December 2002 and 60/47 on 8 December 2005 which, amongst other things, affirmed that the management and use of Antarctica should be conducted in accordance with the purposes and principles of the Charter of the United Nations in the interest of maintaining international peace and security and of promoting international cooperation for the benefit of mankind as a whole. The Government also welcomes the practice whereby States Parties to the Antarctic Treaty regularly provide the UN Secretary-General with information on their consultations and activities in Antarctica.

Overseas Development Aid.

272. **Mr. Gormley** asked the Minister for Foreign Affairs the action Irish Aid takes to secure affordable water supplies for African people to drink, wash and irrigate their crops in the context of the ongoing drought in Africa. [16758/06]

282. **Mr. Gormley** asked the Minister for Foreign Affairs if, in the context of the ongoing drought in Africa, the action Irish Aid takes to secure affordable water supplies for African people to drink, wash and irrigate their crops; and if he will make a statement on the matter. [16114/06]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): I propose to take Questions Nos. 272 and 282 together.

Securing access to safe water and sanitation in Africa is an important priority of Irish Aid, the Government’s official programme of overseas development assistance.

Ireland has responded promptly to the emergency needs of some eleven million people at risk from the ongoing drought in the Horn of Africa. In 2006 to date, €7 million in funding has been allocated to NGOs and international organisations working to assist those who are suffering as a result of water shortages in that region. Funding provided will, inter alia, be used by our partners to provide emergency water supplies to affected populations while these extreme water shortages persist.

Food security difficulties, where water shortages are also a concern, persist elsewhere in Africa, such as Southern Africa and in the Sahel region of West Africa. Cyclical food security crises have caused considerable challenges across Africa during the past year. Irish Aid continues to provide emergency and recovery funding to respond to these situations. Some €27 million has been allocated in response to emergency needs in Africa already in 2006.

Climate change is likely to impact significantly on water resources in future years. Through the United Nations Framework Convention on Climate Change (NFCCC) Least Developed Countries’ Fund, Ireland has helped finance the development of National Adaptation Plans of Action in all Least Developed Countries. This year, Irish Aid, in collaboration with the Department of the Environment and Heritage and Local Government, has committed a total of €2.7 million to responding to the adverse effects of climate change in Africa.

In Zambia, Mozambique, Lesotho and South Africa, Irish Aid provides financial assistance of over €10 million, per annum, to the water and sanitation sector. This is targeted at rural areas where the population is more vulnerable to the effect of water shortages. In Zambia, we have worked with Government and other donors to update the legislation governing the management of water resources. In Mozambique, together with local governments and civil society organisations we are providing support to increase water supply coverage in the provinces of Niassa and Inhambane. Similar programmes are undertaken in Lesotho and in the Limpopo Province of South Africa.

Irish Aid makes a contribution of €400,000 per annum to the International Water Management Institute (IWMI). These funds are used to develop water management practices that can be used by governments in Africa to manage water and land resources more effectively. IWMI, with the support of donors like Ireland, helps developing countries build their research capacities to secure sustainable and affordable water supplies.

Human Rights Issues.

273. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will raise the USA's breach of Article 7 of the Montreal Convention on Civil Aviation and Luis Posada Carriles role in the bombing of CU — 455 on 6 October 1976 over Barbados where seventy three people lost their lives; and if he will highlight this issue with the Secretary of State, Ms Condaleezza Rice as a matter of priority. [15941/06]

276. **Mr. F. McGrath** asked the Minister for Foreign Affairs if he will assist the Italian Government in bringing to justice the killers of a person (details supplied); and if he will highlight this case with the US Government who appears to have double standards in their war against terrorism. [15944/06]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 273 and 276 together.

I am aware that Mr. Luis Posada Carriles has been in US custody since May 2005 and that the US is seeking a country to which it can deport him. Furthermore, any issue between Italy and the US concerning Mr. Posada Carriles would be a bilateral matter between these two countries. I do not believe it would be appropriate for me to become involved in this case.

Questions Nos. 274 and 275 answered with Question No. 268.

Question No. 276 answered with Question No. 273.

Diplomatic Representation.

277. **Mr. Lowry** asked the Minister for Foreign Affairs his plans to develop a diplomatic relationship in the form of a consulate or embassy in Croatia, in view of the large volume of Irish holidaymakers and religious tourists travelling to the region; and if he will make a statement on the matter. [15966/06]

Minister for Foreign Affairs (Mr. D. Ahern): Ireland established diplomatic relations with Croatia in January, 1995 and our Ambassador to Slovenia is accredited there on a non-resident basis. Ireland is also represented by an Honorary Consul in Zagreb. The opening of further resident missions abroad, including in Croatia, is considered by the Government on an ongoing basis.

Passport Applications.

278. **Mr. Kehoe** asked the Minister for Foreign Affairs if a refund will be granted to a person who turns 65 in July 2006 but has to renew their passport in May 2006. [15970/06]

Minister for Foreign Affairs (Mr. D.: Ahern): The fees to be charged for passports are laid

down by a Statutory Instrument [Diplomatic and Consular Fees (Amendment) Regulations 2005]. A person must be aged 65 years or above to be eligible to apply for a free passport. There is no provision in this Statutory Instrument to permit the Passport Office to waive the fee for persons aged less than 65 years. Apart from the legal dimension, the reality also is that, if this generous concessionary scheme is to work satisfactorily, there has to be a fixed starting date for persons to benefit under it. I should add also that new passports do not, of course, have to be applied for, or be valid from, the date when the previous passport expired.

Human Rights Issues.

279. **Mr. Gormley** asked the Minister for Foreign Affairs if his attention has been drawn to the administrative detention, issued in May 2005 and extended twice, of a person (details supplied) by the Israeli authorities; his views on whether this is a breach of Article 9 of the International Covenant on Civil and Political Rights and if he has raised the matter with the Israeli authorities. [16013/06]

Minister for Foreign Affairs (Mr. D. Ahern): The Government has followed this case through the Embassy in Tel Aviv and in cooperation with EU partners. I understand that the person concerned was arrested on 23 May 2005. On 16 June, the Israeli authorities ordered his administrative detention for six months. This order was renewed for a further six months on 14 November 2005, but reduced to four months on review in December. On 20 March 2006, the detention was renewed until 20 July 2006. This latest administrative order has been appealed and the next hearing in relation to the case is scheduled for 9 May.

I am concerned about this case, which has been raised with the Israeli authorities by our Embassy in Tel Aviv. The Embassy is also monitoring the situation closely, in cooperation with the Embassies of other EU Member States.

The Government, and our EU partners, remain very concerned about the practice of administrative detention in Israel and the Occupied Territories. While the question of the status of this practice in relation to Article 9 of the International Covenant on Civil and Political Rights could be the subject of discussion with the Israeli Authorities, my focus at present is to work to ensure that our concerns are addressed in the EU's continuing political dialogue with Israel.

Consular Services.

280. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs the efforts which have been made to determine and monitor the welfare and safety of Irish born children of migrant parents, including asylum seekers, who have been refused residency and returned to their parents' country of

origin; and if the children will have access to consular services and protection. [16039/06]

281. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if it is ascertained and procedures put in place to ensure that an Irish born child of migrant parents, including asylum seekers, who have been refused residency and deported, will not be discriminated against or made to suffer or face deportation as a non-citizen of the parents' country of origin; and if he will make a statement on the matter. [16040/06]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 280 and 281 together.

Consular facilities are available to all Irish citizens who live or travel abroad and who seek such assistance from the Department of Foreign Affairs or any of our Missions abroad. In providing consular services, my Department is guided by a number of international instruments on human rights and consular relations. These prescribe the rights of States in acting to protect the interests of their citizens abroad. Under the Vienna Convention on Consular Relations (1963), a State's Consular function includes safeguarding the interests of minors, within the laws and regulations of the receiving State. The entitlement of Irish citizens abroad to consular services does not depend on the nationality or immigration status of their parents.

The holding of dual citizenship does not diminish the entitlement of an Irish citizen to seek Irish consular protection, with one exception. Under international law, a State cannot extend consular protection to a citizen who holds dual nationality if that citizen is residing in the country of the citizen's second nationality, unless the relevant States agree otherwise.

As regards the monitoring dimension, which was raised by the Deputy, I should point out that the primary responsibility for the protection and welfare of children resides, of course, with their parents. However, our Embassy and consular officials abroad are always ready to respond to requests for assistance from Irish citizens.

Question No. 282 answered with Question No. 272.

Passport Applications.

283. **Mr. Dennehy** asked the Minister for Foreign Affairs if his attention has been drawn to the fact that a marriage certificate from a church wedding is being refused by the Passport Office as a source of identification, whereas a certificate from a civil ceremony is acceptable; and if he will make a statement on the matter. [16166/06]

Minister for Foreign Affairs (Mr. D. Ahern): The position is that a civil rather than a religious certificate is required for passport application purposes. However, I understand that the Pass-

port Office is prepared to examine, in a sympathetic manner, any individual case where this may lead to particular difficulties.

Criminal Prosecutions.

284. **Mr. F. McGrath** asked the Minister for Foreign Affairs the reason a person (details supplied) in Spain has been arrested twice and released within a few hours; and the further reason this person is being treated in such a manner. [16338/06]

Minister for Foreign Affairs (Mr. D. Ahern): The Irish Embassy in Madrid has been aware of this individual's case for over two years.

I understand that the individual concerned has been involved in various Spanish legal proceedings. The Embassy has informed the Department that the person concerned has received appropriate legal representation, and understands that he is being accorded the same rights and treatment as a Spanish citizen. The Embassy has also been in regular contact with the person's lawyer. In the circumstances, and in particular given the ongoing legal proceedings, it would not be appropriate to comment further. However, the Embassy continues to be ready to help in every appropriate way.

Environmental Assessments.

285. **Mr. Eamon Ryan** asked the Minister for Foreign Affairs the plans and programmes of his Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16361/06]

Minister for Foreign Affairs (Mr. D. Ahern): As none of the areas which require an environmental assessment under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 fall under the remit of the Department of Foreign Affairs, none of the current plans or programmes of the Department require such assessments to be carried out.

Departmental Expenditure.

286. **Mr. P. McGrath** asked the Minister for Foreign Affairs if his Department makes the Irish national daily newspapers available on-line for staff within his Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in his Department;

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and if he will make a statement on the matter.
[16440/06]

Minister for Foreign Affairs (Mr. D. Ahern):

As the Department of Foreign Affairs provides desk top internet access to all staff at Headquarters, staff have access to any non-subscription Irish national daily newspaper that is available on-line. As the Deputy will be aware, the degree to which Irish daily newspapers are available on-line varies from publication to publication with some titles providing full text on-line while others are only partially available.

In providing daily newspapers to staff, the Department operates a “circulation list” system, that requires, in many cases, officers to forward newspapers that have been read to the next officer on the “list”. Table 1 in Annex A shows, for each Irish national daily newspaper that the Department understands to be available on-line,

a breakdown of the newspapers purchased each day at HQ and how these are distributed among staff in the first instance. The table also indicates the total number of staff that subsequently have access to the newspaper through the “circulation list” system.

49 staff receive, in the first instance, more than one Irish daily that is also available (even partially) on-line. However, as indicated above, many of these newspapers are subsequently circulated to other officers.

The cost in 2005 for the provision of Irish daily newspapers at Headquarters is set out in Table 2 in Annex A. It should also be noted that the Department also purchases a number of UK and other international daily newspapers. However, in the time available, it is not possible to provide a breakdown of all of the Department’s expenditure on daily newspapers by title.

The Deputy should also note that Irish Missions abroad obtain both local and Irish newspapers.

Annex A

Table 1 — Breakdown of Irish daily newspapers distributed at HQ

Title	Number Distributed at HQ	Sec Gen/A/Sec	Counsellor/ PO	1st Sec./AP	3rd Sec./ HEO/ EO/ others	Additional Staff circulated
Irish Times	102	12	36	43	11	75
Irish Independent	45	8	12	15	10	26
Irish Examiner	25	1	6	10	8	9
Irish Star	7	—	1	2	4	—
Daily Ireland	3	—	1	2	—	2
Lá	4	1	1	2	—	—
Irish News	14	2	4	5	3	10
News Letter	6	1	—	4	1	3
Belfast Telegraph	7	1	2	2	2	4

Table 2 — 2005 Expenditure at HQ on Irish daily newspapers

Title	Cost in 2005
	€
Irish Times	36,909.00
Irish Independent	17,680.50
Irish Examiner	9,183.00
Evening Herald	2,123.00
Irish Star	2,457.60
Daily Ireland	481.50
Lá	304.00
Irish News	2,661.50
Newsletter	1,115.40
Belfast Telegraph	1,127.46
Irish Sun	1,023.95
Irish Mirror	1,157.40
Irish Daily Mail	481.50
Total	76,705.31

Human Rights Issues.

287. **Mr. Deasy** asked the Minister for Foreign Affairs the steps the Government have taken to lessen the religious persecution been suffered by the Bahá’í community in Iran; and if he will make a statement on the matter. [16536/06]

Minister for Foreign Affairs (Mr. D. Ahern):

As I explained to the House in reply to questions on 25 and 27 April 2006, I am fully aware of the difficulties facing the Bahá’í community in Iran. The statement made on 20 March by the UN Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, is the latest in a series of reports which raise serious concerns about this matter.

My Department maintains close contacts with the Bahá’í community in Ireland about the situation of their co-religionists on the ground. In its contacts with the Iranian Embassy in Dublin

the Department regularly conveys the Government's concerns.

Ireland has also frequently raised the situation of the Bahá'í in Iran at EU level and the EU's concerns about the treatment of the Bahá'í have in turn been brought to the attention of the Iranian authorities on many occasions. Ireland and its EU partners have also supported resolutions on Iran at the UN General Assembly and at the UN Commission on Human Rights. These initiatives have brought specific attention to the plight of the Bahá'í in Iran.

The situation of the Bahá'í community has also been raised during the formal EU-Iran Human Rights Dialogues, the last session of which took place during the Irish Presidency of the EU in 2004. Iran has been reluctant to agree dates for a renewed session of the Human Rights Dialogue and the Dialogue has been in abeyance since that time, though consultations on the next session are ongoing.

The External Relations Council on 10 April 2006 issued Conclusions on Iran which underlined the EU's continuing concern about human rights in Iran, in particular the treatment of the Bahá'í and other religious minorities. In addition, the EU Presidency raised a number of human rights concerns directly with the Iranian Government on 11 April 2006, including the problems alluded to in the Special Rapporteur's statement.

Ireland and the EU will remain actively engaged on this issue and will continue to raise it in all appropriate fora.

Foreign Conflicts.

288. **Ms O'Sullivan** asked the Minister for Foreign Affairs the position taken by the Government regarding the EU decision to withdraw funding from the Palestinian National Authority; if the Government intend to lobby to have this decision rescinded; and if he will make a statement on the matter. [16659/06]

Minister for Foreign Affairs (Mr. D. Ahern): The most recent meeting of the General Affairs and External Relations Council, which I attended in Luxembourg on 10 April, reviewed the situation in the Middle East Peace Process in the light of the approval of a new Government by the Palestinian Legislative Council and the outcome of the general elections in Israel. It was agreed that the EU would review its assistance against the new Government's commitment to the principles set out by the Council and by the international Quartet on 30 January 2006. These entail renunciation of violence, recognition of Israel's right to exist, and acceptance of existing agreements and obligations, including those of the Road Map for a lasting and peaceful two-State solution.

The Council noted that the absence of commitment to these principles will inevitably affect direct assistance to the Government. Since early

April, the Commission has temporarily suspended its direct payments to the Government. However, the Council emphasised that the EU will continue to provide necessary assistance to meet the basic needs of the Palestinian population. In the review process which is now underway, Ireland will press for a flexible and wide-ranging interpretation of what constitutes this necessary assistance.

The EU has consistently been the strongest supporter of the Palestinian people internationally, providing vital humanitarian assistance and supporting the building of the democratic institutions of a future State. The Union has emphasised its continuing strong support for President Mahmoud Abbas, the highest representative of the Palestinian Authority. Positive movement is now required from the Hamas Government to respect the peace process, and serve the interests of the Palestinian people.

The Council also urged Israel to meet its responsibilities and to take steps to improve the humanitarian and economic situation of the Palestinians, including resumption of transfers of withheld Palestinian tax and customs revenues.

The Government will continue to do all that is within our capacity to alleviate the suffering of the Palestinian people, while taking full account of the wider political realities. We are strongly committed to continuing Ireland's bilateral assistance, with particular emphasis on meeting humanitarian needs. Our bilateral assistance amounted to over €4 million in 2005, and I have made it clear that we are determined to maintain the overall volume in 2006. In response to an appeal from the UN, the Government has already provided €1.5 million in assistance to the United Nations Relief and Works Agency in the period since the Palestinian elections.

Both nationally, and in cooperation with our EU partners, the Government will continue to promote the negotiation of a lasting and peaceful settlement of the Israeli-Palestinian conflict, based on the coexistence of two viable, sovereign and independent States.

289. **Mr. Sargent** asked the Minister for Foreign Affairs his views on following the example of the Belgian Government in financially supporting projects related to the justice and peace legal process in Colombia. [16662/06]

Minister for Foreign Affairs (Mr. D. Ahern): A number of European Union Member States, including Ireland, have given financial support to initiatives aimed at ensuring the effective and transparent implementation of the Justice and Peace Law, which provides an overall legal framework for demobilisation, disarmament and reintegration of illegal armed groups into Colombian society.

In this regard, I announced in June 2005 a commitment to contribute €390,000 over a three year

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period to the Organisation of American States' (OAS) peace and verification mission in Colombia, the first tranche of which (€130,000) was released that month. The mission's mandate is to provide comprehensive support to the Colombian peace process, with a focus both on the demobilisation process and on the strengthening of institutions concerned with the rule of law. I also attach the highest priority to the human rights dimension of the OAS mission's role. With this in mind, an additional €130,000 was given to the Inter-American Commission on Human Rights in December 2005 for the independent monitoring of human rights issues in support of the mission.

Tourism Promotion.

290. **Mr. F. McGrath** asked the Minister for Arts, Sport and Tourism if he will investigate new proposals to develop tourism between Ireland and Cuba. [15952/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): I am not aware of any such proposals. In any event, particular proposals to develop tourism from specific overseas markets are a matter for Tourism Ireland Ltd.

Sports Capital Programme.

291. **Mr. Naughten** asked the Minister for Arts, Sport and Tourism if funding will be approved for a project (details supplied) in County Roscommon under the sports capital programme 2006; and if he will make a statement on the matter. [15994/06]

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 November 27th and 28th last. The closing date for receipt of applications was January 20th 2006. All applications received before the deadline, including one from the organisation in question, are currently 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.

292. **Mr. Naughten** asked the Minister for Arts, Sport and Tourism if funding will be approved for a club (details supplied) in County Roscommon under the sports capital programme 2006; and if

he will make a statement on the matter. [15995/06]

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 November 27th and 28th last. The closing date for receipt of applications was January 20th 2006. All applications received before the deadline, including one from the organisation in question, are currently 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.

Environmental Assessments.

293. **Mr. Eamon Ryan** asked the Minister for Arts, Sport and Tourism the plans and programmes of his Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16362/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): To date, my Department has not carried out strategic environmental assessments (SEAs) of any plans or programmes. While aware of its obligations, it has not, to date, identified plans or programmes which would require such assessment under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004.

The implementation of SEAs in the State Agencies is an operational matter for the Agencies.

Departmental Expenditure.

294. **Mr. P. McGrath** asked the Minister for Arts, Sport and Tourism if his Department makes the Irish national daily newspapers available on-line for staff within his Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in his Department; and if he will make a statement on the matter. [16441/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): My Department does not make national daily newspapers available on-line but it has an arrangement through which press cuttings relevant to the functions of the Department are made available to staff with internet access.

The Secretary General, three Assistant Secretaries and the Minister's Special Adviser each receive copies of more than one national daily newspaper. In addition nine Principal Officers and thirteen Assistant Principal Officers each receive one national daily newspaper.

The total cost in 2005 of providing these newspapers was €11,600 approx. Records are not retained on a basis that would allow an accurate breakdown of the cost in respect of each national daily newspaper.

Industrial Development.

295. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 260 of 28 March 2006, the industrial estate that the IDA have an interest in; the number of visits conducted by the IDA to the estates in question and the itineraries; and if he will make a statement on the matter. [15921/06]

297. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment further to Parliamentary Question No. 260 of 28 March 2006, the industrial estate that the IDA have an interest in (details supplied); the number of visits conducted by the IDA to the estates in question; the itineraries for same; and if he will make a statement on the matter. [16077/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 295 and 297 together.

The management of IDA Ireland's industrial property portfolio is a day-to-day operational matter for the agency and not a matter in which I have a function.

In view of the Deputy's interest, I have made enquiries in the matter and have been informed by IDA Ireland that it owns two industrial parks in Athy, Townspark and Woodstock Industrial Park. There have been no recent site visits to either industrial park.

I understand that although the Townspark Industrial Park is fully occupied, a privately owned advance factory unit is currently empty in the Woodstock Industrial Park.

IDA Ireland has assured me that it will continue to market this facility in conjunction with the owner.

Foreign Trade.

296. **Mr. F. McGrath** asked the Minister for Enterprise, Trade and Employment if he will meet with the Cuban Ambassador in order to

develop trade between the two countries. [15960/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): As Minister of State with responsibility for trade and commerce, I am available for discussions with foreign government representatives and other interested parties, with a view to increasing trade between Ireland and her international trading partners.

As far as trade with Cuba is concerned, the level is quite marginal and tends to fluctuate considerably. I would be happy to meet the Cuban Ambassador to Ireland at mutual convenience.

Question No. 297 answered with Question No. 295.

Departmental Contracts.

298. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment further to his reply to Parliamentary Question No. 322 of 4 April 2006 and his responsibility for policy in this area, his views on whether steps need to be taken to ensure that a Department of State or any other entity in receipt of public funds does not award contracts to entities that are unlawfully representing themselves as limited companies in circumstances whereby no company is registered or incorporated under the Companies Acts; his further views on whether the conclusion of such arrangements is a serious issue and one that should be brought to the attention of the Director of Corporate Enforcement at the earliest opportunity; the steps he can take to ensure that his Department is compliant in this area; and if he will make a statement on the matter. [16164/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The previous question referred to by the Deputy related to the offence of a person representing themselves as being a limited company where they had not been incorporated under the Companies Acts.

My policy responsibility in this area is firstly the creation of the offence in statute and secondly to ensure that there is an appropriate system in place to deal with persons who commit this offence. I have detailed in my answer to the previous question the exact provisions in the Companies Acts which provide for the offence, along with details of the existing enforcement regime, which includes suitable sanctions. This is a serious offence and I would urge any parties who have evidence of such wrongdoing to present it to the Director of Corporate Enforcement so he can take the appropriate action.

As the Deputy will be aware, the matter of Departments and other entities in receipt of public funds awarding contracts is dealt with in Public Procurement rules issued by the Department of Finance. Where policies and regulations

[Mr. Martin.]

exist in this area my Department is fully compliant.

Arising from this and the previous Parliamentary Question I propose to ask my colleague the Minister for Finance to consider this matter in the context of the Public Procurement Guidelines. For example, perhaps before awarding a contract to a successful tender there should be a requirement to check that the company actually exists and that it has not been struck off.

Environmental Assessments.

299. **Mr. Eamon Ryan** asked the Minister for Enterprise, Trade and Employment the plans and programmes of his Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16363/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): My Department and its Agencies are aware of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 and its underpinning Directive. We monitor all projects and plans in order to ensure that those programmes requiring an SEA are assessed in line with the Directive. To date, no areas have been identified as requiring a Strategic Environmental Assessment.

Prior to the full introduction of the Directive, Enterprise Ireland carried out a number of experimental SEAs (or eco-audits as they were then known) on an informal basis in order to test the methodology. However, no formal SEAs have been carried out on Enterprise Ireland plans and programmes since the introduction of the Directive. Enterprise Ireland continues to monitor its work programme and planned projects to ensure that plans and programmes that require an SEA are assessed in line with the Directive and, where it is determined that a plan or programme requires a formal SEA, one will be undertaken.

IDA Ireland carries out Environmental Impact Statements, in respect of its individual developments, as required, under current Irish Planning and Development Legislation and Regulations. Having examined the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, it is the view of IDA Ireland that these regulations do not impose any additional obligations on IDA Ireland to carry out any further assessments. Accordingly, no such assessments have been carried out to-date.

The County Enterprise Boards provide assistance, in respect of grant and management

development, to micro-enterprise projects. However, they do not involve themselves in the roll-out of such projects and accordingly are not involved in the Strategic Environmental Assessment that may apply to plans which provide the framework for such projects.

Finally, the Productive Sector Operational Programme, which is managed by my Department, was eco-audited in 2003 as part of an overall Evaluation of Eco-Audit in the NDP 2000-2006.

Departmental Staff.

300. **Mr. Eamon Ryan** asked the Minister for Enterprise, Trade and Employment the reason the number of staff working in his Department's environment unit has been reduced by 25% in recent months (details supplied). [16395/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Following the designation of the Health and Safety Authority as competent authority for the proposed EU chemicals regulation (REACH), responsibility for the regulation transferred from the Environment Unit to the Health and Safety Liaison Section of the Department. Two of the five posts in Environment Unit, one Assistant Principal post and one Executive Officer post, transferred with the work.

Sustainable Development Strategy.

301. **Mr. Eamon Ryan** asked the Minister for Enterprise, Trade and Employment when the evaluation of his Department's Sustainable Development Strategy 2003-2005 will be carried out, as stated in section 7.3 of the Strategy; and when a follow-up strategy will be produced. [16396/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Environment Unit is currently preparing an implementation report on the Sustainable Development Strategy 2003-2005. The report will identify areas in which progress has been achieved, including the following. In the area of climate change the Department had a very significant involvement with the Department of Environment, Heritage and Local Government in regard to negotiations at EU and national level on the development, and implementation, of the EU Emissions Trading Scheme which commenced on 1st January, 2005. Through their participation in Emissions Trading, Irish companies are making a very significant contribution to the reduction of greenhouse gas emissions, which will facilitate Ireland in meeting its Kyoto target.

In the area of competitive sustainability, the Department contributed to the development among other things of the EU Environmental Technologies Action Programme (ETAP), which is designed to stimulate the development and uptake of environmental products and services,

thus enabling the EU to gain a competitive edge in the global marketplace.

In the area of Corporate Social Responsibility (CSR), the report will cover, *inter alia*, issues under the heading of sustainable management practices.

In the area of Departmental Sustainability, a Departmental Green Team was established to promote the incorporation of best environmental practice into the Department's operations, and a Departmental Environmental Management Plan was drawn up and is being implemented.

Upon completion of the implementation report, the Unit will consult with stakeholders to consider how best to progress the Sustainable Development agenda within Irish enterprise over the coming years, learning from the experience gained from implementation of the Sustainable Development Strategy 2003-2005.

Departmental Investigations.

302. **Ms Burton** asked the Minister for Enterprise, Trade and Employment the reason his Department did not set up an investigation by way of inspectorate to examine the affairs of banks (details supplied) and other lending institutions in the same way as it did for the National Irish Bank; and if he will make a statement on the matter. [16397/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The power to investigate suspected misconduct, or matters of public concern, is available in a number of statutory regimes. Whenever cases arise, the decision to commence an investigation under one particular statutory code, rather than another, is related *inter alia* to the circumstances involved, the appropriateness of the statutory investigation regime then in place and other factors.

The decision of my predecessor in March 1998 to seek the appointment by the High Court of Inspectors to investigate certain matters relating to the affairs of National Irish Bank Ltd. (NIB) followed serious media allegations that the Bank was defrauding its customers by improperly charging interest and fees to customer accounts. The High Court agreed that such an investigation was warranted and appointed two Inspectors under the Companies Act 1990. The terms of reference of their inquiry were initially focused on the issues of interest and fees, although the Inspectors were also charged with identifying whether other unlawful or improper practices existed in the Bank which served to encourage the evasion of revenue or other obligations on the part of the Bank or third parties or otherwise.

The High Court subsequently agreed in June 1998 that the Inspectors' remit should be broadened to include an investigation of the affairs of National Irish Bank Financial Services Limited (NIBFS) relating primarily to the effecting of insurance policies through a number of offshore

companies. This extension was in response to the findings of a separate investigation by an authorised officer appointed by the Minister under Insurance legislation.

Following reports of the widespread existence of bogus non-resident accounts in the financial services industry as a means of evading Deposit Interest Retention Tax (DIRT), the Oireachtas passed a resolution in October 1998 asking the Public Accounts Committee (PAC) to examine and report to Dáil Éireann on a number of related matters. This led to the enactment of special legislation in December 1998 in order to facilitate the PAC Inquiry. The subsequent work of the Comptroller and Auditor General to which the Deputy refers facilitated the PAC's Inquiry. It is generally accepted that the series of published PAC DIRT Reports, which were completed in April 2001, were an excellent and forthright examination of the improper practices which prevailed in the industry in the late 1980s and 1990s. It is no less comprehensive in its scope than if the investigation had been carried out under other statutory powers. In those circumstances, it would have been superfluous for my predecessor to seek to initiate a parallel investigation of other financial institutions at that time. Since November 2001, statutory responsibility for the enforcement of company law was passed to the Director of Corporate Enforcement.

The Deputy will be aware that the main findings in the PAC Report were primarily a matter for the Department of Finance, the Revenue Commissioners and the Central Bank rather than my own Department. In respect of NIB and the other banks, the instances of alleged malpractice were thoroughly investigated, albeit under different legislation. The decision to proceed to use the powers of investigation under company law in the case of NIB was appropriate having regard to the very specific allegations which had been made in early 1998 relating to various aspects of the company's affairs.

Departmental Expenditure.

303. **Mr. P. McGrath** asked the Minister for Enterprise, Trade and Employment if his Department makes the Irish national daily newspapers available on-line for staff within his Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in his Department; and if he will make a statement on the matter. [16442/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): In my Department, the number and grade of staff who each day receive a copy of one daily Irish newspaper is as shown.

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Assistant Secretary	4
Principal Officer	31
Special Adviser	1
Personal Secretary	1
Total No. of staff	37

The number and grade of staff in my Department who each day receive a copy of more than one daily Irish newspaper is as shown.

Secretary General	1
Assistant Secretary	3
Assistant Principal	1
Press Adviser	1
Policy Adviser	1
Total No. of staff	7

In 2005, the cost of providing the above service for the staff involved was €19,795.50.

My Department has a limited subscription to the *Irish Times* on-line service, which is available to our Press Office staff. In addition, my Department has an outsourced press cutting service which extracts relevant daily newspaper articles and makes them available to all staff via the Department's Intranet system.

Work Permits.

304. **Mr. G. Murphy** asked the Minister for Enterprise, Trade and Employment the reason chefs in ethnic restaurants are ineligible for a work permit (details supplied). [16499/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): New work permits are only being considered for highly skilled, highly paid positions which it is not possible to fill from within the EEA. In ethnic restaurants where there is significant investment, significant employment of EEA nationals and where a business case can be made for highly skilled and qualified non-EEA staff, my Department will consider such applications on a case by case basis.

However, employers are advised to seek chefs specialising in ethnic cuisines in Ireland and across the wider European labour pool prior to making any application to the Work Permits Section.

305. **Mr. G. Murphy** asked the Minister for Enterprise, Trade and Employment the reason a work permit holder in the sixth year of employment is not entitled to a permanent work permit if the permit holder has worked for more than one employer in that period. [16501/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): This case, on examination,

proved to be complex and involves more than one Department. It also appears from the information available to the Department that the person about whom the Deputy asks is currently employed by an employer who does not hold a work permit; a breach of the Employment Permits Act, 2003.

In the time available, it is not possible for my Department to complete its enquiries into this case. This will be completed as a matter of urgency and I shall write to the Deputy as soon as possible setting out the position.

Pension Provisions.

306. **Mr. Ring** asked the Minister for Social and Family Affairs if the PRSI contributions paid by people who are jointly assessed entitles them both to a State contributory pension, in their own right, on reaching the age of 66 years. [16044/06]

Minister for Social and Family Affairs (Mr. Brennan): Joint assessment is not relevant for social insurance purposes and in turn building entitlement to the state contributory pension. Liability to PRSI is assessed within its own legislative framework and provisions under income tax legislation are not relevant in relation to the calculation of social insurance liability.

The accrual of PRSI contributions and class at which they are paid may differ according to differing circumstances as follows. Where spouses are actively engaged in a commercial enterprise as a business partnership, they are treated as individual self-employed contributors and are liable to social insurance contributions. These contributions enable them to build up an insurance record in their own right and to receive accruing benefits, including maternity benefit. Whereas income may be aggregated for income tax under joint assessment, PRSI is assessed and levied on each of the individuals separately, against the reckonable income received respectively.

Where a family business is incorporated as a limited company, spouses involved in the business pay PRSI Contributions either as employees or as self-employed contributors, depending on whether a contract of service exists or not. Joint assessment for tax purposes is not pertinent.

Where a person is employed under a contract of service (i.e. as an employee) by his or her spouse, the employee is an 'excepted' contributor under social welfare legislation and no liability arises. The fact that the couple may be jointly assessed does not override this exception.

The State Contributory Pension is payable to individuals over 66 years who have accrued the requisite number of contributions throughout their working life. Where one of a couple does not have sufficient contributions paid or credited in their own right, payment of a qualified adult increase in the spouse's pension may be made.

Social Welfare Benefits.

307. **Mr. Neville** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Limerick was refused the household benefits package. [16079/06]

Minister for Social and Family Affairs (Mr. Brennan): One of the conditions of the household benefits package for people under 70 years is that the applicant must be residing alone or with excepted people. Excepted people include: a qualified adult; dependent child(ren) under age 18 or up to age 22 if in full-time education; a person so incapacitated as to require constant care and attention for at least 12 months; a person who would qualify for the allowance in his/her own right; a person providing full time care and attention to somebody in the household.

In the case of the person referred to by the Deputy, his daughter is living with him. Although she is in full-time education, she exceeds the upper age limit, as she is aged 22 years since July 2005. Accordingly, she is not considered as an excepted person for the purposes of the package.

Social Welfare Code.

308. **Mr. Ring** asked the Minister for Social and Family Affairs if a complete review of the free travel pass scheme will be undertaken, in conjunction with the Minister for Health and Children; his views on introducing a voucher system which will enable persons living in rural isolated areas to avail of transport such as taxis to transport them to hospital outpatient appointments and admissions and so on; and if he will make a statement on the matter. [16410/06]

Minister for Social and Family Affairs (Mr. Brennan): The free travel scheme is available to all people living in the State aged 66 years or over. All carers in receipt of carer's allowance and carers of people in receipt of constant attendance or prescribed relative's allowance, regardless of their age, receive a free travel pass. It is also available to people under age 66 who are in receipt of certain disability-type welfare payments, such as disability allowance, invalidity pension and blind person's pension.

The scheme provides free travel on the main public and private transport services for those eligible under the scheme. These include road, rail and ferry services provided by companies such as Bus Átha Cliath, Bus Éireann and Iarnród Éireann, as well as Luas and services provided by over 80 private transport operators. The vast majority of private contractors providing services under the scheme operate in rural areas, including those in the Rural Transport Initiative. The underlying feature of the scheme is the use of spare capacity on these transport services. I am always willing to consider applications from licensed private transport operators who may wish to participate in the free travel scheme.

Various alternatives to the existing system, including the use of vouchers, have been examined. A study, A Review of the Free Schemes, published in 2000 under the Department's programme of expenditure reviews concluded that a voucher type system, which would be open to a wide range of transport providers including taxis and hackneys, would be extremely difficult to administer, open to abuse and unlikely to be sufficient to afford an acceptable amount of travel. This position remains unchanged.

The issue of access to public transport in rural areas is being addressed at present through the Rural Transport Initiative, which is being managed by Pobal, formerly Area Development Management (ADM), on behalf of my colleague, and the Minister for Transport. My Department contributed €500,000 to the Initiative in 2004, €750,000 in 2005 and is contributing €850,000 for the Initiative in 2006, to ensure that free travel pass-holders continue to have access to community based transport services.

I will continue to review the operation of the free travel scheme with a view to identifying the scope for further improvements as resources permit.

Departmental Expenditure.

309. **Mr. P. McGrath** asked the Minister for Social and Family Affairs if his Department makes the Irish national daily newspapers available on-line for staff within his Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in his Department; and if he will make a statement on the matter. [16443/06]

Minister for Social and Family Affairs (Mr. Brennan): The Department of Social and Family Affairs does not make any specific arrangements to provide access for staff to on-line newspapers. However, departmental staff who have internet access, like any member of the public, are able to log on to newspaper websites that do not require a paid subscription.

The Department engaged the services of a media monitoring company in 2005. This provides an electronic media monitoring service covering publications, including the Irish national daily newspapers, and issues of relevance to the Department. The publications monitored include all national daily and Sunday newspapers, all regional print media and relevant magazines and journals. The topic's regularly monitored include all welfare issues, policy issues, pensions, the elderly and a range of other topics. The press extracts from this service, which cost EUR8,971.18 in 2005, are available for all staff, and a full archive of all topics monitored can be

[Mr. Brennan.]

accessed. Daily newspapers are received by a total of 17 people in the Department, six of whom receive more than one newspaper. Those who receive daily newspapers include the Secretary-General, the Director-General, the Department's Press Officer, my Press Adviser, my Special Adviser, my Personal Secretary, 10 Local Office Managers at Higher Executive Officer level and myself. The cost in 2005 was EUR15,989.52.

I am satisfied that supplying daily newspapers to the persons concerned is needed to ensure that key personnel in the Department are kept informed of relevant issues.

Social Welfare Benefits.

310. **Mr. Wall** asked the Minister for Social and Family Affairs the position of an application for supplementary welfare allowance by a person (details supplied) in County Kildare; and if he will make a statement on the matter. [16533/06]

Minister for Social and Family Affairs (Mr. Brennan): The supplementary welfare allowance scheme is administered on my behalf by the Community Welfare division of the Health Service Executive. Neither I nor my Department have any function in relation to decisions on individual claims. The Eastern Region of the Health Service Executive has advised that the person concerned is in receipt of the basic weekly supplementary welfare allowance payment whilst her claim for one parent family payment is being considered. Recently it emerged that she is taking part in a Youth Reach Programme in addition to receiving the supplementary welfare allowance payment. Payment has been suspended from the 27th April 2006 pending receipt of additional information regarding the Youth Reach Programme.

Marine Accidents.

311. **Mr. Eamon Ryan** asked the Minister for Transport if his attention has been drawn to an incident in early March 2006 requiring the towing of a Russian ship which came into difficulty in the Irish Sea; and if so, the details of the incident. [16517/06]

Minister of State at the Department of Transport (Mr. Gallagher): I am not aware of an incident such as the one to which the Deputy refers. However, an incident occurred on the days 11 and 12 March in the UK Pollution Responsibility Zone of the Irish Sea, and may be the one the Deputy has in mind.

This incident of 11-12 March was managed by the relevant UK authority, the Maritime and Coastguard Agency. In towing the vessel involved in the incident, a Belgian-registered ship called the "Sesam", to port it was necessary to pass through part of the Irish Pollution Responsibility Zone. The Irish Coast Guard was informed in

advance of this part of operations, but was not otherwise involved in managing the incident.

Marine Pollution/Salvage and Search and Rescue areas or zones are clearly established and agreed among member states and at international level. The incident referred to above did not occur in the Ireland pollution/salvage zone.

Questions Nos. 312 and 313 answered with Question No. 108.

Question No. 314 answered with Question No. 125.

Air Services.

315. **Mr. F. McGrath** asked the Minister for Transport if he will investigate opening up of flights between Shannon Airport and Havana Airport in Cuba in order to develop tourist links. [15959/06]

Minister for Transport (Mr. Cullen): A bilateral Air Transport Agreement between Ireland and Cuba was signed in 1991. Under this Agreement there is provision for flights for designated airlines between Ireland, including Shannon Airport, and Cuba. However there are currently no direct flights between the two countries. Persons wishing to fly to Cuba from Ireland may do so indirectly.

Decisions about opening up air services between Ireland and Cuba are a matter for the commercial judgement of airlines. There are no regulatory obstacles preventing the initiation of such services.

Road Safety.

316. **Mr. Quinn** asked the Minister for Transport if while continuing to campaign for a European Directive on the matter, he will take whatever steps are necessary here to require all trucks to have a mirror installed to ensure that the driver does not have a blind spot, the type of which has caused the death of many pedestrians and cyclists in recent years, in order to pass their annual roadworthiness test; and if he will make a statement on the matter. [15969/06]

Minister for Transport (Mr. Cullen): I refer the Deputy to Priority Question 65 answered on Wednesday 3 May 2006, which was as follows.

Directive 2003/97 lays down new standards for the type approval of certain categories of vehicles, particularly lorries, in relation to the field of vision of drivers and requires that all new vehicles meet the new standards. The Directive was transposed into Irish law by the European Communities (Mechanically Propelled Vehicles Entry Into Service) (Amendment) (No. 2) Regulations 2004 as regards type approval and entry into service of vehicles.

While the Directive's provisions do not become compulsory until 26 January 2007, and then only

in relation to new vehicles, I have sought to have these higher standard mirrors fitted to existing HGVs on a voluntary basis. In that regard, in April 2005, the Irish Road Haulage Association (IRHA), the Society of the Irish Motor Industry (SIMI) and the Irish Business and Employers Confederation were requested to consider advising their members to retrofit vehicles with blind spot mirrors or indirect vision devices. SIMI were also asked that, in advance of the 26 January 2007 deadline for new vehicles, all new HGVs being put on the market meet the higher standards required by Directive 2003/97/EC. The IRHA responded positively indicating that for the past number of years it has actively encouraged its members to fit convex mirrors to their vehicles and to request these when acquiring new vehicles. SIMI also responded positively indicating that Vehicle Distributors had agreed to the fitting of these enhanced mirrors to new vehicles before they become a legal requirement in January 2007. In that regard, SIMI anticipated that, by the end of March 2006, 80% of new vehicles of the relevant categories would meet the requirements of the Directive with all new vehicles so complying by the end of October 2006.

In accordance with Directive 96/96/EC, HGVs are first liable to roadworthiness when they are 1 year old. As the fitting of mirrors in accordance with Directive 2003/97/EC does not become mandatory until 26 January 2007, it would not be possible to check HGVs for these mirrors during the annual roadworthiness test until after 26 January 2008 and then only in relation to HGVs whose registration required that they be fitted with mirrors in accordance with the requirements of Directive 2003/97.

On 12 April 2006 the European Commission published a consultation paper on the fitting of blind-spot mirrors to existing HGVs with a view to possibly bringing forward proposals for a directive on the matter. I welcome this development and intend to respond to the European Commission indicating that Ireland would be in favour of EU action on the issue. I will await the outcome of the Commission's consideration of this matter before proceeding on the development of national legislation in this area.

Question No. 317 answered with Question No. 150.

Road Traffic Offences.

318. **Ms McManus** asked the Minister for Transport the Department and section which is responsible for remedying errors where penalty points have been invalidly and incorrectly applied. [15983/06]

Minister for Transport (Mr. Cullen): The actual amendment is carried out by officials in the Driver Licensing Section of my Department.

The penalty point system only allows for the removal of penalty points following a successful late appeal against a conviction. However where penalty points have been applied as a result of an administrative error and through no fault of the individual concerned, a protocol for amending penalty point records has been put in place with the agreement of the Attorney General's Office. This stipulates that any request for amendment must be certified by a Garda Chief Superintendent or the Director of the District and Circuit Courts and be countersigned by an official of my Department of at least Assistant Principal rank.

Road Safety.

319. **Mr. Perry** asked the Minister for Transport the reason a certificate of roadworthiness is required for four wheel drive jeeps manufactured in 2005; the number of vehicles manufactured in 2004, 2005 and 2006 that had a certificate of roadworthiness issued; the amount of revenue generated for each of these years; the range of vehicles that it applied to; and if he will make a statement on the matter. [15984/06]

Minister for Transport (Mr. Cullen): Goods vehicles, goods trailers exceeding 3,500 kilograms in weight, buses and ambulances are liable to roadworthiness testing when they are one year old and every year thereafter. Testing of these vehicles is carried out by authorised testers appointed by city and county councils. Certificates of roadworthiness for vehicles are issued by Motor Tax Offices on the presentation of a pass statement for a vehicle from an authorised tester and on payment of the appropriate fee. Data in relation to the number of certificates of roadworthiness issued by Motor Tax Offices for vehicles by year of manufacture or the income received by local authorities in operating this service is not compiled by my Department.

Driving Tests.

320. **Mr. McGuinness** asked the Minister for Transport if new driving theory information books will be provided showing all the up-to-date changes and regulations such as MPH/KPH and penalty points; and if he will make a statement on the matter. [16320/06]

Minister for Transport (Mr. Cullen): Existing books should continue to be used together with a supplementary leaflet. The information leaflet, which gives details of amendments to the driver theory test question bank as a consequence of the introduction of metrication of speed limits is issued by the Driver Theory Testing Service to test candidates. The information leaflet is also supplied to bookshops as a supplement to the book containing the question bank. Details of the changes are also available at www.dttts.ie. The telephone service for the call centre for the

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Driver Theory Testing Service advises callers of the amendments to the questions.

The book will be updated in due course to take account of metrication and of other developments.

Road Safety.

321. **Mr. Eamon Ryan** asked the Minister for Transport the way in which, in his response to Parliamentary Question No. 70 of 7 March 2006, he arrived at his statement that there is no evidence that heavy goods vehicles are significantly involved in road collisions, when the National Roads Authority Road Collision Facts Report of 2004 clearly shows that goods vehicles are involved in 13% of all fatal and injury collisions; and if he will make a statement on the matter. [16356/06]

Minister for Transport (Mr. Cullen): Statistics relating to road accidents, based on information provided by the Garda Síochána, are published by the National Roads Authority (NRA) in their annual Road Accident Facts reports. The most recent report, now entitled “Road Collision Facts”, relates to 2004. That report along with reports relating to previous years are available in the Oireachtas Library and on the NRA website.

As stated in my previous reply, an NRA study relating to the number of vehicle kilometres of travel in Ireland refers to 2001 and indicates that the average number of kilometres travelled by goods vehicles is significantly higher than other vehicle types.

I intended to convey in that reply that while heavy goods vehicles are involved in road collisions, there is no evidence that heavy goods vehicles are disproportionately more involved in road collisions than other vehicles, given that they have a much greater presence on our roads than other vehicles.

It is unfortunately the case that the consequences resulting from a collision with a heavy goods vehicle are generally more severe than with a smaller type of vehicle.

Environmental Assessments.

322. **Mr. Eamon Ryan** asked the Minister for Transport the plans and programmes of his Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16365/06]

Minister for Transport (Mr. Cullen): No plans or programmes of my Department and related state agencies have been identified to date as

requiring strategic environmental assessments under the Planning and Development (Strategic Environmental Assessment) Regulations 2004.

Irish Language.

323. **Ms O. Mitchell** asked the Minister for Transport if the Road Traffic Acts are available in Irish; and if he will make a statement on the matter. [16434/06]

Minister for Transport (Mr. Cullen): The provision of translations of Acts of the Oireachtas into the Irish language, including Road Traffic Acts, is handled by Rannóg an Aistriúcháin in the Office of the Houses of the Oireachtas and I have no function in this matter. Irish language texts of the following statutes are published on the website www.oireachtas.ie:

An tAcht Um Thrácht ar Bhóithre 1961

An tAcht Um Thrácht ar Bhóithre 1968

An tAcht Um Thrácht ar Bhóithre (Leasú) 1973

An tAcht Um Thrácht ar Bhóithre (Leasú) 1984

An tAcht Um Iompras Bhaile Átha Cliath (Díscaoileadh) 1987

An tAcht Um Thrácht ar Bhóithre 2002

An tAcht Um Thrácht ar Bhóithre 2004

I am informed that Irish texts of An tAcht Um Thrácht ar Bhóithre 1994 and of An tAcht Um Thrácht ar Bhóithre 2003 are available in hard-copy from Rannóg an Aistriúcháin and will also be made available shortly in electronic format on the above mentioned website.

Any enquiries in relation to the availability of Irish language texts of statutes should be directed to Rannóg an Aistriúcháin.

Departmental Expenditure.

324. **Mr. P. McGrath** asked the Minister for Transport if his Department makes the Irish national daily newspapers available on-line for staff within his Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in his Department; and if he will make a statement on the matter. [16444/06]

Minister for Transport (Mr. Cullen): Access to non-subscription daily national newspapers is available to staff in my Department on-line. 2 Assistant Secretaries and 9 Principal Officers receive a copy of one newspaper per day. The offices of the Minister, Minister of State, Secretary General and Press Officer all receive a

copy of more than one newspaper per day. The total cost of printed newspapers in my Department in 2005 was approximately €25,000.

Public Transport.

325. **Mr. Bruton** asked the Minister for Transport the number of new buses which have been delivered to Dublin Bus to date in 2006; the aggregate size of the bus fleet in service at that date; and the target he has set for the size of this bus fleet by the end of 2006. [16538/06]

Minister for Transport (Mr. Cullen): In December 2005 and January 2006 Dublin Bus took delivery of 20 additional buses funded by the Exchequer, bringing the fleet number to 1082. An application from Dublin Bus for funding for new buses is being assessed in my Department in the context of Transport 21, the future bus needs of the Dublin area and the Bus Network Review conducted by Dublin Bus and with regard to the outcome of discussions on the future regulation of the bus market.

Question No. 326 answered with Question No. 97.

Driving Tests.

327. **Ms O. Mitchell** asked the Minister for Transport the number of driving test centres which are currently not operating; the number of motorists awaiting tests affected by such closures; and if he will make a statement on the matter. [16540/06]

Minister for Transport (Mr. Cullen): Driving tests are conducted in 51 locations throughout the country. Each of these locations is operational.

328. **Mr. Kehoe** asked the Minister for Transport the number of applicants waiting to do their driving tests who are lapsed licence holders; the number currently waiting to sit their driving test; the number of provisional driving licence holders; and the number of those who are on first, second and third provisional licences. [16541/06]

Minister for Transport (Mr. Cullen): Information regarding the number of driving test applicants is set out in the table.

Driving Test Applicants at 24/04/06

Centre	Actual
<i>North Leinster</i>	
Finglas	12,040
Dundalk	3,989
Mullingar	2,053
Navan	5,320
Raheny	8,125

Centre	Actual
<i>South Leinster</i>	
Churchtown/Rathgar	12,516
Gorey	2,460
Naas	6,293
Tullamore	2,224
Wicklow	2,803
Tallaght	10,228
<i>West</i>	
Athlone	1,386
Birr	1,503
Castlebar	2,087
Clifden	412
Ennis	1,543
Galway	3,740
Loughrea	1,248
Roscommon	1,059
Tuam	1,208
<i>North West</i>	
Ballina	1,167
Buncrana	792
Carrick-on-Shannon	1,081
Cavan	1,776
Donegal	1,305
Letterkenny	2,283
Longford	1,065
Monaghan	1,181
Sligo	1,845
<i>South East</i>	
Carlow	2,340
Clonmel	2,107
Dungarvan	1,571
Kilkenny	1,817
Nenagh	839
Portlaoise	1,711
Thurles	1,170
Tipperary	1,038
Waterford	2,795
Wexford	2,259
<i>South West</i>	
Cork	7,655
Killarney	1,853
Kilrush	570
Limerick	4,652
Mallow	2,312
Newcastle West	1,861
Shannon	1,003
Skibbereen	1,941
Tralee	1,526

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Centre	Actual
<i>Region Totals</i>	
North Leinster	31,526
South Leinster	36,524
West	14,185
North West	12,496
South East	17,647
South West	23,373
Total	135,752

The Department of Environment, Heritage and Local Government, who hold and administer the National Driver File, has advised that there were 410,602 provisional licences and 1,955,782 driving licences current at 31 March 2006.

The breakdown of provisional licences is as set in the table.

Provisional Count	Number of People
1st provisional licence	209,647
2nd provisional licence	100,780
3rd provisional licence	39,676
4th provisional licence	31,455
5th or more provisional licence	29,044
Total	410,602

Information on applicants waiting to do driving tests who are lapsed licensed holders is not maintained.

Road Traffic Offences.

329. **Mr. Durkan** asked the Minister for Transport the extent to which the introduction of penalty points has reduced the number of road traffic accidents; and if he will make a statement on the matter. [16565/06]

Minister for Transport (Mr. Cullen): The operation of the penalty points system which commenced with effect from 31 October 2002 in respect of speeding offences was subsequently extended to apply to the offences of driving without insurance, careless driving and offences relating to the non-wearing of seat belts, since that date.

When a driver accumulates 12 penalty points he or she is automatically disqualified for a period of six months under Section 3 of the Road Traffic Act 2002. Since its introduction over 300,000 drivers have incurred penalty points and 49 were disqualified.

The number of deaths fell to a 40 year low when penalty points were first introduced. It has been estimated that, in the first six months after the introduction of penalty points, approximately 70 lives were saved and over 300 injuries were prevented. It is clear that the public responded

and slowed down and that the penalty point system made a positive contribution to road safety. Unfortunately the initial improvement in driver behaviour was not sustained.

Hence, my extension of the penalty point system on 3 April 2006 to a further 31 offences with a continued focus on driver behaviour and other key safety issues such as dangerous overtaking. The majority of the new penalty point offences are now administered under a fixed charge system. New Garda Síochána IT systems to process the penalty point system are now in place.

Enforcement is a vital part of compliance with road traffic law and responsibility for enforcement lies with the Gardai. Preliminary figures released by the Gardai for the first two weeks in April indicate that the new system is being enforced. 3,568 penalty point notices issued between 3 April and 12 April 2006. Of those 1,541 notices related to the new offences introduced on 3 April.

330. **Mr. Durkan** asked the Minister for Transport the number of drivers to date who have incurred penalty points; the number who have to date exceeded the limit and who are thereby liable to loss of licence or other restrictions; the number of drivers with maximum penalty points who have been involved in accidents, fatal or otherwise; and if he will make a statement on the matter. [16567/06]

Minister for Transport (Mr. Cullen): The Department of the Environment, Heritage and Local Government has advised that at 28 April 2006, 319,049 drivers have incurred penalty points. Of these 62 licence holders had accumulated 12 points, 20 of whom were disqualified at that date and 3 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 36 drivers whose disqualification period of 6 months has expired and who are no longer disqualified. The operation of the disqualification has been interrupted in the case of three drivers. This occurs under section 6 of the Road Traffic Act 2002 where a person is disqualified by a Court for another offence or ceases to hold a licence. There is no information available in relation to the number of drivers with maximum points who have been involved in accidents.

Rail Network.

331. **Mr. Durkan** asked the Minister for Transport when he expects extra parking facilities adjacent to Leixlip, Maynooth, Hazelhatch, Sallins, Kilcock and other rail stations throughout County Kildare to be available and fully operational; and if he will make a statement on the matter. [16568/06]

333. **Mr. Durkan** asked the Minister for Transport his plans to encourage the use of commuter rail transport from Enfield, Kilcock, Maynooth, Leixlip, Confey, Hazelhatch, Sallins, Newbridge, Kildare and Monastervin in County Kildare with particular reference to the need to provide extra parking facilities at the rail stations concerned or on upgrading a shuttle bus service in lieu thereof; if this can be achieved at the present time or in the context of Transport 21; and if he will make a statement on the matter. [16570/06]

335. **Mr. Durkan** asked the Minister for Transport if he will issue direction to Iarnród Éireann with a view to providing a proper shuttle bus service to the various commuter rail stations with a view to the encouragement of rail transport; and if he will make a statement on the matter. [16572/06]

339. **Mr. Durkan** asked the Minister for Transport the way in which he proposes to encourage the optimum use of the rail commuter network in view of the limited parking facilities in the vicinity of rail stations; his plans to address this issue; and if he will make a statement on the matter. [16577/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 331, 333, 335 and 339 together.

I understand from Iarnród Éireann that it is currently developing a prioritised car park development programme which will take due account of a strategy drawn up by the DTO for the development of rail-based park and ride facilities. The provision of car parking facilities at rail stations in Leixlip, Hazelhatch, Sallins, Kilcock, Enfield, Confey, Maynooth, Newbridge, Kildare, Monasterevin and other rail stations throughout Co. Kildare will be considered in that context.

Also as part of the Kildare Route Project car parking facilities will be made available at the new stations proposed as part of the upgrading of the route i.e. Adamstown, Kishogue, Fonthill Road and Parkwest.

In relation to the provision of shuttle bus services, to rail stations, the company informs me that such services are currently provided at Sallins for Naas and Hazelhatch for Celbridge, along with a number of feeder buses to DART stations in the Dublin area. Other opportunities for bus shuttle and feeder services to railway stations will be considered by Iarnród Éireann on a case by case basis.

Rail Services.

332. **Mr. Durkan** asked the Minister for Transport the extent to which he expects the throughput of passengers at the various rail stations throughout County Kildare to increase over the next five years; his plans to optimise the use of

the rail network in this regard; and if he will make a statement on the matter. [16569/06]

Minister for Transport (Mr. Cullen): On the basis of statistics available from the Irish Rail Suburban Rail Census and the DTO 2016 Model Projections, Irish Rail has estimated maximum point flows for both the South West Commuter Corridor (the Kildare line) and the Western Commuter Corridor (the Maynooth line). These projections refer to the maximum number of passengers passing the most heavily loaded point on the respective corridors during the peak hour, and they determine the required capacities.

On the Kildare line, maximum flows of 2,000 in 2003 are projected to increase to 5,000 by 2008 and to 12,000 in 2016. On the Maynooth line, maximum flows of 2,500 in 2003 are projected to increase to 9,000 in 2008 and to 14,000 in 2016.

Over recent years the capacity of commuter services on both the Kildare and Maynooth lines has been increased significantly and Iarnród Éireann have a number of projects planned under Transport 21 over the next 5 years to further increase the capacity.

A public inquiry was recently held regarding 4-tracking the Kildare line. I am now awaiting the report of the Inspector to the Public Inquiry and I will make my decision as to the granting of a Railway Order when I receive that report and I have given it due consideration. Subject to the granting of a Railway Order, construction of the project will commence this year and be completed in 2010.

The new Docklands station will facilitate increased capacity on the Maynooth corridor and this will be operational in 2007.

In terms of commuter capacity, I am informed by Irish Rail that capacity on the Maynooth line has increased by 200% since 2001 and will increase by a further 33% following the opening of Docklands in 2007. Capacity on the Kildare line has increased by 100% since 2003 and will increase by a further 200% following the Kildare Route Project implementation.

The longer-term capacity requirements will be addressed through Transport 21 projects for the electrification of the lines and the construction of the Interconnector tunnel.

Question No. 333 answered with Question No. 331.

334. **Mr. Durkan** asked the Minister for Transport the steps he has taken or proposes to take to reduce overcrowding on commuter trains; if he has satisfied himself that full health and safety standards and requirements are being met; and if he will make a statement on the matter. [16571/06]

Minister for Transport (Mr. Cullen): A significant increase in rail capacity and frequency has been provided on commuter rail services in

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recent years and Transport 21 identifies projects which will further enhance commuter services. For example, in December, 2005, additional capacity for 2,000 and 1,000 commuters was provided for on the Western and Northern routes respectively. Further capacity will be provided on these lines during 2007 when new rolling stock is introduced and the new Docklands Station is opened.

While there are no regulations at EU level governing the number of passengers that can be carried on an individual railway carriage, the Railway Safety Act, 2005 gives powers to the Commissioner for Railway Safety to make regulations in this area.

I understand from Iarnród Éireann that the issue of crowding is one of discomfort and inconvenience rather than a safety concern and this view is in line with consensus in the railway industry worldwide.

Question No. 335 answered with Question No. 331.

Question No. 336 answered with Question No. 147.

Question No. 337 answered with Question No. 87.

338. **Mr. Durkan** asked the Minister for Transport his plans in the context of Transport 21 or otherwise to increase the throughput of passengers by rail; and if he will make a statement on the matter. [16576/06]

Minister for Transport (Mr. Cullen): The integrated, rail based public transport system planned for the Greater Dublin Area under Transport 21 is expected to increase substantially the number of passengers carried.

By the end of 2015, when the transport infrastructure funded under Transport 21 is completed and fully operational, I expect a four-fold increase in DART and suburban rail passenger numbers to 100 million per annum.

I similarly expect 100 million passengers to travel on the Luas and Metro network by that time. These increases are to be achieved through a number of major projects.

In the Greater Dublin Area, 2 Metro lines are planned, Metro North and Metro West. Seven Luas projects will be developed, involving the extension and expansion of the existing Luas network. These Luas projects will link the two existing lines and greatly extend the Luas network. The Railway Procurement Agency will increase passenger capacity on the Tallaght Luas line by 40% by increasing the length of the trams to 40 metres from 2007.

Iarnród Éireann's Kildare Route Project and the new Docklands Station will enable significant increases in services on the Kildare and Maynooth lines respectively. Iarnród Éireann's

interconnector rail tunnel project will facilitate the extension of the DART network to the Kildare and Maynooth lines and the reopened Navan line.

Nationally, Iarnród Éireann will introduce new commuter services in Galway and in Cork with the re-opening of the Midleton line. The Western Rail Corridor will also be reopened. The company will take delivery of some 67 new intercity carriages for service on the Dublin-Cork route and 150 intercity railcars for service on all other intercity routes. These projects will enable more frequent, more reliable and more comfortable services, which will serve to increase passenger numbers substantially.

Question No. 339 answered with Question No. 331.

Question No. 340 answered with Question No. 128.

Public Transport.

341. **Ms O. Mitchell** asked the Minister for Transport if he has actively sought applications from local authorities in relation to applying to his Department for funding for park and ride facilities; and if he will make a statement on the matter. [16582/06]

Minister for Transport (Mr. Cullen): As I have made clear before, I regard provision of park and ride facilities at appropriate locations as an important element in attracting people onto public transport. In this regard, my Department last Summer approved a Dublin Transportation Office (DTO) strategy for rail-based park and ride facilities, which envisages facilities at 22 locations on the existing and proposed rail network within the Greater Dublin Area (GDA).

In the present year, I have made capital funding of €5 million available for the development of appropriate park and ride projects in the GDA. There will be no revenue support to subsidise operating costs of Park and Ride facilities. My Department will consider applications for this funding by public bodies for specific projects on a first-come, first served basis. They will be evaluated according to their business cases, and against the strategic value they offer, as assessed against the DTO strategy.

Local Authorities and service providers are already well aware of this position.

Coast Guard Service.

342. **Cecilia Keaveney** asked the Minister for Transport further to a report (details supplied) when a plan for the implementation of the recommendations will be finalised and progressed in view of the fact that this was to happen in April 2005; and if he will make a statement on the matter. [16660/06]

Minister of State at the Department of Transport (Mr. Gallagher): Consultants retained by my Department to conduct a study of the Irish Coast Guard (IRCG) made over one hundred recommendations for the future development of the service having regard to international best practice and value for money. The recommendations concern IRCG functions, structure and operations. A number of recommendations are strategic in nature, for example reducing the number of rescue co-ordination centres from the current three to two as well as proposals for a new management structure for the service. Other recommendations relate to operational matters and many of these have already been implemented by the IRCG.

Following the transfer of the maritime transport functions to the Department of Transport on 1 January 2006, which included the Maritime Safety Directorate and the Irish Coast Guard, I have asked my officials to review current and proposed arrangements for the delivery of these services, with a view to a closer integration of these functions into overall transport policy, and to report back as quickly as possible. As part of this review, I have also asked Coast Guard management to finalise its assessment of the needs of each of the rescue co-ordination units with a view to undertaking necessary development and re-equipping work.

Taxi Regulations.

343. **Mr. Ferris** asked the Minister for Transport if his Department will conduct a survey on the effects which the national fare structure and other regulations being proposed will have on the taxi industry here. [16669/06]

Minister for Transport (Mr. Cullen): The Commission for Taxi Regulation is the independent body responsible for the development and maintenance of a new regulatory framework for the control and operation of small public service vehicles, including taxis, and their drivers under the Taxi Regulation Act 2003. Responsibility for the fixing of maximum taxi fares in respect of any taximeter area rests with the Commission under section 42 of the 2003 Act.

In 2005, the Commission initiated a national review to assess the extent and quality of services currently provided by small public service vehicles and subsequently published Roadmap — Towards a new national code of regulation for taxis, hackneys and limousines in Ireland which set out the areas where change is required along with the Commission's proposed solutions. Submissions were invited on the Roadmap by 26 September 2005 following which the preparation of new regulations commenced. The Commission also invited submissions on Consultation Paper No. 3 — Taximeter Areas and Taxi Fares by 19 December 2005.

I understand that the Commission received over 500 submissions as part of the various consultation processes. In addition, numerous meetings took place with a broad range of stakeholders and interested parties, including the Advisory Council to the Commission for Taxi Regulation.

Acting on its remit, the Commission for Taxi Regulation has published a detailed Action Plan 2006 — 2007, *Driving Forward*, which sets out a range of changes that the Commission proposes to make in relation to the control and regulation of taxis, hackneys, limousines and their drivers, including the introduction of a new national taxi fare structure. The question of a survey of the effects on the taxi industry of the new taxi fare or other regulatory proposals being introduced by the Commission will be a matter for determination by the Commission for Taxi Regulation in due course.

Grant Payments.

344. **Mr. Costello** asked the Minister for Community, Rural and Gaeltacht Affairs if he will fund the extension of a project (details supplied); and if he will make a statement on the matter. [15922/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): An application on behalf of the project has been made under the Emerging Needs Fund. The application seeks to replace the current funding arrangement for the staffing of the project, which is through the Special CE scheme, with funding from the Emerging Needs Fund, as well as to cover additional programme costs and staff and management training costs.

As I stated in my reply to Question No. 215 of 29 March, I am still not fully satisfied with the proposal and I have a number of questions to which I require answers from the project promoters. I hope to visit the project in the near future to speak directly to those involved and to get a fuller picture of the proposal. A decision on funding will be made following this visit.

Irish Language.

345. D'fhiafraigh **Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cad iad na bearta atá á ndéanamh sa Roinn chun an céatadán den fhoireann atá líofa sa Ghaeilge a ardú os cionn an 30% atá luaite aige. [16006/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Mar chuid de pholasaí earcaíochta mo Roinne, déantar iarracht a mhéad is féidir oifigigh le Gaeilge líofa a fhóstu. Nuair nach bhfuil sé indéanta oifigigh le Gaeilge líofa a fháil, déantar iarracht oifigigh le heolas éigin ar an nGaeilge a fhóstu.

[Éamon Ó Cuív.]

Tá líofacht sa Ghaeilge éigeantach do gach oifigeach a cheaptar in oifigí mo Ranna sna Forbacha agus do phostanna áirithe sa cheanncheathrú, i gcás ach go háirithe go mbítear ag déileáil le gnóthaí a bhaineann leis an nGaeilge.

Trí stráitéis oiliúna mo Rannasa, táthar ag iarraidh a chinntiú go bhfuil fáil níos fearr ar sheirbhísí ard-chaighdeáin trí mhéan na Gaeilge. Cuirtear eolas agus tacaíocht ar fáil d'fhoireann mo Ranna chun spreagadh a thabhairt dóibh freastal ar na cúrsaí Gaeilge a bhíonn eagraithe ag Gaeleagras agus ar chúrsaí Gaeilge eile den scoth. Chomh maith leis sin, tá mo Roinnse ag eagrú cúrsaí oiliúna i nGaeilge chun cabhrú le hoifigigh a gcuid scileanna a fhorbairt agus iad ag plé go díreach le custaiméirí.

Dormant Accounts Fund.

346. **Mr. Kehoe** asked the Minister for Community, Rural and Gaeltacht Affairs when applications will be allowed for category B funding from dormant bank accounts; if he will report on the qualifying conditions for same (details supplied). [16328/06]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Mr. N. Ahern): The Deputy will be aware that disbursements from the Dormant Accounts Fund are designed to assist three broad categories of persons; those who are economically and socially disadvantaged, those who are educationally disadvantaged and persons with a disability. The Government approved the allocation of €60 million from the Fund in 2006 and a breakdown of this figure shows that €24 million will be allocated towards projects tackling social and economic disadvantage (Category A); €18 million towards projects tackling educational disadvantage (Category B) and €18 million towards projects assisting persons with a disability (Category C).

After consulting with the appropriate Ministers and having obtained the approval of Government, I announced details on 4th January 2006 concerning the allocation of €24 million for the purpose of supporting programmes and types of projects tackling social and economic disadvantage. The rollout of these programmes is well under way at this point and invitations have issued seeking applications for a number of funding measures.

With regard to the other two categories (educational disadvantage and persons with a disability), the consultation process required under the legislation is now near completion. I expect that proposals which will provide for funding of €18 million under each of these categories will be brought by the Minister to Government shortly for approval. Subsequently, I anticipate that there will be a call for applications under Category B and this will set out relevant eligibility conditions.

Environmental Assessments.

347. **Mr. Eamon Ryan** asked the Minister for Community, Rural and Gaeltacht Affairs the plans and programmes of his Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16366/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): The Rural Development Programme for 2007-2013 being prepared jointly with the Department of Agriculture and Food will require a strategic environmental assessment (SEA). That programme has yet to be finalised. The SEA will be carried out in conjunction with an independent ex-ante evaluation of the programme that is expected to commence in July.

Departmental Schemes.

348. **Mr. Naughten** asked the Minister for Community, Rural and Gaeltacht Affairs, further to Parliamentary Question No. 545 of 25 April 2006, if all RRS will be entitled to the maximum qualified adult and child dependant allowance; if this will still be dependent on the social welfare rate prior to commencing the scheme; and if he will make a statement on the matter. [16376/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): As I previously advised the Deputy, as part of a series of changes I recently announced in relation to the Rural Social Scheme (RSS), the tapering of the adult dependant payments in respect of qualified adults has been removed. Participants on the Scheme will now be paid a full dependant payment where the earnings are below the upper threshold of €250 p.w.

This increase in payment for a qualified adult will be made to all current participants whose spouses are working and earning less than the upper threshold limit with effect from 22nd May 2006. All new claimants whose spouses are working and earning less than the upper limit will start on the full adult dependant rate from the date of commencement on the Scheme.

Participants on the RSS who are receiving a full adult dependant allowance will also receive a full child dependant payment. Participants who do not qualify for the adult dependant allowance — because their spouse is earning over €250 weekly — will receive half rate child dependant allowance.

These arrangements apply only to participants on the RSS.

Departmental Expenditure.

349. **Mr. P. McGrath** asked the Minister for Community, Rural and Gaeltacht Affairs if his Department makes the Irish national daily newspapers available on-line for staff within his Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in his Department; and if he will make a statement on the matter. [16445/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I can confirm that my Department makes the Irish National Dailies available on line for staff at Principal Officer level and above as well as the Press Office, Minister's Office and Minister of State's Office.

A total of 12 staff from Principal Officer level and above receive a copy of one Irish daily newspaper and 2 of those staff also receive a second Irish daily newspaper. Two staff receive a second Irish national daily newspaper one day a week.

Irish National daily newspapers are also provided for the Press Office, Minister's Office and Minister of State's Office. The total spent by my Department on purchases of Irish national daily newspapers, during 2005, amounted to €14,275.

Departmental Programmes.

350. **Mr. G. Murphy** asked the Minister for Community, Rural and Gaeltacht Affairs the amount of extra funding which will be given to Cork County Council to fund local improvement schemes in the expanded Clár area in the remainder of 2006 and for a full year. [16486/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): An amount of €22.95m is being provided in my Department's Vote for the CLAR Programme in 2006. This represents an increase of over €9m on the 2005 funding and will allow for the expansion of the Programme as recently announced by me.

I am currently in discussion with my colleague Batt O'Keefe T.D., Minister of State at the Department of Environment, Heritage and Local Government regarding the continuation of support for Local Improvement Scheme (LIS) roads projects in CLÁR areas in 2006 and I expect to make an announcement shortly.

351. **Mr. G. Murphy** asked the Minister for Community, Rural and Gaeltacht Affairs the amount of extra funding which will be made available to leader groups in Cork to cater for expanded Clár area in the remainder of 2006 and for a full year. [16487/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Funding of €22.950m

has been provided in my Department's Vote for the CLÁR Programme in 2006. This represents an increase of over 70% on the 2005 expenditure and will allow for the expansion of the Programme into the new areas, as recently announced by me.

The Deputy should note, however, there are no set CLAR allocations/budgets for projects co-funded under CLÁR and the LEADER Programme.

As the co-ordinators for such projects, the LEADER groups decide on the projects to be funded. Approval of CLÁR funding for projects is demand led, with all applications submitted by the LEADER groups being considered for aid, once the funding ratios and the CLÁR criteria for the scheme have been met.

Community Development.

352. **Mr. O'Dowd** asked the Minister for Community, Rural and Gaeltacht Affairs further to Parliamentary Question No. 544 of 25 April 2006, his views on whether Drogheda and Dundalk should continue to have separate partnership groups as they have proposed to his Department; and if he will make a statement on the matter. [16655/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): As indicated in my response to Question No. 544 of 25 April 2006, the cohesion process in Co. Louth is still ongoing. The future structures in Co. Louth will be determined in the context of the outcome of that process.

Farm Retirement Scheme.

353. **Mr. McHugh** asked the Minister for Agriculture and Food the effect which the award of a contributory old age pension will have on an existing farm retirement pension; and if she will make a statement on the matter. [16354/06]

Minister for Agriculture and Food (Mary Coughlan): It is a requirement of the EU Council Regulations under which the 1994 and 2000 Early Retirement Schemes were introduced that the Early Retirement Pension can be paid only as a supplement to any national retirement pension to which the participant (and his or her spouse or partner in a joint management arrangement) is entitled. The Old Age Contributory Pension is a national retirement pension and consequently its value would be deducted from the Early Retirement Pension.

Agri-Food Sector.

354. **Mr. Naughten** asked the Minister for Agriculture and Food the amount of State funding allocated for research and development in the agri-food sector for each of the past three years;

[Mr. Naughten.]

and if she will make a statement on the matter. [16550/06]

393. **Mr. Naughten** asked the Minister for Agriculture and Food the total amount of Exchequer funding spent in each of the years 2002, 2003, 2004 and 2005 on research and development in the agri-food sector; and if she will make a statement on the matter. [16387/06]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 354 and 393 together.

My Department provides funding for research and development in the food processing and primary agriculture sectors through the Food Institutional Research (FIRM) and Research Stimulus Fund (RSF) measures, and also through the research activities of Teagasc, COFORD and of the Department's own laboratories.

The FIRM programme supports essential pre-commercial "public good" research for innovation in the food industry. Assistance provided under FIRM has resulted in new product and process developments, as well as providing a cadre of graduates for industry who are helping to stimulate an R&D culture in food companies. In the period 2002 to 2006, funding for FIRM was as follows:

	Estimate	Expenditure
	€m	€m
2002	8	7.099
2003	8	10.556
2004	11	6.742
2005	11	7.016
2006	14	—

Under the Research Stimulus Fund (RSF), funding support is provided on a competitive basis for "public good" research carried out by research institutions, including the universities and Teagasc, and is aimed at filling R&D gaps in research activity in production agriculture, environment, rural economy and policy related measures. The research results are made freely available. Such projects are typically carried out over a three year period. Funding for RSF in 2002 to 2006 was as follows:

	Estimate	Expenditure
	€m	€m
2002	0.53	0.53
2003	0.493	0.591
2004	0.6	0.642
2005	3.03	1.642
2006	6.0	—

In view of the importance of research in bio-fuels, the new round of research proposals for funding under the 2005 and 2006 RSF includes a research theme covering land use for bio-energy purposes. In the period 2002 to 2005, my Department has provided almost €363 million in Grant in Aid to Teagasc, which has supported, among other things, its research programmes. The 2006 Exchequer grant in aid for Teagasc (excluding pensions) is €100.3m. In the period 2002 to 2006, Teagasc spend on its research centres will be in the region of €291.3m.

Expenditure by COFORD, the State's forestry research body, amounted to €8.24m. over the period 2002 to 2005. The 2006 allocation for this work is €3.8m. Expenditure at the Department's own veterinary and other laboratories, including but not exclusively on research activities, amounted to €24.88m. over the period 2002 to 2005. The corresponding estimate provision for 2006 is €7.73m.

Grant Payments.

355. **Mr. Lowry** asked the Minister for Agriculture and Food the conditions she intends to place on new entrants applying for entitlements from the national reserve who entered outside of the reference period; and if she will make a statement on the matter. [15956/06]

Minister for Agriculture and Food (Mary Coughlan): The position is that Category D of the 2005 National Reserve caters for new entrants to farming after 31 December 2002 and farmers who commenced farming in 2002 but who received no direct payments in that scheme year.

The total income of an applicant in this category may not exceed €40,000 and any off-farm income may not exceed €20,000. Farming qualifications are also required for this Category. The regulations provide that any entitlements allocated to successful applicants under this Category must not exceed the regional average value of entitlements. The regional average is taken as the average value of entitlements in the DED associated with the applicant's herd number.

Category D is a non-mandatory Category and the question of whether this Category will be included in the 2006 National Reserve will be decided in due course. Any changes to the conditions that applied in respect of this Category under the 2005 National Reserve will also be considered in that context.

356. **Mr. Lowry** asked the Minister for Agriculture and Food if she will review an application for entitlements from the national reserve from a person (details supplied) in County Tipperary; if she will make an exemption in view of the fact that the person was not farming during the refer-

ence years; and if she will make a statement on the matter. [15957/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the Single Payment Scheme National Reserve under Category A and Category D. Category A caters for farmers who inherited land or received land free of charge or for a nominal sum from a farmer who had retired or died by 16 May 2005 and who had leased out his/her holding to a third party during the reference period 2000-2002. Category D caters for farmers who commenced farming after 31 December 2002 or who commenced farming in 2002 but who received no direct payments in respect of that scheme year.

A formal letter outlining my Department's decision in relation to the National Reserve has issued to the person named. If he is dissatisfied with this decision he now has the opportunity to appeal the decision to the Independent Appeals Committee. An appeals application form is available from any of my Department's offices or on the Department website at www.agriculture.gov.ie.

Farm Retirement Scheme.

357. **Mr. Kehoe** asked the Minister for Agriculture and Food if she will clarify the conditions attached to people who availed of the early farm retirement scheme in 1995 that is those who gave up their farm; and if they were guaranteed a set income from same irrespective of other income once it was not derived from farming. [15963/06]

Minister for Agriculture and Food (Mary Coughlan): The payment of a pension under the 1994-1999 Scheme of Early Retirement from Farming is conditional on the requirements of the Scheme being met, as set out in the Scheme document and to which the applicant agreed to be bound on joining the Scheme. The primary conditions are that the applicant undertakes to cease commercial farming and transfers his/her land to an eligible transferee for the period of the pension.

While the pension will continue to be paid provided the conditions of the Scheme are met, it can only be paid as a supplement to any national retirement pension to which the participant, and his or her spouse or partner in a joint management arrangement, is entitled. This is a requirement of the EU Council Regulations under which the Scheme was introduced and means that the value of any such national retirement pension payable must be deducted from the early retirement pension. The same rules apply to the current Scheme, which was introduced in November 2000.

Grant Payments.

358. **Mr. Ring** asked the Minister for Agriculture and Food when a person (details supplied) in County Mayo will receive the special beef premium payment for 2001 and 2003. [15973/06]

Minister for Agriculture and Food (Mary Coughlan): Under the 2001 Special Beef Premium Scheme, the person named submitted four applications in respect of a total of thirteen animals. Under the 2003 Special Beef Premium Scheme, the person named submitted one application in respect of one animal. Following investigations, the identification of eight of the thirteen animals applied on under the 2001 Scheme was not confirmed.

The Terms and Conditions of the Special Beef Premium Scheme advise applicants of their obligations with regard to animal Identification and Registration, viz *'having satisfied the specific Scheme requirements, an animal will be classified as "established" (accepted for payment) if (a) is properly tagged, (b) has a passport (card), (c) is registered on the database, (d) is recorded in the Herd Register which must be kept up to date, and (e) is at the location stated on the application.'* The Terms and Conditions further define the penalties applicable where breaches of these Identification and Registration requirements are identified: *Where an application covers not more than twenty animals, no premium will be payable where over four animals are rejected.* On this basis, therefore, the person named is due no payment in respect of the 2001 application. The person named may, however, appeal to the Agriculture Appeals Office, stating clearly the basis for the appeal. The application in respect of the one animal under the 2003 Scheme is being processed for payment, which is expected to issue shortly.

359. **Mr. Ring** asked the Minister for Agriculture and Food if the entitlements of a person (details supplied) in County Mayo can be based on the reference year of 2000 only; and if she will provide a statement of the way in which this person's entitlements were calculated with particular reference to the way in which their beef entitlements were calculated. [15974/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for consideration of his circumstances under the Force Majeure measure of the Single Payment Scheme. Having examined the application it was deemed successful with the year 2001 being excluded for purposes of calculating his entitlements. However, this decision was appealed by the person named to the Single Payment Appeals Committee requesting that the entitlements be based on the 1997 to 1999 period.

[Mary Coughlan.]

Having considered the circumstances put forward the Committee recommended that the Single Payment Unit decision should be upheld.

That part of the entitlements established in relation to the beef payments relate, therefore, to the payments made to the person named under the Livestock Premia Schemes during 2000 and 2002. My Department is currently reviewing the establishment of the entitlements in order to ensure that all eligible animals were included in the calculations and will contact the person named on completion of this review.

Afforestation Programme.

360. **Ms McManus** asked the Minister for Agriculture and Food the acreage of land which has been sold by Coillte in the past two years in the area of Laragh, County Wicklow; if such land sales have been initiated during that time; the persons to whom the land is to be sold; and if she will make a statement on the matter. [15975/06]

Minister for Agriculture and Food (Mary Coughlan): Since 1 January 2004 Coillte Teoranta has sold 5.5 hectares of land in the Laragh area. It is not possible to provide the remaining information requested by the Deputy as the details are a day-to-day operational matter and the responsibility of Coillte Teoranta, which was established as a commercial company under the Forestry Act, 1988.

Grant Payments.

361. **Mr. Naughten** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Meath is awaiting a decision on their national reserve application; when a decision will be issued; and if she will make a statement on the matter. [15976/06]

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 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. This case has been processed to completion and the person named has now been granted an allocation under category D. A formal letter setting out the details of this allocation will issue shortly.

If the person named is dissatisfied with my Department's decision he will have the opportunity to appeal the decision to the Independent Appeals Committee. An appeals application is available from any of my Department's offices or on the Department website at www.agriculture.gov.ie.

362. **Mr. Naughten** asked the Minister for Agriculture and Food when a person (details supplied) in County Roscommon will receive the single farm payment; the reason for the delay; and if she will make a statement on the matter. [15978/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for the transfer of entitlements by way of inheritance under the Single Payment Scheme. The application was successful, and payment amounting to €6,442.09 will issue shortly.

363. **Mr. Naughten** asked the Minister for Agriculture and Food the reason a single farm payment consolidation application for a person (details supplied) in County Roscommon is based on a one year rather than three year average of the area aid acreage submitted during the reference years; and if she will make a statement on the matter. [15979/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under the Single Payment Scheme on 16 May 2005 and also applied to have her entitlements consolidated under the Consolidation measure of the Scheme. The person named had established 29.16 entitlements and declared 18.54 eligible hectares on her 2005 Single Payment Scheme application. As some difficulties have arisen in relation to the application to consolidate the applicant's entitlements, an official of my Department will make direct contact with the person named with a view to resolving these difficulties.

364. **Mr. Naughten** asked the Minister for Agriculture and Food when a merger application under the single farm payment for a person (details supplied) in County Roscommon will be resolved; and if she will make a statement on the matter. [15980/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under the Single Payment Scheme on 10 May 2005. Full payment amounting to €4,432.78 in respect of 17.59 entitlements issued on 1st December 2005.

An application to transfer 6.65 entitlements from herd number U1261513 to the current herd number T 1670232 was received on 10 May 2005. This application was processed on 24 January 2006 following receipt of outstanding supporting documentation. A supplementary payment of €828.76 issued in respect of 4.4 entitlements on 02 February 2006.

The person named has established 24.24 entitlements, 17.59 in respect of herd number T1670232 and 6.65 in respect of herd number

U1261513. However, as the applicant declared only 21.99 eligible hectares on her 2005 Single Payment Scheme application, payment could only issue in respect of those 21.99 entitlements in the amount of €5261.54.

365. **Mr. Naughten** asked the Minister for Agriculture and Food the reason an application under the national reserve was refused despite the fact that the person (details supplied) in County Galway has entered into a 10 year lease; if consideration was given to this lease in evaluating their application; and if she will make a statement on the matter. [15981/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application to the 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- 2002. Investments can include purchase or long term lease of land, purchase of suckler and/or ewe quota or other investments.

The Regulations governing the Single Payment Scheme provide that applicants who apply under more than one measure of the Scheme must be examined to ensure that the application of both measures does not result in double benefit to the applicant for the same reason. The person named has already benefited from another measure i.e. New Entrant during the reference period and therefore this National Reserve application will now be assessed to establish whether the provisions precluding double benefit or accumulation in certain circumstances are appropriate to the case.

Following this examination the person named will be notified of the outcome and should he be dissatisfied with my Department's decision, he has the opportunity to appeal this decision to the Independent Payment Appeals Committee. An appeals application form is available from any of my Department's offices or on the Department website at www.agriculture.gov.ie.

Milk Quota.

366. **Mr. Deasy** asked the Minister for Agriculture and Food the proposals regarding the sale of quotas from 1 April 2007; the proposed time-scale involved; and if she will make a statement on the matter. [16032/06]

Minister for Agriculture and Food (Mary Coughlan): In March I announced my intention to move to a more open market system for transferring milk quotas, which will come into effect on the 1st April 2007. I made this decision

because the current restructuring model will not meet the future needs of the industry and a more effective response is required in order to meet future competitive pressures.

My Department and I have completed the first stage of consultations with the farm organisations and with representatives of the milk processing sector. We are now in the process of undertaking a comprehensive analysis of the issues raised and the options for dealing with them, with a view to designing an appropriate transfer mechanism. My aim is to have the new system in place before the start of the 2007/2008 milk quota year.

Waste Management.

367. **Mr. J. Breen** asked the Minister for Agriculture and Food the measures she has in place to ensure plastic silage wrapping will be collected in 2006; and if she will make a statement on the matter. [16070/06]

Minister for Agriculture and Food (Mary Coughlan): The disposal of waste materials generally is covered by the Waste Management Acts 1996 to 2005, which apply to all sectors of society including the agricultural sector and is a matter for the Minister for the Environment, Heritage and Local Government.

Under the Waste Management (Farm Plastics) Regulations 2001, manufacturers and importers of farm plastics, that is, silage bale wrap and sheeting, are required to take steps to recover farm plastics waste which they have placed on the market or alternatively to contribute to and participate in compliance schemes to recover the waste in question. The Irish Farm Film Producers Group, IFFPG, is currently the sole approved body in Ireland for the purposes of implementing a compliance scheme for the recovery of farm plastics waste. My Department has no involvement in the running of the scheme.

Bovine Disease Controls.

368. **Mr. J. Breen** asked the Minister for Agriculture and Food if she will extend the age from 30 to 40 months for BSE testing, in view of the fact that numbers testing positive are falling; and if she will make a statement on the matter. [16075/06]

Minister for Agriculture and Food (Mary Coughlan): The requirement that all bovine animals over 30 months of age, slaughtered for human consumption, must be tested for BSE is provided for in Regulation (EC) No. 999/2001 of the European Parliament and of the Council, laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies. Accordingly I do not have discretion to raise this age provision as I would wish to do.

[Mary Coughlan.]

Community rules in relation to, *inter alia*, the testing for BSE are currently under discussion at EU level but the Commission has not tabled any proposals to change the general 30 month age limit for BSE testing. However, a possible outcome of this review is that Member States may be allowed to request revisions to their annual monitoring programmes based on the improvement of the BSE situation of the country, on the basis of as yet to be agreed criteria.

Any request for such changes would require to be approved by the European Commission and the other Member States within the framework of the Standing Committee on Animal Health and the Food Chain.

Grant Payments.

369. **Dr. Cowley** asked the Minister for Agriculture and Food when a person (details supplied) in County Mayo will receive the single farm payment which is due to them since December 2005; and if she will make a statement on the matter. [16121/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under the Inheritance measure of the Single Payment Scheme. The applicant has been notified that he has been successful, and payment will issue shortly.

Animal Diseases.

370. **Mr. Naughten** asked the Minister for Agriculture and Food the steps she is taking to reduce inheritable wind disease in national hunt stallions; and if she will make a statement on the matter. [16136/06]

Minister for Agriculture and Food (Mary Coughlan): Under the provisions of The European Communities (Equine Stud-Book and Competition) Regulations 2004, SI 399 of 2004, I am empowered to grant approval to a person, an international association or organisation for the purposes of maintaining a stud-book subject to compliance with the requirements of the relevant legislation in force. Weatherbys Ireland GSB Limited is the organisation approved to maintain the Thoroughbred studbook in which National Hunt stallions in Ireland are registered.

The legislation provides for keepers of approved stud-books to divide the main section of their stud-book into classes according to the animal's merits. An approved stud-book can, therefore, choose to assign animals with a known genetic defect (such as the inheritance of wind disease) to a lower class in the studbook in order to discourage breeding from such animals. Accordingly, I do not propose to interfere in the

day to day business of approved stud book keeping organisations.

Sugar Beet Production.

371. **Mr. Naughten** asked the Minister for Agriculture and Food if the Mallow sugar plant must be decommissioned in such a manner that it cannot be used to process beet for any other purpose in order to avail of a full drawdown of the restructuring fund; and if she will make a statement on the matter. [16137/06]

389. **Mr. G. Murphy** asked the Minister for Agriculture and Food the steps which will be taken to ensure that Greencore keeps the Mallow sugar factory intact and in full working order to allow proposals to develop it to produce biofuel; and if the fact that she holds the golden share of shares means that she can insist on this company co-operating with other groups interested in keeping the factory open to produce biofuel. [16324/06]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 371 and 389 together.

Under the terms of the EU restructuring scheme for the sugar industry, the processor must fully dismantle the sugar production facilities in order to qualify for the full rate of restructuring aid. The scheme also provides for payment of a reduced rate of aid of up to 75% in the event of partial dismantling and use of the remaining facilities for the production of products, such as bioethanol, that are not covered by the common organization of the market for sugar. In applying for restructuring aid, the processor is required to submit a detailed restructuring plan setting out, *inter alia*, a complete technical description of the production facilities proposed to be dismantled and the associated timetable and costs. A decision will then be made on the eligibility of the application. Detailed rules for the implementation of the scheme will be laid down in a Commission Regulation which, it is anticipated, will be adopted this month.

The question of utilising the Mallow plant for bioethanol production is a matter for commercial decision by Greencore itself. I have been informed that the company has no plans for using the Mallow plant for that purpose. As regards the Special Share which I hold in Greencore plc, that share has the same monetary value as any other share in the company but has conditions attached which prevent the company from engaging in a number of activities without the prior written consent of the Minister. In summary, the Special Share prevents the disposal of the controlling interest in Irish Sugar Ltd, or a certain percentage of the sugar assets and prevents a single shareholder or group of shareholders from gaining

control of Greencore plc. It does not empower me to get involved in operational matters such as a decision to produce bioethanol.

Alternative Energy Projects.

372. **Mr. Naughten** asked the Minister for Agriculture and Food further to Parliamentary Question No. 35 of 29 March 2006, if she has received a response from Greencore on the issue of biofuel processing; and if she will make a statement on the matter. [16138/06]

Minister for Agriculture and Food (Mary Coughlan): In response to my approach to Greencore about the possibility of utilising the Mallow plant for bioethanol production, I was informed that the company does not intend to use the plant for this purpose.

Sugar Beet Production.

373. **Mr. Naughten** asked the Minister for Agriculture and Food the status of the discussions with Greencore on the distribution of the sugar restructuring fund. [16139/06]

Minister for Agriculture and Food (Mary Coughlan): My Department has had no discussions with Greencore about the distribution of the sugar restructuring fund. The fund in question is to compensate for the economic, social and environmental costs of restructuring of the sugar industry involving factory closure and renunciation of quota. It is subject to the submission by the processor of a detailed restructuring plan for the industry following consultations between the processor and the beet growers.

Under the relevant Council regulation, at least 10% of the restructuring aid shall be reserved for sugar beet growers and machinery contractors with the proviso that that proportion may be increased by Member States after consultation of interested parties provided that an economically sound balance between the elements of the restructuring plan is ensured. The Commission Regulation containing the implementing rules for the restructuring fund has not yet been adopted.

Grant Payments.

374. **Mr. Penrose** asked the Minister for Agriculture and Food if she will confirm having received an application for financial support under the scheme of grants for forestry development 2006 by a person (details supplied) in Dublin 8; if in view of the importance of the proposal in the context of the provision of alternative fuel sources, she will have same examined; and if she will make a statement on the matter. [16140/06]

Minister for Agriculture and Food (Mary Coughlan): I can confirm that an application for

financial support under the scheme of grants for forestry development 2006 was received by my Department from the person named. The application is one of sixty six applications for support received following a Call for Proposals by the Forest Service in late 2005. My Department is currently examining all of the applications received and a decision is expected shortly.

Infectious Diseases.

375. **Dr. Upton** asked the Minister for Agriculture and Food the action she intends to take arising from recent reports of the illegal importation of caged birds; and if she will make a statement on the matter. [16143/06]

376. **Dr. Upton** asked the Minister for Agriculture and Food if she has plans to order the recovery and quarantine of a consignment of birds illegally imported into the country, as reported recently; and if she will make a statement on the matter. [16144/06]

377. **Dr. Upton** asked the Minister for Agriculture and Food the arrangements which are in place for the quarantine of caged or exotic birds where there is concern for their health status; the locations of the quarantine facilities; and if she will make a statement on the matter. [16145/06]

378. **Dr. Upton** asked the Minister for Agriculture and Food the procedures which are in place to authenticate the paperwork, relevant documentation and health certification of exotic or caged birds; and if she will make a statement on the matter. [16146/06]

379. **Dr. Upton** asked the Minister for Agriculture and Food if her Department was informed of the possibility of the attempted illegal importation of a consignment of caged birds within the past few weeks; the action her Department has taken in relation to this information; and if she will make a statement on the matter. [16147/06]

380. **Dr. Upton** asked the Minister for Agriculture and Food if her Department's attention has been drawn to the fact that a number of caged birds were dead on arrival here, during the illegal importation of a consignment of birds; the efforts which were made to establish the location of these birds; if any or all of these dead birds were retrieved; if so, the tests which were carried out; and if she will make a statement on the matter. [16148/06]

381. **Dr. Upton** asked the Minister for Agriculture and Food if caged birds recently reported to have been illegally imported into the country have been tested for avian flu or other contagious

[Dr. Upton.]

diseases; and if she will make a statement on the matter. [16149/06]

Minister for Agriculture and Food (Mary Coughlan): I propose to take Questions Nos. 375 to 381, inclusive, together.

On Friday 14th April 2006, a consignment of hobby birds was imported through Rosslare Port to a registered importer. The consignment in question originated in another Member State (the Netherlands) and, accordingly, is subject to intra-community trade rules, which does not include a quarantine requirement.

Consignments of this nature must comply with the requirements of a General Authorisation issued under the European Communities (Diseases of Animals Acts, 1966 and 1979 Orders) (General Authorisations for Imports) Regulations 1985, the conditions attaching to which require that the hobby birds must: come from a holding which has been registered for export by the competent authority of the country of origin in accordance with Article 4 of Council Directive 92/65/EEC; come from a holding in which Avian Influenza has not been diagnosed in the 30 days preceding the dispatch; come from a holding and an area not subject to restrictions under Council Directive 92/66/EEC introducing Community measures for the control of Newcastle Disease; be accompanied by a declaration to this effect completed and signed by the owner of the hobby birds on the day of movement; in the case of psittacidae, be accompanied by a certificate signed by an official veterinarian of the country of export.

In addition to these requirements, all but one of which were met, advance notice is required to be given to my Department not less than 24 hours prior to the intended date of importation and for animal disease control measures, an official notification of the consignment (TRACES) is dispatched from the District Veterinary Office of the country of origin to the District Veterinary Office of the country of destination.

In this particular case, the consignment was not accompanied by the owner declaration and my Department was not given the advance notice of the importation by the importer, though the TRACES (animal movement) message was despatched by the competent authority of the exporting country on 13th April. It is the case that the absence of the owner's declaration and the failure to provide advance notice of the importation represented a breach of the requirements, a fact since acknowledged by the importer who has undertaken to provide such notice in respect of all future importations.

Limited anonymous information about the importation was received by my Department on Thursday 13th April and this information was passed to my Department's Office at Rosslare.

Similar anonymous information was received by the Customs & Excise Service and the Department of the Environment, Heritage and Local Government. In all three cases, the information provided was insufficient to identify the consignment on importation and, contrary to subsequent newspaper reports, my Department's officials did not have 'detailed knowledge' of the importation.

Veterinary officials of my Department met the importer at his premises, on 24 April 2006. All of the documentation provided by the importer associated with this particular consignment was in order. The official documentation, including the Health Certificate (signed by an official veterinarian in the Member State of origin) and the details provided in the official TRACES notification issued by the competent authority in the exporting Member State, received separately by my Department, was consistent with the birds present on the importer's premises who were all in good health with no animal welfare or animal disease issues arising.

There is no evidence to support suggestions that some birds in the consignment had died in transit or that any bird carcasses were subsequently illegally disposed of. The importer has been the subject of previous inspections by my Department, as are other registered importers, and on all previous occasions his importations have been found to be legal and all importation requirements to have been complied with.

It must be noted that the Department of Agriculture is precluded by EU rules from inspecting all import consignments; rather a spot-check regime is in place based on risk assessment for disease purposes. The official quarantine of birds is only relevant for those birds originating in Third Countries and there is currently an EU ban in place on such imports. The Department does, though, have access to an approved quarantine facility in Co. Mayo, should one be required.

As these hobby birds were bred in captivity in an EU Member State and were certified as originating from a registered export premises in that country and being free from Newcastle Disease and Avian Influenza, the question of testing for contagious diseases does not arise.

In the context of avian influenza, my Department has introduced a robust range of precautionary measures and fully implements all EU controls, including those relating to the importation of exotic birds. It should be noted that imports of pet birds from within the EU represent a low risk to Ireland's health status; the avian 'flu virus being more prevalent in wild birds whose entry cannot be controlled or certified.

On the basis of the enquiries made by officials of my Department, I do not intend to take any further action in relation to the importation of this particular consignment. Specifically, the issues of recovering and quarantining the birds in question do not arise and, given the involvement

of competent authorities in authenticating accompanying documentation, including health certificates and TRACES messages, and the checks in place, I am satisfied that appropriate procedures are in place to substantiate the authenticity of any relevant documentation.

Grant Payments.

382. **Mr. Timmins** asked the Minister for Agriculture and Food the reason the entitlement for a person (details supplied) in County Carlow was changed from €53.15 to €44.57; and if she will make a statement on the matter. [16153/06]

Minister for Agriculture and Food (Mary Coughlan): An application under the 2005 Single Payment Scheme was received from the person concerned on 15 May 2005. 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 concerned had established 53.15 entitlements during the reference period, he only declared 44.57 eligible hectares on his 2005 Single Payment Scheme application. The payment, which issued on 1 December 2005, was calculated on the basis of the declared area and was, therefore, the full payment due to the person named under the 2005 Single Payment Scheme.

383. **Mr. Naughten** asked the Minister for Agriculture and Food the grant aid which is available to a person rearing free range hens and supplying free range eggs as a business in Inishowen, County Donegal; and if she will make a statement on the matter. [16158/06]

Minister for Agriculture and Food (Mary Coughlan): My Department has provided grant aid to commercial egg packers for the cost of providing new equipment for grading and packing of eggs and for the modernisation or construction of packing premises under the Capital Investment Scheme, (2001 to 2006), for the marketing and processing of agricultural products. The Scheme applied to approved egg-packing centres with an annual throughput of at least 15,000 cases and the minimum investment level was fixed at €100,000. My Department does not have a grant scheme aimed specifically at the production of free-range eggs.

384. **Mr. Hogan** asked the Minister for Agriculture and Food when payment will be made to a person (details supplied) in County Kilkenny in respect of the single farm payment. [16165/06]

Minister for Agriculture and Food (Mary Coughlan): An application under the 2005 Single

Payment Scheme was received from the person named on 12 May 2005.

The person named also submitted an application for the transfer of entitlements under the Single Payment Scheme. However, as the entitlements were established in the joint names of the herd owner and his brother, it was necessary to make contact with the brother of the person named. Arrangements are now being made to give effect to the transfer of the entitlements concerned, following which payment will immediately be made to the person named.

Farm Waste Management.

385. **Mr. Crawford** asked the Minister for Agriculture and Food when she will introduce revised costing for farm buildings and so on under the new farm grant scheme for waste management; her views on whether the present costings are totally out of line with the reality of building costs; and if she will make a statement on the matter. [16306/06]

Minister for Agriculture and Food (Mary Coughlan): The Standard Costings used by my Department for the calculation of grants under the Farm Waste Management Scheme are currently under review. Pending the outcome of that review, my Department's current Standard Costings are being used.

Grant Payments.

386. **Mr. Neville** asked the Minister for Agriculture and Food when the balance of 1.19 entitlements under the single payment scheme will be awarded to a person (details supplied) in County Limerick. [16321/06]

Minister for Agriculture and Food (Mary Coughlan): The Inheritance application submitted in this case under the Single Payment Scheme has been processed. Payment in respect of the additional entitlements assigned will issue shortly.

387. **Mr. Neville** asked the Minister for Agriculture and Food the amount to be allocated under the National Reserve; and the date of allocation to a person (details supplied) in County Limerick. [16322/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the 2005 Single Payment 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 Live-stock premia and/or Arable aid schemes would have been payable during the reference period

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2000-2002. Investments can include purchase or long term lease of land, purchase of suckler and/or ewe quota or other investments.

The Regulations governing the Single Payment Scheme provide that applicants who apply under more than one measure of the Scheme must be examined to ensure that the application of both measures does not result in double benefit to the applicant for the same reason. The person named has already benefited from another measure i.e. New Entrant during the reference period and therefore this National Reserve application is being assessed to establish whether the provisions precluding double benefit or accumulation in certain circumstances are appropriate to the case.

My Department will write to the applicant as soon as the case has been fully examined.

Milk Prices.

388. **Mr. Crawford** asked the Minister for Agriculture and Food if she has satisfied herself that every effort possible is being made to maintain milk prices at farm level; her views on whether it is difficult for commercial dairy farmers to see their income drop by anywhere from €60 plus per week when companies (details supplied) are seen to make a profit of €4 million plus using milk as a loss-leader to gain custom and profit; her further views on whether many dairy farmers, especially in disadvantaged areas will be forced out of business; and if she will make a statement on the matter. [16323/06]

Minister for Agriculture and Food (Mary Coughlan): My role as Minister for Agriculture and Food, is to ensure that policies within my scope of influence are implemented in a manner which enables the dairy sector remain competitive and thereby continue to develop and support farmers incomes. The price paid for milk is essentially a commercial matter between milk producers and purchasers. A combination of the international market for dairy products, the product mix and the efficiency of the processor as well as the overall operation of the EU price support mechanisms determine the manufactured milk prices. I will continue to insist that all EU market support mechanisms are fully utilised.

The latest milk price communicated to the Commission was 27 cent per litre for February 2006, 3.6% or 1 cent per litre lower than the corresponding period last year. Producers received compensation of €120m in 2005 (2.4 cents paid per litre) for reductions in intervention prices of butter and skim milk powder brought about by the Luxembourg Agreement. This year the decoupled premium will rise to 3.6 cent per litre equivalent to €180 million.

There has been considerable structural change in dairy farming in recent years. The number of active milk producers has declined from 29,076 in 2001 to 22,386 this year. During this period the

average quota size has increased by 25% facilitated by the Milk Quota Restructuring Scheme. This trend towards increased scale is a key condition for the successful future of the dairy industry in Ireland. The AgriVision 2015 report predicts a reduction in the number of active dairy producers to 12,500 by the year 2015; such a scenario will be dependent on developments in the dairy sector as a whole at both national and international levels.

Bearing these developments in mind, I recently announced changes to the Milk Quota system for 2007 and beyond. These changes are aimed at better meeting the future needs of the industry. I am currently consulting with the main stakeholders in order to agree a more market based system that will deliver the type of structure that will best contribute to more competitive milk production in Ireland.

Question No. 389 answered with Question No. 371.

Environmental Assessments.

390. **Mr. Eamon Ryan** asked the Minister for Agriculture and Food the plans and programmes of her Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16367/06]

Minister for Agriculture and Food (Mary Coughlan): The Rural Development Programme for 2007-2013 which involves a number of schemes including forestry schemes and REPS, will require a strategic environmental assessment (SEA). That programme has yet to be finalised. The SEA will be carried out in conjunction with an independent ex-ante evaluation of the programme that is expected to commence in July.

Alternative Energy Projects.

391. **Mr. Naughten** asked the Minister for Agriculture and Food the reason a biofuel processor must provide her Department with a bond before processing a biofuel crop; her views on whether this inhibits new entrants to the sector; if she will review the need for such a bond; and if she will make a statement on the matter. [16377/06]

Minister for Agriculture and Food (Mary Coughlan): Council Regulation (EC) No. 1782/2003 of 29 September 2003 provides, inter alia, for the payment of Aid for Energy Crops, at a rate of €45.00 per hectare, in respect of products considered as biofuels and as listed in Article 2.2 of Council Directive 2003/30/EC. Commission Regulation (EC) No. 1973/2004 lays down the detailed rules for the application of Regulation

1782/2003, Chapter 8 of which deals specifically with the scheme of Aid for Energy Crops and provides for the payment of the aid to applicants before the raw material is processed. The aid, which is payable in addition to the Single Payment, 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/her holding. Where payment in advance is made, however, an appropriate security must be lodged, as guarantee that the scheme requirements will be complied with. This system of advance payments, secured by bonds, is common to very many EU schemes and is vital in releasing payments to scheme participants at the earliest possible date.

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.

Bovine Diseases.

392. **Mr. Naughten** asked the Minister for Agriculture and Food the reason vaccination of bovines for tuberculosis is not allowed in EU Member States; if she or Member States have sought a review of this policy; and if she will make a statement on the matter. [16378/06]

Minister for Agriculture and Food (Mary Coughlan): Vaccination of bovines for tuberculosis is not allowed in EU member states because any field trials carried out to date have demonstrated that such vaccines are not very effective in protecting cattle against infection. In addition, vaccination would have the considerable disadvantage in that there is no method of distinguishing between real infection and vaccine immunity. Certification of disease freedom in live animals and/or herds would thus be impossible. In view of these factors, the consensus is that the existing test and slaughter policy is a more effective mechanism for dealing with the disease. For these reasons I have not sought a review of the non-vaccination policy.

Question No. 393 answered with Question No. 354.

Departmental Expenditure.

394. **Mr. Naughten** asked the Minister for Agriculture and Food the total expenditure allocated by her Department in each year from 2000 to 2005 inclusive on the Food Agency Co-operation Council; the work carried out to date by the Council; and if she will make a statement on the matter. [16388/06]

Minister for Agriculture and Food (Mary Coughlan): The Food Agency Co-operation Council was established in 2000 under the aegis

of my Department to promote the fullest practical co-operation between the State Agencies involved in the food industry, in the interests of the optimum development of the industry. The Council did not have a specific budgetary allocation as incidental costs relating to meetings, publications and expenses etc. were met by or shared across my Department and the participating agencies.

The Food Agency Co-Operation Council has produced a number of publications, which have been well received by the industry. In 2001 the Council was instrumental in the drawing up of a Human Resource Development programme for the food processing industry and produced a publication "Market Trends — Implications for Suppliers and State Agency Initiatives". In December 2002, the Council's publication "A National Food Incident Management Plan" was launched. The Market Led New Product Development Guide, launched in April 2003, provides guidance to food and drink companies in relation to New Product Development best practice and this has subsequently been promulgated to County Enterprise Boards. The Council has also played a significant role in increasing co-operation, at formal and informal level, between the state agencies involved in the food industry and this has led to a number of "Memorandums of Understandings" being agreed between agencies.

The Council met on 20 occasions between 2000 and 2003. During 2004 and 2005 priority was given instead to meetings of the food development agencies directly concerned with the food programme components of the National Development Plan 2000-2006. Two such meetings took place in 2004, one in 2005 and one in 2006 to assess progress on the Plan in preparation for meetings of the NDP Monitoring Committees.

In the light of a more market orientated CAP, the 2015 Agri-Vision Report and the Enterprise Strategy Report my Department has been examining future co-operation between agencies to most effectively develop the agri-food industry. Arising from this, I have included in the Plan of Action, which I launched to implement the 2015 Agri-Vision Report, the establishment of a high level group of CEOs of food agencies, which will subsume and develop the role of the Council, and also a Food Industry Committee. Both will be chaired at Ministerial level and will ensure a consolidated approach towards the development of the food sector as a whole and identify and address issues impeding the development of the sector.

Food Imports.

395. **Mr. Gormley** asked the Minister for Agriculture and Food the percentage of food which is imported into Ireland; the amount of vegetables and meat produced here now and the amount 10 years ago; if she will provide the food trade deficit figures; her views on whether there is a problem

[Mr. Gormley.]

with food security here in the case of a major crisis; and if she will make a statement on the matter. [16389/06]

Minister for Agriculture and Food (Mary Coughlan): Ireland produces food products to the value of €16 billion and remains a net exporter of

food and drink with exports valued at almost €7.6 billion and imports, mainly from within the EU, worth some €4.5 billion, leaving an estimated food trade surplus figure of €3.044 billion in 2005. The following table* shows the value of production of meat and vegetables over the last ten years. (Account is not taken of the change in the CAP support systems from market supports to direct payments).

Year	Cattle	Pigs	Sheep	Poultry	Potatoes	Mushrooms	Other fresh vegetables
Éirestát Code							
	ASFA1105	ASFA1110	ASFA1115	ASFA1125	ASFA1330	ASFA1345	ASFA1340
	€m	€m	€m	€m	€m	€m	€m
1994	1,614.0	264.5	230.2	134.6	127.7	76.3	137.6
1995	1,659.1	295.4	190.7	133.7	130.5	78.0	135.2
1996	1,482.7	356.5	241.8	140.4	94.7	92.3	160.1
1997	1,382.6	337.0	230.0	149.1	52.6	101.9	161.0
1998	1,385.0	282.6	214.0	142.2	103.1	106.7	167.8
1999	1,330.7	251.4	198.0	137.8	118.0	111.4	170.7
2000	1,382.1	296.7	203.4	124.0	58.7	114.8	188.9
2001	1,260.3	345.8	284.3	137.4	98.1	115.6	198.3
2002	1,179.0	300.7	202.1	134.9	96.5	137.7	211.1
2003	1,244.0	283.1	193.2	137.2	98.7	124.5	203.2
2004	1,344.6	301.0	203.2	149.1	91.2	108.2	192.4

* Source: Central Statistics Office.

I do not believe that Ireland has any cause for concern about food security. We are self sufficient in the major food products with self-sufficiency in meat overall at over 270%, (beef and veal alone 820%), drinking milk and cream close to 100%, cheese, milk powder and butter at 436%, 958% and 1,042% respectively, principal cereals at 90%. While we are net importers of fruit and vegetable, this largely reflects a demand for varied produce from EU and other markets rather than a deficit in potential production capacity.

Genetically Modified Organisms.

396. **Mr. Eamon Ryan** asked the Minister for Agriculture and Food her views on draft EU proposals to permit products accidentally contaminated with up to 0.9 per cent of genetically-modified organisms to bear an EU organic logo and be sold as organic from 2009. [16390/06]

Minister for Agriculture and Food (Mary Coughlan): Discussion on a new Regulation on organic production and labelling of organic products is still at an early stage at European Council Working Group level. It is clear, however, that the new Regulation will continue to prohibit the deliberate use of genetically-modified organisms (GMO) in organic production and processing, and that products cannot be labelled both organic and GMO. I fully support this position.

While organic farming prohibits the use of GMOs, there is some risk that they may be introduced unintentionally to organic crops from time to time as a result of events over which producers have no control. It will be necessary to refer to this in the new Regulation on organic production. The existing horizontal Regulations regarding the labelling of food and feed state that a product with an adventitious presence of GMO of more than 0.9% must be labelled as GM. The draft Regulation on organic production proposes to adopt the same threshold.

Grant Payments.

397. **Mr. Hayes** asked the Minister for Agriculture and Food the position regarding an application for assistance under the national reserve single payment scheme by a person (details supplied) in County Tipperary. [16391/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application for an allocation of entitlements from the 2005 Single Payment Scheme National Reserve under Category C.

Category C caters for farmers who, between 1 January 2000 and 19 October 2003, participated in the Milk Quota Restructuring Scheme and who converted to a farming sector for which a direct payment under the Livestock and/or Arable Aid

Premium Schemes would have been payable during the period 2000-2002.

A formal letter setting out my Department's decision has issued to the person named. However should he be dissatisfied with my Department's decision, he has the opportunity to appeal this decision to the Independent Payment Appeals Committee. An appeals application form is available from any of my Department's offices or on the Department website at www.agriculture.gov.ie.

398. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason consolidated entitlements have not been made available to a person (details supplied) in County Galway; if her attention has been drawn to the fact that this person made application to the national reserve in respect of 10 suckler cow quotas purchased in 2001, that they had 45 hectares approximately in the reference years and that they claimed for 39.66 hectares in 2005 and for a similar amount in 2006; and if she will make a statement on the matter. [16392/06]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an application under the Single Payment Scheme on 9 May 2005 and also applied to have his entitlements consolidated under the Consolidation measure of the Scheme. Following processing of the Consolidation application the person named was paid in full in respect of 39.66 consolidated entitlements with a total value of €18,996.20 on 01 December 2005.

The person named submitted an application for an allocation of entitlements from the Single Payment 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- 2002. Investments can include purchase or long term lease of land, purchase of suckler and/or ewe quota or other investments.

The person named has now been granted an allocation under Category B and a formal letter setting out the details of this allocation and the resulting increase in Single Payment will issue shortly. The National Reserve allocation has been applied to the 39.66 consolidated entitlements.

If the person named is dissatisfied with my Department's decision he will have the opportunity to appeal the decision to the Independent Appeals Committee. An appeals application is available from any of my Department's offices or on the Department website at www.agriculture.gov.ie

399. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason a person (details

supplied) in County Galway did not receive an area based payment in 2005; and if she will make a statement on the matter. [16393/06]

Minister for Agriculture and Food (Mary Coughlan): The 2005 Area Aid application of the person named has been fully processed with an area determined of 11.28 hectares. However, to be eligible for the 2005 Area-Based Compensatory Allowance Scheme, applicants must maintain a minimum stocking density of 0.15 livestock units per forage hectare for at least 4 continuous months of the year. My Department wrote to the person named on 2 May 2006 with a view to establishing the type of farming activity being pursued. On receipt of her reply, a decision regarding eligibility will be made.

Farm Waste Management.

400. **Mr. Connolly** asked the Minister for Agriculture and Food if the fears of farmers in relation to the tight deadlines and timescale of the new farm waste management package will be allayed by extending deadlines for applications and completions by six months, supplementing funding in the event of over-shooting allocations, reviewing official Department costings of the scheme; and if she will make a statement on the matter. [16422/06]

Minister for Agriculture and Food (Mary Coughlan): The new Farm Waste Management Scheme was introduced by my Department on 24 March 2006 under the 2000-2006 EU Rural Development Programme. As the current EU rural development round closes at the end of this year, applications can only be accepted under the revised Scheme up to the end of 2006. In view of this short time-frame, I have decided that applications can be accepted by my Department as soon as any required planning permission has been applied for to the relevant local authority and evidence of this application provided to the Department.

A sum of €43 million is available in this year's estimates for the Scheme and I am satisfied that sufficient funding will be made available for the duration of the Scheme to finance the likely demand. The Standard Costings used to calculate grants under the Scheme are currently under review.

401. **Mr. Connolly** asked the Minister for Agriculture and Food if grant aid at a rate of 40 per cent will be made available for mobile sheep handling units, to be payable to co-operatives of farmers and contractors to make sheep handling more simple; and if she will make a statement on the matter. [16423/06]

Minister for Agriculture and Food (Mary Coughlan): The revised Farm Waste Management Scheme is intended to assist farmers, includ-

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ing the sheep sector, comply with the additional requirements of the Nitrates Regulation. Grant aid is not available under the Scheme for mobile sheep handling units. Aid for the provision of such units will be considered by my Department in the context of the on-farm investment schemes which will be put in place within the framework of the EU Rural Development Round which comes into effect in January 2007.

Food Industry.

402. **Mr. Connolly** asked the Minister for Agriculture and Food her plans to increase the promotional budget for marketing and promotion of sheep meat from its current annual level of €800,000 both at home and in strategic EU growth areas; and if she will make a statement on the matter. [16424/06]

Minister for Agriculture and Food (Mary Coughlan): Bord Bia is the state body with responsibility for food promotion and its current budget for the promotion of sheepmeat is in excess of €1m per annum. The main areas of expenditure are the direct promotion to consumers in both Ireland and France, the key markets for sheepmeat. This involves a mix of both media advertising and retail promotions in both countries.

A Sheep industry strategy group was established in December 2005 under the chairmanship of Mr. John Malone, former Secretary General of my Department, to examine all aspects of the sheepmeat sector, including product development for different markets and consumer preferences. All sectors are represented in the group including the processors, producers, Teagasc, Enterprise Ireland, Bord Bia and my Department.

I expect the final report of the group to be delivered soon and to include recommendations on the promotion of sheepmeat into the future.

403. **Mr. Connolly** asked the Minister for Agriculture and Food her plans to encourage research and development into sheep meat product development, with particular emphasis on the convenience aspect with a view to popularising sheep meat among younger consumers; and if she will make a statement on the matter. [16425/06]

Minister for Agriculture and Food (Mary Coughlan): Bord Bia, the state body with responsibility for food promotion, is engaged in promotions on the home market which are specifically focused on popularising sheepmeat among young consumers. Their activities include demonstrations as part of an education programme in second level schools and involve a variety of quick and easy lamb dishes.

A Sheep industry strategy group was established in December 2005 under the chairmanship of Mr. John Malone, former Secretary General

of my Department, to examine all aspects of the sheepmeat sector, including product development for different markets and consumer preferences. All sectors are represented in the group including the processors, producers, Teagasc, Enterprise Ireland, Bord Bia and my Department.

I expect the final report of the group to be delivered soon and to include recommendations on the promotion of sheepmeat into the future.

Rural Environment Protection Scheme.

404. **Mr. Connolly** asked the Minister for Agriculture and Food if payment of €242 per hectare due to REP scheme hill farmers in respect of destocking will be expedited; and if she will make a statement on the matter. [16426/06]

Minister for Agriculture and Food (Mary Coughlan): Target lands in REPS, which comprise Special Protection Areas, Special Areas of Conservation, Natural Heritage Areas and commonage, have qualified since 1999, under Measure A of REPS, for a payment of €242 per hectare on the first 40 hectares. This payment no longer comprises an amount in respect of destocking. Last November I secured an agreement from the European Commission which ensures the continued payment of the full €242 per hectare rate, in addition to farmers' Single Payments which are based on the ewe quota they had before destocking began.

The Charter of Rights for Farmers 2005/2007 sets out the timeframes within which applications for payment of REPS grants are to be processed.

Grant Payments.

405. **Mr. Connolly** asked the Minister for Agriculture and Food if a special hardship fund will be set up for farmers who did not qualify for small farm payments on whose entitlement from force majeure or national reserve were minimal as a result of a very low DED; and if she will make a statement on the matter. [16427/06]

Minister for Agriculture and Food (Mary Coughlan): The position is that the Single Payment Scheme is applicable to farmers who actively farmed during the 2000 — 2002 reference period, who were paid Livestock Premia and/or Arable Aid in one or more of those years and who continued to farm in 2005. The gross Single Payment established for farmers is based on the average number of animals and/or the average number of hectares (in the case of Arable Aid) on which payment was made during the reference period. The Single Payment established for individual farmers therefore reflects the level of farming activity and premia draw-down during the reference period.

Certain farmers whose premia draw-down during the reference period did not reflect their normal farming activity because of exceptional cir-

cumstances were able to avail of Force Majeure whereby their Single Payment was based on the year or years when the exceptional circumstances did not apply rather than on the three-year average. In addition, special measures were in place for farmers who commenced farming for the first time during the reference period.

Their Single Payment was based on either a two year average if they commenced farming in 2001 or based on payments received in 2002 if they commenced farming in that year. The DED average value of entitlements was not a factor in determining the level of Single Payment established for farmers.

Insofar as the National Reserve is concerned, the regulations require that allocations made to successful applicants under category D (new entrants to farming after 31 December 2002) must not have the effect of increasing the value of any existing entitlements above the regional average value of entitlements. Similarly, the value of any new entitlements allocated to this category must be no greater than the regional average value of entitlements. In Ireland's case it has been decided that the regional average value of entitlements will be the District Electoral Division (DED) average.

The question of priority categories for the 2006 National Reserve will be decided in due course. Depending on available resources I will give consideration to catering for certain "hardship" type cases who were unable to avail of any of the existing Single Payment measures.

Departmental Staff.

406. **Mr. Connolly** asked the Minister for Agriculture and Food if increased staffing to man Department telephone hot-lines will be provided to ease difficulties encountered by farmers seeking telephone access to resolve issues with her Department; and if she will make a statement on the matter. [16428/06]

Minister for Agriculture and Food (Mary Coughlan): In September 2005, in recognition of the significant number of queries, which farmers had in relation to the new Single Payment Scheme, I decided to establish a dedicated Call Centre in the Portlaoise Office of my Department. This Centre, which was staffed by 35 officials on a full-time basis, dealt with up to 2,500 calls per day. Subsequently, this Call Centre was replaced by a system of dedicated Lo-call numbers, which provides direct access to the County Sections dealing with the processing of individual SPS applications.

Where issues arise during processing of SPS application forms, which require to be satisfactorily resolved before payment can issue, correspondence is issued to the persons concerned, outlining the nature of the given problem. As prompt written replies to these queries allow such cases to be processed speedily to completion, I

urge all farmers to reply quickly to any correspondence received from my Department.

I am determined to provide the best service possible to farmers and, in this regard, will continue to review the allocation of resources on an ongoing basis to ensure that this is achieved.

Food Industry.

407. **Mr. Connolly** asked the Minister for Agriculture and Food if, in view of the World Trade Organisation decisions, sensitive product status will be sought for critical beef and lamb cuts; if she will insist on higher standards from non-EU imports; and if she will make a statement on the matter. [16429/06]

Minister for Agriculture and Food (Mary Coughlan): The July 2004 WTO Framework Agreement provides for the designation of a certain number of sensitive products by WTO member countries. The number of products to be designated by each WTO member, the conditions which govern their selection and the compensation which must be offered by way of Tariff Rate Quota, will be decided as part of the negotiations on the new agreement. The decision by the EU to designate a product as sensitive will depend on the tariff reduction formula that is finally agreed and the amount of tariff rate quota expansion that must be provided for each sensitive product. My objective is to maximize the protection for our most important products from third country imports and I will be seeking sensitive product status, where appropriate, to achieve this.

I have some concerns that producers in certain WTO member countries are not required to observe the same requirements as EU producers in relation to food safety, traceability, animal health and animal welfare and environmental standards. I have notified the Commission of my concerns in this area. However, WTO agreements do not permit the EU to determine the precise nature of the regulatory requirements to be applied by other WTO members but to ensure that exporting third countries provide guarantees that are equivalent to the standards applied in the EU. In that connection, I have drawn the Commission's attention to the need for real equivalence on the specific issues of animal traceability, controls on veterinary medicines and prohibited substances and residue monitoring programmes in third countries with particular reference to South American beef in view of its increasing presence on the European market.

Departmental Expenditure.

408. **Mr. P. McGrath** asked the Minister for Agriculture and Food if her Department makes the Irish national daily newspapers available online for staff within her Department; the number of staff at each grade who each day receive a copy

[Mr. P. McGrath.]

of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in her Department; and if she will make a statement on the matter. [16446/06]

Minister for Agriculture and Food (Mary Coughlan): *The Irish Times*, *Irish Independent* and *Irish Examiner* are available on-line to staff in my Department.

The number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line is contained in the following table.

Secretary General	1
Assistant Secretaries General	9
Chief Inspector	1
Deputy Chief Inspector	1
Chief Veterinary Officer	1
Deputy Chief Veterinary Officers	3
Principal Officers	3
Assistant Principals	3
HEO	1

Seven members of my staff are supplied with more than one newspaper on a daily basis. Four members of my staff are also supplied with a paper on the day that the farming supplement is published. The total cost of purchases of printed daily newspapers in my Department in 2005 was €28,540.

Grant Payments.

409. **Mr. Penrose** asked the Minister for Agriculture and Food if an appeal has been received by her Department in respect of an application by a person (details supplied) in County Westmeath for entitlements for the 2005 national reserve; if, in view of same, the appeal will be expedited and their entitlements approved; and if she will make a statement on the matter. [16514/06]

Minister for Agriculture and Food (Mary Coughlan): The person named has been notified that the circumstances outlined by him did not satisfy the criteria for allocation of entitlements under the National Reserve.

Following this decision the person named submitted an appeal to my Department enclosing additional documentary evidence in support of his application. My Department will now re-examine the National Reserve application in light of the new evidence provided and the person named will be notified of the outcome.

410. **Mr. Penrose** asked the Minister for Agriculture and Food if her Department has received

an appeal in respect of an application by a person (details supplied) in County Longford in relation to their application for entitlements from the 2005 national reserve; if, in view of the substantive points made in the appeal, this person will be granted additional entitlements due to the particular circumstances outlined therein; and if she will make a statement on the matter. [16515/06]

Minister for Agriculture and Food (Mary Coughlan): The person named has been notified that the circumstances outlined by him did not satisfy the criteria for allocation of entitlements from the National Reserve.

Following this decision the person named appealed my Department's decision and submitted supporting documentation in support of his appeal. The case will now be reviewed in view of the contentions put forward on appeal and my Department will communicate with the applicant in due course.

Citizenship Applications.

411. **Mr. Hogan** asked the Minister for Justice, Equality and Law Reform when a citizenship application will be approved for a person (details supplied) in County Carlow. [16313/06]

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 15 September 2005.

The average processing time for such applications is around 24 months at the present time. It is likely, therefore, that the case of the person referred to will be finalised in or around September 2007. I will inform the Deputy and the applicant when a decision has been taken in the matter.

Road Traffic Offences.

412. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform the amount of money to date accruing from the penalty points system; and if he will make a statement on the matter. [16566/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Information on the amount of money accruing on foot of payments from fixed charge notices and court fines in connection with which penalty points were imposed is not readily available and could only be obtained by the expenditure of a disproportionate amount of staff time and resources.

All moneys received are surrendered to the Exchequer as extra exchequer receipts and are accounted for in the Appropriation Accounts.

I can inform the Deputy that the following table sets out amounts received since 2002, when penalty points were introduced by the Road Traffic Act, 2002, in respect of offences under the

Road Traffic Acts, inclusive of the penalty points system, other than penalties imposed by the courts.

Year	Road Traffic Act Penalties
	€
2002	20,770,000
2003	16,264,000
2004	15,258,000
2005	14,283,000

413. **Mr. Sargent** asked the Minister for Justice, Equality and Law Reform the proportion of people who agree to pay the relevant fine and have penalty points awarded in relation to drivers who are stopped by Gardaí and are accused of an offence that attracts penalty points; the proportion which decline to do so; if all those who decline to do so are prosecuted in court; and if his Department does not have this information, the way in which the success or otherwise of the system can be judged. [16661/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The information requested is not readily available and is currently being researched by the Garda authorities. I will contact the Deputy again when the information is to hand.

Garda Reserve.

414. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform if he will provide a comprehensive timetable for the roll out of the Garda Reserve Force; the name by which it will be known; the number of members it will have; the actions he intends to take in view of the Garda representative bodies’ refusals to co-operate with such a force; and if he will make a statement on the matter. [15935/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to refer the Deputy to my reply to Parliamentary Question No. 5 of 27 April 2006.

Visa Applications.

415. **Mr. Howlin** asked the Minister for Justice, Equality and Law Reform the reason no decision has been made in relation to visa applications submitted to his Department in September 2005 in respect of persons (details supplied) in County Wexford; when a decision will be made in these cases; and if he will make a statement on the matter. [15936/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The visa applications referred to by the Deputy in respect of the persons concerned were approved and the decision letter to this effect issued on 01 March, 2006 to the address

on record on that date. The letter was returned undelivered, as the applicant had changed address. The change of address notification was received from the applicant on 20 March, and they were subsequently notified that the visa had been approved.

Visa Applications.

416. **Mr. G. Mitchell** asked the Minister for Justice, Equality and Law Reform if an application for a visitors visa by a person (details supplied) has been received; when it will be processed; and if he will make a statement on the matter. [15937/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was received in my Department on 7 April, 2006 and is currently awaiting examination by a visa officer. The application will be considered in the coming weeks.

Residency Permits.

417. **Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform when a decision will be reached in the residency application by a person (details supplied); the reason for the delay in processing this application, which was filed in March 2005; and if this person’s passport will be returned to them pending the decision. [15938/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The application from the person concerned for permission to remain in the State, made under the revised arrangements announced by me on 15 January 2005 for the non-national parents of Irish born children born before 1 January 2005, is currently being processed and a decision will issue shortly. The applicant’s passport has now been returned to him by registered post.

Visa Applications.

418. **Mr. J. Higgins** asked the Minister for Justice, Equality and Law Reform the legal basis of the requirement that a visa required national here on a tourist visa, must return to their country of origin in order to apply for a student visa. [15947/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A wrap around information sheet accompanies every visa application form. That sheet makes it clear to the applicant that, in general, persons granted visas for particular purposes are not permitted to involve themselves in any activity or to remain in the State for any purpose other than that for which the visa was granted.

Every visa applicant is required to state on the application form the dates on which he or she proposes to enter and leave Ireland. He or she

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is also required to declare that the information supplied is correct and complete.

A C Visa is granted for visits of less than 90 days. As a consequence it is not the general policy to extend permission to remain to persons who are admitted initially for a period of 90 days or less on a C visa.

Garda Deployment.

419. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform the plans he has in place to appoint a resident Garda in Coolaney and Enniscrone, County Sligo as Garda accommodation is available, in view of the fact that the population in these rural regions has grown tremendously and needs to have a resident Garda; and if he will make a statement on the matter. [15964/06]

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 the personnel strength (all ranks) of An Garda Síochána as at 31 March 2006 was 12,439. This compares with a total strength of 10,702 (all ranks) as at 30 June 1997 and represents an increase of 1,737 (or 16.2%) in the personnel strength of the Force during that period.

The personnel strength of the Coolaney Garda Station, which forms part of the Sligo/ Leitrim Division, as at 31 March, 2006 was 1. The personnel strength of the Enniscrone Garda Station, which forms part of the Mayo Division, as at 31 March, 2006 was 3 (all ranks).

It is the responsibility of Garda management to allocate personnel throughout and within Divisions on a priority basis in accordance with the requirements of different areas. The allocation of such resources is determined by a number of factors including demographics, administrative functions, crime trends and other operational policing needs.

I should also say that the current recruitment drive to increase the strength of the Garda Síochána to 14,000 members in line with the commitment in the Agreed Programme for Government is fully on target. This will lead to a combined strength, of both attested Gardaí and recruits in training, of 14,000 by the end of this year. I am pleased to inform the Deputy that the first group of newly attested Gardaí under the accelerated recruitment programme came on stream in March and a further 275 newly attested Gardaí will come on stream every 90 days from here on in.

The Garda Commissioner will now be drawing up plans on how best to distribute and manage these additional resources, and in this context the needs of the stations referred to by the Deputy will be given the fullest consideration.

Road Traffic Offences.

420. **Ms O. Mitchell** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the number of cars seized and impounded by the Gardaí for legal violations in each year from 2000 to date in 2006; the storage capacity held by the Gardaí for such vehicles in each Garda division; and if he will make a statement on the matter. [16002/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda authorities that the information requested by the Deputy is not readily available and is currently being researched. I will contact the Deputy when the information requested is to hand.

Garda Deployment.

421. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform when the review of civilianisation possibilities in An Garda Síochána will be completed; the number of Gardaí who have been freed up for frontline outdoor policing duties on a daily basis from the civilianisation process in the past four years; and if he will make a statement on the matter. [16005/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to my reply to Priority Question No. 4 on 27 April 2006, where I provided a comprehensive update on the significant progress being made in relation to civilianisation.

Deportation Orders.

422. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the number of Irish born children of migrant parents, by category, including asylum seekers, whose parents have been refused residency and face deportation; the number of Irish born children remaining here whose parents have been deported; and the number of Irish born children who have been deported with their parents to their parent's country of origin, or to another country. [16034/06]

423. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the number of Irish born and the number of non-Irish born children of migrant parents, including asylum seekers, who have been separated from their parents through either deportation or detention; the whereabouts of those children, that is, in State care, foster homes, with friends or family; and if he will make a statement on the matter. [16035/06]

424. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the efforts which have been made to determine and monitor the welfare and safety of Irish born children of

migrant parents, including asylum seekers, who have been refused residency and returned to their parents' country of origin; and if the children will have access to consular services and protection. [16036/06]

425. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if it is ascertained and procedures put in place to ensure that an Irish born child of migrant parents, including asylum seekers, who have been refused residency and deported, will not be discriminated against or made to suffer or face deportation as a non-citizen of the parents' country of origin; and if he will make a statement on the matter. [16037/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 422 to 425, inclusive, together.

In January, 2005 I announced a scheme whereby the non-national parents of children born in Ireland before 1 January, 2005 could apply for leave to remain in the State based on their parentage of those children. This so-called IBC(05) Scheme and its terms and conditions were widely advertised and its closing date was 31 March, 2005. That scheme followed from the Citizenship Referendum in 2004 and the passing by the Oireachtas of the Immigration and Citizenship Act, 2004, the effect of which is that children born to non-nationals from 1 January, 2005 no longer enjoy an automatic right to citizenship.

Under the IBC(05) Scheme, 16,693 non-nationals were granted leave to remain on the basis of their parentage of children born in Ireland before 1 January, 2005. The Scheme was a generous response by the State to the situation of those non-national parents of children born before 1 January, 2005. Refusal decisions were given in 1,119 cases: a breakdown of the reasons for the refusal of these applications is shown in the Table following the answer.

In the period between 18 July 2003 and 12 October, 2004, 384 deportation orders were made in respect of parents of Irish Born Children, of whom 41 were deported. This period was the interregnum between the L&O Judgement of the Supreme Court in January, 2003 which, *inter alia*, stated that parents of Irish Born children could be deported and the initiation of the IBC(05) Scheme by me in January, 2005. It should be made clear that Irish citizen children cannot be deported and statistics are not maintained as to the number of Irish Born Children who accompany their parents, who are the subject of deportation orders, to their country of origin. There have been a small number of cases where parents of children, who themselves are the subject of Deportation Orders, have refused to cooperate with members of the Garda National Immigration Bureau (GNIB) in locating some, or all, of their children prior to their deportations. I am informed that the Garda National Immigration Bureau make every reasonable effort on the day

of removals to maintain the unity of families. However, this clearly cannot be done if parents refuse to cooperate with the Gardaí in locating the whereabouts of all of their children. As a result, the Gardaí have, in a small number of instances, had to proceed to enforce Deportation Orders in the face of some parents refusing to disclose the whereabouts of some or all of their children. It is understood that such children, where hidden from Gardaí, are passed into the care of other local non-nationals by their mothers. Where this occurs, the Garda National Immigration Bureau inform the local area Health Services Executive of the position in relation to these children. Those persons who care for children left behind by their parents should make themselves known to the authorities and every facility would be made available to enable the children to be reunited with their families in their countries of origin.

As to how many of the children in question are in the care of the State e.g. foster homes, this information is not held by my Department and the matter should instead be raised with the Health Services Executive.

The Garda Síochána is tasked with the execution of Deportation Orders. All persons subject to such Orders are required to present at Garda stations for the purpose of arranging their removal from the State. In enforcing these Orders it is a priority, as far as operationally possible, that family units which are the subject of such Orders are kept together. When some parents are deported in the absence of some, or all, of their children, it is as a consequence of a deliberate choice by the persons concerned that they become separated from their children.

The Deputy should note also that children are not sent back with their parents to the parents' country of origin where no right of residency for those children exists in that country. For example, any child of Nigerian parents (i.e. the largest nationality group of asylum-seekers) is a Nigerian national by virtue of its parentage regardless of where he/she is born and is consequently entitled to reside with his/her parents in their country of origin following deportation. Given that such children will have an entitlement to citizenship in the State of their parent(s) it is not my intention to monitor the welfare of such children following their return to that country and the question of Ireland's consular services being available to such persons would arise in only the most exceptional of circumstances.

For the sake of completeness and to give appropriate context to the questions being raised, a fundamental point underpinning this issue is that most of the parents of such children were only allowed into the State in the first instance for the purposes of claiming asylum. In light of the comprehensive nature of this State's refugee status determination processes, I am satisfied that the asylum claims advanced by all asylum seekers are fully examined in every individual case, hav-

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ing due regard for the merits of each specific case. Equally, I am satisfied that the provisions of the Immigration Act, 1999 (as amended) and Section 5 of the Refugee Act, 1996 (as amended) provide safeguards to ensure that no person is returned to their country of origin, including children being returned to their parents' country of origin, where it would be unsafe to effect such a return.

The Deputy should also note that, in determining whether to make a Deportation Order or to grant temporary Leave to Remain in the State to a failed asylum applicant and his/her dependent children, Irish born or otherwise, I must have regard for the eleven factors set out in Section 3 (6) of the Immigration Act, 1999 (as amended). I must also have regard for the provisions of Section 5 of the Refugee Act, 1996 (as amended) on the Prohibition of Refoulement before signing a Deportation Order. This means in essence that the safety of returning a person to their country of origin, or refoulement as it is commonly referred to, is fully considered in every case when deciding whether or not to make a Deportation Order. Refoulement means that a person shall not be expelled from the State or returned in any manner whatsoever to a State where, in my opinion, the life or freedom of that person would be threatened on account of his or her race, religion, nationality, membership of a particular social group or political opinion. My Department uses extensive country of origin information drawn from different independent sources, including the UNHCR, in evaluating, in each individual case, the safety of making returns to third countries.

Breakdown of reasons for refusal of applications under the IBC(05)

Scheme reason for refusal*	Total
Continuous residence not proven	566
No identity proven	104
Granted refugee status	94
Criminality	78
No role in upbringing of IBC	71
IBC born in 2005	48
Not the parent	38
IBC & parent abroad	34
IBC abroad	33
Applicant abroad	21
Already had status	12
Withdrew	8
Statutory declaration not signed	7
Child not born in Ireland	3
Deceased applicants	2
Total	1,119

(*Note that in some cases more than one reason for refusal was given. For the sake of statistical consistency such cases are recorded under one principal reason.)

Citizenship Applications.

426. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform his views on and if he will act upon the recent report All Our Children: Child Impact Assessment for Irish children of Migrant Parents; and his views on the issues raised in the report. [16038/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I refer the Deputy to the Reply I gave to Dáil Question number 126 on Thursday 27 April 2006. My position is as set out therein.

Legal Aid Service.

427. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform his views on appointing a community representative when the Legal Aid Board is re-appointed in summer 2006. [16041/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Civil Legal Aid Act, 1995 provides that the Legal Aid Board shall consist of a chairperson and 12 ordinary members. As required by section 4(3)(a) of the Act, in appointing persons to the Board, I will have regard to the desirability of their having knowledge or experience of the law, the practice and procedure of the Courts, business, finance, management and administration, consumer or social affairs, or of any other subject which would be of assistance to the Board in the performance of its functions.

428. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the reason the means test financial criteria for free legal aid has only been revised once since 1996; if a review is planned; and if he will consider a realistic figure for accommodation and child-care to be taken into account. [16042/06]

432. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the means test criteria for the granting of free legal aid. [16072/06]

433. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if consideration has been given to granting free legal aid for cases of eviction and for cases of property or land rights and disputes; and if he will make a statement on the matter. [16073/06]

434. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the limitations of the free legal aid scheme in relation to determining which cases will be taken on; if there is the intention to add to the existing areas of law covered under the scheme in line with our duties under the ECHR, that is, the right to legal representation; and if he will make a statement on the matter. [16074/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 428, 432, 433 and 434 together.

The financial eligibility criteria for the granting of civil legal aid are set out in the Civil Legal Aid Regulations, 1996 and 2002. Information on these criteria is available from the Board and a useful explanatory note is also included as an Appendix to their Annual Report. The criteria were last revised in 2002, on foot of proposals from the Board. I am currently reviewing these criteria, in light of recent proposals from the Board.

Insofar as the question of the scope of the legal aid scheme is concerned, the Board provides legal services under the terms of the Civil Legal Aid Act, 1995 and regulations made thereunder. The ambit of the Act is very broad in terms of the areas of law covered. This is particularly so in relation to legal advice, which is available for a wide range of matters including social welfare, debt and consumer law matters. The scope of the scheme is kept under ongoing review.

Disputes relating to rights and interests in or over land are excluded under Section 28(9) (a) (ii) of the Act. There are a series of exceptions to this exclusion and many of those disputes are brought back within the scope of legal aid under Section 28(9) (c) of the Act. There are no proposals to extend the scope of legal aid to other property disputes.

Registration of Title.

429. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform if he will instruct the Land Registry Office to expedite a dealing application for a person (details supplied) in County Mayo. [16045/06]

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.

I understand that, in circumstances where the completion of an application in a particular case is urgent, the Land Registry will make every reasonable effort to facilitate such requests on receipt of a written explanation as to the reason underlying the urgency.

Prison Building Programme.

430. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform the extent of expenditure and work both new and renovation or reconstruction carried out at each prison here since 2000; the firms or contractors appointed for each such works in excess of €15,000; if tenders are sought and were sought for all such new and renovation works; if extension of contract or new contracts were awarded in this period without tenders having been sought; if so, the circum-

stances that applied; and if he will make a statement on the matter. [16046/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Irish Prison Service awards tenders for new, renovation and reconstruction works in accordance with European Union and National Procurement Regulations.

The amount spent on capital, maintenance and small works since 2000 amounts to €269.5million. This is broken down as shown in the table.

Year	Capital	Maintenance & Small Works	Total
	(€) (Millions)	(€) (Millions)	(€) (Millions)
2000	21.2	8.6	29.8
2001	30	9.1	39.1
2002	38.8	7.7	46.5
2003	31.6	7.3	38.9
2004	32.1	7.9	40
2005	62.5*	12.7	75.2

(*This figure includes €29.9m in respect of the purchase of land at Thornton Hall for a new prison.)

The other information requested by the Deputy is not readily available. The compilation of these statistics would require a disproportionate and inordinate amount of staff time and effort to prepare and could not be justified in current circumstances where there are other significant demands on resources.

As the Deputy is aware, I have reversed the unacceptable trend of spiralling overtime costs which has been a feature of our prisons operations for many years. Meeting these inflated costs has led to the repeated diversion of funds allocated by the Oireachtas every year for major building, refurbishment and other improvements in the prison service generally.

The revised Proposal for Organisational Change in the Irish Prison Service, which was accepted by prison staff last August, eliminates the unsustainable overtime culture in the Prison Service and replaces it with a new additional hours system. This system has now been rolled out across all the prisons. Significant savings will arise from the new system and this will facilitate the physical infrastructure of the prisons estate being brought up to modern standards.

Registration of Title.

431. **Mr. Hayes** asked the Minister for Justice, Equality and Law Reform when new maps will be finalised in the Land Registry Office in the case of persons (details supplied) in County Tipperary. [16059/06]

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.

Questions Nos. 432 to 434, inclusive, answered with Question No. 428.

Garda Stations.

435. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform the arrangements which have been made in relation to the closure of Harcourt Terrace Garda Station; and if he will make a statement on the matter. [16097/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Following the Government Decision to make the site occupied by Harcourt Terrace Garda Station available under the Affordable Housing Initiative, the Garda Authorities have identified Pearse Street and Kevin Street Garda stations as the most suitable stations to police the Harcourt Terrace Sub-district and I have accepted this advice.

Accordingly, the Garda Authorities, in consultation with officials of my Department, have prepared a brief of accommodation requirements to facilitate the transfer of the Garda personnel to Kevin Street Garda station and this have been forwarded to the Office of Public Works. In addition, a request has been made to the Office of Public Works to undertake an examination of the accommodation requirements of Pearse Street Garda station to facilitate the relocation of the personnel to be assigned to that station.

Garda Operations.

436. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform the number of persons that can be held in custody at one time in each of Harcourt Terrace, Pearse Street and Kevin Street Garda Stations; and if he will make a statement on the matter. [16098/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I have been informed by the Garda Authorities that the total number of cells at each of the Stations requested by the Deputy is as follows:

Harcourt Terrace	3
Pearse Street	6
Kevin Street	4

In accordance with the Criminal Justice Act, 1984 and the Treatment of Persons in Custody in Garda Síochána Stations Regulations, 1987, where it is necessary to place persons in custody in cells, as far as practicable not more than one person is kept in each cell. Persons of the opposite sex are not placed in a cell together. A violent person is not placed in a cell with other persons if this can be avoided.

Depending on the circumstances and the demands on the service, the number of prisoners held in custody, at any one time, at the stations mentioned may vary.

437. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform the throughput of persons in custody through each station in the Dublin metropolitan area for each year from 1997 to date; the percentage of those that were held in a cell for three hours or more in each station; the percentage of these who were formally interviewed by a member of An Garda Síochána; and if he will make a statement on the matter. [16099/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am advised by the Garda Authorities, the information sought by the Deputy is not readily available and could only be obtained by the expenditure of a disproportionate amount of Garda time and resources.

Garda Deployment.

438. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform the stations to which the Gardaí currently attached to Harcourt Terrace Garda Station will be transferred upon the closure of that station; the timeframe for such transfers; the details of the transfer to each station by rank; the way in which the patrol area currently served by Harcourt Terrace will be divided between other Garda Stations; and if he will make a statement on the matter. [16100/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities, who are responsible for the detailed allocation of Garda resources, including personnel, that the personnel strength of Harcourt Terrace Garda Station as at 31 March, 2006 was 82 (all ranks).

Following the Government Decision to make the site occupied by Harcourt Terrace Garda Station available under the Affordable Housing Initiative, the Garda Authorities have identified Pearse Street and Kevin Street Garda stations as the most suitable stations to police the Harcourt Terrace Sub-district and I have accepted this advice. In finalising the timing of the procurement process for the Harcourt Terrace site, among other issues, the re-accommodation requirements of the Garda Station will need to be taken into account. This matter is being actively pursued by officials from the Department of Environment, Heritage and Local Government, the Office of Public Works and my own Department.

The Garda Authorities, in consultation with officials of my Department, have prepared a brief of accommodation requirements to facilitate the transfer of one (1) Inspector, seven (7) Sergeants and 50 Gardaí from Harcourt Terrace Station to Kevin Street Garda Station and this has been forwarded to the Office of Public Works.

In addition, a request has been made to the Office of Public Works to undertake an examination of the accommodation requirements of

Pearse Street Garda Station, with a view to accommodating the remaining members currently attached to Harcourt Terrace Garda Station.

I am further informed that the way in which the patrol area currently served by Harcourt Terrace will be divided between other Garda Stations is the subject of ongoing discussions at present.

Asylum Applications.

439. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the case of a person (details supplied) in Dublin 14, who had their application for asylum refused on the grounds that they were a deserter from the Iraqi Army and as such did not come within the scope of the definition of a refugee under the Refugee Act, 1996; his views on whether such persons require some protection under international law even if they cannot be considered refugees; if his attention has further been drawn to the UNHCR briefing note dated 27 September 2005 regarding the return of Iraqis, which states that those asylum seekers, who are not recognised as refugees, require some form of protection in keeping with international human rights principles; if his attention has also been drawn to EU Directive 2004/83/EC, due to be transposed by 10 October 2006 at the latest, which requires Irish law to provide for subsidiary protection; his further views on whether the person would qualify for subsidiary protection; if he intends to grant leave to remain to the person; and if he will make a statement on the matter. [16107/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): As the Deputy is aware, there is a statutory framework governing the asylum determination process in Ireland, which is set out in the Refugee Act, 1996.

Every asylum applicant is guaranteed an investigation and determination of his or her claim at first instance. Each application is assessed on the basis of the circumstances of the individual case and having regard to both the subjective elements (the applicant's own account or personal history) and objective elements (up-to-date information on the applicant's country or place of origin). This country of origin information comes from a wide variety of sources. Applicants are also guaranteed a de novo hearing with the Refugee Appeals Tribunal where necessary and have access to legal advice throughout the process.

While it is not appropriate to go into the details of specific cases, it is my understanding that the person specified by the Deputy in his question applied for asylum in the State on 17 January 2000. I am advised that his application was refused following consideration of his case at first instance and, on appeal, by the Refugee Appeals Tribunal. Subsequently, in accordance with Section 3 of the Immigration Act, 1999, he was

informed by letter dated 5 November 2002 that the Minister proposed to make a deportation order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State before an order is made; or of consenting to the making of a deportation order; or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State.

This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act, 1999 and Section 5 of the Refugee Act, 1996 (Prohibition of Refoulement) in due course.

Under Section 3(6) of the Immigration Act, 1999, there are a wide range of factors which can be taken into account by the Minister in determining whether or not a deportation order should be made in respect of, inter alia, a person who has been refused a declaration of refugee status.

There is also, of course, an absolute prohibition on refoulement or forced return to a State where the life or freedom of the person concerned would be threatened on account of his or her race, religion, nationality, membership of a particular social group or political opinion as defined in section 5 of the Refugee Act, 1996.

In relation to the UNHCR Advisory Regarding the Return of Iraqis, as referenced by the Deputy, such a document is among the types of information routinely considered during the process of considering representations made under the Section 3(6) process outlined above.

As the Deputy is aware, the State does not yet have a system of subsidiary protection. However, such a subsidiary protection regime is required to be put in place later this year under the terms of the EU Council Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted (the "Qualification Directive"). The transposition of the Directive is being dealt with in the context of the Immigration and Residence Bill, which is under preparation in my Department at the present time.

440. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform the status of the asylum application of a person (details supplied); when he expects a final decision on the application to be made; and if he will make a statement on the matter. [16118/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned applied for asylum as an unaccompanied minor on 1st June 2005 and had his claim investigated in turn by the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal. Both of these bodies concluded that he did not

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meet the criteria for recognition as a refugee. Their recommendations were communicated to the person concerned on 1st November 2005 and 23rd March 2006 respectively.

My Department's Ministerial Decisions Unit will be writing to the person concerned in the coming days outlining his current position in the State and the options open to him.

441. **Mr. Morgan** asked the Minister for Justice, Equality and Law Reform when a decision will be made in the case of a person (details supplied) in County Louth. [16126/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question arrived in the State 14 March 1996 and claimed asylum. On 30 March 1999 he also made an application for permission to remain in the State based on his parentage of an Irish child born on 12 August 1998. He was refused asylum on 26 July 2000 but did not appeal that decision. In January 2001 he ceased to reside with his Irish born child and he provided no further evidence that he was fulfilling the role of parent to the child to enable the application to be processed to a conclusion.

That earlier procedure for considering applications for leave to remain in the State on the sole basis of parentage of an Irish born child ceased on 19 February 2003.

The person concerned subsequently applied for permission to remain in the State on the basis of being the parent of an Irish born child, in accordance with the revised arrangements announced on 15 January 2005. It is a requirement under the revised arrangements that the applicant provide evidence of continuous residence in the State since the birth of the Irish born child. It is also a requirement that an applicant under this scheme provides evidence of identity in the form of either an original valid passport or a national Identity card. In this case, the applicant did not provide any evidence of identity or evidence of continuous residence in the State.

As the person concerned did not meet the criteria for the granting of permission to remain in the State under the revised processing arrangements, insofar as evidence of identity or continuous residency is concerned, the application was refused. The decision was relayed to the person concerned by letter dated 14 December 2005.

Crime Levels.

442. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the reason for the discrepancy in the figures given for burglaries in the reply to Parliamentary Questions Nos. 316 of 8 February 2006 and 202 of 1 March 2006. [16155/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The statistics provided in the

answers to the Parliamentary Questions detailed by the Deputy are not comparable.

The headline group burglary offences is made up of the four offences of burglary, aggravated burglary, forcible entry and occupation (not burglary) and possession of an article (burglary or theft).

The reply provided to Parliamentary Question No. 202 of 1 March, 2006 showed the figures for the headline group burglary offences (four offences) for the individual Garda Districts in the Dublin Metropolitan Region for 2005. The reply to Parliamentary Question No. 316 of 8 February, 2006 provided the figure for the single offence of burglary (not the headline group) in each of the Garda Districts requested.

Garda Strength.

443. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform the number of Gardai in the Bridewell District, Dublin 7; the breakdown by rank and area of activity; the number of community Gardaí and the areas to which they are assigned; the number in each area; and the equivalent numbers for May 2005. [16156/06]

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 the personnel strength (all ranks) of An Garda Síochána as at 31 March 2006 was 12,439. This compares with a total strength of 10,702 (all ranks) as at 30 June 1997 and represents an increase of 1,737 (or 16.2%) in the personnel strength of the Force during that period.

I have been further informed that the current strength of the Bridewell District is as set out in the table.

Rank	Number
Superintendent	1
Inspector	7
Sergeant	30
Gardaí	132
Total	170

Garda management states that for operational reasons it is not Garda Policy to outline the areas of activity.

Garda management further states that there are nine Community Policing Sectors in the Bridewell District and they are as follows:

- Sector 1 — Capel Street, Quays, North King Street.
- Sector 2 — Dorset Street, Western Way, St Mary's Place.
- Sector 3 — Constitution Hill, Phibsboro Road, Grangegorman.

- Sector 4 — Blackhall Place, Benburb Street, the Quays.
- Sector 5 — Infirmary Road, North Circular Road, O'Devaney Gardens.
- Sector 6 — Oxmanstown Road, Arbour Hill, Stoneybatter, Manor Street.
- Sector 7 — Prussia Street, North Circular Road, Drumalee Estate.
- Sector 8 & 9 — Blackhorse Ave., McKee Park, Glenbeigh Road.

I am further informed that the current number of Community Gardaí, equivalent numbers for May, 2005 and the areas to which they are assigned are as set out in the table.

Sector	May, 2005 Strength	Current Strength
1	1 Garda	2 Gardaí
2	2 Gardaí	2 Gardaí
3	Nil	Nil
4	1 Garda	1 Garda
5	2 Gardaí	2 Gardaí
6	2 Gardaí	2 Gardaí
7	1 Garda	1 Garda
8 & 9	2 Gardaí	2 Gardaí

Garda management states that there are also two (2) Sergeants who have responsibility for the supervision of the nine Community Policing Sectors in the Bridewell District.

I should also say that the current recruitment drive to increase the strength of the Garda Síochána to 14,000 members in line with the commitment in the Agreed Programme for Government is fully on target. This will lead to a combined strength, of both attested Gardaí and recruits in training, of 14,000 by the end of this year. I am pleased to inform the Deputy that the first group of newly attested Gardaí under the accelerated recruitment programme came on stream in March and a further 275 newly attested Gardaí will come on stream every 90 days from here on in.

The Garda Commissioner will now be drawing up plans on how best to distribute and manage these additional resources, and in this context the needs of the Bridewell District will be given the fullest consideration.

Garda Operations.

444. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if a telephone (details supplied) was tapped on 17, 18 and 27 March 2006; and if he will make a statement on the matter. [16339/06]

445. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the procedures and guidelines for the tapping of telephones by An Garda Síochána; and if other bodies or per-

sons have the authority to tap telephones. [16340/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 444 and 445 together.

The interception of telecommunications is governed by the provisions of the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993. That Act sets out the conditions justifying interception for the purposes of criminal investigation or in the interests of the security of the State, as well as the procedures required to authorise an interception. In particular, the 1993 Act provides that an application for an authorisation to intercept may be made only by the Garda Commissioner or by the Chief of Staff of the Defence Forces, with the latter requiring a recommendation of the Minister for Defence supporting the application.

It is not the practice and it would be contrary to Section 12 of the 1993 Act to disclose if an authorisation to intercept has or has not been given in any particular case. However, Section 9 of the 1993 Act provides for a Complaints Referee to examine complaints of contravention of the Act. The current Complaints Referee is Judge Michael O'Shea, who may be contacted at the Circuit Court Office, Áras Uí Dhálaigh, Inns Quay, Dublin 7.

Departmental Advertising.

446. **Mr. Ring** asked the Minister for Justice, Equality and Law Reform the amount of funding which was provided for advertising to make persons aware of their option to send in submissions to the Working Group on Domestic Partnership; the areas in which this option was advertised; and the frequency with which it was advertised. [16348/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): In my response to the Deputy to Questions Nos. 226 and 227 on 26 April 2006, I set out where and when the advertisements seeking submissions were published. The cost of placing the advertisements was €19,878.61 including VAT.

Residency Permits.

447. **Mr. Ferris** asked the Minister for Justice, Equality and Law Reform if a person awaiting approval for residency in the State is automatically deported if they are convicted of a serious offence involving a custodial sentence; and if he will make a statement on the matter. [16349/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I presume that the Deputy is referring to applications for leave to remain made pursuant to Section 3 of the Immigration Act, 1999 as amended.

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Sections 3(1) and (2) of that Act sets out those categories of non-nationals in respect of whom the Minister for Justice, Equality and Law Reform may deport. These categories include (a) a person who has served or is serving a term of imprisonment imposed upon him or her by a court of the State and (b) a person whose deportation has been recommended by a court in the State before which such person was indicted for or charged with any crime or offence.

The process which precedes a deportation order applies to all categories of person cited in the Act, including the two categories cited above. Firstly, all such persons must be served with a written notice of intention to deport under section 3 (3) (b) of the Act setting out three options open to them, namely (a) to consent to deportation, (b) to agree to return voluntarily to their country of origin or (c) to submit, within 15 working days, written representations to the Minister setting out reasons why they should not be deported. Where option (c) is availed of, any written representations submitted by or on behalf of the person in question is considered before a final decision is taken as to whether that person should be the subject of a Deportation Order.

Each case must be considered on its individual merits taking account of the prohibition of refoulement under section 5 of the Refugee Act, 1996, as amended, and having regard to 11 factors, including family and domestic circumstances, humanitarian issues, the common good and so on, in section 3(6) of the 1999 Act, as amended.

In the context of this consideration of the individual merits of each case, regard must also be had to the gravity of the offence committed as well as the connection each individual has to the State. For example, if a non-EU National prisoner has a legal entitlement to be in the State e.g. as a recognised refugee or as a person who has availed of EU Treaty Rights through marriage to an EU National, they would clearly be less likely to be deported at the time of their release. Where no such legal entitlement to be in the State exists, and the offence committed was of a serious nature, in all probability the person in question would be deported at the time of their release from prison.

The Department of Justice, Equality and Law Reform and the Garda National Immigration Bureau (GNIB) has an ongoing information exchange with the Irish Prison Service (IPS) through which medium the Department and the GNIB are made aware of the release dates of convicted non-national prisoners falling due for release in the following twelve month period. Details of the offences involved are also provided, as are the nationalities of the prisoners in question. The Department in turn provides information to the IPS on the immigration status of the persons concerned and, where appropriate, prepares the paperwork necessary to have out-

standing cases finalised, where possible, in advance of the planned release date. This information allows the IPS to make informed decisions regarding the possible early release of such persons, particularly where such persons consent to deportation or have already been served with Deportation Orders. In cases where a Deportation Order is signed, arrangements are made to have the person in question deported immediately upon their release from prison.

As the Deputy is aware the provisions relating to the removal of non-nationals from the State are currently being considered in the preparation of the forthcoming Immigration and Residence Bill.

448. **Mr. Ferris** asked the Minister for Justice, Equality and Law Reform the number of persons who have applied for residency here and who have served prison sentences here for offences while their applications were being processed. [16350/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The detailed information required by the Deputy is not readily available and would require an inordinate amount of time to obtain and an inappropriate expenditure of limited resources. I can, however, inform the Deputy that there are currently 226 non-Irish national prisoners serving sentences for a range of offences coming from 44 different countries. This figure includes 109 non-EU nationals.

The position with regard to non-EEA Nationals who are serving prison sentences is that my Department and the Garda National Immigration Bureau (GNIB) have an ongoing information exchange with the Irish Prison Service through which medium the Department and the GNIB are made aware of the release dates of convicted non-national prisoners falling due for release in the following twelve month period.

Such persons must first be served with a written notice of intention to deport, as provided for under Section 3 of the Immigration Act, 1999 (as amended) which advises each individual of the options open to them at that point in time, namely (a) to consent to deportation, (b) to agree to return voluntarily to their country of origin or (c) to submit, within 15 working days, written representations to the Minister setting out reasons why they should not be deported. Where option (c) is availed of, any written representations submitted by or on behalf of the person in question is considered before a final decision is taken as to whether that person should be the subject of a Deportation Order. In cases where a Deportation Order is signed, arrangements are made to have the person in question deported immediately upon their release from prison.

As the Deputy is aware the provisions relating to the removal of non-nationals from the State are currently being considered in the preparation

of the forthcoming Immigration and Residence Bill.

Citizenship Applications.

449. **Caoimhghín Ó Caoláin** asked the Minister for Justice, Equality and Law Reform if he will report on the procedure by which a child born in the State after 1 January 2005, whose parents are not Irish citizens and did not at the time meet the statutory residency requirement for the child to be granted Irish citizenship at birth, can obtain naturalisation as a result of continuous residency in the State since the child's birth. [16351/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Prior to 1 January 2005, Section 15 of the Irish Nationality and Citizenship Act, 1956 provided that the Minister for Justice, Equality and Law Reform could grant a certificate of naturalisation if he was satisfied that the applicant fulfilled certain statutory conditions, including being of full age.

With effect from 1 January 2005, the full age requirement has been amended to allow children born in Ireland, who were not entitled to Irish citizenship, to apply for naturalisation. Such children will still be required to comply with the relevant statutory requirements, including being resident in the State for 5 years. Consequently, no such children will be eligible to apply under that provision before 1 January 2010.

Details of the full procedure and the relevant statutory forms will be available well in advance of that date.

Garda Training.

450. **Ms Hoxtor** asked the Minister for Justice, Equality and Law Reform the position regarding the proposed statutory instrument which is due to be signed in relation to representation for trainee Gardaí (details supplied); and if he will make a statement on the matter. [16352/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Section 18 of the Garda Síochána Act 2005 (to which I will refer as to "the 2005 Act") provides for the establishment of associations to represent the interests of members of the Garda Síochána in accordance with Regulations. Section 18(6) of the 2005 Act makes it legally possible for the association which represents members at the rank of Garda, i.e. the Garda Representative Association (GRA), to represent Garda trainees. Section 18 is now in force since 31 March, 2006.

Regulations under the 2005 Act, and consultation with Garda management and the GRA, would be required to provide representation for trainees, and I will now be considering how best to progress the matter.

Environmental Assessments.

451. **Mr. Eamon Ryan** asked the Minister for Justice, Equality and Law Reform the plans and programmes of his Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16368/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that my Department and related State agencies have no plans or programmes requiring strategic environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004.

Visa Applications.

452. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 746 of 25 April 2006, when a decision will be made regarding a visa application; and if he will make a statement on the matter. [16398/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am pleased to inform the Deputy that the applications in question were approved on appeal on 25th April, 2006 and I expect the visas to be issued in the coming days.

Prison Building Programme.

453. **Mr. J. O'Keeffe** asked the Minister for Justice, Equality and Law Reform the position regarding the proposals for a new prison at Thornton Hall; and if he will make a statement on the matter. [16399/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The position regarding the new prison facility at Thornton Hall is that work is well advanced on a number of fronts including site investigations, surveys and studies including archaeology and flora and fauna. It is intended to complete this aspect in the near future. In addition, detailed discussions have been held with Fingal County Council and other relevant bodies in relation to the provision of services to the site. In relation to the actual prison facilities, I can confirm that it is planned to issue tenders for the project with a view to construction commencing on site by early 2007.

I can confirm also, that I have met with representatives and members of the local community in relation to the project.

Crime Prevention.

454. **Mr. J. O'Keeffe** asked the Minister for

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Justice, Equality and Law Reform if he will provide details of the adult caution scheme and the guidelines for its implementation. [16400/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the background to the introduction of the adult cautioning scheme was the report of the Public Prosecution System Study Group published in 1999. In order to reduce the volume of cases being brought before the courts the report recommended that a system whereby offenders would be issued with warnings by the Gardaí instead of being prosecuted be introduced.

Offences deemed appropriate for inclusion in the scheme were arrived at through consultations between the Office of the Director of Public Prosecutions and An Garda Síochána. Summary offences, with the exception of serious Road Traffic Act offences and offences arising from conduct which had a clear potential to cause serious injury to persons or property, were deemed appropriate for consideration. Indictable charges of a comparatively minor nature such as theft of small amounts of food, drink or household products, and assaults which were not intended to cause significant harm were also included. Consideration is always given as to whether or not a caution of the person in question is in the public interest.

The scheme operates on a non-statutory basis and under the common law powers of the Garda Síochána.

The details of the scheme and the guidelines for its implementation are outlined in an explanatory document, which is available on the Garda website (www.garda.ie). It is also available to other interested parties including members of the legal profession and the judiciary.

Citizenship Applications.

455. **Dr. Upton** asked the Minister for Justice, Equality and Law Reform when a person (details supplied) in Dublin 12 will be informed of a decision relating to their application for a certificate of naturalisation; when the application will be decided upon; the reason this person has never received an acknowledgement of the numerous communications they have made to his Department to update his Department regarding their location since making their application in January 2004; the further reason for the long delay in processing this application; and if he will make a statement on the matter of lengthy delays in processing such applications. [16401/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Irish Nationality and Citizenship Act, 1956, as amended, provides that the Minister for Justice, Equality and Law Reform may, in his absolute discretion, grant an

application for a certificate of naturalisation provided certain statutory conditions are fulfilled. Those conditions are that the applicant must: be of full age, or by way of exception, be a minor born in the State; be of good character; have had a period of one year’s continuous residency in the State immediately before the date of the application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years; and intend in good faith to continue to reside in the State after naturalisation; have made, either before a Judge of the District Court in open court or in such a manner as the Minister, for special reasons allows, a declaration in the prescribed manner, of fidelity to the nation and loyalty to the State.

In the context of naturalisation, certain periods of residence in the State are excluded. These include periods of residence in respect of which an applicant does not have permission to remain in the State, periods granted for the purposes of study and periods granted for the purposes of seeking recognition as a refugee within the meaning of the Refugee Act, 1996.

The person in question arrived in the State in February 1996 and claimed asylum. This application was refused and he lodged an appeal in August 1998. He later withdrew this appeal on the basis that he was applying for leave to remain in the State as the parent of an Irish born child. He was granted such permission in July 2000.

An application for naturalisation from the person concerned was received in my Department on 13 January 2004 through Focus Ireland. Receipt of the application was acknowledged in writing to that group on 21 January 2004. The case file of the person concerned indicates that a further letter was received from Focus Ireland on 8 February 2006. Due to an oversight this letter was not acknowledged but there is no record on file of any other correspondence having been received, either directly from the applicant or from Focus Ireland.

This application was examined recently and it was determined that the person concerned did not have the necessary 5 years reckonable residence at the time he applied. However, he has submitted his application on the basis that he has formed Irish associations through the parentage of his Irish born child and his relationship with the child’s Irish mother. The file is due to be referred to me in the near future to determine if this is an appropriate case where I should exercise my discretionary powers to grant naturalisation notwithstanding that the person concerned does not fulfil the statutory conditions. I will be in touch with the Deputy and the applicant when I have made a decision in the matter.

With regard to the processing time for applications for naturalisation, I set out the current position in my response to Parliamentary Question No. 17 on 27 April 2006.

456. **Mr. Perry** asked the Minister for Justice, Equality and Law Reform when an application for naturalisation will be processed for a person (details supplied); and if he will make a statement on the matter. [16413/06]

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 23 February 2006.

The first stage in the naturalisation process is to determine if the applicant satisfies the statutory residency criteria. In this regard, it has been necessary to seek clarification of some matters from the person concerned and a letter to this effect issued to him on 25 April 2006. If the individual in question has the required residency his application will be stored for further processing at a later stage. If he does not satisfy the residency requirement, he will be informed in writing of the basis for that conclusion.

The average processing time for applications for naturalisation is 24 months at the present time. It is likely, therefore, that the application of the person concerned will be finalised around February 2008, on the understanding, of course, that he satisfies the residency requirement at the time he applied.

I will advise both the Deputy and the person concerned as soon as I have made a decision in the matter.

457. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will provide a copy of the template used by An Garda Síochána for the report issued to assist in determining if an applicant for naturalisation can be considered to be of good character. [16417/06]

458. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform his views on whether no question or questions are asked regarding engaging in political activity while residing here in the Garda report used to assist in determining if an applicant for naturalisation can be considered to be of good character. [16418/06]

459. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question Nos. 173 of 23 March and 314 to 317 of 6 April, the reason he has not answered the questions relating to engaging in political activity here; and the bearing such activity would have in determining if a person is of good character when applying for naturalisation. [16419/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 457 to 459, inclusive, together.

In regard to applications for naturalisation the Gardaí are asked to respond positively or negatively in respect of the following three questions: (i) Has the person come to the adverse attention of the Gardaí since arriving in the State? (ii) Has the person got a criminal record in the State? (iii) Are there any legal proceedings pending against the applicant? If the answer is positive in respect of any of the three questions, the Gardaí are asked to provide details and those details will be considered when determining if the applicant can be considered to be of good character for the purposes of naturalisation. Furthermore, it may also be necessary to seek additional information from the Gardaí or indeed other sources, if the particular circumstances of a case require it. I am satisfied that this procedure will disclose any information which would have a bearing on deciding if an applicant can be considered to be of good character for the purposes of naturalisation. This procedure has operated satisfactorily for several years and I have no plans to change it.

Without more detailed information from the Deputy about the particular activities he has in mind, I cannot be more specific with my response.

Asylum Applications.

460. **Mr. Durkan** asked the Minister for Justice, Equality and Law Reform if the case of a person (details supplied) in County Mayo will be reviewed; and if he will make a statement on the matter. [16421/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned arrived in the State on 30 July, 2004 and applied for asylum. Her application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal.

Subsequently, in accordance with Section 3 of the Immigration Act, 1999, as amended, she was informed by letter dated 29 December, 2005, that the Minister proposed to make a deportation order in respect of her. She was given the options, to be exercised within 15 working days, of making representations to the Minister setting out the reasons why she should be allowed to remain temporarily in the State; leaving the State before an order is made or consenting to the making of a deportation order. Representations have been received on behalf of the person concerned.

This person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act, 1999, as amended, and Section 5 of the Refugee Act, 1996 (Prohibition of Refoulement). I expect the file to be passed to me for decision in due course.

Garda Deployment.

461. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform the Garda

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resources which are designated to the drug squad in Sligo; the number of Gardaí attached to the Sligo section and to the drug squad; the rank of same; if the drug squad has a female Garda attached to it; and if he will make a statement on the matter. [16431/06]

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 the personnel strength (all ranks) of An Garda Síochána as at 31 March 2006 was 12,439. This compares with a total strength of 10,702 (all ranks) as at 30 June 1997 and represents an increase of 1,737 (or 16.2%) in the personnel strength of the Force during that period.

I have been further informed that the personnel strength of Sligo District as at 31 March, 2006 was 140 (all ranks). The current strength of the Drug Squad in the Sligo District is 1 Sergeant and 4 Gardaí (3 male, 1 female). Garda management states that all Garda personnel have the responsibility for the enforcement of drug legislation.

I should also say that the current recruitment drive to increase the strength of the Garda Síochána to 14,000 members in line with the commitment in the Agreed Programme for Government is fully on target. This will lead to a combined strength, of both attested Gardaí and recruits in training, of 14,000 by the end of this year. I am pleased to inform the Deputy that the first group of newly attested Gardaí under the accelerated recruitment programme came on stream in March and a further 275 newly attested Gardaí will come on stream every 90 days from here on in.

The Garda Commissioner will now be drawing up plans on how best to distribute and manage these additional resources, and in this context the needs of Sligo will be given the fullest consideration.

462. **Mr. Costello** asked the Minister for Justice, Equality and Law Reform his plans to increase the number of Gardaí attached to the drug squad nationally; and if he will make a statement on the matter. [16432/06]

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 the personnel strength (all ranks) of An Garda Síochána as at 31 March 2006 was 12,439. This compares with a total strength of 10,702 (all ranks) as at 30 June 1997 and represents an increase of 1,737 (or 16.2%) in the personnel strength of the Force during that period.

I have been further informed that the current strength, by rank, of the Garda National Drugs Unit is shown in the table.

Rank	Total
C/Superintendent	1
Superintendent	2
Inspector	4
Sergeants	10
Gardaí	40
Civilians	5
Total	62

Of the numbers outlined, 1 Sergeant and 5 Gardaí are currently temporarily assigned to the National Bureau of Criminal Investigation. Garda management states that all Gardaí have responsibility, inter alia, to deal with drug related issues as they arise.

I should also say that the current recruitment drive to increase the strength of the Garda Síochána to 14,000 members in line with the commitment in the Agreed Programme for Government is fully on target. This will lead to a combined strength, of both attested Gardaí and recruits in training, of 14,000 by the end of this year. I am pleased to inform the Deputy that the first group of newly attested Gardaí under the accelerated recruitment programme came on stream in March and a further 275 newly attested Gardaí will come on stream every 90 days from here on in.

The Garda Commissioner will now be drawing up plans on how best to distribute and manage these additional resources, and in this context the needs of the Garda National Drugs Unit will be given the fullest consideration.

Garda Investigations.

463. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform if representations have been received from a person (details supplied) regarding their fears for themselves and their children; the action he proposes to take to ensure the safety of these persons; if he has satisfied himself that the person in question is, as a non-national, entitled to continue to reside here; and if he will make a statement on the matter. [16435/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that they are aware of a number of incidents involving the persons in question and a number of complaints are currently under investigation. I am assured by the Garda authorities that they will continue to afford every assistance to the person referred to and any complaints will be fully investigated.

In relation to the entitlement of one of the persons in question to reside here, I am informed by the Garda authorities that the person is an Italian national and, as a citizen of another EU Member State, is entitled to reside in this country.

Departmental Expenditure.

464. **Mr. P. McGrath** asked the Minister for Justice, Equality and Law Reform if his Department makes the Irish national daily newspapers available on-line for staff within his Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in his Department; and if he will make a statement on the matter. [16447/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I can inform the Deputy that the Department has a limited institutional membership arrangement with the Irish Times on-line edition restricted to five simultaneous users. Irish daily newspapers are also made available to certain staff, generally speaking to at Assistant Principal and more senior grades, in light of business requirements.

During 2005, on a typical daily basis, 84 of the more than 700 staff in the Department received one of the Irish daily newspapers and 40 received two or more such newspapers. The total cost of all Irish daily newspapers to the Department in 2005, including those provided for general reference purposes as opposed to individuals, was €83,303.77.

Prison Drug Treatment Services.

465. **Mr. Carey** asked the Minister for Justice, Equality and Law Reform if a person (details supplied) in Dublin 7 who is due for release in mid-2007 can be accommodated in a drug free unit of a prison to facilitate their rehabilitation upon release; and if he will make a statement on the matter. [16483/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person concerned is accommodated in Wheatfield Prison which operates a drug free unit. Any prisoner wishing to enter this facility must submit a written application and perform satisfactorily at an interview with staff of the unit. The applicant must agree to submit to a series of drugs testing procedures from which negative results must be obtained. Subject to successful completion of these preliminary stages, the applicant must enter into a contract agreeing to future good behaviour and consent to future random drugs testing. I understand that the person in question has made a recent application for such a move and that the request is under active consideration.

Question No. 466 withdrawn.

Compensation Claims.

467. **Mr. G. Murphy** asked the Minister for

Justice, Equality and Law Reform when a Garda (details supplied) can expect a decision in their case. [16485/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The member's legal representatives in this case were informed that it was proposed to refuse his application under the Garda Síochána (Compensations) Acts 1941 and 1945 on the basis that his injuries were of a minor character and were sustained in the course of the performance of a duty not involving special risk. In addition, the member was afforded the opportunity to forward further submissions on behalf of his application.

Correspondence was subsequently received from the member's solicitors and this is under consideration. A decision regarding this case will be made shortly.

Residency Permits.

468. **Mr. G. Murphy** asked the Minister for Justice, Equality and Law Reform the position regarding the 60 months requirement for a permanent work visa (details supplied). [16502/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There is currently no provision in Irish immigration legislation for granting permanent residency in respect of persons who are the holders of work permits/work visa/work authorisation. However, in relation to granting long term residency which was introduced by way of administrative procedures in May 2004, the position is as follows: Persons who have been legally resident in the State for over five years (ie: 60 months) on the basis of work permit/work authorisation/work visa conditions, which is reflected in the corresponding Stamp 1 endorsement in a person's passport, may apply to the Immigration Division of my Department for a five year residency extension. In that context they may also apply to be exempt from employment permit requirements.

The application for an exemption from work permit requirements from the person concerned was refused on the basis that he only provided evidence of 38 months residency on work permit conditions.

It is noted that the person concerned has permission to remain in the State until the 7th October 2006 on work permit conditions. It would appear that the most appropriate route to citizenship for the person concerned would be the process of naturalisation. The Minister for Justice, Equality and Law Reform may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. Those conditions are that the applicant must — be of full age, or by way of exception, be a minor born in the State; be of good character; have had a period of one year's continuous residency in the State immedi-

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ately before the date of the application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years; intend in good faith to continue to reside in the State after naturalisation; and, have made, either before a Judge of the District Court in open court or in such a manner as the Minister, for special reasons allows, a declaration in the prescribed manner, of fidelity to the nation and loyalty to the State.

In the context of naturalisation certain periods of residence in the State are excluded. These include periods of residence in respect of which an applicant does not have permission of the Minister to remain in the State, or where such permission was granted for the purposes of study or seeking recognition as a refugee within the meaning of the Refugee Act, 1996.

Pension Provisions.

469. **Mr. Wall** asked the Minister for Justice, Equality and Law Reform the position regarding a person (details supplied) in relation to the qualification for their full pension entitlement on retirement from the Irish Prison Service; if the courses undertaken by this person are inclusive in relation to years served; and if he will make a statement on the matter. [16516/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Irish Prison Service is bound by the guidelines for the award of added years for pension purposes as provided by the Department of Finance.

I have been informed by the Irish Prison Service that information is required from the Public Appointments Service in relation to the terms of recruitment of the officer concerned in order to ascertain whether he is eligible to be credited with Professional Added Years. This information has been sought and the Irish Prison Service hope to be in a position to issue a comprehensive response shortly.

Prison Committals.

470. **Mr. Bruton** asked the Minister for Justice, Equality and Law Reform the number of non-nationals currently serving sentences in prisons here; the number who have been released in the past three years; the number of such persons who, on their release, no longer held residency rights here; and if action was taken to ensure they left in each case. [16537/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): There are currently 226 non-Irish national prisoners serving sentences for a range of offences coming from 44 different countries. This figure includes 109 non-EU nationals.

There is no provision in Irish law for the automatic deportation of a non-national who has com-

mitted a criminal offence. It has long been the practice of Ministers for Justice, Equality and Law Reform to give consideration to deportation in particular cases where a non-national has been convicted of a serious offence. Until recent times such cases were relatively isolated and the volume was small. However due to the significant increase in non-nationals in recent years, I have introduced a more systematic approach whereby the case of every non EU national imprisoned is brought up for consideration. There is an ongoing information exchange involving my Department, the Garda National Immigration Bureau (GNIB) and the Irish Prison Service. My Department and the GNIB are made aware of the release dates of convicted non-national prisoners falling due for release in the following twelve month period. Details of the offences involved are also included, as are the nationalities of the prisoners in question.

Any person to be deported must first be served with a written notice of intention to deport, as provided for under Section 3 of the Immigration Act, 1999 (as amended) which advises each individual of the options open to them at that point in time, namely (a) to consent to deportation, (b) to agree to return voluntarily to their country of origin or (c) to submit, within 15 working days, written representations to the Minister setting out reasons why they should not be deported. Where option (c) is availed of, any written representations submitted by or on behalf of the person in question is considered before a final decision is taken as to whether that person should be the subject of a Deportation Order. Each case is considered on its individual merits having regard to the gravity of the offence committed as well as other factors.

Statistics on this matter are not readily available in the form sought by the Deputy. I can say for the year 2005 to April 2006 that 7 non-EU National persons convicted of offences, and who served a prison sentence for same, have been issued with Deportation Orders. However it is not always possible to have the deportation procedures arranged so that a person who has finished his prison term is deported immediately. Of the 7 referred to above, 4 have been deported at this time. A further 4 persons have applied to return voluntarily to their countries of origin.

As the Deputy is aware the provisions relating to the removal of non-nationals from the State are currently being considered in the preparation of the forthcoming Immigration and Residence Bill.

Residency Permits.

471. **Mr. Carey** asked the Minister for Justice, Equality and Law Reform when a person (details supplied) in Dublin 11 will be granted an immigration registration card to permit them to remain and travel outside the State; and if he will make a statement on the matter. [16656/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The person in question is over sixteen years of age and is obliged to register her presence in the State under the provisions of Section 9 of the Immigration Act 2004. However before this process is completed the person concerned must make a written application to the Immigration Division of my Department for permission to remain in the State providing details as to her circumstances, address and identity. Only following consideration of such an application can a certificate of registration card be issued.

School Transport.

472. **Mr. Hayes** asked the Minister for Education and Science the number of seat belts which have been introduced on school buses in South Tipperary in the past 12 months; and the number of school buses in South Tipperary which are presently not equipped with seat belts. [15924/06]

Minister of State at the Department of Education and Science (Miss de Valera): The programme of fitting seat belts on school buses is ongoing at present with a view to having the entire fleet fitted by end December next. The precise details sought by the Deputy are not available.

Schools Refurbishment.

473. **Mr. F. McGrath** asked the Minister for Education and Science if assistance will be given to a school (details supplied) in Dublin 3 in upgrading their science laboratories in order to promote and teach science in this school; and if their grant will be approved after six years of delay. [15961/06]

Minister for Education and Science (Ms Hanafin): The refurbishment projects applied for under the Summer Works Scheme by the school in question were not deemed suitable under this scheme owing to the extent of works required.

School Planning Section of my Department will be writing to the school authorities shortly advising them of the options available for addressing the required works.

Schools Building Projects.

474. **Mr. Kehoe** asked the Minister for Education and Science if her Department has received an amended cost plan as part of the school building programme for a school (details supplied) in County Carlow; the stage they are at in the school building programme; and when she expects a decision to be made which would allow same to advance to the next stage. [15971/06]

Minister for Education and Science (Ms Hanafin): The building project in question was one of 40 major school building projects listed in

my announcement of 25 April 2006 to proceed to tender and construction.

My officials have recently received an updated cost plan to complete the stage 3 submission (detailed plans/costs) for the project. This will be examined as soon as possible and my officials will then be in further contact with the School Authorities with regard to the next steps involved in progressing this project.

Telecommunications Services.

475. **Mr. Broughan** asked the Minister for Education and Science the number of primary and post-primary schools which have broadband internet access; the percentage of the total primary and post-primary schools these figures represent; the number of primary and post-primary schools which currently have no access to internet facilities; if they are broadband services or otherwise; when 100 per cent of schools at both primary and post-primary level will be broadband connected; and if she will make a statement on the matter. [15989/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, my Department is currently engaged in the roll-out of broadband internet connectivity to all recognised primary and post-primary schools. This project is being undertaken in partnership with industry, following the establishment of a three year €18m joint Government — IBEC / TIF (Telecommunications and Internet Federation) Fund to provide local broadband connectivity to schools. The broadband connectivity is being provided via a Schools National Broadband Network supported by HEAnet, which will provide managed Internet access, email, security controls, content filtering and other services designed to enhance the educational process. A broadband support service has also been established to assist schools with advice and information relating to the roll-out and ongoing use of their broadband connectivity within the schools network.

Following a public tendering process, contracts were awarded to six service providers for the provision of access connectivity across the 3,912 schools involved. As of the end of last week, 2,965 (92%) Primary schools and 621 (89%) Post-Primary schools had their basic connectivity service installed pursuant to these contracts. The contract for the provision of a broadband router at school level, where appropriate, was awarded to one further service provider. As of the end of last week, 2,738 (85%) of Primary schools and 610 (88%) Post-Primary schools had their router installed, either separately or as part of the basic connectivity service.

Once the local access connectivity and associated router is installed in a school, that school is required to confirm that it has an Acceptable Use Policy in place and to indicate which content filtering option it requires, prior to the activation of

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the school's connectivity via the Schools National Broadband Network. Currently, 2,832 schools, comprising 2,321 primary and 511 post-primary schools, have completed this phase.

It is expected that the rollout of broadband connectivity will be predominantly completed by the end of this month. However, there are a number of residual issues, e.g. school building programmes, which will delay the absolute completion of the programme beyond this stage. As new schools open, their broadband connectivity is being addressed under the existing contractual arrangements. I should point out that the provision of broadband connectivity was advanced separately in the case of a further 75 schools under two pilot projects.

The Deputy also asked the number of primary and post-primary schools that currently have no access to internet facilities. Under Schools IT2000 and in conjunction with Telecom Eireann, internet access was provided to all primary and post-primary schools, albeit at a narrowband, dial-up level.

School Accommodation.

476. **Mr. Ring** asked the Minister for Education and Science her plans to provide funding for an extension for a school (details supplied) in County Mayo. [15990/06]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has submitted an application to my Department for additional accommodation to include additional classrooms and ancillary accommodation.

My officials are in the process of assessing the school's likely long term projected staffing in order to determine the school's accommodation needs into the future. Factors to be considered include current and projected enrolment, demographic trends in the area, and the likely impact of recent and proposed housing developments. When this has been finalised, a decision will be taken on how best to meet the school's current and future accommodation needs.

The building project required to address the school's accommodation needs will be considered in the context of the School Building and Modernization Programme 2006-2010.

School Transport.

477. **Mr. Howlin** asked the Minister for Education and Science, further to Parliamentary Question No. 96 of 15 February 2006, when a copy of her Department's map was forwarded to the transport liaison officer in Wexford; if her Department is satisfied that the map has been received by and currently is in use by the transport liaison officer in Wexford; if she will arrange to have a copy of her Department's map provided

to this Deputy; and if she will make a statement on the matter. [15991/06]

Minister of State at the Department of Education and Science (Miss de Valera): Records indicate that the map was forwarded to the Transport Liaison Officer for County Wexford in November 2005. My Department is clarifying with the Transport Liaison Officer that this map is currently being used to determine eligibility for school transport in the area.

I will advise the Deputy when these enquiries are completed and, in the interim, I am arranging to have a copy of the map forwarded to him.

Special Educational Needs.

478. **Ms Enright** asked the Minister for Education and Science if she will broaden the guidelines under which funding is granted for equipment for those students with special needs; if her attention has been drawn to the fact that the guidelines are excluding a number of students who could use this assistance; and if she will make a statement on the matter. [15993/06]

Minister for Education and Science (Ms Hanafin): My Department expects to spend in the region of €3m to facilitate the purchase of specialised equipment for use by pupils with special educational needs (SEN).

As the Deputy will be aware, the National Council for Special Education (NCSE) has taken over responsibility for processing resource applications for children with disabilities who have SEN. The NCSE's responsibilities include processing applications for equipment and making recommendations to my Department through its network of Special Education Needs Organisers.

There does not appear to be any significant difficulty with this scheme. However, I will request the NCSE to keep the scheme under review in the context of current and future applications.

State Examinations.

479. **Mr. Kenny** asked the Minister for Education and Science the measures she proposes to adopt for the leaving certificate 2006 in order to have more male students achieve the qualifying mark for entry to primary teacher training; if, in view of the number of males achieving the required standard in higher level Irish, this will involve extra teaching on tuition in order to achieve her target of having more males enter primary teacher training; and if she will make a statement on the matter. [16048/06]

481. **Mr. Kenny** asked the Minister for Education and Science the extent of her Department's assessment of the reason so few male students achieve the required C standard in higher leaving certificate Irish in order to enter primary teacher training; the progress being

achieved by her programme to alter this situation; and if she will make a statement on the matter. [16050/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 479 and 481 together.

The revised literature course for Leaving Certificate Irish which was introduced in September 2004 will be examined for the first time in June 2006. This has been widely welcomed as it allows literature to be taught using modern communicative approaches that appeal to young people and it affords a high level of choice to students and teachers. The course includes film, for the first time, as an option for students. Comprehensive guidelines to accompany the course have been issued to teachers and furthermore, a dedicated website offering resource materials for innovative ways to teach Leaving Certificate Irish is currently being developed by the National Council for Curriculum and Assessment (NCCA) which will have a particular focus on the new poetry and the films on the revised course.

As the Deputy is aware, I have requested the NCCA to review the syllabuses for Leaving Certificate Irish as a matter of priority. The review will involve amending the syllabus content, embedding key skills and reviewing assessment methods. This process will focus on increasing students' competences in both oral and written Irish and on making learning the language more enjoyable for all students, male and female.

No specific research has been conducted into the reasons why fewer male students achieve grade C, or above, in Leaving Certificate Irish at higher level.

I believe that both curriculum and assessment, taken together, are powerful levers for improving students' interest in individual subjects and for raising their levels of achievement.

Teacher Training.

480. **Mr. Kenny** asked the Minister for Education and Science the number of male students who sat the leaving certificate for each year for the past 10 years; the number of male students who sat the higher level paper in Irish for each of the years in question; the number of those who achieved the qualifying grade for entry into primary teacher training; the number from each of those years who took up this option; and if she will make a statement on the matter. [16049/06]

Minister for Education and Science (Ms Hanafin): My Department specifies the minimum academic requirements for entry to primary teacher training courses provided in the Colleges of Education. As part of these requirements, all candidates, including school leavers, mature students and university graduates, must have a minimum of a Grade C in Higher Level in Irish in the Leaving Certificate, or an approved equiv-

alent. This requirement embodies both the written and oral element of a student's proficiency in Irish. My Department considers the Grade C in Higher Level in Irish in the Leaving Certificate to be the minimum standard in Irish necessary for students entering a teacher training course which will equip them to teach Irish to pupils at all levels in primary schools.

The number of male students who sat the leaving Certificate in each of the last 10 years, the number of students who took the Leaving Certificate examination in Higher Level Irish for each of the past 10 years and the number of these students who achieved at least a Grade C at Higher Level are set out in the table.

In relation to the Deputy's request for information regarding the number of male students who selected primary teacher training on their Central Applications Office (CAO) forms, which, I am aware was sought by the Deputy in a recent Parliamentary Question, I have asked that the CAO expedite the response. As soon as the details, are available my officials will forward them directly to the Deputy.

Year	Total LC Numbers	No. of Students Irish (H)	No. of Students Irish (H) C or higher
2005	25,543	4,626	3,721
2004	26,311	4,932	3,930
2003	26,902	5,235	4,079
2002	26,352	5,120	4,121
2001	26,798	5,408	4,000
2000	28,851	5,923	4,501
1999	29,758	6,087	4,730
1998	30,375	6,300	4,872
1997	28,109	5,598	4,229
1996	26,603	4,984	3,948

Question No. 481 answered with Question No. 479.

School Closures.

482. **Mr. G. Mitchell** asked the Minister for Education and Science if she will put in place an independent review body to report on the future education needs of Inchicore; and if she will ensure that the closure of a school (details supplied) in Dublin 8 does not proceed as announced; and if she will make a statement on the matter. [16067/06]

485. **Aengus Ó Snodaigh** asked the Minister for Education and Science if her or her officials' attention was drawn to the impending closure of a school (details supplied) in Dublin 8; if so, when her attention was drawn to same. [16080/06]

486. **Aengus Ó Snodaigh** asked the Minister for Education and Science the steps she will take to

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ensure that primary level education is available to the pupils of a primary school (details supplied) in Dublin 8 when the next school term commences. [16081/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 482, 485 and 486 together.

My Department became aware of the intention of the Trustees to close the school to which the Deputies refer through media reports. This is a shocking development given that the delivery of education in this country has always been done through a partnership approach. At the very least, my Department would have expected the courtesy of being informed through the normal channels and at the earliest opportunity so that it could commence procedures to ensure that the pupils concerned would have the certainty of an alternative placement for next September. Apart from this, closing the school at such short notice is an extremely unusual decision which is understandably very upsetting and distressing for the parents, teachers and pupils involved.

I have arranged a meeting with the Christian Brothers this week to discuss the matter and I can assure Deputies that my Department will work closely with them to see if there is a way in which the closure can be avoided. If this is not possible, my Department will be pressing for at least a phased and orderly closure, if it is the case that closure of the school is the only option. A phased and orderly closure and winding down of the school would ensure that there is sufficient time for any necessary and appropriate arrangements to be put in place for existing and potential pupils of the school.

If it becomes necessary to seek alternative placements for some of the pupils the early indications are that there are, in fact, places in some other schools in the area, including in a school in the Christian Brothers network, as enrolments in the area have undergone a decline in recent years. My Department will take every step to ensure that there is adequate provision in the area for the pupils concerned.

Schools Building Projects.

483. **Mr. J. Breen** asked the Minister for Education and Science if funding will be made available for the essential refurbishment of a school (details supplied) in County Clare; and if she will make a statement on the matter. [16068/06]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy has an application with my Department for ancillary accommodation to include a GP room, a library, a medical room, resource room, staff room, office and toilets. The application has been assessed in accordance with the published prioritisation criteria, which was revised following con-

sultation with the Education partners and is being considered in the context of the School Building and Modernisation Programme 2006-2010. It is open to the school management authority to apply under the Summer Works Scheme for minor refurbishment works such as the replacement of outdoor toilet facilities. The application form for the Summer Works Scheme 2007 will be available later this year.

School Transport.

484. **Mr. Hayes** asked the Minister for Education and Science if the school bus service to a school (details supplied) in County Tipperary will be extended as applied for to the vocational educational committee to facilitate other families living close to the bus route. [16069/06]

Minister of State at the Department of Education and Science (Miss de Valera): The circumstances of the case raised by the Deputy, in the details provided, are being reviewed at present by my Department and arrangements will be made to notify all relevant parties when a decision is finalised on this school transport route.

Questions Nos. 485 and 486 answered with Question No. 482.

School Closures.

487. **Aengus Ó Snodaigh** asked the Minister for Education and Science if her attention has been drawn to a future development of an area in the next few years which will add to the pressure for school places on existing schools, which are currently full to capacity even before the closure of a primary school (details supplied) in Dublin 8. [16082/06]

Minister for Education and Science (Ms Hanafin): Enrolments in the Dublin 8 area had previously been in decline but have stabilised in recent years. However, my Department has not been made aware of any difficulty in obtaining school places in the area. In line with current practice, my Department will continue to monitor the situation, in the context of any proposed future developments and particularly in relation to the developments at St. Michael's.

My Department became aware of the intention of the Trustees to close the school to which the Deputies refer through media reports. This is a shocking development given that the delivery of education in this country has always been done through a partnership approach. At the very least, my Department would have expected the courtesy of being informed through the normal channels and at the earliest opportunity so that it could commence procedures to ensure that the pupils concerned would have the certainty of an alternative placement for next September. Apart from this, closing the school at such short notice is an extremely unusual decision which is under-

standably very upsetting and distressing for the parents, teachers and pupils involved.

I have arranged a meeting with the Christian Brothers this week to discuss the matter and I can assure Deputies that my Department will work closely with them to see if there is a way in which the closure can be avoided. If this is not possible, my Department will be pressing for at least a phased and orderly closure, if it is the case that closure of the school is the only option. A phased and orderly closure and winding down of the school would ensure that there is sufficient time for any necessary and appropriate arrangements to be put in place for existing and potential pupils of the school.

If it becomes necessary to seek alternative placements for some of the pupils the early indications are that there are, in fact, places in some other schools in the area, including in a school in the Christian Brothers network, as enrolments in the area have undergone a decline in recent years. My Department will take every step to ensure that there is adequate provision in the area for the pupils concerned.

School Curriculum.

488. **Mr. Haughey** asked the Minister for Education and Science her plans to introduce safe driving courses in secondary schools; and if she will make a statement on the matter. [16106/06]

Minister for Education and Science (Ms Hanafin): The question of introducing a road safety and driver education syllabus into schools has been examined by the National Council for Curriculum and Assessment (NCCA) on foot of a report from a task group set up in 2000 and which included representatives of the Department of Education and Science, the Department of the Environment, Heritage and Local Government, the National Safety Council, the Garda Síochána, the Irish Insurance Federation, the Society of the Irish Motor Industry, Rosary College Crumlin, the CCEA Northern Ireland and the NCCA. The NCCA also commissioned a study on driver education in post primary schools from Dr. Ray Fuller of Trinity College Dublin.

The NCCA, whose role is to advise the Minister for Education and Science on curriculum and assessment issues, recommended that road safety be addressed within the context of Social, Personal and Health Education (SPHE) and that driver education, and specifically learning to drive for pupils aged 17, should not become part of the school curriculum. The NCCA noted that this concurred with the practice in other jurisdictions.

At the start of the 2001/02 school year the National Safety Council, with assistance from my Department, distributed copies of *Staying Alive* — a road safety resource for Transition Year and the Senior Cycle — to all second level schools. This pack contained a wide range of learning

opportunities and activities on topics such as personal responsibility and decision-making, environmental issues and risks and rules for road users. A CD-ROM with additional material downloaded from the Internet was included in the pack along with copies of the Rules of the Road. In the preparation of the *Staying Alive* resources material, views were sought from a range of organisations with interests in the promotion of road safety. Prior to its issue to second level schools, the material was piloted in 20 schools and the response from teachers in those schools was very positive. A new high level Government Road Safety group of which I am a member has met and the role of education in addressing road safety will be discussed in this forum.

Special Educational Needs.

489. **Mr. F. McGrath** asked the Minister for Education and Science if she will provide guaranteed resource hours for all children with Downs Syndrome in mainstream schools at all levels. [16111/06]

490. **Mr. F. McGrath** asked the Minister for Education and Science if automatic special needs assistants entitlement will be given to all children with Downs Syndrome at national and secondary school levels. [16112/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 489 and 490 together.

As the Deputy will be aware, my Department provides a range of teaching and care supports for children with special educational needs, including children with Down Syndrome. The precise level of support is determined by the special educational needs of the particular child.

A new general allocation system was introduced with effect from September 2005 under which primary schools have been provided with resource teaching hours, based on their enrolment figures, to cater for children with high incidence special needs such as mild learning disability, dyslexia and those with learning support needs.

The National Council for Special Education (NCSE) has taken over key functions from my Department in relation to special education provision. The Council now has responsibility for processing resource applications for children with disabilities who have special educational needs. Schools with pupils who have low incidence special needs such as a moderate learning disability or autism may apply through their local Special Educational Needs Organiser (SENO) for additional teaching supports. Similarly, where a pupil has care needs that may meet the criteria for the allocation of special needs assistant (SNA) support, such applications should be submitted to the SENO for consideration.

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The position at second level is similar in that my Department provides a range of supports to second level schools to enable them to cater for pupils with special educational needs including pupils with Down Syndrome. The supports in question include learning support and additional teaching support, SNA support and funding for the purchase of specialised equipment.

The precise model of provision made available at second level will depend on the assessed needs of the pupils involved. Some pupils are capable of attending ordinary classes on an integrated basis with additional teacher and/or special needs assistant support. In other cases, placement in special dedicated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil teacher ratios. Pupils attached to these special classes may be facilitated in attending ordinary subject classes on an integrated basis wherever possible.

The local SENO will process the relevant application for resources and inform the school of the outcome. It is important to note that in the case of decisions on additional teaching and SNA support, the SENO will outline the process to the school and parents, where appropriate, and will at the end of the process outline the basis on which the decision was made.

491. **Mr. Bruton** asked the Minister for Education and Science her Department's policy in relation to early tuition and support for children identified as having serious special education needs prior to reaching the age of two and a half; and the options she would suggest to a person (details supplied) in Dublin 5. [16119/06]

Minister for Education and Science (Ms Hanafin): My Department has received an application for home tuition in respect of the child in question. Applications for support for such young children are considered on a case by case basis and my Department will shortly be in contact with the parents in connection with the options available for this child. In the interim, it is recommended that the family contact the local health service executive to explore what resources can be made available to this child based on their assessed needs.

Literacy Levels.

492. **Mr. Eoin Ryan** asked the Minister for Education and Science the manner in which illiteracy among second level education students is being challenged by her Department; the extent to which it is being monitored; and if she will make a statement on the matter. [16124/06]

Minister for Education and Science (Ms Hanafin): 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 educational outcomes at every level of the system for disadvantaged groups. The Government's commitment to achieving the highest possible standards of literacy both for those in school and for adults of all ages is set in the context of the Programme for Government, the National Action Plans against Poverty and Social Exclusion, and social partnership agreements. Measures include systematically monitoring literacy attainment levels both in schools and among adults; ensuring that pupils with serious literacy difficulties in schools serving disadvantaged communities are supported in improving their attainment levels and providing opportunities for adult learners, particularly in the area of literacy.

PISA, the Programme of International Student Assessment, provides detailed information on the standards of reading literacy among Irish 15-year-olds. The results of the third cycle of PISA which was conducted in schools in Ireland in March this year will be published by the OECD in December 2007. In the second cycle of PISA, which was carried out in 2003, Ireland ranked 6th in reading out of the 29 OECD countries for which results were analysed. Just three countries (Finland, Korea and Canada) had significantly higher scores than Ireland.

The results of the PISA reading survey are reported according to five levels of proficiency. In the 2003 survey, the percentage of Irish students whose performance was at or below Level 1, the lowest level of proficiency, was 11%. The corresponding OECD average was 19.1%. The results of the first cycle of PISA which took place in 2000 displayed similar differences in favour of Ireland. These outcomes provide strong evidence that, with regard to reading, there are proportionately fewer low achieving students in Ireland compared to the OECD.

Closer examination of the category of low achievement referred to above reveals that 2.7% of Irish students performed below Level 1 compared with the OECD average of 6.7%. This indicates that the proportion of students with serious reading difficulties in Ireland is less than half that of the OECD average. The results of PISA 2000 provide similar evidence with regard to the prevalence of reading difficulties of this nature among Irish 15-year-olds.

Notwithstanding the above, poor levels of literacy among second level students are a source of concern for my Department. To address their needs, learning support teacher services are available to all second level schools. Currently, there are 533 whole-time teacher equivalent posts for learning support. In addition, a total of 1,654 whole-time teacher posts are provided at second level to cater for students with special educational needs. All of these teachers prioritise the development of literacy skills. There are also a number of initiatives at post-primary level that have students with literacy difficulties as their tar-

get group. The Junior Certificate School Programme which is currently offered in 140 post-primary schools focuses specifically on developing literacy skills. Also, schools participating in the School Completion Programme are given considerable financial resources to provide targeted students with opportunities to improve their literacy skills in accordance with their identified needs.

DEIS (Delivering Equality of Opportunity In Schools), the new action plan for educational inclusion launched last year, includes the expansion of a number of measures designed to improve literacy levels among pupils in disadvantaged communities. These measures include increased funding for the School Books Grant Scheme and the extension of the Demonstration Library Project under the Junior Certificate School Programme (JCSP) on a phased basis to additional second-level schools. This will support the implementation of whole school literacy strategies in the schools concerned. Roll out of Phase 1 measures under the action plan is underway. The reduction of the numbers of students with literacy difficulties continues to be a key priority for my Department.

Departmental Properties.

493. **Mr. P. McGrath** asked the Minister for Education and Science when her Department purchased a property at Montbard, France, which was originally bought by Westmeath vocational education committee; the price which was paid at the time for the property; and the cost of works and materials carried out to this property. [16128/06]

494. **Mr. P. McGrath** asked the Minister for Education and Science the expenditure by Westmeath Vocational Education Committee on a property at Montbard, France; the cost of running FÁS and Youthreach programmes for the duration of the tenancy by Westmeath vocational education committee. [16129/06]

495. **Mr. P. McGrath** asked the Minister for Education and Science the selling price of the Westmeath vocational education committee property at Montbard, France; and the date on which this sale was finalised. [16130/06]

496. **Mr. P. McGrath** asked the Minister for Education and Science the procedures which were undertaken to sell the Westmeath vocational education committee property at Montbard, France; and if an auctioneer was engaged to sell the property or if it was sold by public auction. [16131/06]

497. **Mr. P. McGrath** asked the Minister for Education and Science the number and duration of visits by Departmental personnel to the

Montbard Project in France; and the costs associated with each visit. [16132/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 493 to 497, inclusive, together.

The information requested by the Deputy is not readily available. My Department will be in contact with Co. Westmeath VEC and with the Office of Public Works to procure the information as requested by the Deputy. The information will be forwarded to the Deputy as soon as possible.

Schools Building Projects.

498. **Mr. P. McGrath** asked the Minister for Education and Science the position regarding a school building project (details supplied) in County Westmeath; the position of the project on the school buildings programme; the allocations which have been made for capital funding in 2006; and if she will make a statement on the matter. [16133/06]

Minister for Education and Science (Ms Hanafin): A letter of intent has recently been issued to the lowest tenderer for the project referred to by the Deputy. Once it is established that all insurances, tax clearance procedures etc., are in order a formal letter of acceptance will issue and the project will be allowed to proceed to site.

School Transport.

499. **Mr. Stanton** asked the Minister for Education and Science if she will report on the withdrawal of concessionary bus tickets from 48 pupils (details supplied) in County Cork; if notice was given to parents in all cases; if arrangements will be made to provide transport to these children until at least the end of the school year 2005/2006; and if she will make a statement on the matter. [16307/06]

Minister of State at the Department of Education and Science (Miss de Valera): My Department has requested Bus Éireann to furnish a report on the background to the case referred to by the Deputy. The matter will be considered as soon as the report is received.

Schools Building Projects.

500. **Ms Enright** asked the Minister for Education and Science the progress which has been made on the building application of a school (details supplied) in County Cork; if her attention has been drawn to the fact that this school has had an accommodation crisis for four years; and if she will make a statement on the matter. [16308/06]

Minister for Education and Science (Ms Hanafin): The school referred to by the Deputy is one of three post primary schools serving the needs of the area, two of which are voluntary secondary schools and a vocational school under the aegis of County Cork Vocational Education Committee.

On foot of an application for capital investment in this school, officials in School Planning Section of my Department carried out an examination of all the relevant factors such as current and projected enrolment, demographic trends and the likely impact of ongoing and proposed housing development in the area. This examination indicated a downward trend in pupil enrolments in the longer term. The possibility of a single school to cater for the long term needs of the pupils of the area was raised with the trustees of the three post primary school for their consideration. While no final decision was taken at the time, the matter has been raised again recently with the trustees in order to inform a decision on how best to provide for the postprimary educational needs of the area into the future. The accommodation needs of the school referred to are being considered in this regard.

Schools Refurbishment.

501. **Ms B. Moynihan-Cronin** asked the Minister for Education and Science if she will provide details of the schools in County Kerry which have applications with her Department for new schools, refurbishment or extensions; the schools in County Kerry which have been awarded funding in 2006; and if she will make a statement on the matter. [16329/06]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy with regard to schools in County Kerry which have applications with my Department for new schools, refurbishments or extensions is not readily available in the format requested. However, should the Deputy have queries relating to specific individual schools officials in School Planning Section of my Department would be happy to assist.

With regard to the schools in County Kerry which have been awarded funding in 2006 I draw the Deputy's attention to the series of announcements I have made so far this year as part of the 2006 School Building Programme and details of which are available on my Department's website at www.education.ie. These announcements, which were published in county order, outline: Schools authorised to commence architectural planning; Details of schools with projects approved under the 2006 Summer Works Scheme; School with major building projects allowed to move to tender and construction; and, Schools invited to deliver their building projects on the basis of devolved funding. Applications for capital works from schools in County Kerry

which are not included in these announcements are being assessed and considered for inclusion in further announcements as part of the 2006-2010 School Building and Modernisation Programme.

Environmental Assessments.

502. **Mr. Eamon Ryan** asked the Minister for Education and Science the plans and programmes of her Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16369/06]

Minister for Education and Science (Ms Hanafin): Strategic Environmental Assessment is the formal evaluation of the likely significant environmental effects of implementing a plan or programme before a decision is made to adopt the plan or programme. The European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 set out the plans and programmes that Strategic Environmental Assessment applies to — agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism — and which set the framework for future development consent of projects listed in Annexes I and II to the Environmental Impact Assessment Directive.

Every effort is made to ensure that Design Team Procedures in use for the delivery of infrastructural projects reflect current legislation and guidelines as appropriate.

School Accommodation.

503. **Mr. Hayes** asked the Minister for Education and Science the position regarding the case of a school (details supplied) in County Tipperary in respect of the need for additional facilities. [16402/06]

Minister for Education and Science (Ms Hanafin): The School Planning Section of my Department is in receipt of an application for a General Purpose room and ancillary accommodation from the school referred to by the Deputy. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and has been assigned a Band 4 rating. Progress on the proposed works will be considered in the context of the School Building and Modernisation Programme from 2006 onwards.

Higher Education Grants.

504. **Mr. Crowe** asked the Minister for Education and Science the reason the same income limit of €35,000 applies for single persons and for

couples who wish to return to higher education and receive a grant; her views on whether this anomaly is discriminatory; and if she has considered proposals to change this situation. [16403/06]

515. **Mr. Gogarty** asked the Minister for Education and Science the reason the threshold for education grants is set at €35,000 for single persons and also for married persons; if there are plans to change this anomaly, particularly where both married persons wish to return to full time education; and if she will make a statement on the matter. [16506/06]

523. **Ms O'Sullivan** asked the Minister for Education and Science her views on the bias against married couples in the higher education grants scheme whereby the income limits for a couple are the same as for a single person; and if she will make a statement on the matter. [16658/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 504, 515 and 523 together.

For the purposes of determining grant eligibility under my Department's Maintenance Grants Schemes, reckonable income is defined for the purposes of the 2005 Scheme as all

amounts received or receivable by an individual without reference to his/her residence or domicile, from both Irish and foreign sources, which are liable to Irish Income Tax, Irish Capital Gains Tax or Irish Capital Acquisitions Tax, or which would be so liable but for exemptions and reliefs contained in Irish legislation, and corresponding amounts received or receivable by individuals resident in another EU Member State which are liable to Income Tax, Capital Gains Tax, Inheritance or Gift Taxes of that State, or which would be so liable but for exemptions and reliefs contained in the legislation of that State.

The candidate's reckonable income for the purposes of the means test is his/her gross income from all sources and the gross income of his/her parents or guardians, where applicable, with certain specified Social Welfare and Health Board Payments being exempt. Grant assistance may not be awarded in any case where the reckonable income exceeds the prescribed income limits for the award of a grant.

In the case of an independent mature candidate, the candidate's reckonable income shall be that of the candidate and his/her spouse if applicable. The current income limits follow for the information of the Deputy. This arrangement has been in place for many years and there are no plans at present to change it.

Income Limits 2005

Reckonable Income Limits for the ordinary rates of grant† (for the period 1st January, 2004 to 31st December 2004 (the tax year 2004))

Number of Dependent Children	Full Maintenance and Full Fees	Part Maintenance (75%) and Full Fees	Part Maintenance (50%) and Full Fees	Part Maintenance (25%) and Full Fees	Part Tuition Fees (50%) only*
	€	€	€	€	€
Less than 4	35,485	37,695	39,915	42,130	44,350
4-7	38,990	41,430	43,865	46,305	48,740
8 or more	42,335	44,980	47,625	50,265	52,910

*Full Student Service Charge is paid where income is at or below this level.

†In the 2005/06 academic year where 2 or more children (or the candidate's parent) are pursuing a course of study listed below the reckonable income limits may be increased by €4,295 where there are 2 such children, €8,590 where there are 3 such children and so on, by increments of €4,295.

- (i) attending full-time third level education
- (ii) attending a recognised PLC course, student nurse training or student Garda training
- (iii) participating in a FáiIte Ireland (formerly CERT) course of at least one year's duration
- (iv) attending a full time Teagasc course in an agricultural college
- (v) attending a recognised full-time further education course, of at least one year's duration, in Northern Ireland.

Disadvantaged Status.

505. **Dr. Cowley** asked the Minister for Education and Science further to the continuing deprivation in the Crossmolina, County Mayo area, the reason it has not been included in the current DEIS programme; and if she will make a statement on the matter. [16404/06]

506. **Dr. Cowley** asked the Minister for Education and Science further to the continuing deprivation in the Tongagee, Achill, County

Mayo area, the reason it has not been included in the current DEIS programme. [16405/06]

507. **Dr. Cowley** asked the Minister for Education and Science further to the continuing deprivation in the Curraune, Achill, County Mayo area, the reason it has not been included in the current DEIS programme; and if she will make a statement on the matter. [16406/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 505 to 507, inclusive, together.

[Ms Hanafin.]

The new DEIS programme will be of huge benefit to schools in Mayo. I am sure the Deputy would agree that it is important to make sure that schools serving the most disadvantaged communities get all the extra support possible and will welcome the extra resources that DEIS will provide for Mayo schools. I can assure the Deputy that there is no reason for schools that haven't been identified for the new programme to worry as they will continue to get support in line with the level of disadvantage among their pupils. Not one of these schools has been told that they will lose any resources as a result of DEIS.

DEIS is designed to ensure that schools serving the most disadvantaged communities benefit from the maximum level of support available. Over the years, no less than 8 separate schemes for disadvantaged primary schools have been put in place. Some schools were benefiting from just one or two of these and others were benefiting from more. The DEIS initiative is designed to ensure that the most disadvantaged schools benefit from a comprehensive package of supports, while ensuring that others continue to get support in line with the level of disadvantage among their pupils.

The additionality in DEIS for second level schools is evident from the fact that about 40% of the 200 second-level schools that will benefit from the School Support Programme were not getting any support under the three pre-existing schemes. Now they will get a wide range of extra supports.

No school has been told that they are going to lose resources. On the contrary, 4 urban/town primary schools, 59 rural primary schools and 6 second-level schools in Mayo have been invited to benefit from all the resources available from the new programme. Indeed, nearly 20% of all the rural schools invited to benefit from the new programme nationally are in Mayo.

I am sure the Deputy will agree that the extra supports being made available will be of great value to those primary schools in Mayo which, based on the information submitted by their principals, have been selected to benefit from the new programme.

While the whole rationale behind the new programme is to ensure that the most disadvantaged schools benefit from all of the available supports, schools that are benefiting from pre-existing schemes will keep the extra resources — financial and human — that they are getting under these initiatives for the 2006/07 school year. After that they will continue to get support in line with the level of socioeconomic disadvantage among their pupils.

In relation to how schools were identified to benefit from the new programme, this process was managed by the Educational Research Centre (ERC) on behalf of my Department and

supported by quality assurance work co-ordinated through the Department's regional offices and the Inspectorate. In the primary sector, the identification process was based on a survey carried out by the ERC in May 2005, from which a response rate of more than 97% was achieved.

The analysis of the survey returns from primary schools by the ERC identified the socioeconomic variables that collectively best predict achievement, and these variables were then used to identify schools for participation in the School Support Programme. The variables involved were: % unemployment; % local authority accommodation; % lone parenthood; % Travellers; % large families (5 or more children); and, % pupils eligible for free books. In the case of second-level schools, the Department supplied the ERC with centrally-held data from the Post-Primary Pupils and State Examinations Commission databases. Based on an analysis of these data, the variables used to determine eligibility for inclusion in the School Support Programme were as follows: Medical card data for Junior Certificate candidates (including Junior Certificate School Programme candidates); Junior Certificate retention rates by school; Junior Certificate exam results aggregated to school level (expressed as an OPS — "Overall Performance Scale" — score). This was based on each student's performance in the seven subjects in which s/he performed best; and, Leaving Certificate retention rates by school.

A review process has been put in place for primary and second-level schools that did not qualify for participation in the new School Support Programme (SSP) and that regard themselves as having a level of disadvantage which is of a scale sufficient to warrant their inclusion in the Programme. The review process will operate under the direction of an independent person, charged with ensuring that all relevant identification processes and procedures were properly followed in the case of schools applying for a review. The closing date for receipt of review applications was Friday 31st March, 2006. It is anticipated that the review process will be completed before the end of the current school year.

School Staffing.

508. **Mr. McHugh** asked the Minister for Education and Science if she will review the decision to reduce the staffing levels at a school (details supplied) in County Galway in view of the extenuating circumstances prevailing in the school; and if she will make a statement on the matter. [16407/06]

Minister for Education and Science (Ms Hanafin): My Department is currently considering the staffing requirements for the 2006/2007 school year in the case of the school referred to

by the Deputy. In this regard, I wish to advise the Deputy that officials from my Department will be in contact with the school shortly.

Departmental Expenditure.

509. **Mr. P. McGrath** asked the Minister for Education and Science if her Department makes the Irish national daily newspapers available on-line for staff within her Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in her Department; and if she will make a statement on the matter. [16448/06]

Minister for Education and Science (Ms Hanafin): Irish national daily newspapers are not in general made available on-line to staff in my Department. The following is the distribution in respect of those who receive one daily newspaper: Minister, Minister of State and Advisers: 4; Secretary General, Assistant Secretaries General or equivalent: 7; Principal Officers or equivalent: 34; Assistant Principal Officers or equivalent: 79; Inspectors or equivalent: 47; and, Higher Executive Officers or equivalent: 23. Of these Personnel, 50 receive more than one newspaper. The cost in 2005 of purchasing printed daily newspapers was €85,788. My Department is currently investigating the feasibility of electronic on-line access.

Departmental Agencies.

510. **Mr. Gregory** asked the Minister for Education and Science when the chair of the Grangegorman Development Agency will take up their position; and if she will make a statement on the matter. [16488/06]

Minister for Education and Science (Ms Hanafin): I recently announced the appointment of Mr. John Fitzgerald, City Manager, Dublin City Council as Chairman of the Grangegorman Development Agency. Mr. Fitzgerald will formally take up the role of Chairman following the signing of the establishment order for the Agency. I intend signing this order in the next number of days.

School Staffing.

511. **Mr. Gregory** asked the Minister for Education and Science the policy and principles of lifelong guidance initiatives; the criteria for the appointment of teachers in guidance and counselling; the number of such teachers currently employed on a full-time basis in such schools; the criteria for the appointment of guidance and

counselling personnel in Youthreach and other centres; the number of staff employed on a full-time basis; and the provisions for adult guidance and counselling throughout the country, including the number of adult guidance co-ordinators and counsellors working in same. [16490/06]

Minister for Education and Science (Ms Hanafin): The policy principles underpinning all Department of Education and Science guidance initiatives are based on the EU Resolution on Guidance which was adopted by the Council of the European Union in May 2004 during the Irish Presidency. The Resolution links lifelong guidance to lifelong learning and stresses that, as appropriate and given local circumstances, all European citizens should have access to guidance services at all life stages, with particular attention being paid to individuals and groups at risk. The Resolution sees the central focus of guidance to be the development of the individual's self-management skills in relation to his or her learning and career paths, whether the individual is a young person or an adult. It calls for co-ordination in the provision of guidance services and co-operation between providers.

Guidance services are education and labour market based being located within educational institutions and local employment centres. Within educational settings, guidance services are based in post-primary schools, higher and further education institutions and through second chance education programmes. In the labour market sector, FÁS, the training and employment authority, is responsible for the provision of guidance services. Guidance services are offered through local employment centres which offer services to the unemployed/job seekers, persons with disabilities and asylum seekers around the country.

The Education Act 1998 requires each post-primary school to use its available resources to ensure that students have access to appropriate guidance to assist them in their educational and career choices. The Inspectorate of my Department has issued guidelines for post-primary schools to assist them in meeting this statutory obligation.

For appointment to a post in a post-primary school, a guidance counsellor must be qualified as a recognised post-primary teacher and in addition, must hold a post-graduate qualification in guidance and counselling which is recognised by my Department. For appointment to a post in the Further Education area a person would normally be expected to have a suitable degree or equivalent together with a qualification in the area of guidance and counselling recognised by my Department.

My Department makes a specific allocation of teaching posts in respect of guidance to schools in the post-primary system. This allocation is based on the pupil enrolment in September of the

[Ms Hanafin.]

preceding school year. As a result of my decision to allocate an additional 100 posts to guidance from September 2005 an enhanced guidance allocation provision has been put in place from the commencement of the 2005/06 school year. This enhanced provision means that in the case of schools in the Free Education/Block Grant Schemes, the level of allocation ranges from 8 hours per week for schools with enrolments below 200 pupils to 47 hours per week for schools with an enrolment of 1,000 pupils or more. In addition, I recently approved a further improvement in the allocation of Guidance hours for post-primary schools participating in the DEIS programme — Delivering Equality of Opportunity in Schools. The allocation for these schools will range from 11 hours per week for schools with enrolments below 300 to 55 hours per week for schools with an enrolment of 1,000 pupils or more. There are currently a total of 653 whole-time equivalent posts for guidance counsellors in post-primary schools.

In the Further Education area, guidance, counselling and psychological services are provided in Youthreach, Traveller Training and FÁS centres. Counselling and psychological services are provided by counsellors engaged on a part-time basis. Some other aspects of the service are provided by staff within the centre, by mentors in the Youth service or by the FÁS Advocate service. On average, funds provided allow for a visiting service from which each centre receives support of the order of 5 hours per fortnight from practitioners with a psychology qualification and background. Vocational Education Committees (VECs) are responsible for the recruitment of practitioners to meet the needs of trainees in centres. Some 8,210 trainees are benefiting from the guidance, counselling and psychological service in Youthreach, Traveller Training and FÁS centres.

The Adult Educational Guidance Initiative consists of 35 Guidance projects throughout the country which provide a quality adult educational guidance service to participants in VTOS, literacy and other adult and community education programmes nationwide. The majority of the 35 Adult Guidance projects in operation throughout the country are managed by VECs. For 2006, a provision of €5,587,000 has been made to fund the Adult Educational Guidance Initiative. There are in the region of 40 co-ordinators and counsellors working in the Adult Education Guidance Initiative projects at present.

Physical Education Facilities.

512. **Mr. Gogarty** asked the Minister for Education and Science the conditions pertaining to the building of a sports hall at a school (details supplied) in Dublin 20; and her Department's

obligations in this regard in terms of funding the maintenance and management of the hall.

[16491/06]

513. **Mr. Gogarty** asked the Minister for Education and Science the reason Palmerstown community still does not have access the sports hall at a school in view of the fact that this is a condition of building; the correct source of income for the school and community's management of this hall; if this source of income should be split or fall wholly within the remit of the school; if the management of the hall should be split or fall wholly within the remit of the school; if additional funding will be provided by her Department to provide for the maintenance and the appointment of management personnel at the hall; if other funding channels are suggested to facilitate community access; and if she will make a statement on the matter. [16492/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 512 and 513 together.

My Department has provided funding in excess of €34m for the construction of nine dual use halls with enhanced facilities, attached to post-primary schools. Eight of the halls, including the hall referred to by the Deputy, are in Dublin and one is in Cork.

Allocations from my Department to post-primary schools are intended to cover school usage of PE facilities within schools. As the halls in question have been built as part of a joint programme to develop community sports facilities in drugs task force areas, issues relating to the funding, management and staffing of the halls to facilitate community usage are currently being considered and my Department will shortly be in contact with the relevant school authorities in relation to the matter.

Adult Education.

514. **Mr. Gogarty** asked the Minister for Education and Science the assistance currently available to adults seeking to return to full time education and the related thresholds. [16505/06]

Minister of State at the Department of Education and Science (Miss de Valera): Participation is generally free on full-time further and higher-level recognised certified education courses, up to and including under-graduate level. Means-tested maintenance grants are available to Higher Education and PLC students.

Eligible students in receipt of social welfare payments receive a Back to Education Allowance from the Department of Social and Family Affairs, in lieu of a social welfare entitlement, while on full-time second or third-level programmes. This allowance is equivalent to the

maximum of unemployment benefit. Students are also paid a cost of education allowance of €400 per annum.

The main objective of VTOS is to give unemployed people education and training opportunities which will develop their employability. The scheme is confined to adults over 21 who are in receipt of unemployment assistance/ benefit, a one parent family payment, disability allowance/benefit or signing for credits. One must be in receipt of one of these allowances for at least six months in order to join VTOS. Dependent spouses of people in these categories are also eligible.

VTOS students who had a prior entitlement to an unemployment payment receive a training allowance in lieu of this payment. This allowance is equivalent to the maximum of unemployment benefit. Students who were at least 12 months in receipt of a social welfare payment prior to joining VTOS receive a weekly training bonus of €31.80.

Youthreach provides two years integrated education, training and work experience to young people aged 15-20 years who are at least six months in the labour market and who have left school early without any qualifications or vocational training. The programme provides a strong emphasis on personal development, on the core skills of literacy/numeracy, communications and IT.

A training allowance is payable to Youthreach participants at different rates, depending on age. The rate of training allowance for trainees aged 18 and over is linked to the maximum unemployment payment under the Department of Social, Community and Family Affairs for an adult. An additional training bonus of €31.80 per week may be payable in certain circumstances.

A similar programme in a culturally supportive environment is operated for Travellers, aged 15 years +, in a network of Senior Traveller Training

Centres. There is no upper age limit in the Senior Traveller Centres in order to encourage parents to participate, given the influence this exerts on their children's participation in school.

Post-Leaving Certificate programmes are also available to adults, as are full time third-level courses. For these two options, tuition fees are free and there are means tested maintenance grants available. Rates and thresholds are given in the table.

A guidance service that is aimed at participants in VTOS, literacy, community education and other adult education programmes is available free of charge in most areas throughout the country.

Students on Youthreach, Senior Traveller Training and VTOS programmes, which are administered by VECs with funding from my Department, may also receive assistance towards childcare expenses to encourage them to go back to further education.

My Department funds three means-tested maintenance grant schemes for third-level students. The Higher Education Grants Scheme operates on a statutory basis, while the Vocational Education Committees' Scholarship Scheme and the Third-Level Maintenance Grants Scheme for Trainees operate on an administrative basis. The statutory framework for maintenance grants under the Higher Education Grants scheme is set out in the Local Authorities (Higher Education Grants) Acts, 1968 to 1992.

The Deputy will be aware that in accordance with the commitment in the Agreed Programme for Government I plan to introduce a single unified scheme of maintenance grants for students in higher education. This will, I believe, provide for a more coherent administration system which will facilitate consistency of application and improved client accessibility and ensure the timely delivery of grants to those who need them most.

The current income limits and grant rates are outlined in the tables for the information of the Deputy.

Higher Education Grants Scheme 2005.

Reckonable Income Limits for the ordinary rates of grant†80 (for the period 1st January, 2004 to 31st December 2004 (the tax year 2004))

Number of Dependent Children	Full Maintenance and Full Fees	Part Maintenance (75%) and Full Fees	Part Maintenance (50%) and Full Fees	Part Maintenance (25%) and Full Fees	Part Tuition Fees (50%) only*
	€	€	€	€	€
Less than 4	35,485	37,695	39,915	42,130	44,350
4-7	38,990	41,430	43,865	46,305	48,740
8 or more	42,335	44,980	47,625	50,265	52,910

*Full Student Service Charge is paid where income is at or below this level.

†In the 2005/06 academic year where 2 or more children (or the candidate's parent) are pursuing a course of study listed below the reckonable income limits may be increased by €4,295 where there are 2 such children, €8,590 where there are 3 such children and so on, by increments of €4,295.

- (i) attending full-time third level education
- (ii) attending a recognised PLC course, student nurse training or student Garda training
- (iii) participating in a Fáilte Ireland (formerly CERT) course of at least one year's duration
- (iv) attending a full time Teagasc course in an agricultural college
- (v) attending a recognised full-time further education course, of at least one year's duration, in Northern Ireland

[Miss de Valera.]

Maintenance Grants Rates

	Non-Adjacent Rate	Adjacent Rate
	€	€
Full Maintenance	3,020	1,210
Part Maintenance (75%)	2,265	905
Part Maintenance (50%)	1,515	605
Part Maintenance (25%)	755	305

Special Rates of Maintenance Grant for 2005/06

Grant	Standard Grant	Top-Up Amount	Total Grant
	€	€	€
Adjacent Rate	1,210	935	2,145
Non-Adjacent Rate	3,020	2,335	5,355

Question No. 515 answered with Question No. 504.

Capitation Grants.

516. **Mr. Bruton** asked the Minister for Education and Science the way in which the average running costs paid per pupil in the vocational educational committee, community and comprehensive schools and secondary voluntary schools compare over each of the past five years. [16542/06]

518. **Mr. Bruton** asked the Minister for Education and Science the trend in second level pupil capitation payments over the past five years; and the way in which this compares with the CSO price index of second level education costs. [16544/06]

521. **Mr. Bruton** asked the Minister for Education and Science her views on closing the gap between non-teacher funding of second level voluntary schools and community and comprehensive schools in terms of current and of capital spending. [16547/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 516, 518 and 521 together.

The funding arrangements made by my Department for second level schools reflect the different management and ownership arrangements for Vocational schools and Community Colleges, Comprehensive & Community schools and Voluntary Secondary schools.

At the core of funding arrangements at second level is a reliance upon capitation as the principal determinant of funding. Voluntary secondary schools, in the Free Education scheme, which are privately owned and managed, are funded by way

of per capita grants. Financial allocations for Vocational schools and Community colleges are made to the VECs as part of a block grant which also covers the VEC head-office overheads and other activities apart from the second-level programme. Community & Comprehensive schools are funded on a budget basis. Schools and VECs have considerable discretion as to how this funding is best utilised in the interests of pupils.

There have been significant improvements in the level of funding provided for voluntary secondary schools. Since 2001 the standard per capita grant has been increased by a cumulative €54 per pupil and currently stands at €298 per pupil. In addition, secondary schools have benefitted under the school services support initiative. The initial grant of €25 per pupil that was introduced for second level schools in September 2000 now stands at €159 per pupil since January last. These grants are in addition to the per capita funding of up to €40,000 per school that is also provided by my Department to secondary schools towards secretarial and caretaking services. A secondary school with 500 pupils, for example, now receives annual grants of up to €270,000 towards general expenses and support services. Budget allocations for the VEC and Community and Comprehensive sectors are increased on a pro rata basis with increases in the per capita grant.

On the capital front, a limited number of schools in the post-primary sector receive funding in any given year. Second level schools apply to my Department for funding for major projects (new schools, extensions and major refurbishments) and for funding for minor works under the Summer Works Scheme.

In each case applications are processed in the context of established criteria and successful applicant schools are selected on the basis of compliance with the criteria and not on school type.

I understand that the Central Statistic Office (CSO) Consumer Price Index is a measure of the average level of prices paid for consumer goods and services by all private households in the country and by foreign tourists holidaying in Ireland. The CSO index is a pure price index and therefore measures price changes only. A comparison therefore between the consumer price index and capitation grants during the period in question is not a valid comparison, because capitation and support services grants are provided to meet the ongoing operating costs of second level schools.

These significant increases in the funding of secondary schools are a clear demonstration of my commitment to prioritise available resources to address the needs of schools.

Insurance Costs.

517. **Mr. Bruton** asked the Minister for Education and Science if she has collected data on

the insurance costs per pupil in Dublin based schools; the way in which this compares to insurance costs for schools outside Dublin; and if she has had discussions with the State Claims Board regarding a single national insurance scheme for schools or on developing other initiatives which could reduce insurance costs for schools and at the same time open up these valuable resources to wider community uses. [16543/06]

Minister for Education and Science (Ms Hanafin): My Department does not collect data on the insurance costs per pupil in schools as it is a matter for the managerial authorities of the individual schools to arrange insurance cover on school property and against public liability.

My Department does however provide funding to primary and secondary schools by way of per capita grants, which affords schools considerable flexibility in the use of these resources to cater for the needs of their pupils.

There have been significant improvements in the level of funding provided to primary and post-primary schools. Since 1997 the standard rate of capitation grant at primary level has been increased from €57.14 per pupil to €133.58 with effect from 1st January, 2005 and has been further increased by €12 per pupil with effect from 1st January, 2006 bringing the standard rate to €145.58. This represents an increase of almost 155% in the standard rate of capitation grant at primary level since 1997.

At second level, the standard per capita grant, which stood at €256 per pupil in the school year 2001/02, has been increased by a further €12 to €298 per pupil from January, 2006. Under the School Services Support Fund initiative secondary schools will also benefit from further significant increases. The grant that was increased for secondary schools from €131 per pupil to €145 per pupil in January, 2005, has been increased by a further €14 per pupil to €159 per pupil from January, 2006. These grants are in addition to the per capita funding of up to €40,000 per school that is provided by my Department to secondary schools towards secretarial and caretaking services. A secondary school with 500 pupils now receives annual grants of up to €270,000 towards general expenses and support services as against annual grants of up to €237,000 in 2002.

These significant increases in the funding of primary and post primary schools are a clear demonstration of my commitment to prioritise available resources to address the needs of schools.

Question No. 518 answered with Question No. 516.

Special Educational Needs.

519. **Mr. Bruton** asked the Minister for Education and Science the number of special needs assistants per thousand pupils at second level

compared to primary level; the number of resource teachers per thousand pupils at second level compared to primary level; the number of assessments provided per thousand pupils at second level compared to primary level; and if she will make a statement on the disparity in development of special needs provision at the respective levels. [16545/06]

Minister for Education and Science (Ms Hanafin): As the Deputy is aware, there has been enormous progress made over the past number of years in relation to increasing the number of teachers in our schools who are specifically dedicated to providing education for children with special educational needs.

I can confirm that there are approximately 450,000 children enrolled in primary schools nationwide. At primary level there are now approximately 5,000 teachers in our primary schools working directly with children with special needs, including those requiring learning support. Indeed, one out of every five primary school teachers is now working specifically with children with special needs. In addition, there are currently 6,487 wholetime equivalent special needs assistants employed in primary schools catering for the care needs of pupils with special educational needs.

There are approximately 335,000 pupils currently enrolled in our second level schools and approximately 1654 whole time equivalent additional teachers are in place to support pupils with special educational needs. This compares to the approximately 200 teachers that were in place in 1998 for such pupils. In addition, there are 532 whole time equivalent learning support teachers and approximately 1,100 whole time equivalent special needs assistants in our second level schools.

The general allocation model at primary level is based on the premise that all primary schools have children with learning support or high incidence special educational needs. Early intervention support at primary ensures that many children do not need additional support at second level.

The substantial growth in special education services at second level in recent years reflects the reality that significant numbers of pupils, who had been in receipt of special support in the primary sector from 1999 onwards, are now transferring to the second level system.

The precise model of provision made available at second level will depend on the assessed needs of the pupils involved. Some pupils are capable of attending ordinary classes on an integrated basis with additional teacher and/or special needs assistant support. In other cases, placement in special dedicated classes or units attached to the school may be the more appropriate response. Such special classes operate at significantly reduced pupil teacher ratios. Pupils attached to these special classes may be facilitated in

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attending ordinary subject classes on an integrated basis wherever possible.

With effect from 1 January 2005, the National Council for Special Education (NCSE) has taken over key functions from my Department in relation to special educational provision. The NCSE was formally established as an independent statutory body on the 1st October 2005 under the Education for Persons with Special Educational Needs Act 2005. The Council acts under the broad policy direction of my Department but has the resources and the remit to play the leading role in the delivery of education services to children with disabilities/special needs.

The NCSE co-ordinates with the health services, schools and other relevant bodies regarding the provision of education and related support services to children with disabilities/special needs.

The responsibilities of the NCSE include the following: deciding on applications for additional teaching support in respect of children with disabilities with special educational needs at second level; deciding on applications for special needs assistant (SNA) hours; processing applications for school placement in respect of children with disabilities with special education needs.

Under the new arrangements, the Council, through the local Special Educational Needs Organiser (SENO) will process the relevant application for resources and inform the school of the outcome. It is important to note that in the case of decisions on additional teaching and SNA support, the SENO will outline the process to the school and parents, where appropriate, and will at the end of the process outline the basis on which the decision was made.

All primary and post primary schools have access to psychological assessments either directly through the National Educational Psychological Service (NEPS) or through the Scheme for Commissioning Psychological Assessments (SCPA) that is administered by NEPS and full details of which are available on my Department's website.

Since the establishment of the NEPS in 1999, the number of NEPS psychologists has increased from 43 to 122 at present. In common with many other psychological services, NEPS operates a staged model of service to schools, whereby an initial referral usually leads to a consultation and provision of advice to teachers and parents on appropriate teaching and management strategies. Progress is kept under review and only those children who fail to respond to these interventions will need to see a psychologist. This allows psychologists to offer early appointments to children who are in urgent need of support and early advice to teachers in respect to those children whose needs are perhaps less pressing but who still need additional help in school. NEPS is committed to early intervention with pupils with Special Educational Needs in primary schools in

order to address the needs of such pupils at the earliest point in their schooling. Support for such students in second level schools is likely to be based on a review of needs rather than a repeat of the formal psycho-educational assessment. Trends in assessment numbers would indicate that assessments in primary schools are at an approximate ratio of 2:1 compared to such assessments undertaken in post primary schools.

My Department will continue to ensure that the necessary resources are made available for the education of children with special needs. I am confident that the advent of the NCSE will prove of major benefit in ensuring that all children with special educational needs receive the support they require, when and where they require it.

Early School Leavers.

520. **Mr. Bruton** asked the Minister for Education and Science the assessments she has carried out on the failure to achieve the target of 90 per cent progression to leaving certificate level; and if she will make a statement on the matter. [16546/06]

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%; 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 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.

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 kind 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 which may be more appropriate to their individual interests. Thus, it is important that the Deputy appreciates 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.

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 more than €640m across all levels of education, as compared with almost €600m 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 €7m for further education programmes and a €20m increase in provision for third-level student support schemes.

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.

With regard to curriculum, my Department's strategies 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 who are at risk of early school leaving, and in line with current thinking 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 4-18, 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 cooperation 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 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.

A key element of DEIS, (Delivering Equality of Opportunity in Schools), the new action plan for Educational Inclusion will result in improved targeting of resources at those most in need and on providing greater support for teachers working in the most disadvantaged schools, and on promoting greater cooperation between the home and the school and between different State agencies and departments, will make a real difference to the lives of those young people that most need extra help.

Question No. 521 answered with Question No. 516.

School Staffing.

522. **Ms O'Sullivan** asked the Minister for Education and Science further to her reply to Parliamentary Question No. 875 of 25 April 2006 when she will provide the information requested; if it will be available before the end of this school term; the reason such data is not in the possession of her Department; and if she will make a statement on the matter. [16657/06]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is supplied to my Department on an Annual Return form by each primary school. The forms are then processed in the Department so that national data can be updated for the relevant school year.

For the current school year (2005/2006), all schools were requested to have forms returned by 31st October 2005. To date, some schools have not returned their forms and others have not responded to queries made regarding errors in their returns. In all cases the schools have been

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contacted with a view to having the matter finalised.

In the circumstances, I am unable at this time to supply the information requested by the Deputy in respect of the current school year or to give a specific indication as to when it will be available. However, I can assure the Deputy that officials within my Department are pursuing the outstanding schools as a matter of urgency.

Question No. 523 answered with Question No. 504.

524. **Mr. Sargent** asked the Minister for Education and Science if there is an intention by her Department to provide additional teaching hours to second level schools where there are over and above the average number of international students in view of the fact that in County Dublin vocational educational committee secondary schools there are approximately 711 international students, 30% of which are attending three schools in north Dublin, where the maximum allocation of two teachers for 28 students is not adequate to deal with the increasing number of students attending these schools; and if she will make a statement on the matter. [16667/06]

Minister for Education and Science (Ms Hanafin): Ensuring that all children get the support that they need to do well at school is a major priority for this Government. In order to ensure that children with low levels of competence in the English language can succeed at school, my Department gives additional support to their schools which can take the form of financial assistance, additional temporary teacher posts or portions of teacher posts.

The level of extra financial or teaching support provided to any school is determined by the numbers of non-English speaking students enrolled. Each school management can decide on the structure of the support to be provided in its own school. An allocation of 2 years' language support for each pupil is provided by my Department. Schools with 14 or more qualifying pupils get an additional full-time temporary teacher. Those with 28 or more get two teachers.

Primary schools with between 3 and 13 (inclusive) qualifying pupils enrolled will receive grant assistance for a period of up to two years. Schools with between 3 and 8 qualifying pupils receive grant assistance of €6,348.69 while schools with between 9 and 13 pupils receive grant assistance of €9,523.04. In the current school year grant assistance will be provided to approximately 425 primary schools with 13 or less qualifying pupils.

In the case of post-primary schools which have 13 or less qualifying pupils enrolled, additional teaching hours, ranging from 3 hours per week in respect of 1 such pupil to 19.5 hours per week in respect of 13 pupils, are sanctioned.

Recent years have seen a significant rise in the number of language support posts being provided by my Department. In the current school year, 541 whole-time equivalent language support teachers are in place at primary level and 262 whole-time equivalent teachers are in place at second level to support such pupils, representing an investment of €46.5 million.

This compares to 149 and 113 teachers respectively in the school year 2001/02. Thus, there has been a four-fold increase in language support teachers at primary level in just 4 years.

So the Government has been increasing resources in this area in line with rising demand. However, this is a relatively new area and as such must be kept under review to ensure that children are getting the support that they need and that this support is proving effective in helping them to make the most of their time at school.

I am also conscious of the pressures on those schools that have a great number of children whose first language is not English and whose cultures and expectations of education can be very different to our own. So, while this year there are more than 800 language support teachers in our schools, I know that this is only part of the equation. I know that schools with significant numbers of non-national children need extra supports to help them to engage with these children's parents and I am currently working on proposals in relation to this.

Environmental Assessments.

525. **Mr. Eamon Ryan** asked the Minister for Defence the plans and programmes of his Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16370/06]

Minister for Defence (Mr. O'Dea): Plans and Programmes undertaken to date in my Department have not necessitated Strategic Environmental Assessments as per the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004. Future Plans and Programmes will be assessed on an ongoing basis to ensure compliance with the Regulations where necessary.

Departmental Staff.

526. **Mr. P. McGrath** asked the Minister for Defence if his Department makes the Irish national daily newspapers available on-line for staff within his Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a

copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in his Department; and if he will make a statement on the matter. [16449/06]

Minister for Defence (Mr. O’Dea): My Department does not make Irish national daily newspapers available for staff on-line. The cost of purchases of daily newspapers in 2005 amounted to €9,332.73.

Garda Stations.

527. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government the arrangements which have been made for the disposal of Harcourt Terrace Garda station; the date on which the Garda station will be closed; the date the building and adjoining lands will be transferred to the new owner; the tendering or other sale process undertaken; the return to the State expected from a sale or transfer; the cost of alterations or refurbishment required for security or other reasons to the building before it can be transferred out of Garda control; and if he will make a statement on the matter. [16094/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): On foot of the Government’s decision to assign this site to the Affordable Housing Initiative, the Affordable Homes Partnership has been requested to undertake the procurement process involved. It is envisaged that the site will be the subject of a land swap, similar to the successful swap undertaken in 2005 in respect of an adjoining site, and the Partnership has been undertaking the necessary preparatory work in this regard. The ultimate return to the State will depend on the outcome of the procurement process, which I expect will be initiated shortly.

In finalising the timing of the procurement process, the re-accommodation requirements of activities currently located on the site will have to be taken into account. These matters are being actively pursued by the agencies involved, principally the Department of Justice, Equality and Law Reform and the Office of Public Works.

Library Projects.

528. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government if moneys will be made available to restore a library service to Rathkeale; his views on whether it is unacceptable that the town has been without a library service for in excess of two and a half years; and if he will make a statement on the matter. [16325/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The development of the public library service is, in the first

instance, a matter for each library authority. The selection of library projects for capital funding takes account of competing demands for resources countrywide and the library authorities’ order of priority for such projects.

In January 2004, local authorities were asked to review their capital programmes for library development and to submit a prioritised list of proposals, which they wished to have considered by my Department in its overall review of the Programme. In its submission, Limerick County Council listed Rathkeale branch library as a possible future library project. No proposal for the provision of a branch library in Rathkeale has been received by my Department and accordingly the question of the provision of funding for this project does not arise at this stage.

EU Directives.

529. **Ms Harkin** asked the Minister for the Environment, Heritage and Local Government when Directive 2003/4/EC will be transposed into law; and if he will make a statement on the matter. [16415/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Ireland signed the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters on 25 June 1998. Progress towards ratification of the Convention is closely aligned with work at EU level. To date, the European Union has adopted two directives as part of the ratification process for the Convention. These deal with public access to environmental information (2003/4/EC) and public participation in certain environmental decision-making procedures (2003/35/EC). Ratification of the Convention will take place after these Directives have been transposed into Irish Law.

Work is continuing in my Department with regard to the transposition of Directive 2003/4/EC and indeed also with regard Directive 2003/35/EC and will be completed as soon as possible. When the above work on transposition is completed, the instrument of ratification of the Aarhus Convention will be laid before the Dáil in accordance with the requirements of the Constitution.

Social and Affordable Housing.

530. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government if his Department will be providing the additional funding that may be required for Fingal County Council to support additional costs due to the high level of energy efficiency to be achieved for the 1,200 social and affordable housing units to be constructed on the Balbriggan South East LAP lands by the local authority; and if he will make a statement on the matter. [16663/06]

531. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government if his Department will be supporting the additional funding that may be required to achieve the energy efficiency initiative recently adopted by Fingal County Council in the Balbriggan South East LAP where 1,200 social and affordable housing units will be constructed by the local authority in view of the study carried out by the Department of Environmental Studies in University College Dublin into fuel poverty experienced by local authority housing tenants; if his Department will be contacting the Department of Finance to register support; and if he will make a statement on the matter. [16666/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 530 and 531 together.

Fingal County Council have developed a Local Area Plan for the South East Balbriggan area which provides for the construction of some 1,800 social, affordable and private dwellings over a six to eight year period. Given the size of the proposed development, an Environmental Impact Study will be required to be prepared for submission to An Bord Pleanála. My Department supports the provision of energy efficiency measures in the construction new housing and in this regard has provided funding to local authorities for a number of social housing schemes that incorporate the use of advanced energy efficiency measures. Should my Department receive proposals in due course from Fingal County Council in relation to the construction of social and affordable housing in the area in question, that may involve the provision of additional energy efficiency measures, such proposals will be examined on their merits from the point of view of efficacy and value for money/cost benefit.

Water and Sewerage Schemes.

532. **Mr. Lowry** asked the Minister for the Environment, Heritage and Local Government the reason for a twelve month delay in processing an application (details supplied) in County Tipperary; the date by when a decision will be made; and if he will make a statement on the matter. [15945/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Thurles Regional Water Supply Scheme is included in my Department's Water Services Investment Programme 2005-2007 as a scheme to start construction in 2007, at an estimated cost of €35.7 million.

I understand that North Tipperary County Council is reviewing its contract documents for the distribution network and the revised documents will be examined as quickly as possible on receipt in my Department. Tender documents for the treatment element of the scheme, which will

be procured by way of a Design/Build/Operate contract, are also awaited from the Council. Approval of the contract and tender documents will allow the Council to invite tenders for construction of the scheme.

My Department has already approved the Council's proposals to proceed with certain elements of the scheme as advance works and further advance works proposals are being examined in the Department.

533. **Mr. Lowry** asked the Minister for the Environment, Heritage and Local Government the reason for a twelve month delay in processing an application (details supplied) in County Tipperary; the date by when a decision will be made; and if he will make a statement on the matter. [15946/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Thurles Sewerage Scheme has been approved for construction in my Department's Water Services Investment Programme 2005-2007, at an estimated cost of €2.42 million.

My Department had previously approved a tender recommendation by North Tipperary County Council in respect of the civil works element of the scheme. However, the Council now proposes to incorporate both the civil and the mechanical and electrical works as a single contract. The Council's proposals in this regard were received by my Department last month and are being examined as quickly as possible.

Special Areas of Conservation.

534. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government if he will provide a list of all Natura 2000 sites here. [15985/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Natura 2000 suite comprises Special Areas of Conservation (SACs) proposed for designation under the EU Habitats Directive and Special Protection Areas (SPAs) designated under the EU Birds Directive. To date, 420 areas have been advertised as SACs and 128 as SPAs. In addition, there are 5 Statutory Nature Reserves and 2 Refuges for Fauna which are designated under the Wildlife Act 1976 for their qualifying bird interest.

The following is the list of Ireland's Natura 2005 sites.

No.	Site Code	Site Name
1	000006	Killyconny Bog (Cloghbally)
2	000007	Lough Oughter and Associated Loughs
3	000014	Ballyallia Lake
4	000016	Ballycullinan Lake
5	000019	Ballyogan Lough

No.	Site Code	Site Name	No.	Site Code	Site Name
6	000020	Black Head — Poulisallagh Complex	57	000212	Inishmaan Island
7	000030	Danes Hole, Poulnalecka	58	000213	Inishmore Island
8	000032	Dromore Woods and Loughs	59	000216	River Shannon Callows
9	000036	Inagh River Estuary	60	000218	Coolcam Turlough
10	000037	Pouladatig Cave	61	000231	Barroughter Bog
11	000051	Lough Gash Turlough	62	000238	Caherglassaun Turlough
12	000054	Moneen Mountain	63	000242	Castletaylor Complex
13	000057	Moyree River System	64	000248	Cloonmoylan Bog
14	000064	Poulnagordon Cave (Quin)	65	000252	Coole-Garryland Complex
15	000077	Ballymacoda (Clonpriest and Pillmore)	66	000255	Croaghill Turlough
16	000090	Glengarriff Harbour and Woodland	67	000261	Derrycrag Wood Nature Reserve
17	000091	Clonakilty Bay	68	000268	Galway Bay Complex
18	000093	Caha Mountains	69	000278	Inishbofin and Inishshark
19	000097	Lough Hyne Nature Reserve and Environs	70	000285	Kilsallagh Bog
20	000101	Roaringwater Bay and Islands	71	000286	Kiltartan Cave (Coole)
21	000102	Sheep's Head	72	000295	Levally Lough
22	000106	St. Gobnet's Wood	73	000296	Lisnageeragh Bog and Ballinstack Turlough
23	000108	The Gearagh	74	000297	Lough Corrib
24	000109	Three Castle Head to Mizen Head	75	000299	Lough Cutra
25	000111	Aran Island (Donegal) Cliffs	76	000301	Lough Lurgeen Bog/Glenamaddy Turlough
26	000115	Ballintra	77	000304	Lough Rea
27	000116	Ballyarr Wood	78	000308	Loughatorick South Bog
28	000129	Croaghonagh Bog	79	000318	Peterswell Turlough
29	000133	Donegal Bay (Murvagh)	80	000319	Pollnacknockaun Wood Nature Reserve
30	000138	Durnesh Lough	81	000322	Rahasane Turlough
31	000140	Fawnboy Bog/Lough Nacung	82	000324	Rosroe Bog
32	000142	Gannivegil Bog	83	000326	Shankill West Bog
33	000147	Horn Head and Rinclevan	84	000328	Slyne Head Islands
34	000154	Inishtrahull	85	000330	Tully Mountain
35	000158	Lough Akibbon and Gartan Lough	86	000332	Akeragh, Banna and Barrow Harbour
36	000163	Lough Eske and Ardnamona Wood	87	000335	Ballinskelligs Bay and Inny Estuary
37	000164	Lough Nagreany Dunes	88	000343	Castlemaine Harbour
38	000165	Lough Nillan Bog (Carrickatlieve)	89	000353	Old Domestic Building, Dromore Wood
39	000168	Magheradrumman Bog	90	000364	Kilgarvan Ice House
40	000172	Meenaguse/Ardbane Bog	91	000365	Killarney National Park, Macgillycuddy's Reeks and Caragh
41	000173	Meentygrannagh Bog	92	000370	Lough Yganavan and Lough Nambrackdarrig
42	000174	Curraghchase Woods	93	000375	Mount Brandon
43	000181	Rathlin O'Beirne Island	94	000382	Sheheree (Ardagh) Bog
44	000185	Sessiagh Lough	95	000391	Ballynafagh Bog
45	000189	Slieve League	96	000396	Pollardstown Fen (The Bugganns)
46	000190	Slieve Tooley/Tormore Island/Loughros Beg Bay	97	000397	Red Bog, Kildare
47	000191	St. John's Point	98	000404	Hugginstown Fen
48	000194	Tranarossan and Melmore Lough	99	000407	The Loughans
49	000197	West of Ardara/Maas Road	100	000412	Slieve Bloom Mountains
50	000199	Baldoyle Bay	101	000428	Lough Melvin
51	000202	Howth Head	102	000432	Barrigone
52	000204	Lambay Island	103	000439	Tory Hill
53	000205	Malahide Estuary	104	000440	Lough Ree
54	000206	North Dublin Bay	105	000448	Fortwilliam Turlough
55	000208	Rogerstown Estuary	106	000453	Carlingford Mountain
56	000210	South Dublin Bay			

[Mr. Roche.]			No.	Site Code	Site Name
No.	Site Code	Site Name			
			158	000612	Mullygollan Turlough
107	000455	Dundalk Bay	159	000614	Cloonshanville Bog
108	000458	Killala Bay/Moy Estuary	160	000622	Ballysadare Bay
109	000461	Ardkill Turlough	161	000623	Ben Bulben, Gleniff and Glenade Complex
110	000463	Balla Turlough	162	000625	Bunduff Lough and Machair/Trawalua/Mullaghmore
111	000466	Bellacorick Iron Flush	163	000627	Cummeen Strand/Drumcliff Bay (Sligo Bay)
112	000470	Mullet / Blacksod Bay Complex	164	000633	Lough Hoe Bog
113	000471	Brackloon Woods	165	000634	Lough Nabrickeagh Bog
114	000472	Broadhaven Bay	166	000636	Templehouse and Cloonacleigha Loughs
115	000474	Ballymaglancy Cave, Cong	167	000637	Turloughmore (Sligo)
116	000475	Carrowkeel Turlough	168	000638	Union Wood
117	000476	Carrowmore Lake Complex	169	000641	Ballyduff/Clonfinane Bog
118	000479	Cloughmoyne	170	000646	Galtee Mountains
119	000480	Clyard Kettle-holes	171	000647	Kilcarren-Firville Bog
120	000484	Cross Lough (Killadoon)	172	000665	Helvick Head
121	000485	Corraun Plateau	173	000668	Nier Valley Woodlands
122	000492	Doocastle Turlough	174	000671	Tramore Dunes and Backstrand
123	000495	Duvillaun Islands	175	000679	Garriskil Bog
124	000497	Flughany Bog	176	000685	Lough Ennell
125	000500	Glenamoy Bog Complex	177	000688	Lough Owel
126	000503	Greaghans Turlough	178	000692	Scragh Bog
127	000504	Kilglassan/Caheravoostia Turlough Complex	179	000696	Ballyteige Burrow
128	000507	Inishkea Islands	180	000697	Bannow Bay
129	000516	Lackan Saltmarsh and Kilcummin Head	181	000700	Cahore Polders and Dunes
130	000522	Lough Gall Bog	182	000704	Lady's Island Lake
131	000525	Shrule Turlough	183	000707	Saltee Islands
132	000527	Moore Hall (Lough Carra)	184	000708	Screen Hills
133	000532	Oldhead Wood	185	000709	Tacumshin Lake
134	000534	Owenduff/Nepin Complex	186	000710	Raven Point Nature Reserve
135	000541	Skealohan Turlough	187	000713	Ballyman Glen
136	000542	Slieve Fyagh Bog	188	000714	Bray Head
137	000566	All Saints Bog and Esker	189	000716	Carriggower Bog
138	000571	Charleville Wood	190	000717	Deputy's Pass Nature Reserve
139	000572	Clara Bog	191	000719	Glen of the Downs
140	000575	Ferbane Bog	192	000725	Knocksink Wood
141	000576	Fin Lough (Offaly)	193	000729	Buckroneys-Brittans Dunes and Fen
142	000580	Mongan Bog	194	000733	Vale of Clara (Rathdrum Wood)
143	000581	Moyclare Bog	195	000764	Hook Head
144	000582	Raheenmore Bog	196	000770	Blackstairs Mountains
145	000584	Cuilcagh-Anierin Uplands	197	000781	Slaney River Valley
146	000585	Sharavogue Bog	198	000831	Cullahill Mountain
147	000588	Ballinturly Turlough	199	000849	SPA Hill and Clomantagh Hill
148	000592	Bellanagare Bog	200	000859	Clonaslee Eskers and Derry Bog
149	000595	Callow Bog	201	000869	Lisbigney Bog
150	000597	Carrowbehy/Caher Bog	202	000919	Ridge Road, SW of Rapemills
151	000600	Cloonchambers Bog	203	000925	The Long Derries, Edenderry
152	000604	Derrinea Bog	204	000930	Clare Glen
153	000606	Lough Fingall Complex	205	000934	Kilduff, Devilsbit Mountain
154	000607	Errit Lough	206	000939	Silvermine Mountains
155	000609	Lisduff Turlough	207	000979	Corratirrim
156	000610	Lough Croan Turlough			
157	000611	Lough Funshinagh			

No.	Site Code	Site Name	No.	Site Code	Site Name
208	000994	Ballyteige (Clare)	258	001637	Four Roads Turlough
209	000996	Ballyvaughan Turlough	259	001656	Bricklieve Mountains & Keishcorran
210	001013	Glenomra Wood	260	001669	Knockalongy and Knockachree Cliffs
211	001021	Carrowmore Point to Spanish Point and Islands	261	001673	Lough Arrow
212	001040	Barley Cove to Ballyrisode Point	262	001680	Streedagh Point Dunes
213	001043	Cleanderry Wood	263	001683	Liskeenan Fen
214	001058	Great Island Channel	264	001741	Kilmuckridge-Tinnaberna Sandhills
215	001061	Kilkeran Lake and Castlefrefre Dunes	265	001742	Kilpatrick Sandhills
216	001070	Myross Wood	266	001757	Holdenstown Bog
217	001090	Ballyness Bay	267	001766	Magherabeg Dunes
218	001107	Coolvoy Bog	268	001774	Lough Carra/Mask Complex
219	001125	Dunragh Loughs/Pettigo Plateau	269	001776	Pilgrim's Road Esker
220	001141	Gweedore Bay and Islands	270	001786	Kilroosky Lough Cluster
221	001151	Kindrum Lough	271	001810	White Lough, Ben Loughs and Lough Doo
222	001179	Muckish Mountain	272	001818	Lough Forbes Complex
223	001190	Sheephaven	273	001831	Split Hills and Long Hill Esker
224	001195	Termon Strand	274	001847	Philipston Marsh
225	001197	Keeper Hill	275	001858	Galmoy Fen
226	001209	Glenasmole Valley	276	001873	Derryclogher (Knockboy) Bog
227	001228	Aughrusbeg Machair and Lake	277	001879	Glanmore Bog
228	001230	Courtmacsherry Estuary	278	001880	Meenaguse Scragh
229	001242	Carrowmagappul Bog	279	001881	Maulagowna Bog
230	001251	Cregduff Lough	280	001890	Mullaghanish Bog
231	001257	Dog's Bay	281	001898	Unshin River
232	001271	Gortnandarragh Limestone Pavement	282	001899	Cloonakillina Lough
233	001275	Inisheer Island	283	001912	Glendree Bog
234	001285	Kiltiernan Turlough	284	001913	Sonnagh Bog
235	001309	Omey Island Machair	285	001919	Glenade Lough
236	001311	Rusheenduff Lough	286	001922	Bellacorick Bog Complex
237	001312	Ross Lake and Woods	287	001926	East Burren Complex
238	001313	Rosturra Wood	288	001932	Mweelrea/Sheeffry/Erriff Complex
239	001321	Termon Lough	289	001952	Comeragh Mountains
240	001342	Cloonee and Inchiquin Loughs, Uragh Wood	290	001955	Croaghau/Slievemore
241	001371	Mucksna Wood	291	001957	Boyne Coast and Estuary
242	001387	Ballynafagh Lake	292	001975	Ballyhoorisky Point to Fanad Head
243	001398	Rye Water Valley/Cartron	293	001976	Lough Gill
244	001403	Arroo Mountain	294	001992	Tamur Bog
245	001430	Glen Bog	295	002005	Bellacragher Saltmarsh
246	001432	Glenstal Wood	296	002006	Ox Mountains Bogs
247	001459	Clogher Head	297	002008	Maumturk Mountains
248	001482	Clew Bay Complex	298	002010	Old Domestic Building (Keevagh)
249	001497	Doogort Machair/Lough Doo	299	002012	North Inishowen Coast
250	001501	Erris Head	300	002031	The Twelve Bens/Garraun Complex
251	001513	Keel Machair/Menaun Cliffs	301	002032	Boleybrack Mountain
252	001529	Lough Cahasy, Lough Baun and Roonah Lough	302	002034	Connemara Bog Complex
253	001536	Mocorha Lough	303	002036	Ballyhoura Mountains
254	001547	Castletownshend	304	002037	Carrigeenamronety Hill
255	001571	Urlaur Lakes	305	002041	Old Domestic Building, Curraglass Wood
256	001625	Castlesampson Esker	306	002047	Cloghernagore Bog and Glenveagh National Park
257	001626	Annaghmore Lough (Roscommon)	307	002070	Tralee Bay and Magherree Peninsula, West to Cloghane

[Mr. Roche.]			No.	Site Code	Site Name
No.	Site Code	Site Name			
			359	002246	Ballycullinan, Old Domestic Building
308	002074	Slyne Head Peninsula	360	002247	Toonagh Estate
309	002081	Ballinafad	361	002249	The Murrough Wetlands
310	002091	Newhall and Edenvale Complex	362	002250	Carrowmore Dunes
311	002098	Old Domestic Building, Askive Wood	363	002252	Thomastown Quarry
312	002110	Corliskea/Trien/Cloonfolliv Bog	364	002256	Ballyprior Grassland
313	002111	Kilkieran Bay and Islands	365	002257	Moanour Mountain
314	002112	Ballyseedy Wood	366	002258	Silvermines Mountains West
315	002117	Lough Coy	367	002259	Tory Island Coast
316	002118	Barnahallia Lough	368	002261	Magharee Islands
317	002119	Lough Nageeron	369	002262	Valencia Harbour/Portmagee Channel
318	002120	Lough Bane and Lough Glass	370	002263	Kerry Head Shoal
319	002121	Lough Lene	371	002264	Kilkee Reefs
320	002122	Wicklow Mountains	372	002265	Kingstown Bay
321	002123	Ardmore Head	373	002268	Achill Head
322	002124	Bolingbrook Hill	374	002269	Carnsore Point
323	002125	Anglesey Road	375	002274	Wicklow Reef
324	002126	Pollagoona Bog	376	002279	Askeaton Fen Complex
325	002129	Murvey Machair	377	002280	Dunbeacon Shingle
326	002130	Tully Lough	378	002281	Reen Point Shingle
327	002135	Lough Nageage	379	002283	Rutland Island and Sound
328	002137	Lower River Suir	380	002287	Lough Swilly
329	002141	Mountmellick	381	002293	Carrowbaun, Newhall and Ballylee Turloughs
330	002144	Newport River	382	002294	Cahermore Turlough
331	002147	Lisduff Fen	383	002295	Ballinduff Turlough
332	002157	Newgrove House	384	002296	Williamstown Turloughs
333	002158	Kenmare River	385	002298	River Moy
334	002159	Mulroy Bay	386	002299	River Boyne and River Blackwater
335	002161	Long Bank	387	002301	River Finn
336	002162	River Barrow and River Nore	388	002303	Dunmuckrum Turloughs
337	002164	Lough Golagh and Breesy Hill	389	002306	Carlingford Shore
338	002165	Lower River Shannon	390	002313	Ballymore Fen
339	002170	Blackwater River (Cork/Waterford)	391	002314	Old Domestic Building, Rylane
340	002171	Bandon River	392	002315	Glanlough Woods
341	002172	Basket Islands	393	002316	Ratty River Cave
342	002173	Blackwater River (Kerry)	394	002317	Cregg House Stables, Crusheen
343	002176	Leannan River	395	002318	Knockanira House
344	002177	Lough Dahybaun	396	002319	Kilkishen House
345	002179	Towerhill House	397	002320	Kildun Souterrain
346	002180	Gortacarnaun Wood	398	002332	Coolrain Bog
347	002181	Drummin Wood	399	002336	Carn Park Bog
348	002185	Slieve Mish Mountains	400	002337	Crosswood Bog
349	002187	Drongawn Lough	401	002338	Drumalough Bog
350	002189	Farranamanagh Lough	402	002339	Ballynamona Bog and Corkip Lough
351	002193	Ireland's Eye	403	002340	Moneybeg and Clareisland Bogs
352	002213	Glenloughaun Esker	404	002341	Ardagullion Bog
353	002214	Killeglan Grassland	405	002342	Mount Hevey Bog
354	002236	Island Fen	406	002346	Brown Bog
355	002241	Lough Derg, North-East Shore	407	002347	Camderry Bog
356	002243	Clare Island Cliffs	408	002349	Corbo Bog
357	002244	Ardrahan Grassland	409	002350	Curraghlahanagh Bog
358	002245	Old Farm Buildings, Ballymacrogan	410	002352	Monivea Bog

No.	Site Code	Site Name	No.	Site Code	Site Name
411	002353	Redwood Bog	463	004043	Lough Derravaragh SPA
412	002354	Tullaghanrock Bog	464	004044	Lough Ennell SPA
413	002356	Ardgraique Bog	465	004045	Glen Lough SPA
414	002324	Glendine Wood	466	004046	Lough Iron SPA
415	002312	Slieve Bernagh Bog	467	004047	Lough Owel SPA
416	002348	Clooneen Bog	468	004048	Lough Gara SPA
417	002333	Knockacoller Bog	469	004049	Lough Oughter SPA
418	002351	Moanveanlagh Bog	470	004050	Lough Arrow SPA
419	002331	Mouds Bog	471	004051	Lough Carra SPA
420	002343	Tullaher Lough and Bog	472	004052	Carrowmore Lake SPA
421	004001	Wexford Nature Reserve SPA	473	004053	Lough Conn SPA
422	004002	Saltee Islands SPA	474	004054	Lough Cullin (Mayo) SPA
423	004003	Puffin Island SPA	475	004055	Cross Lough (Mullet) SPA
424	004004	Inishkea Islands SPA	476	004056	Lough Cutra SPA
425	004005	Cliffs Of Moher SPA	477	004057	Lough Derg (Donegal) SPA
426	004006	North Bull Island SPA	478	004058	Lough Derg (Shannon) SPA
427	004007	Skelligs SPA	479	004059	Dunfanaghy/Rinclevan SPA
428	004008	Basket Islands SPA	480	004060	Lough Fern SPA
429	004009	Lady's Island Lake SPA	481	004061	Lough Kinale And Derragh Lough SPA
430	004010	Inish and Sgarbheen SPA	482	004062	Lough Mask SPA
431	004011	Lough Gill SPA	483	004063	Poulaphouca Reservoir SPA
432	004012	Horn Head SPA	484	004064	Lough Ree SPA
433	004013	Drumcliff Bay SPA	485	004065	Lough Sheelin SPA
434		Rockabill Island Refuge for Fauna	486	004066	The Bull and the Cow Rocks SPA
435		Rogerstown Estuary Nature Reserve	487	004067	High Island (Galway) SPA
436		Baldoyle Bay Nature Reserve	488	004068	Inishmurray SPA
437		Mongan Bog Nature Reserve	489	004069	Lambay Island SPA
438		Tralee Bay Nature Reserve	490	004070	Mutton Island (Clare) SPA
439	004019	The Raven SPA	491	004071	Mattle Island SPA
440		Ballyteigue Burrow Nature Reserve	492	004072	Stags Of Broad Haven SPA
441		Old Head Of Kinsale Refuge for Fauna	493	004073	Tory Island SPA
442	004022	Ballycotton Bay SPA	494	004074	Illanmaster SPA
443	004023	Ballymacoda Bay SPA	495	004075	Lough Swilly SPA
444	004024	Sandymount Strand/Tolka Estuary SPA	496	004076	Wexford Harbour and Slobs SPA
445	004025	Broadmeadow/Swords Estuary SPA	497	004077	River Shannon and River Fergus Estuaries SPA
446	004026	Dundalk Bay SPA	498	004078	Carlingford Lough SPA
447	004027	Tramore Back Strand SPA	499	004079	Akeragh, Banna and Barrow Harbour SPA
448	004028	Blackwater Estuary SPA	500	004080	Boyne Estuary SPA
449	004029	Castlemaine Harbour SPA	501	004082	Greers Isle SPA
450	004030	Cork Harbour SPA	502	004083	Inishbofin, Inishdoeey and Inishbeg SPA
451	004031	Inner Galway Bay SPA	503	004084	Inishglora and Inishkeeragh SPA
452	004032	Dungarvan Harbour SPA	504	004085	Kilcoole Marshes SPA
453	004033	Bannow Bay SPA	505	004086	River Little Brosna Callows SPA
454	004034	Trawbreaga Bay SPA	506	004087	Lough Foyle SPA
455	004035	Cummeen Strand SPA	507	004088	Lough Scannive SPA
456	004036	Killala Bay/Moy Estuary SPA	508	004089	Rahasane Turlough SPA
457	004037	Blacksod Bay/Broadhaven SPA	509	004090	Sheskinmore Lough SPA
458	004038	Killarney National Park SPA	510	004091	Stabannan-Braganstown SPA
459	004039	Glenveagh National Park SPA	511	004092	Tacumshin Lake SPA
460	004040	Wicklow Mountains SPA	512	004093	Termoncarragh Lake and Annagh Machair SPA
461	004041	Ballyallia Lake Wildfowl Sanctuary SPA			
462	004042	Lough Corrib SPA			

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No.	Site Code	Site Name
513	004094	Blackwater Callows SPA
514	004095	Kilcolman Bog SPA
515	004096	Middle Shannon Callows SPA
516	004097	River Suck Callows SPA
517	004098	Owenduff/Nephin Complex SPA
518	004099	Pettigo Plateau Nature Reserve SPA
519	004100	Inishtrahull SPA
520	004101	Ballykenney-Fisherstown Bog SPA
521	004102	Garriskil Bog SPA
522	004103	All Saints Bog SPA
523	004105	Bellanagare Bog SPA
524	004106	Lough Barra Bog SPA
525	004107	Coole-Garryland SPA
526	004108	Eirk Bog SPA
527	004109	The Gearagh SPA
528	004110	Lough Nillan Bog SPA
529	004111	Duvillaun Islands SPA
530	004112	Helvick Head Coast SPA
531	004113	Howth Head Coast SPA
532	004114	Illauonearaun SPA
533	004115	Inishduff SPA
534	004116	Inishkeel SPA
535	004117	Ireland's Eye SPA
536	004118	Keeragh Islands SPA
537	004119	Loop Head SPA
538	004120	Rathlin O'Birne Island SPA
539	004121	Roaninish SPA
540	004122	Skerries Islands SPA
541	004123	Slyne Head Islands SPA
542	004124	Sovereign Islands SPA
543	004125	Magharee Islands SPA
544	004126	Tormore Island SPA
545	004127	Wicklow Head SPA
546	004128	Broad Lough SPA
547	004129	Ballysadare Bay SPA
548	004130	Inch Lough and Levels SPA
549	004131	Inishsirrerr and Inishmeane SPA
550	004132	Illancrone and Inishkeeragh SPA
551	004133	Aughris Head SPA
552	004134	Lough Rea SPA
553	004135	Ardboline Island and Horse Island SPA
554	004137	Dovegrove Callows SPA
555	004142	Cregganna Marsh SPA

Water Quality.

535. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government the measures he has put in place, or intends to put in place, to address the unreliability of the method of analysis which Ireland has practised in relation to the discharge of dangerous substances into lakes that were identified in the European

Court of Justice judgement against Ireland of 2 June 2005 whereby samples are taken from the centres of lakes (details supplied). [15986/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Primary responsibility for the monitoring of water quality in Ireland is assigned statutorily to local authorities and the Environment Protection Agency (EPA). My Department is in ongoing communication with the European Commission regarding the measures to be taken to comply with the wide-ranging judgment of the European Court of Justice in relation to implementation of the Dangerous Substances Directive in Ireland.

In addition, in the context of the implementation of the Water Framework Directive, proposals for a comprehensive new monitoring programme for surface and groundwaters are being developed by the EPA. This programme will cover biological, physico-chemical, chemical and hydromorphological parameters and will be operational by December 2006.

Water and Sewerage Schemes.

536. **Mr. Deenihan** asked the Minister for the Environment, Heritage and Local Government the position regarding the provision of a sewerage scheme in Boolteens Village, County Kerry; and if he will make a statement on the matter. [15987/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Boolteens is included in the Kerry Villages Sewerage Scheme which is included in my Department's Water Services Investment Programme 2005-2007 as a scheme to commence construction in 2007. My Department is awaiting the submission by Kerry County Council of a revised Preliminary Report for the scheme.

In the meantime, I understand that the Council is developing a countywide strategy for the delivery of wastewater services in up to 28 villages, including Boolteens. I will consider any proposals arising from the strategy in the light of the new assessment of water services capital requirements the Council has been asked to undertake by my Department as an input to the identification of future investment priorities under the Water Services Investment Programme.

Voluntary Housing Organisations.

537. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government if there is a complaints procedure in place pertaining to voluntary housing organisations; and if he will make a statement on the matter. [16014/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Voluntary housing organisations

operate under the terms of the capital funding schemes. Complaints in relation to the operation of these schemes in respect of particular projects are dealt with by the relevant local authority. Through the Rental Housing Regulations 1993, local authorities also have an enforcement role to ensure that housing associations comply with the requirement of the regulations regarding letting policy and standards of accommodation.

Voluntary housing associations may adopt their own independent complaint procedures and it is generally the case that the larger associations have such procedures in place.

Departmental Properties.

538. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government if an office (details supplied) in County Mayo has been closed. [16078/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The offices of my Department in Lagduff, Ballycroy, Co Mayo are temporarily closed for upgrading to modern health and safety standards. The Office of Public Works have recently sought tenders for carrying out the works, the closing date for the receipt of which is 23 May 2006. The necessary works are expected to be completed by the end of 2006.

Alternative arrangements have been made for the continuation of services normally provided at this office.

Site Acquisitions.

539. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government if, where a local authority acquires land through a compulsory purchase order, a process of public tender is required to employ a developer to develop that land; and if a process of public sale is required to sell that compulsory purchase ordered land on, to a developer. [16116/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Normal public procurement guidelines apply in respect of the engagement by a local authority of a private party to develop land owned by that authority.

Under section 211 of the Planning and Development Act 2000, land acquired by a local authority may be sold, leased or exchanged. Subject to regulations made under subsection 211(3), the consent of the Minister for the Environment, Heritage and Local Government is required where the price or rent, or what is obtained by a local authority on an exchange, is not the best reasonably obtainable. However, article 206 of the Planning and Development Regulations 2001 provides that such Ministerial consent is not required where a local authority is of the opinion that for economic or social reasons, it is reasonable that the disposal of land be carried out in

accordance with the terms specified by the authority in the notice which is required to be given to members of the authority in accordance with section 183 of the Local Government Act 2001. In such a case, the notice in question must incorporate or be accompanied by a report from the Manager setting out the economic or social reasons that apply in relation to the disposal of the land in question.

Waste Management.

540. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government his views on whether a fire risk assessment must be done for the city and in particular for the Poolbeg Peninsula and surrounding environs in view of the plan to build an incinerator there. [16117/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The issue of fire risk assessment is a matter for Dublin City Council as the fire authority for the area.

The waste to energy facility in question is being procured by Dublin City Council acting on behalf of the four Dublin local authorities who are party to the Dublin regional waste management plan. I understand that the private sector partner selected by the Council is preparing environmental impact statements and supporting material with a view to entering the regulatory processes in respect of physical planning and environmental licensing in the near future. My Department is of course precluded from involvement in these processes.

Radon Gas.

541. **Mr. Eoin Ryan** asked the Minister for the Environment, Heritage and Local Government the extent to which radon gas is being monitored; and the locations which are at highest risk. [16123/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): During the years 1992 to 1999, the Radiological Protection Institute of Ireland (RPII) carried out a nationwide survey of radon gas in domestic dwellings. The survey involved the measurement of radon for a twelve month period in a random selection of homes in each 10 km x 10 km grid square throughout the country. The results of the survey were used to predict the percentage of houses in each grid square with radon concentrations in excess of 200 Becquerels per cubic metre (Bq/m³), which is the National Reference Level in respect of houses. Grid squares where this percentage is greater than 10% are designated as High Radon Areas and such grid squares exist in every county. The RPII's website — www.rpii.ie — contains a comprehensive map which shows the location of High Radon Areas throughout the

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country. County radon maps and survey results can be viewed also on that web-site by clicking on the county by name.

Epidemiological studies provide evidence that long-term exposure to high levels of radon increases the risk of lung cancer and that this risk is higher for smokers than non-smokers. The RPII estimates that about 200 lung cancer deaths annually in this country are linked to radon. In September last year, the RPII and the National Cancer Registry of Ireland issued a joint Press Release, which pointed out that on the basis of a recent Europe-wide survey of the health risks of radon, smokers are 25 times more likely than non-smokers to develop lung cancer due to radon. Furthermore, the Press Release stated that the vast majority of the estimated 200 annual radon-related lung cancer deaths occurred among those who smoked.

My Department, principally through the RPII, has allocated significant resources to assessing and highlighting the problems associated with high levels of radon in households throughout Ireland and to increasing public awareness of the risks. As part of its campaign to further enhance public awareness of radon, the RPII, in late 2004, began a nationwide series of public information seminars on radon, targeted at high radon areas. So far, seminars have been held in Sligo, Kilkenny, Waterford, Ballina Tralee and Clonmel and the RPII have plans to visit, Ennis, Carlow and Galway later this year. These seminars have received widespread media coverage and have generated a large number of enquiries from the public.

Recent research commissioned by the RPII has found that 75% of the general population are aware of radon. In addition, over the past two years, there has been a significant increase in the number of radon measurements undertaken by householders compared with previous years. Both my Department and the RPII have consistently urged householders to measure their homes for radon levels, particularly if they live in an area that is considered to have high radon concentrations. The testing is inexpensive (approximately €50), straightforward and non-invasive.

If the household is found to have high radon levels, remediation work may be recommended. Technical guidance on radon remediation techniques is available in a booklet issued by my Department called Radon in Buildings — Corrective Options which is available on my Department's website at www.environ.ie. The RPII has also issued guidance entitled Understanding Radon Remediation — A Household's Guide. This is available on the RPII website, as is a list of companies who can provide a radon remediation service and can offer specific advice and recommendations.

Water and Sewerage Schemes.

542. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government the position regarding a sewage treatment network and treatment plant (details supplied) in County Westmeath; when work is likely to start; the completion timescale for this project; and if he will make a statement on the matter. [16134/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Mullingar Sewerage Scheme is included in my Department's Water Services Investment Programme 2005-2007 as a scheme to commence construction this year at an estimated cost of €72.11m.

My Department approved the Preliminary Report for the scheme in June 2003 and is awaiting the submission of Contract Documents by Westmeath County Council. The Council will be in a position to invite tenders for the scheme following approval of the Contract Documents.

Departmental Publications.

543. **Dr. Upton** asked the Minister for the Environment, Heritage and Local Government if Dúchas is interested in publishing a manuscript (details supplied); and if he will make a statement on the matter. [16135/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department publishes, and/or assists the publication of books, leaflets and other material on wildlife, habitats and species, and biological diversity within Ireland. A review of the Department's publication strategy in this area is being undertaken.

In relation to the case referred to in the Question, my Department will communicate with the author shortly.

Building Regulations.

544. **Mr. Eamon Ryan** asked the Minister for the Environment, Heritage and Local Government if it is possible for local authorities to set higher energy efficiency standards, within their own local area plans or development plans, than those set out within part L of the building regulations; and if he will make a statement on the matter. [16142/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Minimum thermal performance and insulation standards for new buildings are prescribed by Part L (Conservation of Fuel and Energy) of the national Building Regulations. These standards have been progressively increased since they were first introduced in 1991. The standards were last increased for new Dwellings with effect from 1 January 2003; and for new Non-Domestic Buildings with effect from 1 July 2006. The next

review of standards for dwellings will take place by 2008. I welcome any initiatives taken locally which enhance sustainable design in proposed developments and which are not in contravention of these standards.

In relation to the application and content of local area plans section 19 of the Planning and Development Act 2000 provides that a local area plan shall indicate the objectives in such detail as may be determined by the planning authority for the proper planning and sustainable development of the area to which the plan applies, including detail on standards for the design of developments and structures. In accordance with section 10 and the First Schedule to the Act a development plan may include objectives for promoting design in structures for the purposes of flexible and sustainable use, including conservation of energy and resources.

EU Directives.

545. **Mr. Cregan** asked the Minister for the Environment, Heritage and Local Government if he will report on progress regarding the latest scientific advice received by his Department on the implementation of the Nitrates Directive. [16309/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I refer to the reply to Questions Nos. 948, 949, 951, 952, 973 and 980 of 25 April 2006. Officials from my Department, the Department of Agriculture and Food and Teagasc met on 20 April 2006 to clarify and elaborate aspects of the advice submitted by Teagasc to the Minister for Agriculture and Food with recommendations for amendment of the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations 2005. My Department has also consulted on relevant issues with the Environmental Protection Agency.

Discussions between both Departments and Teagasc are continuing together with consideration of all aspects of the scientific advice available to my Department. It will also be necessary to have further discussions with the European Commission in order that a formal submission to the Commission can be finalised this month.

Nuclear Safety.

546. **Mr. O'Connor** asked the Minister for the Environment, Heritage and Local Government if he will report on his continued efforts to deal with the threat of Sellafield; and if he will make a statement on the matter. [16312/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Government's international legal proceedings against the United Kingdom under the United Nations Convention on the Law of the Sea in relation to 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 last 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 on 30 May next. The final outcome should clarify international and community law in relation to 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.

On the diplomatic front, 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 in relation to 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 and that it was necessary for the UK Government to take the hard decisions necessary to close the Sellafield Plant. I also met with the EU Commissioner for Energy, Andris Piebalgs and the Commissioner for Justice, Freedom and Security, 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. Following these meetings, 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.

This Government will continue to pursue all legal, political and diplomatic options to secure the safe and orderly closure of the Sellafield facility. I consider that the current legal and diplomatic initiative by the Government in relation to Sellafield has resulted in increasing recognition by the UK Government and its Agencies of the priority accorded to the issue of Sellafield by the Irish Government.

Water and Sewerage Schemes.

547. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he proposes to give approval to Kerry County Council to proceed to preliminary report stage in relation to the Killorglin water scheme; and if he will make a statement on the matter. [16330/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Killorglin Water Supply Improvement Scheme is included in my Department's Water Services Investment Programme 2005-2007 as a scheme to commence construction in 2007, at an estimated cost of €1.37m.

Kerry County Council's Preliminary Report for the scheme is under examination in my Department and is being dealt with as quickly as possible. In accordance with the streamlined procurement procedures for schemes costing less than €5m, once the Preliminary Report has been approved the Council will be in a position to proceed to tender and construction without further reference to my Department.

548. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he will give approval to Kerry County Council to proceed to contract document stage in regard to the Kenmare water scheme; and if he will make a statement on the matter. [16331/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Kenmare Water Supply Scheme is approved for construction in my Department's Water Services Investment Programme 2005-2007, at an estimated cost of €8.7m. Kerry County Council's Preliminary Report for the scheme is under examination in my Department and is being dealt with as quickly as possible. The Council will be in a position to proceed with the preparation of Contract Documents when the Preliminary Report is approved.

549. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he will give approval to Kerry County Council to proceed to preliminary report stage in relation to the Killarney sewerage scheme; and if he will make a statement on the matter. [16332/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Killarney Main Drainage Scheme is part of the Lough Leane Catchment Sewerage Scheme which has been approved for construction in my Department's Water Services Investment Programme 2005-2007. A Brief for the appointment of consultants to prepare a Preliminary Report for the scheme is under examination in my Department and is being dealt with as quickly as possible.

550. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he proposes to give approval to Kerry County Council to go to tender in relation to the Waterville water scheme; and if he will make a statement on the matter. [16333/06]

551. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government when he will give approval to Kerry County Council to proceed to tender stage in relation to the Waterville sewerage scheme; and if he will make a statement on the matter. [16334/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 550 and 551 together.

The Waterville Water Supply and Sewerage Schemes have been approved for construction in my Department's Water Services Investment Programme 2005-2007. I recently approved Kerry County Council's contract documents for the water and sewerage networks and it is now a matter for the Council to proceed with the tender process for these works. The Council's tender documents for the water and wastewater treatment plants, which are being procured as a single Design/Build/Operate contract, are being examined in my Department following recent receipt of additional information requested from the Council and are being dealt with as quickly as possible.

Control of Dogs.

552. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the urgent need to introduce dog control by-laws for Office of Public Works properties; and his plans in this regard (details supplied). [16335/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I understand that the Office of Public Works (OPW) has received recent complaints in relation to inadequate dog control at a number of heritage properties under its management. While there are some site-specific Acts that provide for bye-laws, a general power to make bye-laws for the regulation of dog control does not exist for most built heritage properties managed by the OPW. My Department will arrange to enter into discussions with the OPW to see how best this matter might be addressed.

Environmental Assessments.

553. **Mr. Eamon Ryan** asked the Minister for the Environment, Heritage and Local Government the plans and programmes of his Department and related State agencies which have been identified as requiring strategy environmental assessments under the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004; and the number of such assessments which have been carried out or are in progress to date. [16371/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Transposition of

the SEA Directive (2001/42/EC of 27 June 2001) in respect of land-use planning is achieved through the Planning and Development (Strategic Environmental Assessment) Regulations 2004. With effect from 21 July 2004, Strategic Environmental Assessment (SEA) is mandatory in the case of the preparation or review of Regional Planning Guidelines; City and County Development Plans; Development Plans by Town Councils, where the population of the area is 10,000 persons or more; Local Area Plans for areas with a population of 10,000 persons or more, and Planning Schemes in Strategic Development Zones (SDZ). The development of River Basin Management Plans and the review of the National Hazardous Waste Management Plan and Regional Waste Management Plans will also be subject to SEA.

The Environmental Protection Agency (EPA) is a designated environmental authority under the Planning and Development (Strategic Environmental Assessment) Regulations 2004 and must be consulted on every draft SEA. I understand from the EPA that, at end 2005, approximately 15 SEAs were in progress and 8 SEAs were completed in relation to categories of plans for which local authorities are responsible.

Departmental Expenditure.

554. **Mr. P. McGrath** asked the Minister for the Environment, Heritage and Local Government if his Department makes the Irish national daily newspapers available on-line for staff within his Department; the number of staff at each grade who each day receive a copy of one Irish daily newspaper which is also available on-line; the number of staff who each day receive a copy of more than one newspaper which is also available on-line; the cost in 2005 of purchases of each printed daily newspaper in his Department; and if he will make a statement on the matter. [16450/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The majority of staff in my Department have Internet access (subject to appropriate controls) and the Department holds one corporate subscription, enabling concurrent access for up to 60 users to one on-line national daily newspaper; 63 staff at Principal Officer level and above receive one Irish national newspaper on a daily basis and one member of staff receives more than one such newspaper. The cost of purchase of printed daily newspapers for my Department in 2005 totalled approximately €35,000.

Noise Regulations.

555. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government if the new Environmental Noise Regulations 2006

apply to new roads only; and if he will make a statement on the matter. [16489/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Environmental Noise Regulations 2006 transpose EU Directive 2002/49/EC relating to the assessment and management of environmental noise. The Regulations apply to all major roads which have more than three million vehicle passages per year.

Local Authority Housing.

556. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the number of housing starts by Kildare County Council in each of the past five years; the number of starts allocated in each of the past years to the Council by his Department; the number of affordable housing applications successfully concluded by the Council in each of the past five years; the number of houses allocated or agreed to by the Council and developers under Part V agreements; the number of financial agreements reached between developers and the council rather than the allocation of houses to the Council under Part V agreements; and if he will make a statement on the matter. [16510/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Information on the number of local authority house starts and units provided under the various affordable housing schemes, including units agreed to under Part V arrangements, by Kildare County Council for the years 2000 to 2004 is available in the Annual Housing Statistics Bulletins published by my Department, copies of which are available in the Oireachtas Library. This information, together with the 2005 data, are also available on the Department's website at www.viron.ie.

Since 2000 local authorities have operated their housing construction programmes on the basis of a four year multi-annual allocation of house starts for the period 2000-2003. This replaced the system of individual annual house start allocations in operation prior to 2000. The number of authorised starts allocated to Kildare County Council under the 2000-2003 multi-annual programme was 760 units. While the number of instances of Part V financial transactions is not available in my Department, up to the end of 2005 Kildare County Council received a total of €1,971,153 in lieu of land transfers.

Fire Stations.

557. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government if funding will be provided for the proposed fire station at Tallow, County Waterford which was submitted in 1991 and included in the fire services capital programme in 2002; the date for com-

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mencement of same; and if he will make a statement on the matter. [16534/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. B. O’Keeffe): Waterford County Council first submitted a proposal for a new fire station at Tallow in 1991. However, that proposal was not approved under the limited funding programme then in place. In September 2001 approval in principle was granted for a new fire station at Tallow and a detailed cost plan and drawings were subsequently submitted.

In 2002 the Department announced that new fire stations at Ardmore and Tallow as well as improvement works to Cappoquin would be included in the fire services capital programme. Ardmore fire station and the improvement works to Cappoquin have been completed. The proposal in respect of Tallow Fire Station is under consideration in my Department in the context of the 2006 fire services capital programme, which I expect to announce shortly.

Local Authority Reform.

558. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government the progress to date on the reform of local government; and if he will make a statement on the matter. [16654/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The Better Local Government reform programme has brought significant benefits to local government. These include constitutional recognition and fixed term local elections; enhanced levels of funding; strengthened political and management structures; an updated legal framework as well as an efficiency agenda focused on improved corporate planning, IT, human resources, customer service together with an expanded role in local and community development. Updated financial management systems, facilitating better financial management and planning, and a new initiative to improve service standards with an extended range of performance indicators have also been introduced. A major independent study to identify future funding requirements and options for local government has recently been published.

Local government modernisation provides an enhanced role for elected members in policy formulation and review and in developing an

integrated strategy for the economic, social and cultural development of their areas. This is undertaken in partnership with representatives of the sectoral interests through the establishment of Strategic Policy Committees and the County/City Development Boards respectively. The role of the locally elected representative has been further strengthened under the modernisation programme by the creation of a single mandate for councillors from the 2004 local elections; and also by the improved financial support framework and better training/information opportunities.

Quality customer service is a key pillar of the modernisation programme. All of the various elements of the programme are centred around this objective. Substantial resources have been provided by my Department to local authorities on specific initiatives to improve service provision. These include €26.6m in support for a one stop shop programme and €9.8m to improve efficiency and effectiveness in service delivery through the use of technology. I am determined to intensify and consolidate the gains being made through the modernisation programme and, in particular, to promote improvements in performance and in service delivery by local authorities to their communities.

Library Projects.

559. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government the progress with regard to the funding from his Department being made available to Fingal County Council to enable the establishment of a permanent library in Rush, County Dublin; and if he will make a statement on the matter. [16668/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): In January 2004, local authorities were asked to review their capital programmes for library development and to submit a prioritised list of proposals, which they wished to have considered by my Department in its overall review of the Programme. In its submission, Fingal County Council listed Rush as joint third. In October last year, I announced funding for thirteen library projects. Due to the existing level of commitments under the Public Library Capital Programme, it was not possible to provide funding for this project at that time. This position will be kept under review in the light of capital available for the library programme.