



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Wednesday, 17 May 2006.

Leaders' Questions	1261
Ceisteanna—Questions	
Taoiseach	1270
Requests to move Adjournment of Dáil under Standing Order 31	1284
Order of Business	1285
Institutes of Technology Bill 2006: Second Stage (<i>resumed</i>)	1293
Ceisteanna—Questions (<i>resumed</i>)	
Minister for Enterprise, Trade and Employment	
Priority Questions	1314
Visit of Indonesian Delegation	1323
Ceisteanna—Questions (<i>resumed</i>)	
Minister for Enterprise, Trade and Employment	
Other Questions	1325
Adjournment Debate Matters	1344
Estimates for Public Services 2006: Message from Select Committee	1345
Institutes of Technology Bill 2006: Second Stage (<i>resumed</i>)	1345
Visit of Bulgarian Delegation	1364
Institutes of Technology Bill 2006: Second Stage (<i>resumed</i>)	1364
Private Members' Business	
Pupil-Teacher Ratio: Motion (<i>resumed</i>)	1391
Adjournment Debate	
Mental Health Services	1423
Farm Household Incomes...	1425
Asylum Applications	1429
Questions: Written Answers	1437

DÁIL ÉIREANN

*Dé Céadaoin, 17 Bealtaine 2006.
Wednesday, 17 May 2006.*

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

*Paidir.
Prayer.*

Leaders' Questions.

Mr. Kenny: There has been considerable investment, and rightly so, in recent years in Iarnród Éireann, DART, Luas, Aer Lingus and inter-city Bus Éireann buses. However, the transport fleet that is entrusted to carry our children to school is now the least safe method of public transport. In the past year there have been five serious accidents involving school buses. Everybody remembers the tragic death of five young girls in Kentstown, County Meath. In addition, a bus went on fire in County Meath minutes before it was due to pick up children. In Sligo, a seven year old fell out of a bus window, while in Clara, County Offaly, a young boy lost his life. Yesterday, a bus which had been carrying 32 school children caught fire and burned out.

This must be a matter of serious concern for the Government. I heard the Minister of State, Deputy de Valera, say this morning on the radio that we have a safe and roadworthy school bus system. However, the Department combined the private contracted buses and the school bus fleet to reduce the average age of the vehicles, which is now estimated to be 16 years. This is an issue on which the Taoiseach has absolute control. It is not subject to court rulings or confusion.

Many parents are concerned about their children travelling on the clapped-out school bus fleet, many of whose vehicles are more than 16 years old. Having a transport company run a school bus fleet causes confusion between supplying a proper and safe service and running a commercial entity. Is the Government not concerned about this? Is the Taoiseach not anxious that a school bus fleet of that age operated by Bus Éireann is not as roadworthy as it should be? Contrary to what the Minister of State, Deputy de Valera, said, five accidents and six deaths in the past year is not a safe record. What will the Taoiseach do about it?

The Taoiseach: The Minister of State, Deputy de Valera, correctly said that the school bus fleet has had a good record over the years. What

Deputy Kenny said is also correct, that last year has been worrying. There have been five incidents and in two of those children were killed. In another incident, children got out of the back of a bus and yesterday there could have been an enormous tragedy. We must count ourselves lucky after that. However, when we get such luck we must examine the issues carefully to try to avoid such difficulties in the future.

Both Bus Éireann and the Garda are investigating the causes of the fire yesterday. I cannot comment on the causes until those investigations have been completed but it is important that we find out what happened. The bus in question passed its annual roadworthiness test in August and was checked as part of the maintenance programme at the end of March. It was not due to lack of examination. The average age of the bus fleet is 11 years, when the Bus Éireann and private buses are combined, but the average age of the Bus Éireann fleet is higher, as the Deputy said. Buses have a long lifespan in all countries. It is not the age but the roadworthiness of a bus that matters.

The procedures for the bus fleet have been followed. We have been involved, in conjunction with the local authorities and the fire service, in conducting full examinations and checks of all these issues. Deputy Kenny asked if I am happy that everything is all right after five incidents, and, frankly, no, I am not. I spoke to the Minister today and I asked him, in conjunction with his officials, to order a full systems review of the entire process, to examine the criteria and to examine how we do our business in this area. We will not be lucky all the time and we have not been lucky previously so it is better that we examine it. Perhaps the system is fine but I am not an authority on it. We must examine all the processes and procedures in place.

One matter that was brought to my attention some time ago is that roadworthiness checks on buses are carried out by CIE staff. The view is that it would not be possible to have thousands of buses checked outside CIE. However, auditing oneself is not good practice in any area. This should be examined. Again, it might be unavoidable but the entire process should be examined. I discussed this earlier with the Minister, Deputy Cullen, and he will order that it happens today.

Mr. Kenny: I thank the Taoiseach for his indication that there will be a full review and audit of the process and structure of the school transport system. When a transport company is running a fleet that is designed to provide safe transport for school children, there can be confusion between running a commercial entity and providing a safe system. What are the maintenance costs for the existing fleet? The provision of newer buses, with an age limit of ten years for example, would reduce maintenance costs substantially. How can a bus that was checked two days ago subsequently catch fire? Mechanics can only do a certain

[Mr. Kenny.]

amount with buses that are beyond a certain age. As a matter of urgency, will the Minister for Education and Science instruct that every bus that is ten years old or over be independently assessed? There is a fear that there will be more of these types of incidents. With buses that are 16 years old or more and given the nature of the five incidents in the past 12 months, it is a cause for serious concern.

The Department of Education and Science has written to parents with children who use the school bus system. The departmental letter claims that because of the unfortunate tragedy in Kestown, seat belts are being placed on all school buses. However, as a result, there is no room for some children and parents must make whatever arrangements they want to get their children to school. Has the introduction of these seat belts to increase safety resulted in a reduction by a third of the number of children who can be carried on the system, resulting in parents being told to find their own way to school?

The Taoiseach: Earlier in the year the Minister of State at the Department of Education and Science, Deputy de Valera, outlined the procedures that will be introduced. Obviously, if seat belts are introduced for children on school buses, it will affect seating capacity on the buses and some children will not be able to travel on them. In the incident in which a child fell out of the back of the bus, there were seat belts on that bus. The Department wrote to parents because children were not using seat belts. The necessary arrangements have been made. Until recently, the number of children allowed on the buses was in excess of the number of seats. This cannot continue when seat belt wearing is made compulsory.

Those involved in testing the school bus fleet are strict on the roadworthiness test. They are conscious that children are being carried on the buses and, children being children, may not be the quietest on a bus. The bus in question passed its Department of Transport roadworthiness test. It was conducted in an authorised test centre in Meath last August. It also had a recent service. In these examinations the older buses must be watched. Many older buses are in very good order.

The test processes are best to be considered. Maybe it is all perfect. I would be happy if the system were examined in total. I am not putting any pressure on those involved in testing school buses. A system where an individual can both fix a bus and do its DOT examination does not apply in other areas. It is an issue on everyone's, especially parents', minds. We acted last year to increase the number of buses and expenditure on the fleet is substantial. Since the tragic accident last year we have tackled the seat belt issue. There have been other incidents where people have lost their lives. The system must be carefully examined. It would be fine if there were no room

for improvement. Nothing will be lost, however, by having a detailed examination. I will ask the Minister to do so.

Mr. Rabbitte: Last weekend, there was a spate of facilitatory interviews with the Taoiseach. I did not see them all, particularly the one on Setanta. This weekend I will be keeping a close watch on it, especially with the big match on. I do not know if the Taoiseach has an appearance booked yet.

Mr. Durkan: He will be the second referee.

Mr. Rabbitte: I did not hear the Taoiseach refer to the Aer Lingus issue in any of the interviews I read or heard. What progress has been made on bringing Aer Lingus to the stock market? Is it still the Government's determination to do so? Will it come to the market by the summer? Is commentary in the newspapers that the summer deadline has been missed really the case? What size share does the Government intend to retain? What are the problems that have headed off an initial public offering, IPO, by summer?

What are the difficulties in resolving the company's pension issue? What share of the IPO's proceeds will go into the company's pension fund? If the summer cut-off is not made and the various stories in the newspapers' financial pages are true, is it proposed to proceed to the market in autumn? In those circumstances will the Government make the deadline because if the sale passes June, a new set of accounts will have to be produced for an autumn sale?

What is the Government's assessment of the Air Berlin experience? Air Berlin went to the stock market last week but found it had to halve the expected share price with the subsequent reduction in income. In these circumstances, is it the Government's intention to proceed with the sale? It was banking on getting a paltry €400 million for the sale. If the Air Berlin experience is anything to go by, and with rising energy costs and the lack of market sentiment for airline stocks, we stand to get only €250 million. Will the national airline be sold for a mess of pottage as little as €200 million or €300 million? Is the Government reviewing its stance on this issue?

The Taoiseach: Following consideration of the report prepared by the advisers appointed by the Ministers for Transport and Finance on the investment transaction of Aer Lingus, the Ministers agreed proposals for the implementation of the investment transaction which were presented at a Government meeting in April.

The investment transaction is to be implemented on the following basis. In line with the Government's decision last summer, a majority of the Government's shareholding in Aer Lingus will be sold. This will be done through an IPO of the company's shares on the Stock Exchange. The State will retain a minimum stake

of 25.1% in the company to protect the State's strategic interest. The transaction is to be implemented as soon as possible, taking into account Stock Exchange rules and market conditions.

A June date for the IPO was never mentioned by the Government. Last weekend some sections of the media speculated that the recent rise in crude oil prices could threaten the planned Aer Lingus IPO. The prospect of oil prices reaching record highs poses a risk for the entire economy. It is true that airlines are particularly sensitive to external shocks and global downturns. In the aftermath of the events of 11 September 2001, several well-established airlines went to the wall. The primary reason behind the Government's decision to sell a majority shareholding in the company is to allow the company access to the financial markets so that it will have sufficient financial strength to continue to compete in the competitive global aviation market and withstand such shocks. It will be in a much better position to do so if it has a strong balance sheet.

The transaction will be implemented as soon as possible. It will take account of stock market conditions and the regulatory requirements that need to be fulfilled before a flotation can take place. The exact arrangements in this regard will be decided by the Ministers for Transport and Finance based on the professional advice available to them.

Mr. Rabbitte: If the Government has decided to sell off the national airline, a decision I do not agree with, are the people not at least entitled to expect the Government to handle it competently? The Taoiseach's remarks are reminiscent of his climb down on decentralisation at the weekend. He has provided a door through which to escape when this collapses. If the Government is minded to sell off Aer Lingus, the Taoiseach will have to answer for why he personally routed the chief executive who proposed that at a time when it would have at least have brought in a few shillings for the Exchequer. Those market conditions no longer obtain.

The experience of Air Berlin, not dissimilar to Aer Lingus, cannot be ignored. We now hear the Taoiseach say that he proposed to go the market as soon as possible but his advisers must take into account market conditions. It is most likely, if the Taoiseach now accepts that he has missed the June deadline, that the situation will further worsen by September. Where and in what kind of mess does that leave us? Having had the experience of Eircom, an unmitigated disaster, where £70 million was paid out in fees to advisers, the Taoiseach is paying out more fees while effectively telling the House that the prospect of an IPO in September or October are minimal and, if it does happen, it will be to give away the national airline for a song, leaving this trading island nation with no control over future air links.

The situation since forcing out the chief and top executives, when market conditions were more propitious, seems to indicate that we are heading into another example of this Government's incompetence when it comes to doing the simple things well.

The Taoiseach: Deputy Rabbitte's short-term and long-term memory are not good this morning. As I said earlier, June was never put forward as a date. The Government would be totally irresponsible to go to the market without the advice of our financial experts in this area. We will go to the market when the time is right based on the advice we get. It is still the view it can happen this year.

I am surprised Deputy Rabbitte is taking up a position that was opposed by every trade unionist in Aer Lingus, when management wanted to steal the assets for themselves through a management buy out, shafting staff interests. Deputy Rabbitte is now defending that position.

Mr. S. Ryan: The Taoiseach's own 11 backbenchers could not justify this. They did not even turn up at the meeting.

The Taoiseach: I am glad those individuals went on to prove their worth in the financial marketplace but at least they did not do it by taking the assets away from Aer Lingus.

Mr. J. Higgins: That is the Taoiseach's job. He will finish what they started.

The Taoiseach: I cannot understand Deputy Seán Ryan's logic that a management buy-out was better than an injection of capital. Why does he oppose the trade unionists in Aer Lingus? This is wrong.

Mr. S. Ryan: Fianna Fáil backbenchers were afraid to go out and justify this privatisation.

The Taoiseach: The State will retain a minimum stake of 25.1%. We will make our decisions based on the advice we get on stock market conditions. We will do this correctly to allow Aer Lingus to develop in future. Discussions on pension funds and related staff issues are ongoing, the Minister for Transport continues to have meetings with the trade unions.

Mr. Howlin: Everything will be all right then.

The Taoiseach: Why is the Labour Party against the Minister for Transport meeting the trade unions on pension issues?

Mr. Rabbitte: He might try to sell them e-voting machines.

The Taoiseach: Why has it abandoned the staff of Aer Lingus? I will have to ask Deputy Glennon to assure the workers that we still care

[The Taoiseach.]

about them in this House. He will assure them that we will take their interests in pensions and other issues into account.

Mr. S. Ryan: He does not even know where the airport is.

Mr. Sargent: No Fianna Fáil TDs turned up at the meeting about Aer Lingus, that is the real point.

A report in *The Irish Times* today, details the support and largesse the Taoiseach enjoys from a large number of construction companies. Does this special relationship explain the Taoiseach's comments at the IMI national management conference in April, where he talked up the housing market, even though prices have risen by nine times the rate of wage inflation and average household debt has increased from 40% of disposable income to 130% since this Government took power?

The OECD states that the housing market was overvalued by 15% in 2005, the Central Bank states that the housing boom is unsustainable and poses a significant risk to the economy and the ESRI has expressed concern. Even the Minister for Finance tried to talk down the boom, hoping for a soft landing. Some commentators have even said that the Taoiseach's reckless comments could be seen as irresponsible. The Taoiseach's comments at Druid's Glen, that the levels of gross indebtedness due to inflated house prices are not a problem for hard-pressed mortgage borrowers, were irresponsible. On reflection, and in the light of those comments in direct contradiction of his claims, would the Taoiseach accept it was irresponsible to make such remarks?

The Taoiseach: It would be good if Deputy Sargent read the 40 minute speech I made in Druid's Glen; quite apparently he did not. He has made one remark about what I said afterwards in a press briefing where I was asked if there would be a crash. I said that I did not believe there would be a crash. I will give Deputy Sargent the same answer I gave that day. Irish residential property stock is worth €500 billion and the loan book is €100 billion so I do not see why that should create a shock. I said the same in 2003, 2004 and 2005. I said the same thing at the IMI conference almost every year and every year I had to listen to reports that the bottom would fall from the market and we would build fewer houses but that is not the case.

I went on to say that the priority of this Government is to ensure we get supply and demand. We have worked hard in this Government and successfully achieved the creation of more houses every year for nine years, both social and affordable.

Mr. Sargent: People are in more debt than ever before.

The Taoiseach: The population has risen and demand has remained strong.

Mr. J. Higgins: People are in hock with 40 year mortgages, making the speculators filthy rich.

The Taoiseach: Somewhere along the line supply and demand will come together. The reality is that there are cautionary issues about 100% mortgages. We all agree on that.

Mr. Eamon Ryan: The Taoiseach is talking them up.

The Taoiseach: However, we should not try to create a crisis in a very important part of this country's economy. We should try to promote Part V of the Local Government (Planning and Development) Act 1999, provisions for social and affordable housing and shared ownership schemes.

(Interruptions).

The Taoiseach: Deputy McCormack asked a question yesterday and should go away. We are successfully promoting the provisions I have just mentioned. This is why we are building more than 80,000 houses, four times the rate found in the UK, five times the European rate and a rate which is far higher than the US rate. Our construction sector is healthy, people are buying houses and we are trying to do as much as we can. We will spend €2 billion on social housing this year so the Opposition should not lecture me about our record on social and affordable housing. This Government is doing more than any other Government in the history of this State.

(Interruptions).

An Ceann Comhairle: Perhaps the Technical Group would allow Deputy Sargent to ask a question.

Mr. Sargent: I thank the Ceann Comhairle for his intervention. Feelings on this matter are running very high. I cannot believe that the Taoiseach can state that there is no problem when people are faced with 40-year mortgages and are more indebted than ever before. It is a hear no evil, see no evil and speak no evil approach. I acknowledge that our construction sector is healthy in that its profits are high. However, the results are poor insulation, poor building standards, poor health and safety practices and poor inspection standards.

In June 2005, I raised a certain issue with the Taoiseach who gave me a commitment I believed would stand up. I raised with the Taoiseach and the Minister of State at the Department of Enterprise, Trade and Employment, Deputy Killeen, the serious problem of subcontractors and suppliers suffering from serious under-

payment from main contractors. Almost one year later, not only do our main contractors, including Glenman Corporation, continue to benefit from public sector contracts for which taxpayers are paying through the nose, companies and suppliers working for them are still being forced into bankruptcy and liquidated as I speak. Does the Taoiseach believe such a construction industry is healthy?

I am not sure if the main contractor I mentioned is one of the main donors to Fianna Fáil but it is a major sponsor of the Galway Races in which Fianna Fáil has a major interest. However, I have hard evidence to show that Glenman Corporation broke its payment terms of subcontracts with, for example, KBD Engineering and that taxpayers' money is not reaching the people who carry out the work on these Government contracts. In June 2005, the Minister of State at the Department of Enterprise, Trade and Employment, Deputy Killeen, told me that local authorities would maintain a watching brief to see if and how this matter is resolved and the Taoiseach told me that anyone breaching the law would not receive Government contracts.

Will the Taoiseach call in the Department of the Environment, Heritage and Local Government, South Dublin County Council, Glenman Corporation and those subcontractors to answer the question he said they would be forced to answer? He said that if such companies breached the law, they would not receive Government contracts, but they have received contracts and, like many people, do not think he is serious about fraud in this country.

The Taoiseach: Deputy Sargent misunderstood what I said at Druid's Glen.

Mr. Sargent: The construction industry.

The Taoiseach: I am glad to clarify matters about any breaches of the law and procedures to assist Deputy Sargent. If anyone breaches the Prompt Payments of Accounts Act 1997 or does not pay subcontractors, I would be glad to discuss it with the inspectorate. Any such breaches, regardless of whether they relate to payment, standards or breaking the guaranteed housing system, are unacceptable.

Mr. Sargent: The Taoiseach did that one year ago.

The Taoiseach: There have been investigations into a number of companies.

Mr. Boyle: In respect of PRSI or tax?

The Taoiseach: A number of companies have been hauled over the coals.

Mr. Sargent: No one has been called to account.

The Taoiseach: The standards followed, especially those relating to the public sector, are very high.

Mr. Sargent: There is no evidence of this.

The Taoiseach: We may not always witness the same standards in the private sector but regulations exist to do this. In our social and affordable housing initiatives——

Mr. Sargent: They are public contracts. They are social and affordable housing initiatives.

An Ceann Comhairle: The Taoiseach, without interruption.

The Taoiseach: If there are any breaches of the law in these initiatives, regardless of whether they are national housing schemes, local authority schemes or any schemes funded by the Department of the Environment, Heritage and Local Government, we will happily follow them up because the inspectorate exists to ensure such breaches do not happen. A number of cases are investigated every year but I will certainly follow up any information given to me by Deputy Sargent.

Ceisteanna — Questions.

Cabinet Sub-committees.

1. **Mr. J. Higgins** asked the Taoiseach when the Cabinet sub-committee on Aer Lingus last met [14277/06]

2. **Mr. J. Higgins** asked the Taoiseach when the Cabinet sub-committee on drugs and social inclusion last met. [14285/06]

3. **Mr. Rabbitte** asked the Taoiseach when the Cabinet sub-committee on Aer Lingus last met and when the next meeting is due to be held. [16167/06]

4. **Mr. Sargent** asked the Taoiseach when the Cabinet sub-committee on Aer Lingus last met. [16187/06]

5. **Mr. Rabbitte** asked the Taoiseach when the Cabinet sub-committee on drugs and social inclusion last met and when the next meeting is scheduled to be held. [17142/06]

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

Mr. Rabbitte: On a point of order, who makes the decisions about grouping questions such as Questions Nos. 1 to 5, inclusive? While some of the questions before the Taoiseach concern the Cabinet sub-committee on Aer Lingus, two ques-

[Mr. Rabbitte.]

tions concern the Cabinet sub-committee on drugs. What is the rationale behind grouping such diverse subjects together? Perhaps many people will be using drugs by the time Aer Lingus is sold off as planned by the Government. However, grouping these questions in this fashion makes no sense.

Caoimhghín Ó Caoláin: On a related point—

An Ceann Comhairle: The substance of questions cannot be discussed. Successive Chairs have often ruled that decisions regarding the grouping of questions are not made in the office of the Ceann Comhairle.

Caoimhghín Ó Caoláin: I welcome the raising of the question by Deputy Rabbitte. Both of my questions concerning Aer Lingus and the Cabinet sub-committee on drugs and social inclusion have been disallowed by the Ceann Comhairle.

An Ceann Comhairle: If the Deputy wishes to take the matter up with the Office of the Ceann Comhairle, it will be pleased to examine the matter.

Caoimhghín Ó Caoláin: Will the Ceann Comhairle explain to the House why questions which do not seek the minutes of any Cabinet sub-committee deliberations are disallowed?

An Ceann Comhairle: The Chair will not discuss decisions of the Ceann Comhairle on the floor of the House. These decisions are made for very valid reasons.

Caoimhghín Ó Caoláin: These were broad questions which were valid.

An Ceann Comhairle: If the Deputy wishes to discuss them, I would be glad to do so but not on the floor of the House. I ask the Deputy to resume his seat so that we can proceed with questions to the Taoiseach. The Chair's decisions are well founded. The Chair studies the questions submitted. I will not waste the time of the House discussing decisions about individual questions made in the Office of the Ceann Comhairle. The Deputy is welcome to come to the office to discuss them.

The Taoiseach: The Cabinet sub-committee on Aer Lingus last met on 9 December 2004. The work of the sub-committee is completed and there are no arrangements for it to meet again. Responsibility for this issue rests with the Minister for Transport. The Cabinet sub-committee on social inclusion last met on Wednesday, 10 May 2006 and will next meet on Wednesday, 5 July 2006.

As I have outlined to the House on a number of occasions, Cabinet committees are an integral part of the Cabinet process. Questions as to the

business conducted at Cabinet or Cabinet committee meetings have never been allowed in the House on the grounds that they are internal to Government. The reasons for this approach are founded on sound policy principles and the need to avoid infringing the constitutional protection of Cabinet confidentiality.

Mr. J. Higgins: The possible connection between the Cabinet sub-committee on Aer Lingus and the Cabinet sub-committee on drugs and social inclusion is the Government's severe addiction to neo-liberal capitalism and the privatisation of public assets, which it cannot appear to get out of its system. The fact that the Cabinet sub-committee on Aer Lingus has not met since 2004 speaks of a Government which has not examined seriously and in great detail the implications of privatising the national airline.

Why did this sub-committee not meet when critical decisions were being made and the future of 3,500 workers, their communities, airports and the national airline was being discussed? Where did the thorough discussions on the implications and seriousness of handing our national airline to the casino players on the international capitalist marketplace occur? On whether the Government should row back and change its policy of privatisation, where would such a decision and discussion happen if the Cabinet sub-committee has no plans to meet again?

The Taoiseach: I explained this a number of times last year. The Cabinet sub-committee had a particular job to bring presentations to the Cabinet and get agreement on what it brought forward. That work finished. All discussions since then have been carried out at full Cabinet meetings. The remaining decisions that have to be made will be made with the Ministers for Transport and Finance. They will bring forward their proposals to the Cabinet.

Mr. Rabbitte: If there was a necessity to put a Cabinet sub-committee in place, one would have thought it would at least be responsible for invigilating the implementation of the decisions arrived at in respect of an initial public offering.

Market conditions are changing before our eyes. We can monitor the impact of the Air Berlin sale. Is the Taoiseach saying the sub-committee will not be reconvened irrespective of the circumstances that might arise and disable the Government from proceeding as planned by the original sub-committee decision?

The Taoiseach: The sub-committee was doing an analysis to see what was the best way to move forward. At the time, we had meetings with officials and others, but all decisions since then have been made by the full Cabinet. I do not disagree with the Deputy that the period ahead is crucial. The decisions will be made by the full

Cabinet based on the assessment of the Ministers for Finance and Transport.

If there was a requirement for the Cabinet sub-committee to have a lengthier meeting to deal with the issue, we could reconvene it. I do not think that will be the case because it is an important issue and the full Cabinet should deal with it. Often, we use the Cabinet sub-committee system to do preparatory work but when it comes to the decisions everyone is familiar with, the full Cabinet would take them.

Mr. Rabbitte: Does the Taoiseach have information on the extent of the deficit in the pension scheme? What commitments—

An Ceann Comhairle: That question does not arise on Cabinet sub-committees because it relates to what might have been discussed therein. The Deputy's question is pertinent to the line Minister and I suggest he submit it accordingly.

Mr. Sargent: In light of difficulties in the Air Berlin flotation, does the Taoiseach consider it important that the sub-committee meets urgently? Those difficulties clearly demonstrate the power oil prices have in this sector.

An Ceann Comhairle: What is discussed in the sub-committee is not appropriate to the Order of Business.

Mr. Sargent: I am giving a reason. We are talking about the meeting of the sub-committee.

An Ceann Comhairle: The Deputy's question was on the dates on which it meets.

Mr. Sargent: Indeed. Can an early date be arranged given the urgent issues unfolding? Will the Taoiseach acknowledge that this is an important matter? Will he acknowledge that the meeting should happen immediately because of the pension and worker issues yet to be resolved? Does the Taoiseach acknowledge the sub-committee should—

An Ceann Comhairle: We cannot go into the issues that might be discussed.

Mr. Sargent: I am asking about a meeting.

An Ceann Comhairle: I have ruled out other Members and cannot make special exceptions.

Mr. Sargent: Will there be an early meeting and ongoing meetings? I suggest that the sub-committee metamorphose in due course into a sub-committee on peak oil because this issue will continue to have an impact on the aviation sector and related industries.

An Ceann Comhairle: There are other ways in which to raise the matter. It was raised by Deputy

Rabbitte during Leaders' Questions and dealt with.

The Taoiseach: I accept that all of these issues are very important, but they are now being dealt with by the full Cabinet. The Cabinet sub-committee is not in operation at this stage. Regular briefings on Aer Lingus are dealt with by the Cabinet.

Mr. Kenny: When did the Cabinet sub-committee meeting on drugs and social inclusion take place? Did it discuss the waiting lists for persons who need treatment? I will give the House a statistic. In Athlone, there was a waiting time of one year and seven months.

An Ceann Comhairle: The question of what is discussed at the Cabinet sub-committee is not appropriate to the Order of Business.

Aengus Ó Snodaigh: If the Taoiseach is correct in saying the Cabinet will deal with the matter, will he consider scrapping the sub-committee instead of organising another meeting? If the Taoiseach will allow the sub-committee to reconvene, will he encourage its members to examine New Zealand's renationalisation of an airline at its next meeting?

An Ceann Comhairle: What is discussed at a sub-committee meeting is not a matter for these questions.

Aengus Ó Snodaigh: I do not want to know what was discussed.

An Ceann Comhairle: Due to Cabinet confidentiality, it would not be appropriate to discuss what might be discussed at a meeting.

Aengus Ó Snodaigh: Will the Taoiseach consider asking the sub-committee to examine that renationalisation after a disastrous privatisation?

An Ceann Comhairle: It does not arise at this stage. There are other ways to raise the matter.

Aengus Ó Snodaigh: Considering the heroin and cocaine crisis, has the Taoiseach encouraged the sub-committee on drugs to meet on a more frequent basis?

The Taoiseach: The sub-committee on the Aer Lingus matter has completed its work. It will only reconvene if it has a task. Currently, the important issues are being dealt with by the full Cabinet.

The Cabinet sub-committee on drugs and social inclusion meets monthly, more or less. The officials group working with the sub-committee meets at least monthly and often more frequently. There is a range of issues involved, not just drugs. That sub-committee has regular meetings.

Mr. Rabbitte: Will the Taoiseach give the House an example of the inclusion issues other than drugs dealt with by the sub-committee? Can we expect new proposals in the area of that sub-committee's drugs preoccupation, given the fact that notwithstanding best efforts, the situation in this city and in—

An Ceann Comhairle: We cannot discuss that issue. The Taoiseach will answer the appropriate question, but the second question is probably outside the remit of the Order of Business.

Mr. Rabbitte: I am not asking the Taoiseach to discuss the substance of the sub-committee's meetings. Can we expect new initiatives given the worsening drug crisis in many urban centres due to the arrival of crack cocaine?

An Ceann Comhairle: There is no need to make a statement. Strictly speaking, the Deputy's question is for the line Minister.

Mr. Rabbitte: I am not making a statement. I am framing a question. I am asking the Taoiseach—

An Ceann Comhairle: The Deputy is framing a question appropriate to the line Minister. The submitted questions deal with the dates on which sub-committees meet, not the substance of their discussions. Due to Cabinet confidentiality, it cannot be discussed on the floor of the House.

Mr. Rabbitte: If the Taoiseach strictly observed the Ceann Comhairle's rulings, all he would have to do in the House is stand up, say 11 May, 14 June, 25 October and sit down.

Mr. Kenny: And that it was raining.

An Ceann Comhairle: Previously, the Chair has suggested that it would be better if these questions were answered by way of written answers. They take up much of the House's time.

Mr. Rabbitte: It has always been the practice that this exact framing of the question is a peg on which to ask some general questions of the Taoiseach rather than particular questions.

An Ceann Comhairle: No. That has never been the practice.

Mr. Kenny: It has always been the practice.

An Ceann Comhairle: It has been the practice in respect of interdepartmental questions but not Cabinet sub-committees.

Mr. Rabbitte: I am asking a general question about the worsening drug situation in urban Ireland in particular.

An Ceann Comhairle: The Deputy is trying to make a point.

Mr. Rabbitte: I am merely trying to ask the Taoiseach if the House can expect new measures or initiatives.

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

The Taoiseach: To answer the first question, the committee on social inclusion also deals with the issues of the Traveller community, educational disadvantage, the lone parent's allowance and all issues concerning exclusion. They may not deal with such issues on a weekly basis, but they deal with them at each meeting.

Departmental Bodies.

6. **Mr. J. Higgins** asked the Taoiseach when the new task force on active citizenship last met; and when he expects the next meeting to take place. [14279/06]

7. **Mr. Kenny** asked the Taoiseach if he will report on the work of the task force on active citizenship; and if he will make a statement on the matter. [16018/06]

8. **Caoimhghín Ó Caoláin** asked the Taoiseach to detail the membership of the task force on active citizenship; the role and function of same; and if he will make a statement on the matter. [16122/06]

9. **Mr. Rabbitte** asked the Taoiseach if he will outline the programme of work for the recently appointed task force on active citizenship; if the committee has yet met; if a deadline has been set for completion of its work; and if he will make a statement on the matter. [16168/06]

10. **Mr. Sargent** asked the Taoiseach if he will report on the new task force on active citizenship; and if he will make a statement on the matter. [16188/06]

The Taoiseach: I propose to take Questions Nos. 6 to 10, inclusive, together.

I announced the membership of the task force on active citizenship on 18 April. I was pleased to be able to secure the agreement of people with a record of achievement across a wide range of areas of public life to serve as members of the task force. The task force will be chaired by Ms Mary Davis who, in her role as director of Special Olympics Ireland, succeeded in generating a tremendous response from ordinary citizens to the extraordinary experience that was the Special Olympics in 2003.

I envisage that in the course of its work the task force will consult individuals and organisations throughout the country on their experience of the influences that shape citizen participation

and engagement. It is intended that the task force will report its findings to the Government within nine months. The task force will hold its first meeting today and its work programme will be a matter for it to determine.

Mr. J. Higgins: In April, the Taoiseach stated: “when the capacity of the State was limited by a lack of resources, it was the commitment of the Irish people that so often, formally and informally, provided social services, community leadership as well as a sporting and cultural life for our people”. I agree with that statement and pay tribute to the marvellous and decent people who, in their communities, continue to make tremendous contributions, especially for our youth, in facilitating a broad range of sporting and voluntary activities at great cost to their own time and convenience.

Now that there are far more resources in this State, does the Taoiseach agree that an enormous barrier to young parents having the time to become more involved in active citizenship and providing facilities is the failure of the State that he leads to resolve critical issues, which cut across such involvement? If young parents are enslaved by 40-year mortgages and are working all the hours available, their time to become active in providing facilities for the youth is limited. Furthermore, the fact that people spend many hours marooned in traffic, morning and evening, commuting to and from work also severely curtails their ability to provide necessary facilities for the youth. Therefore, a much wider remit must be included in finding a solution to the fact that active citizenship is not as strong as it once was.

The Taoiseach: This country is not unique in terms of the issue of active citizenship. However, we are unique in that we have been lucky, throughout the ages, in having people who give an enormous amount of their time to a wide range of organisations. People are still doing that in large numbers and it is important to maintain that involvement. Those involved in youth, sport and recreational organisations and scouting movements say that it is getting harder to attract volunteers, for a variety of reasons. The task force will undertake an examination of what can be done, how best to maintain that tradition and how to build upon it. There are many successful organisations which continue to enjoy success.

Considerable State resources are invested in organisations and bodies involved in a host of areas. However, the issue is not just about money, it is about encouraging volunteering and getting people to give some of their time. A great proportion of the population are very generous with their time but some, for one reason or other, are not. One cannot generalise about that because some people have legitimate reasons, while others do not. We are trying to encourage participation and to foster best practice.

Many good reports have been published on this area. Over the past year a small group in my Department have been gathering the research on the issue and have made it available to Ms Davis and her committee. We hope to be able to chart out the actions that can be taken here. Almost everyone on the committee has been involved in this area, some for 20 to 40 years. Some have been involved in organisations that have been active in the area since the foundation of the State, if not earlier. The group is a serious one which will engage with many other groups. It will be a useful exercise for the future and will be useful for State agencies and Departments, which will be able to work on the principles outlined by the task force. This will ensure that we can continue to support communities and voluntary activities in future.

Mr. Kenny: I welcome the appointment of the task force on active citizenship and expect that Ms Davis will do a first class job in her role as chairman. When does the Taoiseach expect to receive a report from the task force?

Time is probably the most precious commodity people have these days. Participation and active citizenship is vitally important in the building of strong communities and as a presentation of the kind of country and people we are. Why is there nobody on the task force who will represent the immigrant community? One of the problems we face as a nation is not just immigration, but integration. The point being made to me at meetings I attend around the country is that immigrants who come here want to be able to say they understand their rights and they accept their responsibilities in terms of the way we do things. In that context, a representative of the immigrant community or ethnic groups should have been appointed to the task force on active citizenship to reflect the important issue of integration into modern Irish society.

The Taoiseach: Deputy Kenny will appreciate that the number of groups, bodies and organisations that wanted to have a member on the task force was enormous, which was encouraging. At a time when it is difficult to get people to serve on what used to be seen as attractive boards, that was not a problem with this task force. The issue raised by Deputy Kenny came up but while the membership of the task force on active citizenship includes people from a range of diverse backgrounds, it was not feasible to pick a representative from the immigrant or ethnic communities. There is an umbrella body for the ethnic groups which represents approximately 25 or 35 groups, many of which wanted to be members of the task force.

However, many of the groups with members on the task force, such as the trade unions, churches and business and youth organisations have large numbers of members from the ethnic groups. They are quite happy that they can get input on

[The Taoiseach.]

the integration issue from within their own groups and if need be, they can call on other groups or representatives. Many of them feel happy that they can represent ethnic groups. Obviously, to demonstrate the inclusive nature of the task force, they will consult some of the relevant groups. Many groups have not yet reached the stage where they will nominate one person or group to represent them. It is best left to the representatives of trade unions, churches and youth organisations to deal with the matter.

Mr. Kenny: I accept the Taoiseach's point about large groups having members from immigrant communities, but integration is a critical issue in terms of our immigrant population and to reflect that up front would have been a positive indicator of what we want to achieve through the task force on citizenship.

The Taoiseach: That is a very good point. I know that many of the sporting organisations, some of which I know well, certainly in the inner city communities, such as the FAI and the GAA, have a positive policy of working to include the new ethnic communities and minorities. Many of the primary schools in the inner city have pupils from over 20 different nations and there are no difficulties with people integrating, except perhaps with pressures on teachers. It is important that they integrate at that level, in pre-schools and primary schools, and that they join the same sporting clubs or, if they are not sport minded, that they join activities and scouting. In fairness to the groups, they are making it a positive issue, and in spite of anything else they get on with the job. This, as an issue, will be addressed.

Many of the people who have come here to live and settle are anxious to get involved in these areas.

Mr. Allen: There is hope for Dublin hurling yet.

The Taoiseach: Was it last year that the full-back for the Dublin under-16 team was Nigerian and the full-forward was Chinese?

Mr. Allen: Dublin won the all-Ireland schools this year.

The Taoiseach: It is happening. Some of the best under-age—

Mr. Martin: The Fijians are quite good too.

The Taoiseach: My Galway colleagues tell me they have some of the best up and coming Brazilian footballers in rural parts of Galway. That has happened. They are integrating into the communities.

Mr. Rabbitte: I agree with the Taoiseach about pre-schools and primary schools in particular.

Tribute is due to the teachers who do such a splendid job. I speak for some of the schools in my constituency where the commitment of teachers is remarkable. The Taoiseach is right about the schools. The difficulty is outside the school gate. We would be at least complacent to believe there are no problems outside of the school gate.

Deputy Kenny has raised an extremely interesting issue about integration. It seems we do not attach the same significance to policies in the direction of integration as we do to other aspects of immigration. Hundreds of small companies cannot believe their good fortune that they have educated labour available to them prepared to work overtime without being paid overtime. Keep it coming. That is fine. However, we do not attach enough significance to policy in the area of integration and societal implications. Deputy Kenny has asked an important question. It is an oversight that there is no representative of the new ethnic groups on this citizenship task force. We cannot really state that the churches or trade unions can be expected to adequately represent that point of view. There ought to be direct representation of the new Irish on the committee.

Is there a timescale by which it is envisaged the task force will have completed its task? Does the Taoiseach accept that a core element of citizenship is the franchise? Will the committee under Mary Davis examine the issue of voter decline? I wish Mary Davis well and I know she will do an extremely good job.

The Taoiseach: Briefly, on the question of integration I agree with the comments made by Deputy Rabbitte on education. For that reason, the Minister for Education and Science and her Department have put an enormous amount of teachers into these schools and into the language learning initiative to help with English skills in schools. It is working relatively well. Deputy Rabbitte mentioned his constituency. The benefit of it is that now the pupil teacher ratio is low in a large amount of these schools, which helps greatly.

The difficulty with the membership was to find representation that would be reflective of the groups. It was extraordinarily difficult. It has not settled to a position and numerous groups exist. I talked to a number of them. A number of the organisations and groups have a section dealing with integration. Perhaps the expertise and the people involved might be used. To take one or two representatives from the ethnic groups would have caused me more problems that I was going to resolve. At one stage at least 20 organisations all had a case. As it develops, if some of the groups feel it is not representative enough, I will take the advice of Mary Davis on it. Many of those involved are people from sporting and youth groups who have done a very good job over the past decade in integrating ethnic groups into the organisations.

I see the timeframe for the work as being approximately a year. I do not want to fix a deadline. It will take time. We have set a target of nine months but even that will be tight. I think the work will take a year. It is more important that the group gets it right and sets out a blueprint for the future, building on the good things that are there, the best practices and what happens internationally. This issue happens all over the world. Most of our friendly neighbouring countries are also looking at this particular issue and involving people.

Voter participation was not one of the issues included. However, I suppose good citizenship has a knock-on effect on it. The group's terms of reference were more about trying to get the spirit of what works well in communities and urban and rural areas and building that citizenship. Building active and good citizenship certainly will have a plus side on people wanting to be involved and to participate. I hope it becomes a knock-on effect of it in the future.

Mr. Sargent: Like the other leaders, the Green Party welcomes the task force on active citizenship. I often feel that volunteers in Ireland must feel like the boy on the burning deck with the flames getting higher and higher, given the time-poor lives many people are forced to live. I also acknowledge those involved as scout leaders, in tidy towns and parent teacher associations and teachers in many schools. It seems to be the same people again and again who highlight the problem.

Will the Taoiseach help Mary Davis and her committee in terms of measures to meet them half way, given the enormity of the task they face if they are to turn around a trend of less and less volunteerism and active citizenship in society generally? I certainly witness that trend. Will the Government bring forward the charity legislation to regulate the sector given that so much active citizenship is dependent on the work of charities? However, they are often in a legal limbo. Likewise, a designated week for volunteers—

An Ceann Comhairle: The Deputy must confine himself to questions. A number of Members want to participate.

Mr. Sargent: Will the Taoiseach help to meet the task force somewhere along the line by ensuring the Government can compensate for some of the problems which have been created? I will not state the Government has created all of them, but it has done its fair share in terms of people being time-poor with long commuting distances. Does the Government wish to introduce or announce measures to encourage the task force in its work?

The Taoiseach: Part of the preparation for this involved the small unit pulling together the resources that exist for supporting community and voluntary groups. It is only when one sees

it all together, one realises how many exist. The community and voluntary sector spends approximately €300 million annually, outside of sport. It is spent on community issues, such as the resources which went into tackling economic and social disadvantage. More than €60 million goes into some of those programmes. The local development social inclusion programme is allocated €50 million. The community services programme has over €40 million and the rural social scheme also has over €40 million. The community development programme spends €24 million, and a Leader programme spends a large amount of money. Public funding of almost €150 million is being given to the new layout of the Leader programmes. Some €13 million is allocated under the national rural development programmes. Almost €50 million is allocated to the young people's facilities funds, mainly linked to drugs-related issues. Other programmes include those related to peace and reconciliation and RAPID.

When all these programmes are put together the total allocation comes to several hundreds of millions. This excludes entirely the sport sector. If that is added, the total is much more than €500 million. Infrastructural grants come in other ways. When there was no money there were far more people involved in these activities. It does not come down to people being unemployed in the past either. It is different, and people have done research on this in every country. There has been change, and people have better homes and could have access to 100 television channels. There are better music and other types of facilities. One can see this type of research in every report on the matter.

Ultimately, we are still lucky in this country because of the amount of people who are prepared to give their few hours to an under tens team, the scouts, walking clubs or An Óige etc. The issue is how all this is pulled together to make a structure for the future.

Mr. Rabbitte: I can see the makings of a new interview in this.

The Taoiseach: It is an interesting position and we should foster and build for the future.

Mr. Sargent: There will be no charity legislation.

Aengus Ó Snodaigh: Like the other Deputies, I welcome the task force on active citizenship and wish Ms Mary Davis well in her job. I hope the task force will be able to highlight the main barriers to active citizenship for many people and consider that aspect, as well as how to encourage people to give up their time freely. Barriers include exorbitant mortgage payments, which people have to work long hours to meet. People are stuck in traffic because of inadequate public transport and the chaos on our roads.

[Aengus Ó Snodaigh.]

I wish to return to the point made by Deputy Kenny with regard to the rapid inflation of immigrant communities. Despite what the Taoiseach stated, there are ways of ensuring immigrant communities can be represented, and groups are there which could do this.

An Ceann Comhairle: Does the Deputy have a question?

Aengus Ó Snodaigh: Will the Taoiseach look again at ensuring that immigrant communities are represented as a body? The representative could be somebody from the newspaper *Metro Éireann*, the Immigrant Council of Ireland or from Sport Against Racism in Ireland. I know the Taoiseach is interested in sports. It should be a direct representation rather than through some secondary body, as was suggested.

The Taoiseach: I am open on that issue, and the question is how a representative can be found. There are many people from different groups, but the amount of groups makes it difficult. Perhaps it should be left to Ms Davis and her group. They may feel there is someone who could take a broad representation and would be acceptable.

I do not always agree with the theory that this is about people who are working or in traffic commuting. I will not take issue with it now as I wish the group well. My experience of observing is that the busiest people travelling the furthest, who may be sales reps or truck drivers working around the country and the Continent, will always make it home to manage their team at the weekend. The person who has a business beside their house and does not have to drive anywhere or finishes quite early can be so busy after 5 p.m. or 6 p.m. that he or she cannot give an hour at any stage. People may return home at 5 p.m. at the weekend and not surface again until 8 a.m. on Monday, never giving an hour.

Mr. Kenny: Some would go home at 5 a.m. and still find the time.

The Taoiseach: They are active citizens too. It does not follow in practice that this is the difficulty. Some people are committed and interested, and the effort should be to get more people to give a little bit of time to help. That makes good practice for active citizenship.

Dr. Cowley: I am grateful for the opportunity to ask the Taoiseach a question on the issue. I welcome this task force. I know Ms Davis and I wish her well. I ask the Taoiseach's opinion on the fact that much frustration exists among communities in trying to get things done in competition against the private sector. I know this as somebody who has worked and continues to work in communities. This even extends to getting land

for social housing. A community looking to provide basic housing for local citizens may have to compete with people who wish to build many houses for profit.

Other projects I have been involved in are other examples. There is much difficulty in communities trying to raise a percentage of a price in competing with the private sector for sites or other lands. With regard to nursing homes, some communities are anxious to support people in their own community, but this is not possible because of competition from the private sector. There is a lack of assistance from the State to communities.

I ask the Taoiseach, in the context of citizenship, to support the people who are trying to act as I have described but cannot do so because of unfair competition and lack of input from the State. I would like the Taoiseach's opinion on the matter.

The Taoiseach: That is an issue, as any voluntary group cannot afford to pay huge prices. I accept it is a difficulty. That was a reason for the State lands initiative. Local authorities should try to give some of their land. The committee chaired by Des Geraghty, in the context of the affordable housing initiative but it has a wider application, said that where there is much land that is not zoned, community zoning would be a simple system. It has been picked this up from what is happening in some councils in the UK, where land which is derelict but zoned as open space could be re-zoned, but only for community purposes. It is a simple operation.

The proposal has been put, the Department of the Environment and Local Government has gone with it and it has been discussed with some local authorities. There is no reason the idea could not be used nationally, as it would give an incentive to zone land exclusively for community use. People would support the idea on that basis, but if it was for private development people would not support it. This is a way to deal with such matters and to keep the price low.

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. O'Dowd: I wish to seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the urgent need for the Government to oppose in every possible way the decision of the British Government to increase the number of nuclear power stations, thus increasing the volume of nuclear waste to be reprocessed at Sellafield, which will increase the risk to the Irish people from potential accidents or acts of terrorism.

Mr. Healy: I wish to seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the need for the Minister for Justice, Equality and Law Reform to meet a deputation from Clonmel Borough Council regarding the need for additional gardaí for Clonmel and to discuss action needed to tackle crime, including drug related crime and anti-social behaviour.

Dr. Cowley: I wish to seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, why 41 Afghans, of which seven are minors, including a number of boys of 16 years old, must put their lives in jeopardy by going on hunger strike at St. Patrick's Cathedral to highlight the secretive and erratic process operated by the Department of Justice, Equality and Law Reform in our name, which processes asylum seekers to this State and which lacks the openness and transparency needed to ensure troubled human beings are offered proper dignity and receive natural justice; and the need for the Minister for Justice, Equality and Law Reform to review the asylum process from a humanitarian point of view. I am glad these people have gone off thirst strike.

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

Order of Business.

The Taoiseach: The Order of Business is No. 2, Institutes of Technology Bill 2006 — Second Stage, resumed. Private Members' business will be No. 51, motion re primary education, school places and class sizes, resumed, to conclude at 8.30 p.m.

An Ceann Comhairle: There are no proposals to put to the House today.

Mr. Kenny: Is it possible to amend legislation to cater for the consequences of the ruling of the European Court of Justice that the State may be liable for charges of persons on waiting lists for operations in Ireland?

Will it be necessary to transfer land to the Department as a result of the decision to locate the Central Mental Hospital at Thornton Hall?

An Ceann Comhairle: That is a question for another time.

Mr. Kenny: In view of the difficulties being experienced internationally in negotiations with Iran over its nuclear programme does the Taoiseach consider that, as one of the longest serving European leaders—

An Ceann Comhairle: That does not arise on the Order of Business. The Taoiseach may answer the first question on legislation.

Mr. Kenny: If the Ceann Comhairle lets me finish the sentence he will see why it does arise.

An Ceann Comhairle: If it is about legislation I ask the Deputy to come to the point.

Mr. Kenny: The Ceann Comhairle jumps out of the traps very quickly these days. I will finish my sentence and ask the Taoiseach a question on international legislation which I am fully entitled to ask.

An Ceann Comhairle: The Chair cannot allow Members to continue if a question is not relevant to the Order of Business.

Mr. Kenny: I ask the Taoiseach whether there is an international role for Ireland as a non-aligned country.

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

Mr. Kenny: It does.

An Ceann Comhairle: It may be the subject of Leaders' Questions.

Mr. Kenny: From the Ceann Comhairle's perspective, nothing arises on the Order of Business. We have had a farcical situation this morning whereby questions were asked on the time a committee met, whether it was raining or whether the sun was shining.

An Ceann Comhairle: In the view of the Chair the Deputy's question should be submitted for written answer.

Mr. Kenny: The Ceann Comhairle has recently been very tight about the regulations to an extent that none of his predecessors was.

An Ceann Comhairle: The Deputy should read the Official Report.

Mr. Kenny: None of the Ceann Comhairle's predecessors was as restrictive. He has developed a system of talking while everybody else is talking so as to drown out legitimate questions the Taoiseach wants to answer.

An Ceann Comhairle: The Taoiseach may want to answer them but he can no more be out of order than Members.

Mr. Kenny: The Taoiseach is not out of order and neither am I.

An Ceann Comhairle: The Deputy is out of order. The question on Iran does not arise on the Order of Business. I will refer to Standing Order 26.

Mr. Durkan: We have heard it all before.

Mr. Stanton: Can the Taoiseach reform this place?

The Taoiseach: I would be very glad to.

Mr. Stanton: It is ridiculous. He should do something about it.

The Taoiseach: The Chief Whip has proposals if the Opposition is prepared to accept them.

An Ceann Comhairle: Standing Order 26 allows the taking of business which has been promised, including legislation promised either within or outside the Dáil, matters concerning the making of secondary legislation, arrangements for sittings and when Bills or other documents on the Order Paper needed in the House will be circulated, subject to the proviso that the Taoiseach may defer replying to a question relating to the making of secondary legislation to another day.

Mr. Kenny: I will tell the Ceann Comhairle where I consider him to be wrong. Document No. 52 is a Bill on foreign affairs, namely the British-Irish Agreement (Amendment) Bill 2002 which deals with support programmes for the EU. Britain is a negotiating party to the discussion on Iran and I am asking the Taoiseach if he considers that Ireland has a role as a non-aligned country.

An Ceann Comhairle: The Deputy is absolutely correct that he has the right to raise the issue of document No. 52. He is, however, absolutely wrong to ask the Taoiseach what his view is on the issue. We cannot discuss the substance of the document on the Order of Business.

Mr. Durkan: We need to know what the Taoiseach is thinking.

The Taoiseach: That particular legislation will be brought forward this year. On the first question, which the Ceann Comhairle has ruled in order, the Department of Health and Children is currently studying the implications of this important case. The ruling clarifies that authorisation to travel abroad for hospital treatment cannot be refused where the treatment in question is normally available in the member state of residence but cannot be provided without undue delay. The delay must be within a medically acceptable period, taking account of the individual circumstances.

With regard to the public hospital waiting list the National Treatment Purchase Fund, which was established four years ago to reduce long-term waiting lists, ensures faster access to treatment, in most cases within the State, though it is subject to budget limitations. Since we joined the European Union we have made extensive use of the treatment overseas scheme to send patients abroad, particularly to the UK. The Department is examining the judgment of yesterday.

Mr. Rabbitte: On 16 May 2006 I put down Parliamentary Questions No. 400 to 403, inclusive, to the Minister for Justice, Equality and Law Reform about a meeting or meetings he had with a private investigator in County Meath in his capacity as Minister. My questions were detailed but I received the following reply:

I propose to take Questions Nos. 400 to 403, inclusive, together. I can confirm to the Deputy that I have met and spoken to the person concerned on a number of occasions.

That is the full reply, which I consider contemptuous of the House and disrespectful of the Dáil.

Mr. Durkan: It is contemptuous and not for the first time.

An Ceann Comhairle: Does the Deputy have a question appropriate to the Order of Business?

Mr. Rabbitte: It is typical of the arrogance—

An Ceann Comhairle: Does the Deputy have a question appropriate to the Order of Business?

Mr. Rabbitte: What is my redress as a Member of this House—

An Ceann Comhairle: The Chair has no control over such matters.

Mr. Rabbitte: —when I put down a legitimate question to the Minister for Justice, Equality and Law Reform, detailing the matters I want answered, and receive a reply as contemptuous as this?

Mr. Howlin: The House can fold up.

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

Mr. Rabbitte: The Ceann Comhairle has ruled out Deputy Kenny because he was out of order. I was perfectly in order in putting down these questions but I received a contemptuous reply.

An Ceann Comhairle: Yes, Deputy but there are other ways he can raise it. We cannot have a discussion on it on the Order of Business.

Mr. Rabbitte: What are those ways?

An Ceann Comhairle: The obvious way would be on the Adjournment.

Mr. Rabbitte: On the Adjournment.

Mr. Durkan: Do not make us laugh. The Minister would not come to the House to answer.

Mr. Rabbitte: On the Adjournment the only issue not addressed is the one that was raised.

An Ceann Comhairle: If Deputies are not satisfied with the Standing Order they should change it.

Mr. Rabbitte: The Minister will send in a junior Minister with four scripts for the four matters raised and they will read out the answers without even knowing the subject matter of what they are reading.

An Ceann Comhairle: There are other ways to raise the issue.

Mr. Rabbitte: In his capacity as Minister for Justice, Equality and Law Reform he met a private detective to dig dirt on the previous Minister for Justice, Equality and Law Reform.

An Ceann Comhairle: I would prefer the Deputy not to continue when he has been ruled out of order.

Mr. Rabbitte: When I put down a question on what transpired the Minister gives me a contemptuous reply and the Ceann Comhairle tells me to raise it on the Adjournment.

An Ceann Comhairle: Yes, Deputy and if that does not suit him the Chair would be glad to discuss other ways.

Mr. Rabbitte: It does not suit me.

Mr. Durkan: He is closing down information.

Mr. Howlin: The Supreme Court stated that a lack of answers causes tribunals.

Mr. Sargent: During questions I asked the Taoiseach, in the context of active citizenship, whether any progress was being made on charities legislation. Heads of the charities legislation Bill were shown to Opposition spokespersons but what progress has been made? It has been repeatedly pushed back and is now due in late 2006. Can the Taoiseach say whether it will be published in late 2006 or before the Government has to go to the country?

On nuclear safety, has the Government sent a submission to the British Government clearly stating the view of the Irish Government on the enthusiasm of the Prime Minister, Mr. Tony Blair, for nuclear power? A criminal justice suppression of acts of nuclear terrorism Bill has been promised. I hesitate to call what Mr. Blair is considering “nuclear terrorism”——

An Ceann Comhairle: On legislation please, Deputy.

Mr. Sargent: ——but it could be seen as nuclear terrorism if something went wrong. Has the Government put its views in writing or will it do so with a nod and a wink and a slap on the back?

Mr. Martin: The Deputy would make a great Minister for Foreign Affairs.

The Taoiseach: The heads of the charities Bill were approved about two months ago and it has been given priority drafting.

Mr. Sargent: It has been a long time coming.

The Taoiseach: It is a very large Bill with many legal complexities but a number of the difficulties around charitable donations and bequests and some other legal difficulties have been overcome. I understand it is hoped to get the Bill into the House in the autumn and the Minister is anxious to do so.

The other legislation was——

Mr. Sargent: I referred to the criminal justice, suppression of acts of nuclear terrorism Bill.

The Taoiseach: It is not possible to indicate when that legislation will be taken.

Mr. Sargent: Perhaps Tony Blair will help.

Mr. Timmins: The Taoiseach will be aware of the recent signing of the Abuja accord between one of the rebel groups in Darfur and the region's government and the passing of a recent UN resolution on the difficulties in Darfur. Will the Government look favourably on any requests seeking the participation of Irish troops in a potential UN force in Sudan?

An Ceann Comhairle: That is a matter for the relevant Minister.

Mr. Timmins: When will the defence amendment No. 2 Bill come before the House?

The Taoiseach: It is to be taken in the autumn session.

Mr. Sherlock: When will the Ombudsman amendment Bill to widen the remit of the Ombudsman to include additional bodies be taken? Given that the Supreme Court has upheld the constitutionality of law permitting the purchase of ground rents from landlords, will the Taoiseach restore the ground rents Bill to the legislative programme? Did the Taoiseach refer the matter to the Attorney General?

The Taoiseach: The heads of the Ombudsman amendment Bill have been approved and legislation drafted. The Bill is listed for 2006 subject to time constraints on the parliamentary draftsman. The ground rents Bill is not proceeding.

Mr. Sherlock: The Bill was withdrawn for a reason set out by the Minister.

The Taoiseach: It was withdrawn because of the legal cases.

Mr. Sherlock: The High Court and Supreme Court made a decision on the matter. Did the Taoiseach refer it to the Attorney General?

The Taoiseach: The Bill is not listed so I suggest the Deputy table a question to the Minister to see if it will be listed again.

Mr. Crawford: I believe the issues I raise are in order. In light of the need for gardaí to be on the beat, when can we expect the introduction of the enforcement of fines Bill, which would relieve pressure on Garda time? When will the long-promised legal costs Bill be taken? The programme for Government contained an agreement to provide that the Director of Public Prosecutions may appeal against unduly lenient sentences in serious cases before District Courts. When will the relevant legislation be introduced?

The Taoiseach: The enforcement of fines Bill is due for publication in this session. It will be 2007 before the second Bill will be taken.

Mr. Crawford: What about the appeals mechanism?

Mr. Boyle: I wonder if the Taoiseach has more up-to-date information on a question I have asked him on several occasions. The Comhairle (Amendment) Bill was supposed to be the third leg of the Government's disability strategy but has been in suspended animation since its publication in 2004. The chairman of Comhairle indicated he wanted certain changes made to the organisation, including its name. When will the Second Stage debate take place?

The Taoiseach: The Comhairle (Amendment) Bill is at Order for Second Stage. It was held up because the disability groups wanted to look at what they thought were best international practices. They sent a delegation to New Zealand to look at what happened there and have since produced a report.

Mr. Boyle: The main reason for the delay was the Minister's dislike of the name.

The Taoiseach: We need a Bill which gets the support of the disability groups. They have now given their views and I believe they will be taken into account in the Committee Stage amendments to the Bill.

Mr. Naughten: When will the property services regulatory authority Bill to provide for the establishment of a property services regulatory authority and the regulation of the auctioneering sector come before the House?

The Taoiseach: The Bill is listed for 2007. The heads have not been done yet.

Mr. Bruton: The Taoiseach has often referred in the House to the fact that 400 beds in acute hospitals are not available because people who have been medically discharged cannot move on. How can he expect us to debate the nursing homes subvention legislation without acting on any of the three reports—

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

Mr. Bruton: Of course it arises.

An Ceann Comhairle: Deputies may not discuss the content of a Bill on the Order of Business.

Mr. Bruton: I have not referred to the contents of the Bill. If the Ceann Comhairle gives me a moment to state the reason this is—

An Ceann Comhairle: The Deputy will have an opportunity to comment when the Bill is before the House. I do not wish to read out Standing Order 26 a second time.

Mr. Bruton: If the Ceann Comhairle allowed me to complete the sentence, he would see my point. Three reports have been published on this issue and instead of—

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

Mr. Bruton: I refer to No. 83, the Health (Nursing Homes) (Amendment) Bill 2006.

An Ceann Comhairle: The legislation is before the House.

Mr. Bruton: Second Stage has yet to be taken.

An Ceann Comhairle: The Deputy will have an opportunity to make his views known.

Mr. Bruton: How can the Taoiseach expect the House to debate the Bill when he has not made decisions on the published reports?

An Ceann Comhairle: The House cannot discuss the Bill on the Order of Business.

Mr. Bruton: The Bill will remain meaningless until decisions are taken on the issues underpinning it. As a doctor, the Ceann Comhairle is aware of the reality and I believe he is trying to prevent Deputies from having an opportunity to address the framework within which the Bill should be debated. It makes a nonsense of the business of the House.

An Ceann Comhairle: Business should be conducted in an orderly manner and the Deputy should speak when the Bill is taken.

Mr. Bruton: The Ceann Comhairle's behaviour is making a cod of the House.

Mr. Durkan: In view of the surreptitious closure of a number of post offices, which will lead to a reduction in the value, strength and effectiveness of the post office network and a consequent reduction in the extent to which An Post can expand its services in future, does the Taoiseach anticipate that the postal miscellaneous services Bill promised two years ago will be reinstated on the schedule in the near future?

The Taoiseach: As the Bill has been removed from the list, no legislation is pending. The Deputy should pursue the matter with the Minister through a parliamentary question.

Mr. Durkan: Deputies are entitled to ask about promised legislation. The legislation in question was promised and featured on the Dáil Order Paper, from which it was then removed. Is it intended to place it on the Order Paper again in view of the serious issues I have raised?

The Taoiseach: That is a matter for the Minister and should be pursued with the Minister.

Mr. Durkan: I asked the Taoiseach the question.

Institutes of Technology Bill 2006: Second Stage (Resumed).

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

Ms O'Sullivan: Last night I welcomed the fact the Institutes of Technology Bill has finally been introduced in the House. The legislation is generally welcomed by staff, students and members of governing bodies in the institutes of technology around the country. I also paid tribute to those who have developed the institutes to their current position. Institutes of technology have been very responsive to needs in their respective areas and have provided vital opportunities for students who might otherwise not have an opportunity to continue to third level. I also pay tribute to vocational education committees which allowed the institutes of technology sufficient flexibility to grow organically and develop in the manner they have.

It is important to take this opportunity to raise some questions regarding the legislation. The opportunities offered by the decision to bring the institutes of technology within the remit of the Higher Education Authority must be taken. The Labour Party by and large supports the legislation although I will raise one or two concerns about the Bill. My party and, I am sure, the Mini-

ster want it implemented as soon as possible and the colleges hope it will be passed in both Houses before the summer recess. As such, the Labour Party will facilitate the passage of the Bill in whatever way it can.

The first points I wish to make concern regional opportunities the institutes of technology provide and can continue to provide under their changing roles. They are uniquely situated to work with local communities and business organisations as well as collaborating with other educational institutions in their regions. They will have more opportunities to do so in future.

I recently participated in a forum at the Limerick Institute of Technology, which was organised by the institute's director, Maria Hinfelaar. She invited representative stakeholders to discuss the needs of the region and how the institute of technology might be able to facilitate development issues across a variety of spheres. It was a most constructive meeting and I have no doubt that such events occur in other parts of the country as well. The institutes of technology have seized such opportunities in the past and will do so in the future.

In her speech, the Minister mentioned the strategic innovation fund which also provides collaborative opportunities. She referred specifically to "stronger inter-institutional collaboration in the development and delivery of programmes". I realise that there is a willingness to do that. Now that third level institutions are all under the aegis of the Higher Education Authority, it will facilitate universities and institutes of technology in working together.

There are more opportunities to bring people in from the workplace to work with local communities as well as providing second-chance opportunities for adults. All such opportunities should be grasped and the move towards modularisation will assist that process. However, the issue of fees for part-time students needs to be examined. The cost of going to college is a real issue for many part-time students and while the matter is not dealt with directly in this legislation, it needs to be addressed.

Elsewhere in her speech, the Minister mentioned the continuing growth in participation in third level education. She referred to the national admission rate of 55% in 2004, which was up from 44% in 1998. I have no doubt that is directly linked to the fact that tuition fees no longer apply to third level institutions. I know there is a cost involved but we should look at the obstacles facing some people who would otherwise like to participate in full-time third level education. Currently, they can only do so as part-time students so I hope that matter will be examined.

I will now refer to some of the issues that have been raised with me by staff and directors of the institutes of technology. By and large, there is a welcome for this legislation but some questions have been posed by those involved in the institutes. As regards the transition process, they

[Ms O'Sullivan.]

have been micro-managed by the Department up to now but will soon be moving to a much freer system wherein they will have more control over their budgets. That is good but people are seeking more information about the overall timescale involved and practical issues such as when budgets will be determined. Will budgets be related to numbers in the institutions or to the cost base? Up to now, the budgets have been fixed to incremental increases. Will that system change or will the budgetary process continue as before? I do not know the answers to those questions but I would be interested to hear them from the Minister.

I was also asked whether some of the expert staff in the Department will continue to work on issues such as human resources and pensions, the normal budgeting matters that ITs had been doing with departmental staff. Will those matters now be taken over completely by the institutes and the HEA and, if not, how will the transition work?

Concerns have been raised by staff about section 13 and in particular the tenure of academic and other staff. This matter has been raised by the Teachers Union of Ireland. Up to now, if one worked in an institute of technology, the Minister had the final say if there was a question of someone being dismissed. As I understand it, that provision will be removed under the terms of the Bill. There is some concern about that. To some extent, it will bring matters in line with the Universities Act but university staff have security of tenure which, it appears, will not be available to staff in institutes of technology under this legislation. Current staff will not be affected but future staff may be. Will the Minister take these concerns on board? As I understand it, the conditions will not be as good as, or similar to, those in the university sector. The Minister should negotiate with representatives of workers in the institutes of technology to ensure that issue is addressed.

As for the strategic innovation fund, staff in universities and institutes of technology have raised the question of valuing different faculties and not simply valuing those that bring in the most students or attract the highest level of research grants. This matter has been raised particularly as it pertains to the humanities area. As Deputy Enright said in yesterday's debate, a variety of areas are dealt with in institutes of technology and, in some respects, their curriculum is broader than that of the university sector.

I am concerned about trades, for example, and other aspects of what is done in institutes of technology that have practical applications for the workplace and are much needed in the economy. In some cases, equipment may take up a lot of space and, therefore, one may not be able to fit as many students in a room as certain other disciplines. This issue arose a few years ago but it is one about which we need to be concerned to

ensure that these important areas are not squeezed out by those which better fit the description of what attracts funding. That point must be borne in mind because we want to ensure that we value all the different disciplines and that we keep space for all of them. The institutes of technology have been practical in responding to the existing requirements in providing training and education for a variety of skills.

While the third level sector is being realigned, we should examine the various opportunities available. I refer to the further education sector, which other speakers have raised, along with the implications of the McIver report. As institutes of technology will now come within the ambit of the Higher Education Authority, it will define further the role of further education and the need for it to be structured properly. Staff and students who work in the sector should have reasonable opportunities and proper facilities, so I call on the Minister to implement the McIver report in this regard.

There is an opportunity to link a variety of levels, thus providing opportunities to those who have not taken the traditional route through primary and secondary education to third level. People who wish to study at third level should be facilitated to do so and the national qualifications framework will help in that regard.

Students need guidance at second and third level. Traditionally, there has been quite a high drop-out rate in institutes of technology. One of the reasons for that is that people sometimes pursue courses to which they are unsuited. They may have got their fourth or fifth choice on the CAO, but they did not research the course properly and after the first term, they realise they are in the wrong course. Students often find themselves on the wrong course. I spoke recently to leaving certificate students who felt strongly that they should be told the exact implications of the choices they make on their CAO forms.

When many students get to third level, they discover in their first term that they are not really where they want to be. Sometimes they can transfer but as they lose their grants if they do not transfer before a certain date in November, it can be financially impossible for them to transfer if they have left it too late. We must work out an easier system for students and inform them of it, so, if they have difficulties, they can decide the course is not for them and make use of other opportunities. The institutes of technology in particular provide a good opportunity for students to move on, for example, from certificate to diploma to degree courses, which is positive. However, there is a real problem with some students who may not be aware of what is available and with regard to overworked guidance staff in institutes of technology who need an improved level of staffing and support.

In general, the question of staffing is important. As we move towards increased rewards for research in third level institutions, we must make

sure that the balance between time for teaching and time for research is maintained, that we value teaching as much as research and that we do not put too much pressure on staff. This area needs to be monitored, which is primarily a role for the Higher Education Authority but also includes policy issues, which are matters for the Minister for Education and Science. In many ways developments at third level are very exciting, and the fact that institutes will be under the same umbrella as universities will provide many opportunities. However, the area needs to be monitored to ensure too many pressures and difficulties do not arise.

By and large, institutes of technology have been able to develop but some have been held back by physical problems. There was a hold-up in capital funds to third level, although that has been relieved to an extent and some institutes are benefiting. It is important to make sure that the institutes have the appropriate facilities.

The Joint Committee on Education and Science recently discussed the changes in the EU granting system for research, which poses problems for third level institutions with regard to how they audit their accounts and allocate funding for teaching, research and so on. This will probably be an issue for the institutes of technology also and I hope whatever assistance they require will be provided by the Department of Education and Science.

The question of Seanad votes for graduates is one that might be appropriate in this context. With the institutes of technology and the universities all under the umbrella of the Higher Education Authority, it becomes increasingly anomalous that only NUI and TCD graduates have votes in the Seanad. This issue has been around for a long time but nothing has been done to deal with it. The introduction of the Bill is a good time for it to be revived. There is no reason graduates of other universities and institutes of technology should not be afforded a voice in the Seanad given that NUI and TCD graduates have such a voice. I realise broader issues arise with regard to reform of the Seanad and how Senators are and should be elected but while we have the current system, we should have equality. I am not sure the Minister has a role in this regard but the issue should be raised and should be one to which the Government pays attention.

I support Deputy Enright on several issues she raised earlier in the debate, in particular with regard to clarity of roles for the governing body and the director. The matter is fairly clear in the Bill but there may be some doubt as to the exact roles of the two different bodies. Deputy Enright noted that the directors of the institutes cannot discuss or criticise policy in the context of, for example, coming before the Joint Committee on Education and Science. While this restriction is contained in other legislation, it would be healthy if people could raise issues related to their own experience. Deputy Enright also referred to gov-

erning bodies being able to appoint their own chair, which is a more democratic way to proceed. Perhaps the Minister could examine these issues. I congratulate the recently appointed chairperson of the Limerick Institute of Technology, which is in my home area.

There are great opportunities for all of the institutes of technology to contribute in perhaps a clearer way than in the past, and with more flexibility in responding to local needs. They have been proactive in how they have taken opportunities in the past, although sometimes with certain restrictions.

I welcome the Bill. I ask the Minister to consider the specific issues I raised with regard to the transition from one system to another, in particular with regard to security of tenure for staff. The Bill could be used as a starting point for creating greater opportunities for people to participate in third level education given that the institutes of technology have a unique role. This role can be developed and can bring more people into the knowledge economy, which is necessary if we are to meet the economic and social goals such as those in the Lisbon Agenda and pronounced by a variety of bodies, including Forfás, the ESRI and others. We have unique opportunities to bring more people into the education sector. We should grasp those opportunities and if there are obstacles in the way, they should be cleared.

We need to have more interdepartmental joined-up thinking in terms of creating opportunities, particularly for adults. I hope the Minister will discuss this with her colleague, the Minister for Enterprise, Trade and Employment. Bodies sometimes operate through parallel systems. A person could do a course through FÁS and the Department of Enterprise, Trade and Employment and another through the Department of Education and Science. The system often does not come together in ways that work for the individual trying to develop himself or herself. The Minister should consider this issue. I welcome the Bill.

Mr. Gogarty: I wish to share time with Deputies Crowe and Connolly.

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

Mr. Gogarty: Deputy O'Sullivan referred to the issue of Seanad votes. While there may be a more appropriate forum to discuss the issue, I agree with the Deputy with regard to votes for students in institutes of technology. If the current system is to be retained, it should extend to all students over the age of 18, be they repeat leaving certificate students or those in further education colleges, institutes of technology or universities. A democratic deficit exists in the operation of the Seanad at present but if the current system is to be retained, any adult who has studied at third

[Mr. Gogarty.]

level or post leaving certificate level should be allowed to have an input into the Oireachtas. The appropriate Minister should consider the issue.

I broadly welcome the publication of the Bill. As the Minister outlined, the Bill provides for the transfer of funding responsibilities from the Department of Education and Science to the Higher Education Authority, which we know was a major recommendation of the OECD report published two years ago. It provides for considerable positive changes which will transfer responsibilities related to funding, governance and other operations within institutes of technology. In theory this might empower the ITs to respond much more quickly in this globalised economy to the changing educational, social and other related economic requirements. It recognises the role ITs have played in the higher educational field and reflects their reputation as providers of a world class educational experience.

The OECD review was a spur but it goes back to the expert working group report on the future position and roles of institutes of technology which started the ball rolling. It is a welcome step to get this far, whatever about other debates on the need for a tertiary education authority. I do not wish to dwell on the specifics of the Bill because I agree with practically all of it. I may have some concerns about the amended section 7 and section 26 which substitutes Schedule 3 in respect of the provisions applying to the director but they can be expressed at a later stage.

Given that the HEA will have responsibility for both universities and institutes of technology, there is an opportunity to develop a more streamlined and coherent national higher education policy. We know that the funding has been provided because of the announcements made last year which are welcome. It is probably the only area of the education system that is getting the much-needed funding it deserves. In this context, given that funding is being provided and it is hoped the ITs will get their fair share, collaboration could be seen as the way forward. That the HEA will oversee the functions of both types of establishment should enhance co-operation nationally, in terms of shared strategic reserve projects, and to a lesser degree regionally.

There are many opportunities for a collaborative approach to reap awards. As a member of the Friends of Science group, under the remit of Science Foundation Ireland, I have seen several examples of this at a number of breakfast briefings. However, new challenges arise in the area of energy security, as my leader, Deputy Sargent, has pointed out to the Taoiseach. Certainly there is scope for the development of new, bigger and better alternative energy centres of excellence rather than being attached to existing ITs. These could be clustered and located in areas where they would create jobs along the coastline from Donegal to Kerry and could specialise in the development of wave energy. There are also

issues of wind energy and biomass, some of which are being examined within our ITs and universities.

Given that Ireland is 80% dependent on the importation of fuel, we need to be self-sufficient down the line. That requires investment in our own research rather than being at the behest of foreign companies who will control these resources. We have the potential, in years to come, to be net exporters of electricity. In that context we need to be in control of our destiny. While the research can be collaborative on an international basis, it must be spurred from an Irish context and any spin-off companies must be Irish owned. Otherwise, if it is owned by an overseas entity, we would still be importing our energy, even if it comes from Ireland.

I will announce green initiatives down the line in conjunction with my colleague in the enterprise, trade and employment portfolio, Deputy Eamon Ryan. I am especially glad the Bill is receiving widespread support among the ITs, the students' unions and the wider academic community. It is also good to note broad cross-party support thus far for this important legislation. The Bill puts the 14 institutes on an equal footing with the seven universities. That is a message that is loud and clear. In that message there is a challenge to improve awareness among the public of the role of ITs and the wide range of academic options provided. The honours degrees and postgraduate qualifications are identical to those of universities as well as non-honours degrees and diplomas, qualifications which are all internationally recognised. There is also the added benefit of easier interchangeability and transference between courses.

I read with interest the article by Mr. Jim Devine, chairman of the council of directors of the institutes of technology, in yesterday's edition of *The Irish Times*. He pointed out that the IT sector is thriving but that there is still an issue of parental prejudice and a communications problem. He pointed out that 50% of all students entering higher education attend ITs and more than 20,000 study part-time either on campus or in the workplace and can build credits towards the internationally recognised qualifications. Some 1,200 students are engaged in programmes at masters and doctorate levels and IT graduates have been pivotal in underpinning economic growth and in providing the knowledge, professionalism and skills base that continues to make Ireland a location of choice for inward investment. As Mr. Devine highlights, market research commissioned by the ITs shows that just over one third of people have an unprompted awareness of the sector.

The HEA report shows that of those who went to college in 2004, only 18% of students from Dublin went to ITs in 2004-05 — the lowest number in the country — while Sligo had the highest number at 34%. There is still some work to be done by the ITs and the Minister in promot-

ing the sector. It is not taking away from the role of the ITs in terms of offering access to a wide social and academic mix of students, and increasing the access from families with no tradition of higher education.

It is one thing to invest in higher education and transfer responsibility for day-to-day management but it is another matter to ensure access is provided to students from all walks of life. For example, in my constituency, there has been a small improvement in areas of disadvantage such as Clondalkin, Bawnogue and Neilstown where the attendance rate at third level was 22.8% from 1998 to 2004. A closer look at the figures show that only 14% were an honours degree admission rate compared with 60.9% in Ballsbridge and Ringsend. It is one thing to facilitate the onward march of the ITs, which probably have the best record of access for people from disadvantaged areas, but another to maintain that level of work. As this matter will be discussed in the committee tomorrow, I will not dwell on it.

In regard to one of the larger ITs in Dublin and the Grangegorman Development Agency, the telephone calls and the emails have continued since the debate last year on the legislation. Dublin Institute of Technology students' union is adamant that it needs to have a role on the board, as does the local community. If there is any way of facilitating that request, despite what happened through the passing of the legislation, will the Minister consider it in order that all parties feel they are a stakeholder in the project?

Mr. Crowe: There has been a broad welcome for the new legislation recently published by the Minister. I acknowledge the fact that a number of the issues I had previously raised at the Joint Committee on Education and Science in September 2004 have been addressed in this Bill, such as attempting to create a more even development between the IT and university sectors. I hope the legislation will be beneficial and helpful in securing the long-term sustainability of the colleges and will further embed these institutions in the wider community.

It is hoped that by bringing the institutes of technology, of which there are 14, under the control of the Higher Education Authority, they will benefit and be able to develop their roles further. Essentially a unified framework for higher education will be created with the 14 institutes and seven universities being under the control of the one body, namely, the HEA. Can the Minister ensure in such a binary system that the ITs will no longer be a junior partner to universities? I note that students' unions, staff and the HEA view the extension of significant new managerial and academic autonomy to the institutes as positive. I would like to think the legislation has been influenced by the OECD report on higher education in 2004 which recommended further freedom and autonomy for the institutes.

I commend those who have made the institutes of technology the success they are. Not only have the institutes provided a great boost to the development and economic infrastructure of towns and regions, but more importantly they have opened the doors of higher education to thousands of people. An ESRI report for the HEA indicated that ITs are making significant inroads to increase participation from lower socio-economic groups. By widening access and participation, students with modest to poor achievement in the leaving certificate can now participate in higher education.

However, widening access on its own is not enough. These students must be supported to complete their third level education. Supports in place for university students should also be available for IT students. Many students contact me regarding crèche facilities, particularly students coming from disadvantaged backgrounds, and such facilities are essential. Counselling and other support mechanisms need to be built on. Greater flexibility also needs to be shown regarding the academic year for IT students because of the background many of them come from, and equal support has to be given in this area for universities and the institutes.

Institutes have been largely successful in their role of serving the very broad educational and vocational needs of this State, and there are now more than 90,000 full-time and part-time students pursuing studies in the institutes of technology. The OECD report of 2004 further identified institutes as having a pivotal role in addressing the knowledge economy. As well as helping attract direct foreign investment through supplying a pool of qualified graduates in the regions, ITs have supported the development of small and medium-sized enterprises and indigenous industry through a series of initiatives. Included among these is the M50 programme in my constituency, led by the IT in Tallaght — naturally, as a local Deputy, I would note that — in conjunction with the IT in Blanchardstown, with UCD and DCU.

There has been criticism in the past that under the control of the Department of Education and Science the institutes did not possess the freedom they needed to realise their full potential. The Union of Students in Ireland has regarded this control as placing institutes of technology in a straitjacket, and the union has strongly endorsed the new legislation. The OECD said the fragmentation of policy and policy implementation has stifled development, and this Bill will hopefully take a step towards integrating the components of our tertiary education system. Such collaboration in a unified system will hopefully reap benefits for all concerned. However, we must ensure this collaboration is extended to further education colleges with regard to widening access and lifelong learning.

In this respect I once more urge the Minister to implement the McIver report and ensure the future growth and success of PLCs. Institutes

[Mr. Crowe.]

have called for the removal of managerial constraints, which they believe disadvantage them in comparison with universities. That was among the issues I raised at the Joint Committee on Education and Science in 2004. It is hoped these constraints will be addressed in the Bill, as indeed they are, to a large extent. In addition, ITs feel they are not on an equal footing with universities, stemming from the current need for ITs, unlike universities, to obtain approval from the Department of Education and Science before a new degree programme is initiated. Although the Minister will now place ITs alongside universities under the control of the HEA, the burning question from the ITs is whether the Minister will grant them the same level of freedom as universities were given under the Universities Act? The Minister might respond on this point.

A noticeable trend all over Europe, especially in Britain, is that governments are devolving responsibilities and freedoms to educational institutions. If such devolution is to be proceeded with by the Government, it should at least be balanced by tough accountability mechanisms. The institutes must not be allowed to lose their capacity for innovation which has seen them respond effectively to Ireland's economic and educational needs.

A recent survey showed that most of the public have an incomplete understanding of the wide range of academic options that ITs provide. Though the new Institutes of Technology Bill seems like an important step in addressing the lack of awareness of ITs, the Government must ensure that ITs have the financial resources to better communicate their wide range of academic options to the public. The institutes must be resourced to make people from families in areas of high disadvantage and with no tradition of higher education participation aware of the options ITs can give them.

I am interested in what the Minister will have to say with regard to the fears expressed by the Teachers Union of Ireland regarding the Bill. While the union is not opposed to the move of the institutes to the HEA, it is very concerned at certain aspects. For instance, the union says it will not countenance any erosion of members' conditions of service when the institutes come under the aegis of the HEA. There have been fears that the concept of permanency as traditionally understood is under threat.

Concerns have also been expressed regarding amendments that alter the Colleges Act 1992 which originally affirmed that termination of a contract requires ministerial sanction. While the Minister has accepted that this protection will continue for existing members, worries have surfaced with regard to the same job security for future members. The section in question seems contentious in that the provision of consent where an IT wishes to dismiss a staff member remains as an existing function of the Minister for

Education and Science, but only for staff members employed before the enactment of this Bill.

Another issue raised is the composition of the HEA. It is imperative that such an educational body is primarily influenced by educationalists. There must be an appropriate representation from the institutes of technology sector. Has the Minister any plans to introduce statutory staff representation on the HEA as with student representation?

The Institutes of Technology Bill possesses more positives than negatives for the parties concerned in this area of education. However, the Minister must ensure action is taken to allay the fears about job security expressed by the unions. She must also ensure that the public profile of ITs is enhanced to enable greater and fairer access.

Mr. Connolly: I support the call made by a number of Deputies to allow Seanad representation to be extended to all third level colleges and ITs. Last week in this Chamber I asked for a debate on the issue, which is only right. If we are considering Seanad reform, such representation is one of the issues that should be debated and I support it.

I welcome the opportunity to speak on the Institutes of Technology Bill 2006. In 1964 the OECD recommended that funding responsibility for the institutes of technology be transferred from the Department of Education, as it was then, to a higher education authority. That is 32 years ago, quite a long time ago. If the concept was right then, it remains right, however late we are getting there. No doubt many people have gone through the system and have now retired from it, but the fact that we are addressing the issue now is welcome. I am happy that the Bill provides for such a transfer and I welcome it as a landmark Bill in third level education in this country.

When we talk about education, it give us an opportunity to look at our own patch and what is happening there. From a BMW perspective, it has given me an opportunity to look at some figures and facts in Cavan and Monaghan, those counties being part of the BMW region. I noted that the numbers staying on there to sit the leaving certificate is, at 81%, quite high and that surprised me. I did not think we would be competing so well with the south-eastern region and I was pleased with that figure.

I also noted that if a high number of people complete their leaving certificate, this will have a knock-on effect on third level colleges. This is reflected in the number of people who go to colleges throughout the country, particularly in Northern Ireland. However, the fact that people have gone to colleges in Northern Ireland is not taken into account in the third level statistics from some of our colleges. That does not put some of our colleges, particularly the college I attended, St. McCartan's in Monaghan, in the

same light as other colleges across the country. That is a bone of contention. When people are looking at statistics in future I hope they will take this into consideration. They should look at the number of people from that area who are going to college in Derry, Belfast, Liverpool, Newcastle, Glasgow and so forth.

Some of the counties in the BMW region are in the top ten in terms of sending people to third level education. That is very good for the region. However, what happens to these people when they qualify? They are well qualified people who have spent three or four years, and in some cases many more, in university. Consider the opportunities available to them in Cavan or Monaghan. There is a type of brain drain taking place in many of the counties in rural Ireland, particularly Counties Cavan and Monaghan. The number of people employed who have gone through third level education is one in eight in each county. That means, to put it another way, that seven out of every eight people who have attained third level qualifications must leave those counties. That is a significant problem. It could be seen as a brain drain.

We must examine this issue seriously. I hope the social partners, when considering their talks and strategies for the years ahead, will examine how this situation can be redressed. Attempts are being made to move the Civil Service out of Dublin. Generally, 40% of these people get their first job on the east coast, more often than not in Dublin. It is expensive to put down roots in Dublin city but people get caught in the system. They get married and stay with the job. Now, we are trying to encourage these people to move and are having difficulty doing that.

The concept is correct and welcome for people in rural areas but we should start it with a step-by-step process. Perhaps we should consider whether it is possible to put certain sections of Departments in rural towns rather than utilising the big bang approach of, for example, moving FÁS or the Courts Service. The Taoiseach was correct to say that he had bitten off more than he could chew in this regard. It would be best to announce a new policy and take it step by step. It should be rebuilt from the rural side up, moving small sections of Departments to rural towns. It should not be announced that entire Departments are being moved because that is practically impossible.

In addition, there is the problem of losing expertise from within those Departments. There are enough people offering to move but, for example, where people in the Department of Education and Science offer to move there might not be posts in that Department so they move to another Department. These are important issues. We must examine the policies we are trying to promote. Decentralisation is the right policy because jobs must be returned to rural areas but it must be done on a step-by-step or piecemeal basis. That way there will be more satisfied

customers and more satisfied employees in the system. To reverse the brain drain we must examine these situations. If people knew Departments were going to be moved to an area, they could gear their qualification for that. It also might entice them to stay at home and look after elderly parents. There would also be many other potential benefits.

The legislation provides an enhanced and coherent framework for third level education in Ireland and moves the country's 14 institutes of technology closer to the country's universities. From this will flow the type of collaboration and co-operation that will strengthen and maximise the potential of the third level education system. In their more than 30 year history, the institutes of technology, or the regional technical colleges as they were formerly known, have made a major contribution to the third level education system. I believe that the qualifications people are gaining in these colleges are on a par with those from universities and are sought after by employers. Often they are tailored to the market.

Tens of thousands of people, who might otherwise have been unable to go to a third level college, have been able to access higher education at these colleges. That is a major factor in many people from rural areas securing a third level education. Obviously, people would not have been able to afford to go to university in the cities. Places were limited in the universities but funds were also limited for people in rural areas, in terms of their ability to send their children to university. It is a major drain on the finances of a family. The institutes of technology filled that gap to an extent in that they provided an accessible third level education. I see the number of buses that travel each morning from Monaghan town to third level colleges. The beauty of these colleges is that they are accessible.

Some time ago I suggested that the universities, rather than expect people to come to the cities, should consider decentralising some of their departments. With a little imagination universities could greatly increase their intakes if, for example, they located sections of the universities in certain towns. Any of the universities would be most welcome in Monaghan town. Indeed, it would attract a large number of people, even from Northern Ireland. It would also generate new life in the town. Third level education should come to the people in the towns and make itself more accessible. This is how we should move forward. The other advantage is that children can remain at home and it is less expensive on parents. I talk a great deal about expense because I am doling out money on a regular basis and another child is due to go on the books shortly.

The economic infrastructure of the country's major towns and regions has received a major boost from institutes of technology, with the education briefs of the colleges being fashioned in line with the towns' economic strengths and aptitudes. Accordingly, the institutes have evolved in

[Mr. Connolly.]

line with their locations' economic development and have made a significant contribution to Ireland's spectacular economic success in recent years.

In most developed countries the trend has, for some time, been towards a knowledge based economy. In such circumstances, intangible investment in knowledge production, transmission and transfer is instrumental in raising productivity and living standards. In a knowledge based economy, the prime function of all third level institutions is education, in which the universities have traditionally been supported by research. Education has driven the Celtic tiger. We were in the right place at the right time in terms of having a well educated workforce.

Institutes of technology have always wanted to be on a par with universities and this Bill gives them that opportunity. For that reason I welcome and the support the Bill.

Mr. Kelly: I welcome the opportunity to contribute to this important debate. It is an opportunity to show the importance of the institutes of technology in the economic development of their regions. The Institutes of Technology Bill 2006 is the culmination of a three year process which began with the publication of the expert working group report on the future position and role of institutes of technology and continued with the 2004 OECD review of higher education policy in Ireland. Both reports recommended many of the measures included in the Bill that will give institutes of technology greater freedom and autonomy. The legislation proposes that the Higher Education Authority has responsibility for universities and institutes of technology. This should be the basis for the development of a more coherent national higher education policy. It is important to draw on the diverse strengths of the higher education institutes if their potential is to be fully maximised at regional and national level.

1 o'clock

The Bill recognises the critical role the institutes of technology play in the delivery of a world class third level education. It also recognises their ability to respond quickly and efficiently to meet both national and regional economic and social needs. The contribution of the institutes to regional development has been enormous. They have provided students with real transferable skills that enable them to adapt to the constant flux of the economy.

I compliment the director of Athlone Institute of Technology, Professor Ciarán Ó Catháin, his staff and pupils for their great work in the institute. It is a repository of expertise in electronic, computer and software engineering. This obviously helps meet the need for quality graduates in the Athlone region. Through initiatives such as the Applied Software Research Centre and the Midlands Innovation and Research

Centre, the institute is a driver of research and development and an incubator of technological and scientific creativity.

If we are serious about the creation of a fourth level Ireland, then we must welcome the Bill's measures. The new powers of governance for governing bodies and the new larger education arrangements are in line with international best practice, while the new budgetary structures are similar to those found in universities. The proposed legislation will facilitate the swift response of the institutes to environmental change. The greater autonomy it suggests will enable the institutes of technology to play an even greater role in the growth and development of their regions. The institutes of technology have met an important need over several decades. They have expanded from a position of educating technicians to being a driver of research at doctoral and post-doctoral level, a dramatic transformation in so short a period. The legislation is an important enabler in ensuring their continuing contribution to the economy, especially in the regions. There is no doubt about the commitment, dedication and expertise of the Minister for Education and Science, Deputy Hanafin. All Members will agree with me when I give her top marks in her class.

According to Mr. Tom Boland, chief executive of the HEA:

When the history of Ireland of the past 30 years or more is written, the institutes of technology will occupy a prominent part. The institutes have not only opened the doors of higher education to literally thousands of people, they have also provided a massive boost to the economic infrastructure of towns and regions. They have played an essential part in the success story of modern Ireland.

The Institutes of Technology Bill 2006 signals a major change in higher education. It creates a unified strategic framework for higher education by bringing the institutes of technology under the remit of the HEA. The authority was responsible for universities only. The Bill will also extend significant new managerial and academic autonomy to the institutes aimed at facilitating further development of their roles. The institutes of technology have been a major success story. By opening up new opportunities for educational access, they have been central to the dramatic growth achieved in the past 20 years in third level participation, a major factor in our economic success.

At a regional level, the institutes have been catalysts for economic development by actively responding to the skills needs of local industry and forging industry partnerships for research and the transfer of knowledge. The sector's student numbers have expanded and developed rapidly, along with the range and level of courses offered and the growth of concentrated research activity. More than 90,000 full-time and part-time students are pursuing studies in the institutes of

technology, ranging from sub-degree level to PhD studies. The Bill will apply to the 13 institutes of technology established under the Regional Technical Colleges Acts and to the Dublin Institute of Technology, Ireland's largest third level institution.

The Government is increasingly looking to higher education to support wider national objectives for social and economic development in the knowledge age. For that reason, a system-wide excellence in higher education must be built with reference to the best international standards. The institutes of technology have a vital role to play in this. They must be supported in developing their full potential in this role. By bringing the institutes under the remit of the HEA, the legislation will allow for a cohesive approach to the strategic development of higher education, drawing on the diverse strengths of all universities and institutes. This legislation is a milestone for the sector. It will empower the institutes of technology with the managerial freedoms and supports required for them to enter the next phase of development as a key part of Ireland's infrastructure for growth as a knowledge society in the 21st century.

The 2006 budget provided for a five-year investment package of €1.2 billion for the third level sector. Of this, €300 million will be allocated to a strategic innovation fund and €900 million has been allocated to a five-year capital programme. Ireland's economic performance has for the past several years attracted international attention. Our success can be attributed to a range of factors, including taxation policies, social partnership, the determination to pursue consistent policies for the creation of an attractive business environment and the availability of a talented, flexible and well-educated labour pool. In respect of the latter factor, the commitment of successive Governments over many years to the development of our education system at primary, secondary and third level has proved to be extremely far-sighted.

In seeking to develop and protect Ireland's future competitive strengths, we need to exercise similar vision now. The announcement in the budget of major new investment in higher education stems from a recognition that safeguarding our future growth and prosperity requires investment now in Ireland's knowledge, skills and innovation capacity. Our higher education system has become crucial to Ireland's national development objectives. Creativity, skills and knowledge are now our key sources of competitive advantage as we seek to position ourselves at the forefront of developed knowledge economies in the world.

To achieve success in this knowledge age and to enjoy the social dividends that flow from that, we need to produce quality, skilled graduates who can meet the high value jobs needs of the emerging sectors of the economy. We must achieve new levels of performance at third level. We especially need to develop a fourth level

system of research that is benchmarked against the highest international standards. This will provide a platform for a national system of research and innovation that will be the engine of our future growth. Producing a supply of quality PhD graduates will act as a magnet for international investment here in the knowledge intensive industries. Investing in third level and fourth level is, therefore, a major national infrastructural priority.

Achieving the desired change is a complex and challenging task, it is not simply about volume and capacity, although they are very important. The fundamental challenge relates to quality. The transformation of third level education and the creation of a new fourth level tier that places Irish research activity at the global cutting edge are necessary.

The €300 million strategic innovation fund for universities and institutes of technology is intended to drive that transformation over the next five years. Its introduction is a landmark in the historical development of the sector in Ireland. As the president of UCD noted at the time:

We have reached a crossroads moment where significant investment is needed to support and advance the reform process at third level and to progress the development of an Irish fourth level sector which will make a huge impact nationally and internationally. We have been given the opportunity to transform the landscape of Irish higher education in an irreversible fashion. It is hard to think of a better legacy which we could pass on to the next generation.

The strategic innovation fund will emphasise the promotion of inter-institutional collaboration across the system. Knowledge is international and intellectual capital is highly mobile in nature. The quality of higher education in Ireland must be measured, therefore, against the highest standards across the world. As a small country, we need to maximise the collective strengths of our higher education institutions to achieve system-wide excellence in international terms at third level and to create a top performing fourth level sector. The experience of the PRTLTI has illustrated that world class excellence can be created within the Irish system when we identify and draw together our best available talent and expertise.

The infrastructure developments planned under the capital envelope are an essential element of the Government's commitment. These are aimed at upgrading and modernising campus facilities throughout the country and addressing development needs in areas of national strategic importance. Investment in higher education will be identified as a central element of the next national development plan for the period 2007 to 2013. This represents a significant statement of its core strategic national importance.

[Mr. Kelly.]

The major impact of investments under the current national development plan can be seen across key areas of national infrastructure such as roads, public transport, water, waste and health services, and social housing. It has resulted in an unprecedented enhancement of our economic and social infrastructure. The next national development plan will build on that progress by strengthening further our core infrastructure to meet the economic and social challenges ahead.

The capacity of our human capital and the role of higher education in developing it will be central. The strategic innovation fund will enable the higher education system to achieve a new level of performance and will create a platform for effective return on the wider investments that will be made through to 2013, including investments under the ambitious national research plan which is shortly to be considered.

In my part of the country, Athlone Institute of Technology has made a vital contribution. New courses at the institute have been introduced and developed in line with changing regional, national and international needs. Emphasis on research activities and liaison with industrial and commercial organisations have helped to ensure the relevance and technological competence of courses at the institute and enhanced the employment prospects of graduates over the years. Courses in the school of science are undertaken through a programme of lectures, practical work and tutorials. Continuous assessment plays a major part in all courses and emphasis is placed on the development of practical skills as well as theoretical knowledge. Individual project work and-or industrial placements are an essential part of national diploma and degree programmes. The school has a wide range of advanced instrumentation available for such project work and in many cases the industrial placement provides the venue for students' full projects.

Computers play an important role in all courses, both for information processing and, increasingly, as learning tools. In addition to having access to the institute's extensive computer facilities, the school of science has its own range of state of the art personal computers housed in a purpose-built computer science laboratory, from which students can interface with the world of science via the Internet and e-mail.

I commend the Bill to the House.

Mr. Hogan: I welcome this legislation. It consolidates the institutes of technology under the auspices of the Higher Education Authority and acknowledges the vital role they have played, as outlined eloquently by Deputy Kelly in the case of Athlone. Carlow and Waterford have seen similar developments in the south east. Nobody can underestimate the far-reaching effect of the institutes of technology on entrepreneurial activity and the enterprise agenda of every community. Many examples of collaboration between

industry and education achieved through the institutes of technology demonstrate the vital role played by the institutes in the economic progress the country has made, particularly over the past 15 to 20 years.

The directors and governing bodies of the institutes of technology in Waterford and Carlow have enhanced to the best of their ability the courses on offer and increased the numbers of people attending the institutes. Carlow Institute of Technology has made efforts to establish outreach facilities, particularly in locations like Kilkenny and Wexford. These outreach facilities bring the educational process closer to people, allowing greater access to education at less expense to the people involved. Compared to other regions, there is a low level of participation in third level education in the south east. The south east still depends on the weather and does not receive too many hand-outs from Departments. People in the south east do not appear to take advantage of opportunities to participate in third level education. This is the reason for the ongoing debate on the status of third level education and how we can increase participation rates and improve courses in the south east.

I am aware the Minister received many representations recently in respect of the institutes of technology in Waterford and Carlow and their future role. In particular, it is time we acknowledged the need for a university in the south east. I am sure there is resistance to such an idea in some places and among various statutory bodies but if we are to make progress in improving the participation rate in third level education, we must, at least, make a decision in principle that a university in the south east is required. I encourage the Minister to fast track this proposal through the various statutory processes to ensure university status is granted to a college in the south east or that a number of campuses for various university faculties are located in the south east. Waterford and Carlow Institutes of Technology have done the most they can within the legislation and a step forward is needed in the interests of the people and future students of the south east.

Various studies carried out by Forfás into the issue of skills have revealed that there is an urgent need for additional resources to produce graduates in science, engineering and the trades. In recent times, I have been critical of FÁS in respect of this issue. FÁS has a budget of up to €1 billion but we do not appear to make as much headway in the apprenticeship programme as we could. This issue also feeds into the institutes of technology in respect of certain trades. We must turn out more graduates in trades with labour shortages. People cannot find plumbers, electricians or household maintenance personnel because of a scarcity of supply in these trades.

Science, engineering and financial services are the areas that will allow us to ascend the value chain regularly referred to by the chief executive

of the IDA. The threat to manufacturing and the high cost base for manufacturing in this jurisdiction means that we must diversify into other faculties and employment opportunities. This is where the educational and enterprise agenda coalesce.

Pupils who drop out of school after the junior certificate need the continuous assessment of the educational system to ensure they continue in some form of training. The Minister is aware of a range of studies indicating that if pupils or students can be kept in education or training for longer, they are less likely to become involved in anti-social behaviour or criminal activity. State intervention is critical in this regard and I am sure the State will continue to play a vital role in ensuring that teachers and intermediaries on behalf of the State through the educational process continue to allow students to participate in training and education for as long as possible through the system.

The outreach facilities to which I referred earlier have not worked well enough to make students confident that they are receiving a top class third level education through these facilities and must be reviewed. We must examine more meaningful ways of allowing students to engage in a wider variety of courses in various educational establishments which will not restrict the provision of genuine third level education to outreach centres.

Science Foundation Ireland has a large budget, which allows various experts in both Ireland and abroad to come to our universities and institutes of technology to generate new ideas for future enterprise activity. There appears to be a low level of commercialisation of research and development, whether it results from patenting arrangements, royalties or other impediment, in the context of the large-scale funding we are now deploying in universities and institutes of technology. We might have a number of good ideas emerging from research but they either do not reach the development stage or do not reach it quickly enough. A review of how we can commercialise research and development proposals from universities and institutes of technology is urgently required. Such a review could be undertaken by the Department of Enterprise, Trade and Employment or the Department of Education and Science as an external audit investigating how money is being spent to get the best value possible for the uptake of indigenous proposals to generate employment for communities arising from this large-scale State investment.

The Minister for Enterprise, Trade and Employment announced the report of the small business forum yesterday. According to the report, the education system could play a greater role in terms of encouraging entrepreneurial skills, a point with which I agree. It is a pity the Minister turned down this suggestion from junior achievers who are trying, in a voluntary capacity, to enhance the enterprise and entrepreneurial

skills agenda through the education system. The Minister was not in favour of such an approach when he met the group but I understand he has changed mind with the formation of the small business forum. I welcome the inclusion of that approach in the small business forum and hope it will be enshrined in policy terms in the Department of Education and Science.

I noticed that the National College of Art and Design is seeking a relocation from its premises on Thomas Street to Belfield. It has certainly flown the kite in respect of this proposal, although it might be on hold at the moment.

Ms Hanafin: It has changed its mind.

Mr. Hogan: Perhaps the Minister helped it change its mind. If the college is seeking a good location, it might look to the south east, which has a great tradition of art and design going back as far as 1963 when the then Minister for Education, Deputy Patrick Hillery, established the Kilkenny Design Workshops. This State entity was shut down by the Government in 1988 at a time when there was no money. Given that we now have money and given that real estate in Kilkenny is available, relocating the National College of Art and Design to Kilkenny would fit in the city's artistic tradition if this proposal re-emerges. The Minister should consider relocating the college to Kilkenny if she is serious about relocation and decentralisation. Simply moving the college up the road to Belfield is not enough. It is not necessary for the college to be located in our capital city when there is an opportunity for Kilkenny, given its tradition of art and design, to be considered as well. I welcome this Bill and the opportunity to speak on it.

Debate adjourned.

Sitting suspended at 1.30 p.m. and resumed at 2.30 p.m.

Ceisteanna — Questions (Resumed).

Priority Questions.

Competition Authority.

59. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the practice in many market sectors of exclusive distribution contracts for specific products or product lines; if his further attention has been drawn to the fact that such contracts often divide the European Single Market into sections by country or group of countries; his views on whether such exclusive distribution contracts, which prevent, for example, an Irish company purchasing machinery from a German supplier at the rates prevailing on the German market and instead forces it to purchase

[Mr. Quinn.]

from whomever has the exclusive distribution rights for Ireland, are against the rule and spirit of the Single Market; the steps he intends to take to protect small and medium business owners, who are most affected by this problem, from this behaviour; and if he will make a statement on the matter. [18564/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I welcome the first opportunity to answer Deputy Quinn's queries on Question Time and hope we will have constructive engagement in the context of his portfolio.

My attention has not been drawn specifically to this matter. However, the Competition Act 2002 prohibits anti-competitive arrangements between undertakings and the abuse of a dominant position by undertakings. The Competition Authority was established by statute and one of its functions is to enforce the Act. It is also empowered to apply Articles 81 and 82 of the EU treaty as well as national competition law provisions where the agreement or conduct being examined may have an effect on trade between member states.

It would appear the products referred to in the question are distributed throughout the EU under exclusive distribution-type agreements. The main feature of such sole distributor or exclusive distribution agreements is that the manufacturer or supplier generally agrees to supply certain goods for resale to only one party, the exclusive distributor, within a defined territory and no other party will be supplied with the goods within that area.

Generally, competition law does not prevent manufacturers, wholesalers or retailers from entering into or concluding exclusive distribution agreements. European and Irish competition law permits such agreements, provided certain conditions are met, on the grounds that the beneficial aspects of such agreements outweigh their anti-competitive effects. The relevant guidance for making this assessment where there is an effect on trade within the European Union is contained in EC Regulation 2790/99 and the accompanying EU guidelines on vertical restraints. Where the effects of the agreement are confined to the State, the Competition Authority's declaration in respect of vertical agreements and concerted practices applies. The authority's website, www.tca.ie, provides comprehensive information in this regard.

I accept that prices for similar products continue to differ significantly across the European Union despite the existence of the Single Market. Competition law cannot prescribe how a particular company determines how to distribute or price its products throughout the EU, which remains the prerogative of the individual firm. Price differentials between geographic markets may occur for a variety of reasons. For example, local supply and demand conditions and the number and type of competitors in each market

may differ. Further differences might exist in marketing, distribution and transportation costs or the degree of rivalry among competitors in local markets.

However, I understand the EU Commission and courts have previously considered and ruled on matters such as restrictions on passive selling by distributors in an exclusive distribution network. Therefore, I would encourage anyone who feels aggrieved as a result of such an exclusive distribution agreement to contact the Competition Authority or the Commission directly.

Mr. Quinn: I thank the Minister for his reply and kind remarks. Ten or 15 years ago, it was normal practice for a particular company as a wholesale distributor in any member state to get the exclusive right to purchase the product from the manufacturer and be the sole sales agent into the retail trade across the territory of, for example, the Republic of Ireland. Consequently, all retailers were buying from one distributor at the same basic price subject to the normal laws of discount, volume and so on.

Is the Minister unaware of a practice that has arisen whereby large multiples, be they Aldi, Lidl, Woodies or anyone with substantial purchasing power, can go directly to the manufacturer of the product in question? In the case I am citing, the details of which I can give the Minister, the manufacturer is German. Due to the bulk volumes involved in selling to large retail outlets, the large retailer operational in Ireland can sell at a price less than the wholesale price at which a domestic retailer can purchase from the distributor.

The distributor in this case, an Irish company based in Tallaght, has the sole right to buy from the German manufacturer and sell into the Irish market. If the Minister and I, as competing retailers, wanted to go to Germany to buy that product at domestic volumes instead of large, Woodies-type volumes, we would be prevented from doing so because of the legal contract between the German manufacturing company and the Irish domestic distributor, who is essentially a middle-man. No more, no less. No value is added other than warehousing. In many cases, the products are shifted straight from the manufacturer in Germany to the retail premises in question. Is the Minister saying that in these circumstances, the only redress available to the Irish retailer is to go to the Competition Authority or access the legislation to which he referred?

Mr. Martin: Yes. I need to get the details of the specific case. If the Deputy provides them, I will ask my officials to scan through them and determine if there is any basis on which to send the case to the Competition Authority. The retailer in question could do so also.

From my observation of the brief before me, if a domestic company went unsolicited to Germany to make a purchase, a refusal to sell

could be contrary to EU competition law. This matter could be explored. On the wider issue, there is competition across the EU and situations such as that described can materialise. I would like to see the full details of the case. My Department will examine it and determine to what degree it may contravene EU competition law.

Mr. Quinn: I thank the Minister for his reply and I will happily give him the individual details. They may be of interest to his colleague, the Minister of State, Deputy Killeen, because the company is based in a town in County Clare.

The practice is widespread and has been for decades. This was the way business was traditionally done. The arrival of big multiples in this sector, such as those I mentioned, has changed the set of circumstances. Previously, if the Minister or I had gone as retailers to a manufacturer in Britain, France or Spain to purchase into our own market, we would have been told "No" and that we needed to deal with such and such a person who had the agency for Ireland.

This was fine if no one else was bringing the product into Ireland, as the same price was being charged, by and large. One can see the colour advertisements for the likes of Lidl and the relative differences in price, which are significant. Irish retail distributors and shop outlets cannot access those types of products at the prices Lidl does due to the volume involved. The viability of many small retail outlets across the country is at risk.

Mr. Martin: The other side of that coin is that some of these exclusive arrangements can be detrimental to competition and competitive pricing. They could have had the impact of keeping prices artificially high. We held a significant debate on this matter in the context of the groceries order and so forth.

There is no question that the market has changed. The convenience sector has grown considerably. From appearances, it seems that price is not a determining factor. Convenience, however, is a factor in that people continue to pay over the odds but are happy to do so because of access issues and so on. I would be interested, in the context of competition law, to see if there are breaches and if people are being discriminated against by the practices of certain firms.

Health and Safety Regulations.

60. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment if he will introduce regulations to oblige employers to notify the Health and Safety Authority of any occurrence, including exposure to noxious substances, at a place of work as a result of which a worker is prevented from performing his or her work for more than three consecutive days, as is the existing situation with regard to the obligation to report accidents. [18566/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The current specific regulatory provisions on the reporting of occupational accidents and specified non-injury dangerous occurrences to the Health and Safety Authority are set out in the Safety, Health and Welfare at Work (General Application) Regulations 1993, SI 44 of 1993. Under those provisions, an accident is reportable where it results in a fatality or where the injured employee is unable to work for more than three consecutive days, with weekends and other normal days off for the employee included when calculating the period of absence.

There was no specific definition of "accident" or "injury" in the legislation when the general application regulations of 1993 were made. However, in the Safety, Health and Welfare at Work Act 2005, which came into operation on 1 September 2005, I introduced definitions of "accident", "dangerous occurrence" and "personal injury". The definition of "dangerous occurrence" includes the uncontrolled or accidental release or the escape or ignition of any substance, which would include noxious substances.

The Safety, Health and Welfare at Work (General Application) Regulations 1993 are under review by the Health and Safety Authority. Proposals for new general application regulations, including revised provisions relating to the reporting of occupational accidents and diseases, were issued for public consultation by the authority in 2005, in accordance with section 57 of the 2005 Act. I expect that the authority's proposals for the regulations will include revised statutory requirements for notification which will be in line with the revised definitions in the 2005 Act.

Mr. Morgan: In raising this matter, I am trying to ensure that more data are gathered so that we have a better picture of what is occurring in the workplace, and exposure to noxious substances is an important issue in that regard. According to international studies, work-related disease is a far greater burden than workplace injury. Obviously, work-related disease takes much longer to emerge. I ask that the information gathering system on health and safety in the workplace be improved.

Work-related deaths, for example, may not occur until long after the person has left the place of work. Asbestosis is an obvious case in point, where the worker will probably work to retirement but possibly will die very quickly thereafter. There is no requirement for reporting cases like that and perhaps the Minister of State will take that on board.

Mr. Killeen: The Deputy's question is timely, given that the general application regulations are under consideration and that specific definitions are included in the 2005 Act. There are two current provisions relating to asbestosis, for

[Mr. Killeen.]

example, but they require updating. Deputy Morgan is right in saying that we need far better research in this area to enable us to draw up regulations that are suitable for circumstances he has outlined.

Mr. Morgan: The Minister of State seems to agree with me, which makes a change. Will he keep an eye on this matter and bring forward amendments to the regulations to improve the current situation?

Mr. Killeen: The construction regulations are with the parliamentary counsel. I expect the Health and Safety Authority to submit a draft of the general application regulations soon, which will be forwarded to the parliamentary counsel. I wrote to the clerk of the Joint Committee on Enterprise and Small Business offering to give a briefing to that committee on the construction regulations and to hear its views on the matter. If the Deputies wish, I will do the same with regard to the general application regulations when they become available.

Grocery Industry.

61. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment his views on the recent survey which has indicated an increase in the price of grocery products; and if he will make a statement on the matter. [18563/06]

Mr. Martin: I am aware of recent media reports referring to a survey indicating that the cost of grocery goods has increased. There are many inputs into the final price paid for grocery products by consumers, including many outside our control. I note that the Central Statistics Office has identified high fuel prices, the introduction of higher interest rates by financial institutions and increased transport costs as some of the main contributory factors to recent price increases.

The market will take some time to adapt to the changed legislative environment in the grocery trade and I have asked the Competition Authority to monitor the sector following the repeal of the groceries order on 20 March 2006. The authority is putting in place a monitoring mechanism to track data and trends over the coming months and years. While the authority is undertaking this project in accordance with its independent statutory functions, it has agreed to meet various players in the grocery trade to inform the process.

I expect the removal of the groceries order to stimulate competition and drive increased efficiencies at all levels of the distribution chain from which consumers will ultimately benefit.

Mr. Hogan: Does the Minister accept that the survey carried out recently by *www.shopping-bill.com* is a clear reflection of what is happening in the grocery trade, where everyday items such

as eggs, butter and tea have become more expensive in the past six weeks? Contrary to popular belief, all evidence suggests that grocery prices will continue to rise rather than fall. In view of the statements made by the Competition Authority that the average household would save €500 per annum if the groceries order were abolished, a report accepted by the Minister, I ask him to indicate the changes to the Competition (Amendment) Act that are necessary to ensure that discounts and rebates are passed on to consumers rather than being pocketed by large supermarkets.

Mr. Martin: The decision to abolish the groceries order was not based on the Competition Authority report nor the consumer strategy group's report but on a comprehensive report prepared by my Department, which was circulated to Deputies at the time. That report stated:

... we don't believe that it is possible to predict in any meaningful way the precise extent of such price reductions. Ultimately, that will be a function of a variety of factors including the amount of off-invoice discounts that are available for transfer back to the invoice, the actual level of net margin obtaining in the retail trade currently, and the extent to which resulting competitive forces will drive efficiencies at all levels of the production and distribution chain.

Other extraneous factors, including input costs and consumer demand, also impact on retail prices and make it difficult to isolate the impact of any one factor such as the ban on selling below net invoice price.

That is what the Department stated on the record prior to the decision to abolish the groceries order. The Department's report also showed that over a ten year period, prices rose by 30% in those EU countries which had restrictions on grocery prices, but only rose by 13% in those countries with no such restrictions.

What we have done is removed a barrier to competition. The market, in time, will have to develop and drive its efficiencies in that regard. I have asked the Competition Authority to examine the issue. If one was to attempt, through legislation, to compel companies to transfer discounts back, which would be extraordinarily difficult, one could develop a system of price fixing, which is illegal and non-competitive. During the debate on the Competition (Amendment) Bill, no meaningful amendment was tabled to put in place a vehicle or mechanism to give effect to such a compulsion. It is simply not possible and it would not be correct to do so.

Mr. Hogan: The Minister knows that the commitments he made are not being honoured with regard to prices in the grocery trade. The Minister stated at the launch of his report in November: "We want to make it very clear that the existence of the order maintained an upward

pressure on prices and we would argue that its removal will ensure that there is a downward pressure on prices". Prices have risen so obviously we did not get it right. The Minister's views may not be shared by everybody with regard to how we should tackle this issue. Everybody wants to see the benefit of any squeeze being put on small suppliers passed on to consumers. Such a squeeze is happening now more than ever because of the lack of protection for such suppliers in the Act and the lack of interest the Minister displayed in banning predatory pricing. We are now in a situation where there is less choice and less diversity, and, according to the first survey since the groceries order was abolished and the new Act enacted, basic household products, such as eggs, butter and tea, have increased in price.

We are not getting it right with regard to ensuring that the consumer gets the benefit of repeal of the order. Fine Gael tabled an amendment, which the Minister chose to ignore, as is his prerogative, to ensure that savings, discounts and rebates would be passed on to the consumer. The Minister chose differently and now the large supermarkets like Tesco and Dunnes Stores will reap the benefit of any squeeze on suppliers in terms of higher margins and profitability.

Will the Minister accept that an amendment to the Competition (Amendment) Act is required to ensure that consumers get the benefit of the repeal of the groceries order and that it is not, as some commentators have suggested, simply a question of consumers sending e-mails to Dunnes Stores and Tesco?

Will the Minister examine the Casual Trading Act? The Act was identified as a mechanism through which local producers could sell local produce fresh to a local market place in every town and village. Changes to the Act may have to be considered because it is in operation ten years, since 1996. It is a separate issue through which we could have another means of getting fresh grocery products to the marketplace in localised areas to the benefit not only of producers but also of consumers.

Mr. Martin: I find the Deputy's position illogical. By implication, he attempts to suggest for political reasons that removing a legislative mechanism which put a ceiling below which people could not sell—

Mr. Hogan: That is what the Minister stated.

Mr. Martin: —has facilitated the increase in grocery prices.

Mr. Hogan: We see the result of what the Minister did.

Mr. Martin: It is an illogical position to adopt. The Deputy and the world outside know that a

multiplicity of factors are involved, such as oil price increases.

Mr. Hogan: There was no problem when the Minister was introducing the legislation.

Mr. Martin: I did not interrupt Deputy Hogan. If the price of a barrel of oil continues to increase at the rate at which it has over the past 18 months, does the Deputy seriously suggest that it will have no impact on prices? It would be foolish to suggest it would not.

Mr. Hogan: The Minister should read his own contributions.

An Leas-Cheann Comhairle: We must proceed to the next matter.

Mr. Martin: We are clear about what we stated.

Mr. Hogan: I have it here.

Mr. Martin: It kept prices artificially high. If one examines the countries which had an equivalent to the restrictions of the groceries order, prices increased by 30% over the ten year period—

Mr. Hogan: Whose view is that?

An Leas-Cheann Comhairle: We must proceed to the next question.

Mr. Martin: —whereas in those countries with no restrictions, prices only increased by 13%. Our food prices increased by three times that of the UK.

Mr. Hogan: What about the casual trade?

An Leas-Cheann Comhairle: We must proceed.

Mr. Martin: The bottom line is that we removed a barrier to competition—

Mr. Hogan: The Minister failed to reduce prices.

Mr. Martin: —and that was the right thing to do. The Deputy's colleague, Deputy Bruton, was an advocate of removing the groceries order for a long period.

An Leas-Cheann Comhairle: We must proceed to the next question.

Mr. Martin: Deputy Hogan is trying to play the electoral game with one foot in one camp and the other foot in another camp.

Mr. Hogan: The Minister would not dream of doing that.

Mr. Martin: He does not know where he is on the issue.

An Leas-Cheann Comhairle: We must proceed to the next question. We are over time.

Mr. Hogan: Will the Minister accept that his action contributed to higher prices to consumers? Regardless of what anybody else advocates, his action has contributed to higher grocery prices.

Mr. Martin: Which action? Is Deputy Hogan serious?

Mr. Hogan: Yes.

Mr. Martin: That is illogical.

Visit of Indonesian Delegation.

An Leas-Cheann Comhairle: Before proceeding with the next question, I wish on my own behalf and that of the Members of Dáil Éireann to offer a most sincere welcome to Mr. Mustapha Abubakar, Governor of Aceh, Indonesia. I express the hope that he will find his visit enjoyable, successful and to our mutual benefit.

Ceisteanna — Questions (Resumed).

Public Holidays.

62. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the fact that Ireland has fewer public holidays than the majority of EU member states; if he intends to introduce two additional public holidays to bring Ireland up to at least the EU average; if he intends to follow through on the undertaking to introduce an additional public holiday in April to mark the 1916 Rising; and if he will make a statement on the matter. [18565/06]

Mr. Killeen: I join my colleague, the Minister for Enterprise, Trade and Employment, Deputy Martin, in welcoming Deputy Quinn's return to an area in which he has a particular interest and his attempt to tee up a good news story for me.

The Organisation of Working Time Act 1997, which implemented EU Council Directive 93/104/EC of 23 November 1993 concerning certain aspects of the organisation of working time, provides for an entitlement to nine public holidays per annum. One of those nine public holidays is Easter Monday. The average public holiday entitlement in the EU at present is approximately 11 days per annum.

The Government's initiative was to reinstate the annual military parade at Easter to commemorate the Rising of 1916. It was not the intention to create any additional public holiday in this context and the Government has no proposals at the moment to increase public holiday entitlements.

Mr. Quinn: I thank the Minister of State for his salutary greeting. However, I am confused by his response. If I teed up a good news story, he missed the ball big time with a swipe that was way off the mark. Irish workers work harder, longer and more productively than any of their counterparts in the EU, as numerous figures and data show. They are entitled to the same level of time off as others in the European Union.

There would be no loss in productivity. If anything, the tourism sector would benefit from enlarged bank holiday weekends of the type we introduced for May Day and which the late Michael O'Leary introduced for the October Hallowe'en feast. The pattern of tourism consumption, activity and festival reinforces family and community life through structured and planned holidays which meet the European average and which are predictable.

I do not ask the Minister of State to introduce it this year or next but to phase it in so employers and organisations can factor in those costs. What I hear from Fianna Fáil is a refusal to give to Irish workers the same level of time off to which they are statutorily entitled as other workers in the European Union. Where is the benefit of that? Do Irish workers not work hard enough?

Mr. Killeen: As the Deputy is well aware, there are considerable benefits to employees in the policies pursued by this Government. An enormous amount of work is done on the area of work-life balance. The report on the working place of the future makes 46 recommendations, among which is not numbered a proposal to create an additional public holiday.

The Deputy is aware that it has been the practice in this country that matters of this nature are dealt with in the context of partnership. Naturally, the Government is more than happy to cooperate with the social partners to establish the optimum conditions for working and living in this country. We have been very successful in so doing.

Mr. Quinn: The last time a public holiday was granted in this country, it was decided between Labour and Fianna Fáil in the context of a partnership for Government. There was no partnership other than the two political parties involved. The Minister of State should not try to shove this onto the social partners in Dublin Castle. This is a political choice which the Government can make. It is fair enough if the Government wants to run it through the social partnership mechanisms.

In terms of work-life balance — before we resumed in formal session in the House the Minister of State testified about traffic problems — an eight-hour free holiday, to which this would amount, amounts to approximately two and a half traffic jams for commuting workers throughout the country. That is one contribution the Government could make on work-life balance. If we had

two structured additional holidays over the next number of years, we would be able to enhance the quality of life not only for individual families but also for communities. Employers also live in communities. It may come as a surprise to the Minister of State but many employers also like to have time off.

Mr. Killeen: I wish to address a number of issues in the short to medium term on the quality of working life. Among them is an issue recently addressed by the Government, namely, increasing the entitlement to carer's leave. I would like to pursue a number of other issues in that area.

Ms Lynch: That is because the Minister of State cannot get people in to help them.

Mr. Killeen: In that context, I have no difficulty in considering the creation of additional public holidays. However, I believe social partnership plays an integral and important role in our lives. It has been a major contributor to the success of the economy and the country. I would not be happy to take an initiative without reference to the social partners, notwithstanding the fact that the Government may be prepared to do so.

Mr. Quinn: If the Minister of State is depending on IBEC to give people a day off, he can forget it.

Other Questions.

Oil Prices.

63. **Mr. Rabbitte** asked the Minister for Enterprise, Trade and Employment the steps he intends to take to alleviate potential pressures on businesses and consumers caused by rising oil prices internationally and the knock-on effect on many other products, such as plastics and pharmaceuticals; and if he will make a statement on the matter. [18203/06]

Mr. Martin: I recognise that escalating oil prices affect the cost structure of all sectors of the economy, including household budgets. At approximately \$73 a barrel, the price of oil on international markets is now at historically high nominal levels. No oil user, whether industrial, commercial or personal, is immune from the impact of higher prices. Neither do we have any influence over international factors which influence world oil prices. We are all price takers and this includes our competitors.

However, the economy has proved resilient to higher oil prices. Despite escalating oil prices over the past two years, we saw gross national product grow by 5.4% in 2005. A further growth of 5% is forecast for 2006 with continued expansion of many sectors, including those which are energy intensive such as pharmaceuticals, food

and drink and construction. Despite elevated oil prices over recent years, there is no indication that high prices have had a marked impact on economic growth or employment.

Sustainable Energy Ireland has a number of programmes and initiatives available for industry aimed at reducing energy intensity, improving energy efficiency and more effective approaches to managing energy costs. The development agencies under my Department monitor the issue of energy costs and the impact of these on their clients. The principal effects of rising oil prices will be through indirect or knock-on effects. Our focus therefore must be on the long-term competitive implications of higher oil costs.

We cannot either avoid or put off adjusting to higher oil costs. Trying to micro-manage potential pressures on different sectors is not sustainable and will not properly address the needs of the entire economy in the best interests of our society. In this connection, EU Finance Ministers agreed earlier this month that distortionary fiscal and other policy interventions which prevent the necessary price adjustments should be avoided. Our response is most usefully advanced by using policy instruments we already have. For example, in the partnership discussions and elsewhere, we must agree and implement economy-wide adaptations. These must include flexibility and wage restraint as key components in managing our economy.

In the context of energy policy, my colleague, the Minister for Communications, Marine and Natural Resources, who has primary responsibility in this area, is preparing a national energy policy paper which will address key policy options for energy management. This will set a policy agenda for energy over the medium to longer term. It will set out policy on a range of issues affecting energy, such as market issues, energy efficiency, alternative energy and research with sustainable energy as a key overriding theme. Sustaining and strengthening the competitiveness of our economy is a front line concern and a priority for my Department and the Government. Our international competitiveness ranking has improved, and I wish to ensure we build on recent gains as a basis for sustainable growth into the future.

Mr. Quinn: I thank the Minister for his reply and I hope he did not think I was inviting the current Government to micro-manage anything. It is not capable of managing its present job.

I will turn to macroeconomic management and offer two options which are not subject to international factors, over which the Government has no control. There are two issues of considerable concern currently. The first is the level of inflation, which informs social partnership talks. We have already heard Mr. Paul Sweeney and others for the Irish Congress of Trade Unions discussing compensation for increased inflation. We know from recent data from the CSO and the

[Mr. Quinn.]

CPI that the major contributing factor to the current surge in inflation is the international price of oil, over which we have no control. I accept that.

The Government has control over the revenue, tax and VAT which is received from increased prices. Every time the international price of a barrel of crude oil goes up and is factored into the economy, the Government gets a slice of the action. The extra revenues the Minister for Finance gets is above and beyond what was budgeted in December of last year. Revenue incomes are way ahead of what would originally have been forecast. The Government does not need the extra tax revenue.

The surge in cost is putting pressure on inflation, which is in turn informing social partnership wage negotiations. The Government is therefore shooting itself in two feet at once. This Government does not have to depend on the international price of oil, and it could, if it was serious about controlling inflation, decide between now and the end of this year to reduce the revenue take, both in VAT and fiscal terms, in order to ameliorate the increase in price and inflation. Oil prices could subside slightly, as the problem with them is as much to do with refining capacity as supply from oil wells. That political choice is entirely under the control of the Government.

Mr. Martin: That is overly simplistic. There is absolutely no guarantee that any move on that front would find its way back to the consumer.

Mr. Quinn: It could be enforced.

Mr. Martin: It could not be enforced, and the Deputy should not try to pretend it could.

Mr. Quinn: It can be enforced.

Mr. Martin: With the bulk of our excise rates we compare very favourably with the UK. The ultimate sustainable position for the country with regard to competitiveness, in terms of responding to the global scenario, is to change behaviour and significantly shift policy. The Minister for Finance, Deputy Cowen, made very significant tax reliefs available in the last budget with regard to alternative motor fuels. They amount to over €200 million over the next five years to promote biofuels etc.

Ms Lynch: If a person lives in Cork they cannot get those fuels.

Mr. Martin: That is an example of the creative fiscal measures that ultimately add much more to the competitiveness of the economy.

Mr. Quinn: The Minister is dodging the question.

Ms Lynch: Where in Cork could one get those fuels?

Mr. Martin: It is a more sophisticated response——

Mr. Quinn: It is like draining the Shannon.

Mr. Martin: ——to the issue of global difficulties in terms of oil supply and refining than a measure suggested by the Deputy, which has no guarantee with regard to follow through or downstream impact.

Mr. Quinn: There is a competitive market out there.

Mr. Martin: On the surface it sounds popular and simple, but in reality the Deputy knows it is very different.

Mr. Quinn: Does the Minister's party and its partners in Government believe in the sanctity of markets? If markets work, if there are half a dozen different forecourt oil suppliers, and if the Government announces it will reduce the price of a litre of petrol by as much as 15 cent, does the Minister seriously believe the oil companies will collude and not pass that saving on to the consumer?

Mr. Martin: The Deputy is a former Minister——

Mr. Quinn: Is the Minister stating the companies will not do this? It was done with interest rates in 1993.

Mr. Martin: I will speak of a simple item, the price of a pint.

Ms Lynch: Yes.

Mr. Martin: For a decade, year after year——

Mr. Quinn: How many Guinness breweries are there?

Mr. Martin: The Deputy should hear me out. Year after year there was no increase in the price of a pint in the budget, going back to when the Taoiseach was Minister for Finance. Did that stop the price of a pint going up? It did not. The Deputies know this.

An Leas-Cheann Comhairle: I call Deputy Catherine Murphy. We have exceeded the time for this question.

Ms Lynch: When Deputy Rabbitte put the maximum prices order on it, the price stopped going up. The current Government removed it.

Mr. Martin: Before an election, for three or four months, there was a maximum prices order.

Ms Lynch: It stopped it going up. We had an election and the Government removed it.

Mr. Martin: When we had maximum price orders in this economy, inflation was at its highest.

Ms Lynch: It is not there now?

Mr. Martin: It was at its highest when the notion existed in the 1970s and early 1980s of fixing matters by putting price orders in place. These prices very quickly became the floor. Thankfully we have moved away from the idea of intervening in the marketplace with price orders, which did not have the impact people believed they would have. In essence, they had the opposite impact.

Ms Lynch: How did the maximum prices become the floor? It stopped the price going up.

Ms C. Murphy: I support the points raised. *The Sunday Business Post*, not a particularly left-wing leaning paper, had an article last Sunday on an employers' group meeting with officials of the Government, making exactly the same points.

Mr. Martin: I am glad the Deputy is reading it.

Ms C. Murphy: They expressed serious concerns about this issue. What did the Minister tell them, as the group stated the matter would be seriously considered in the context of the national partnership talks and its ancillary aspects?

Mr. Martin: Which group is the Deputy referring to?

Ms C. Murphy: What did the Minister tell IBEC when it looked for the issue to be addressed in the context of the negotiations which are ongoing? IBEC is clearly flagging this as a serious issue for it in terms of competitiveness. There will be consequences for job security etc.

Mr. Martin: There is no question but that rising oil prices have an impact, and nobody is arguing that they do not. With regard to the social partnership talks, the objective from our perspective is sustainability and competitiveness.

Mr. Quinn: As well as low inflation.

Mr. Martin: The social partners have other issues, which they have raised. The first issue relates to labour law compliance etc., and there have been substantive talks and progress on that matter. We are moving into a new phase of those talks, which have been under way for some time. In that context, competitiveness is of course an issue. Employers are looking for restraint with regard to pay awards. The unions have a different perspective.

Ms C. Murphy: What of the energy issue?

An Leas-Cheann Comhairle: I call Question No. 64.

Mr. Martin: With regard to the energy issue, the Minister for Communications, Marine and Natural Resources is producing an energy paper which is considering the wider issues pertaining to the energy market—

Mr. Quinn: What is wrong with reducing the tax take?

An Leas-Cheann Comhairle: We must proceed as we have exceeded our time on this question.

Mr. Martin: —and how we can restructure it to get a better long-term outcome. We are after sustainable outcomes rather than short-term knee-jerk reactions.

Mr. Quinn: The Government could do both.

Mr. Martin: Such reactions may not impact to the degree that people want.

An Leas-Cheann Comhairle: The Chair has called Question No. 64.

Ms Lynch: If we are looking for knee-jerk reactions we are looking to the wrong Minister. He is giving no reaction at all.

EU Programmes.

64. **Mr. Costello** asked the Minister for Enterprise, Trade and Employment the work programme of the unit established to monitor and evaluate EU programmes; and if he will make a statement on the matter. [18213/06]

Mr. Martin: There are two units in my Department with responsibility for the monitoring and evaluation of European Union co-financed programmes. These are the European Social Fund policy and operations unit and the productive sector operational programme management unit, which has responsibility for the European Regional Development Fund moneys in my Department. These units also incorporate the managing authorities for EU programmes and they are supported by the internal audit unit and the ESF financial control unit. The work programmes for these two units are set out in their business plans and they are reviewed and updated annually to reflect the status of the programmes.

The key monitoring tasks include the provision of the chair and administrative support for the European Union operational programmes monitoring committees under their remit. Meetings of the monitoring committees are held at least twice annually and they actively monitor expenditure and activity under the programmes. The monitoring committees include the social partners and

[Mr. Martin.]

relevant Departments, as well as regional authorities, among their membership. The units also carry out checks to ensure that sufficient financial and management systems are in place in other bodies using EU funds under the programmes. Such bodies include FÁS, Enterprise Ireland and the Department of Education and Science.

All bodies using EU funds are required to provide comprehensive and detailed financial and programme progress reports on a regular basis to the monitoring units. In addition, the managing authorities participate in ongoing reviews of the programmes with the European Commission and engage in a formal annual implementation report process, required by EU regulations, to monitor progress on the EU programmes in general.

With regard to evaluation activity, the managing authorities arrange for *ex-ante* evaluations, mid-term evaluations and final update evaluations for the respective EU programmes under their remit. In the current programming period of 2000-06, other evaluation work has also been the responsibility of the Structural Funds central evaluation unit in the Department of Finance and this has covered some individual measure evaluations for the programmes managed by my Department. Further, some bodies receiving EU funds for their measures have carried out evaluations of their own measures.

In my view, these units, the ESF operations and policy section and the ERDF productive sector management unit ensure a strong, comprehensive and proactive management structure for EU funds that are managed by my Department.

Ms Lynch: I am sure these units go across all Departments, and the response would probably be the same. I have a question relating to Mallow sugar factory. The Department of Agriculture and Food negotiated a comprehensive deal for the producers. Does the Minister intend to make a case for the workers who lost their jobs? Would the Minister argue for a common industrial policy, to deliver the same benefits to workers that the Common Agricultural Policy has to farmers? I hear that the workers are very dissatisfied with the deal they have been offered, yet they are as much victims of the restructuring of the sugar industry as the producers.

Mr. Martin: The question has nothing to do with the question that was tabled. I met Greencore to urge it to keep the Mallow sugar factory open and specifically asked that it be as generous as possible to the workers in any redundancy package to emerge. We have already met representatives of the workers and instructed the State agencies to do everything in their power to be of assistance to them. FÁS has been active in meeting workers, interviewing them and assessing their needs and endeavouring to place them with alternative employment in the region. I have asked Enterprise Ireland what it can do to gener-

ate further activity among its clients in the location and IDA Ireland to explore how it can attract companies to replace the jobs that have been lost in the sugar factory.

The Common Agricultural Policy has been in existence since the European Union was formed. That had an impact on the decisions Greencore took, though people differ as to the extent. Further restructuring aid is available and various claims have been made on it. Ultimately they will be decided on in another forum and the Minister for Agriculture and Food will make announcements on the mechanisms that are put in place to allocate it. There are guidelines from the European Commission in that regard. I have reservations about a common industrial policy because our industrial policy has been far more dynamic than that of the European Union. Low corporate tax rates, a strong emphasis on education and skills and the agility and responsiveness of Government to investment and pro-enterprise policies have been key factors in attracting many jobs to this country, to the extent that our unemployment rate is the lowest in Europe. We have good macroeconomic policies and the economy is managed very well in that context. We will continue to work to help the workers in Mallow in every way we can. They are my priority.

Mr. Quinn: In the context of joined-up Government and Cabinet responsibility, the deal under the agricultural compensation package was maximised on the conditions that Greencore's Mallow plant be shut down in its entirety and sugar processing refinery capacity eliminated. If any capacity remains the compensation package is reduced. Whose responsibility is it in Government to suggest to Greencore that it lease or sell the plant to another State agency or company to produce ethanol, so that we can reduce the level of CO₂ emissions? Is that the responsibility of the Minister for Enterprise, Trade and Employment, the ESB or the Minister for Communications, Marine and Natural Resources? Is it the responsibility of the Department of Agriculture and Food or the Taoiseach? Why ask State agencies to invite IDA Ireland to seek inward investment when we have the capacity to do it ourselves?

Mr. Martin: The decision as to an alternative use of the plants at Mallow and Carlow is one for the company. It would be very foolish of me to commit the Government to purchase such a facility for the manufacture of a product on which significant research and preparatory work needs to be done. There has been much superficial talk about how wonderful an ethanol factory would be—

Ms Lynch: From the Minister for Finance.

Mr. Martin: —but from the assessments I have received there are serious questions about its viability. We need strong evidence that we can

develop such an industry in Ireland. I have worked with a number of small companies, not necessarily in Mallow, on alternative fuels. We do not own the facility.

Mr. Quinn: It is for sale.

Mr. Martin: It is important to get the science right. Other countries have significant advantages over us in terms of crop yield, among other things.

Mr. Quinn: Nobody is responsible.

Mr. Martin: The Government works on a collective basis. The Taoiseach has personally taken an interest in the situation in Mallow and has, with a number of Ministers, met interested parties at the plant. We are interested in real solutions for the future of Mallow.

Economic Competitiveness.

65. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment the action he intends to take to improve Ireland's export growth of only 1.8% in 2005, which the ESRI describes as disappointing in its latest quarterly report; and if he will make a statement on the matter. [17871/06]

Mr. Martin: The reference by the Deputy to a 1.8% increase in export growth for 2005, from a report published by the ESRI, refers to the total volume growth of Irish exports in 2005. Figures published by the Central Statistics Office show that the total value of Irish merchandise exports for 2005 increased by 5% on 2004 export figures. This follows a 2% increase in the value of Irish exports between 2003 and 2004.

It has become common practice internationally to regard the value of exports, rather than volume, as the key measure of export performance. In an increasingly sophisticated economy, such as ours, where production is moving up the value chain towards higher-tech, higher value added products and services, the value of Irish exports is a much more appropriate measure than the volume of exports.

On that basis, the increase of 5% in the value of our exports in 2005, relative to 2004, continues the upward trend, which, with the exception of the global economic slowdown which occurred around 2002, has been a feature of our export performance since the early 1990s. I am heartened by the continuous improvement in our export performance against a difficult background of continuing low growth rates in the European and US economies in recent times. Given the very difficult economic circumstances in certain of our key export markets, any increase in export performance is a significant achievement and a rise of 5% is, therefore, admirable indeed.

The Irish Government is strongly supportive of Irish exporting firms seeking to increase their level of exports on world markets. My Department, through its agency, Enterprise Ireland, is active both nationally at developmental level and, through promotional activities carried out from a range of locations abroad, in assisting Irish indigenous companies to find new markets for their products and to increase their existing level of market share. Through its network of 33 international offices, Enterprise Ireland creates and implements successful strategies for market entry, development and growth in overseas markets. The activities of this network include arranging access to international buyers and increasing in-market trade promotion activities; increasing the number of overseas missions, raising the level of participation at trade shows and increasing the number and quality of incoming buyers; seeking to ensure increased international media coverage of the range of product and service providers in Ireland and the benefits of doing business here; and continuing to increase the number of incubation centres in key overseas markets, thus providing a low-cost market mechanism for clients with strong potential.

In this work, close co-ordination is maintained with other export promotion organisations, such as Bord Bia, Bord Iascaigh Mhara and non-governmental bodies such as the Irish Exporters Association. Enterprise Ireland is also assisted by our Irish Embassies abroad in facilitating the development of export markets for Irish exporting companies. In addition, the Taoiseach, my colleague, the Minister of State at the Department of Enterprise, Trade and Employment with special responsibility for trade and commerce, Deputy Michael Ahern, and I have been active in leading trade missions and will continue to do so, in conjunction with Enterprise Ireland, to existing, long-established markets and to the new EU member states, as well as to Asia, with a view to increasing the share of exports by Irish companies worldwide.

Mr. Hogan: I acknowledge that the Minister and the Taoiseach are doing everything possible to advance new market opportunities for indigenous companies as well as for our foreign direct investment in the country, and that should continue. Whether one accepts the increase in value of 5% or in volume of 1.8%, as appears in the ESRI report, which I would expect the Minister to accept, the Irish Exporters Association has been signalling for some time the worries it has over our competitiveness and how we can best get our products quickly and cheaply to the European mainland. We touched on these matters recently when discussing energy.

Has the Government taken a comprehensive overview of the ESRI report? Will it take new initiatives to ensure businesses have the best possible opportunities to export the maximum volume of goods, particularly in the food sector

[Mr. Hogan.]

where current efforts are concentrated? Companies such as Dairygold and Glanbia have concerns about the need to get Irish products to the market more easily and quickly to counter their current dependence on foreign facilities in the United States or United Kingdom.

Mr. Martin: It is important to secure agreement on the issue of value versus volume because the former is a better index. While figures can always be used in different ways, I would prefer a lower volume of much higher value goods in the technological and pharmaceutical areas than a high volume of low value exports. It was somewhat unusual for the ESRI to focus on the volume aspect of the equation because it is the norm and also the common sense approach to continue to work on the high value side.

Notwithstanding that argument, the enterprise strategy group report which we are implementing, particularly in re-organising and restructuring Enterprise Ireland, has pointed in the direction of enhancing our skills in sales and marketing and internationalisation. Enterprise Ireland views this as a significant agenda item and is re-organising its footprint across the world *vis-à-vis* location and so forth, with a view to ensuring we have available to us the best skills and are best placed in the emerging markets to assist Irish companies to access these markets. The results achieved by Enterprise Ireland since the new strategic vision was announced last year have been very encouraging in terms of securing greater volume and value of sales overseas for its client companies.

Research and development is critical on the food side. Given the strong link between the marketplace and innovation and research and development, we want research and development to be informed by the needs of the market. In the past year, considerable work has been undertaken with Enterprise Ireland and the food industry in re-investing in and assisting research and development capacity in companies such as Dairygold, Glanbia, Kepak and, most recently, Dawn Farm Foods, all of which are moving into the higher value area of nutraceuticals, health enhancing foods and so forth, which have significant growth potential. Software is another significant area. I agree with the Deputy that we must consistently examine our approach to ensure we can continue to increase market share.

It is a pity we did not have a calmer debate on the services directive as it would have allowed us to discuss the wider trade implications of the directive for Ireland in terms of access to European Union countries, particularly on the services front. Many of our indigenous services could also benefit from the removal of some of the ridiculous barriers to access in place in several other EU countries. In any event, the debate has concluded. Nevertheless, this discussion highlights that on a calm day such as this the House can debate—

Mr. Hogan: Most Deputies took a constructive approach to the services directive.

Mr. Martin: I refer to the wider debate on the issue.

Job Losses.

66. **Ms Lynch** asked the Minister for Enterprise, Trade and Employment his views on possible job losses at a plant (details supplied) in County Cork; the discussions his Department has had with the plant on the matter; the steps he intends to take to safeguard those jobs; his plans to bring other jobs to the area in the event of job losses going ahead at the plant; and if he will make a statement on the matter. [18204/06]

Mr. Martin: Last month, the company in question informed IDA Ireland that it was entering into a consultation period with its staff with a view to seeking up to 150 redundancies at its Cork facility. While the company started consultations with employee representatives on 3 May 2006, it was also seeking alternative business for the Cork facility. Fortunately, I understand there is scope for redeployment within the facility and this option has been communicated to the employee representatives.

The Cork facility is part of the company's networks business, one of the parent company's four business segments, and the potential loss of jobs is directly due to falling sales in the networks business area. In the event that there are redundancies, it is expected that they will commence in June and continue into July of this year and I am satisfied that they will be kept to a minimum. I understand that, as of now, a significant number of opportunities have been identified in the form of redeployment.

The industrial development agencies continue to promote Cork for employment opportunities. The strategy of IDA Ireland to create employment in Cork is to progress the development of a knowledge economy in order that the city can compete both nationally and internationally for foreign direct investment. The agency is also working with its existing client base to expand its presence in Cork as well as providing modern property solutions with supporting infrastructure in the area. New investment announcements made this year include Amgen, Citco, AIB-Bank of New York and Amazon. These four projects alone will create some 2000 jobs in the next few years. A number of job announcements for the city and county were also made at the end of last year.

Enterprise Ireland is also actively involved in assisting its client companies to expand their businesses. To date this year Enterprise Ireland has approved grants totalling €5.2 million for County Cork, with four new companies approved in the first four months of 2006 and a strong pipeline ahead. Two of the approved new companies are

located in Mahon. Since the beginning of 2005 Enterprise Ireland has made payments of over €10 million to its client companies in County Cork. This investment was primarily to support new business employment as well as research and development, capital investment and staff training. I am confident the industrial development agencies will continue to bring sustainable investment and job opportunities to the Cork region in the foreseeable future.

Ms Lynch: Like me, the Minister is aware that while it is not the largest employer in Cork, Motorola makes a substantial contribution to Cork in terms of employment and access to the rest of Europe and the knowledge based, networks business sector in which it operates. While I do not expect the company to provide specific information on internal redeployment given the fears it may have about competitiveness, it is worrying that a company such as Motorola is even considering redundancies. Cork did not catch up with the rest of the country in employment and infrastructure terms until five years after significant economic growth commenced. Now that parity has been achieved, I would hate to see any slippage. Will the Minister indicate a timeframe for the complete roll-out in Cork of broadband infrastructure, on which Motorola and similar companies depend? Will he ensure that such companies are given every encouragement to remain in the Cork region and that direct communications and the necessary infrastructure will be provided quickly?

Mr. Martin: The Deputy's questions pose some dilemmas for me as I am wearing both a national and a Cork hat. I assure her, however, that the proposed job losses are not, under any circumstances, due to deficient infrastructure or any issue of that nature. Cork city was, for example, one of the first areas to develop the metropolitan area network infrastructure. Unfortunately, the issue facing the company is that its global network business is the only one of its four business segments showing a decline in sales, having recorded a drop of 14% in the first quarter of 2006 compared to 2005. The company faces cost reduction pressures from which Cork will not escape.

In its consultations with employee representatives Motorola has agreed to seek alternative business in the global company for the operation in Cork. This could create jobs elsewhere. A significant number of redeployment opportunities have also been identified in the facility and these have been communicated to employee representatives. This development may reduce the number of staff eventually made redundant.

The decisions by companies such as McAfee, Citco and Amazon to invest in Cork speak volumes for the quality of skills and communication networks available in the area. Although these companies are reasonably satisfied with skills and

infrastructure, Ireland will always be open to the vagaries of commercial life, trading patterns for individual corporations and shifts in the global economy. That is what we are witnessing here. Different issues apply to different companies. As regards the Deputy's overall point, competitiveness is important. It is also important that both management and the workforce realise the world is changing rapidly and there are no real guarantees down the line. We must change as well. Fortunately, in this situation management and employers are working to resolve the issues in the best interests of all concerned. That is the way we want to see it. We will certainly be of assistance to Motorola in any way we can through State agencies to help it in its attempts to achieve competitiveness, which is ultimately important for all of us.

Ms Lynch: I fully accept that the situation in Motorola is still fluid and the introduction of other companies is very welcome. We were all there for the announcement. Politicians, whether local or national, are always conscious of ensuring that people feel welcome and needed in any area. I understand the broadband programme but I still ask questions about it. New companies come into an area because the Government and its agencies have presented certain specifications. We all do that but all I want to know is whether promises were made and whether the expectations of these companies have been met. I have a major worry about broadband and the related infrastructure, particularly concerning companies like this. They need such infrastructure and if they do not find it here they will not stay, no matter what the tax breaks are. I am worried about that.

Mr. Martin: On that score, the feedback from the companies I have mentioned has been positive. Some of the companies I mentioned have been established recently and the feedback has been strong in terms of their perception of the ease of establishment in Ireland, including Cork, and the availability of skills in particular. So far, so good in that respect.

Broadband is a competitive issue for the country and we have not made the kind of progress we would have liked. Hence the State had to intervene directly in the metropolitan networks programme but progress has been made. The other side of that coin is stimulating greater demand for and utilisation of broadband. A more competitive scene is emerging and we are keen to increase availability, access and use of broadband.

Competition Authority.

67. **Mr. O'Shea** asked the Minister for Enterprise, Trade and Employment the reason there was a 20% increase in the grant to the Competition Authority for 2006; if such an increase

[Mr. O'Shea.]

will lead to an increase in activities; and if he will make a statement on the matter. [18215/06]

Mr. Martin: The Competition Authority's budget allocation for 2006 was increased primarily to provide additional resources for the cartel enforcement division. Seven new posts were approved and a staff recruitment campaign is currently underway. This will result in a doubling of the authority's staff for investigating cartels.

I expect that once the new posts are filled, the authority will be in a position to build on its recent successes in the criminal courts where, in one cartel case alone, it has secured 15 convictions to date through prosecutions brought by the DPP, with further trials pending. These are the first criminal convictions on indictment ever secured in Ireland, or indeed in the European Union, for competition law offences.

World Trade Negotiations.

68. **Mr. Cuffe** asked the Minister for Enterprise, Trade and Employment if Ireland is acting against the promise of a development round by, together with the other Members of the EU, the United States and others, pursuing aggressive market opening in developing countries in industrial market access and services. [18469/06]

72. **Mr. J. O'Keeffe** asked the Minister for Enterprise, Trade and Employment his views on the status of the World Trade Organisation negotiations on the liberalisation of world trade; and if he will make a statement on the matter. [17892/06]

75. **Mr. Gogarty** asked the Minister for Enterprise, Trade and Employment if, as he has stated in the Houses of the Oireachtas that least developed countries should not be asked to take on additional commitments as part of the current WTO negotiations he will communicate to the European Commission the view that the EU should not request that least developed countries increase their tariff bindings as part of the current talks. [18470/06]

Mr. Martin: I propose to take Questions Nos. 68, 72 and 75 together.

The European Union is seeking a balanced and ambitious outcome across all core areas of the Doha development agenda. The EU believes this is the only way to deliver economic growth and development gains for all participants. Ireland fully supports the EU objective.

The position has now been reached in the negotiations when all WTO members need to aim at a realistic outcome. The final package must be politically and economically attractive and sustainable for all members of the World Trade Organisation, not just for some. In particular, it

must include a comprehensive and meaningful outcome on development issues.

All participants should contribute to the process according to their means. The EU believes that developing countries should do less than developed countries and that the poorest and most vulnerable should make no market access commitments at all. Emerging economies, however, have to make some contribution by offering real new market access and business opportunities for industrial goods and services.

New market access is the contribution of trade policy to the EU Lisbon Agenda of promoting growth and jobs which all EU member states have identified as the top political priority.

Progress requires real commitments in areas like services and the strengthening of WTO rules in the area of anti-dumping, for example, as well as in agriculture and industrial tariffs, if this round is to succeed in the time available.

The EU will continue to negotiate in good faith. All governments must now agree to negotiate in the realms of the possible. Every effort should be made to conclude the negotiations by the end of this year and I am confident the EU will play its part towards that objective.

Mr. Boyle: I wish to ask supplementary questions on behalf of my party colleagues Deputies Cuffe and Gogarty.

While the Minister may believe the approach of the European Commission and the European Union to the Doha talks will be based on fairness, that view is not shared by many representatives of the least developed countries. Does the Minister not recognise that there is a dichotomy between what he has already told the House — that the least developed countries should not have to pay a price for whatever agreement is reached — and the views and activities of the EU Commissioner for Trade, Mr. Mandelson?

Does the Minister recognise that because of the unhappiness among the least developed countries, there is a real chance that many of them will act in concert to ensure the Doha round does not reach a conclusion? They will use a blocking mechanism to prevent the round from happening because of what many of us feel are justifiable causes for complaint about trade.

Mr. Martin: Obviously, the situation is there to play for. We are clear about the development agenda. For example, at the last round, the Minister of State, Deputy Conor Lenihan, accompanied the Minister for Agriculture and Food and the Minister of State with responsibility for trade, Deputy Michael Ahern, to those talks to make clear the broad-based approach we were taking. The words "balance" and "ambitious" are important from our perspective. For example, Europe has made significant concessions in agriculture but one could argue that they have not necessarily been reciprocated in terms of services or industry.

Earlier, we spoke about the closure of the sugar factory. Ireland is paying a price for the reforms that are under way. The European Union has made concessions and we would prefer a greater opening of trade and services to facilitate Irish companies that want to trade overseas. We have moved to a significant degree in the agricultural debate but given the current EU mandate there is not much more room for us regarding agricultural market access. There are difficult issues involving a number of different parties. Agriculture is one of the areas concerned and, as I said earlier, trade in industrial goods and services is the other aspect. It is Ireland's sincere position, and the EU's belief, that we do not expect the poorest to have to make concessions.

Mr. Boyle: I accept what the Minister saying, particularly about agriculture. Everyone who was associated with the Doha round realised that what was agreed was bad news for farmers and agriculture in the least developed countries, as well as in the developing world generally. As regards trade based on normal industry and commerce, there still seems to be a huge difference of opinion between what the Minister represents as the Government's position and what the EU Commissioner for Trade is saying at the trade talks. What influence is the Government trying to bring to bear on Mr. Mandelson in order to reconcile those two positions? Is Mr. Mandelson negotiating on our behalf something that seems to be the total opposite of what the Minister is saying in this House?

Mr. Martin: No. There are 25 EU countries. Mr. Mandelson's task is to bring a fairly broad range of opinions into a coherent negotiating position with regard to other trading blocks. Ultimately, this issue will be resolved between the key players — the EU, the US, Brazil and a number of others. Even if they arrive at a consensus, it must be acceptable to the wider membership of the WTO.

I am not understating the significant challenges that exist. Ireland's position is that we would like to see the round successfully concluded because, from our perspective as a country that exports the vast majority of what it produces, access to a more liberal world trade environment would be to our benefit. Equally, we want to see the WTO talks come to a conclusion that is beneficial to developing nations and countries. I do not accept that there is the chasm between our position and the EU position articulated by Commissioner Mandelson, as the Deputy suggests.

Health and Safety Regulations.

69. **Mr. S. Ryan** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the fact that a demonstration took place on Friday 28 April 2006 outside the offices of the Health and Safety

Authority to commemorate workers memorial day to draw attention to the unacceptably high level of people who were killed while at work here and abroad; if his further attention has been drawn to the fact that the HSA facilitated a commemoration and a minute's silence and that ten fatalities have occurred to date in 2006 while 73 people died in 2005; the steps he proposes to take to ensure that the number of fatalities is reduced and where accidents happen there is a responsibility on all concerned to preserve the scene of the accident to facilitate a proper investigation; and if he will make a statement on the matter. [18214/06]

Mr. Killeen: A demonstration to mark workers memorial day took place outside the Health and Safety Authority on Friday, 28 April. The centrepiece of the event was a minute's silence to honour the memory of those killed in the workplace. The event was supported by BATU and the construction branch of SIPTU. Key organisers of the event were the family of Mr. Justin Foley, who was killed in a workplace accident in 2002. I met Mr. Foley's parents and sister recently to tell them that I fully support their initiative for an annual memorial day for victims of workplace accidents.

The Health and Safety Authority offices were the location for the event rather than the target. The authority agreed to co-operate fully with the commemoration, shutting the office throughout the duration of the demonstration and respecting the minute's silence. On a longer term basis the authority also indicated its willingness to mark workers memorial day in an appropriate way in the future.

The Safety, Health and Welfare at Work Act 2005, which I brought into operation on 1 September 2005, updates, repeals and replaces the Safety, Health and Welfare at Work Act 1989 and provides a modern legal framework to guarantee best international practice in regard to health and safety in Irish workplaces. There are more than 200,000 workplaces in Ireland and to make best use of its resources, the authority is once again in its programme of work for 2006 prioritising a number of sectors for attention. These include the high-risk sectors of agriculture, construction, and mines and quarries.

Key actions in these sectors will include a major national road show which will visit a minimum of 5,000 construction workers, the development of a farm safety village at the world ploughing championships, the publication of codes of practice tailored to those employing three or less in the agriculture, quarrying and construction sectors, an effective inspection programme targeting key risks and research into the issues involved in the employment of non-English speaking workers.

With regard to the construction sector specifically, the authority in 2006 is committed to the finalisation of proposals for updated construction

[Mr. Killeen.]

safety regulations, which are currently with the Office of the Parliamentary Counsel; carry out a focused programme of 7,500 construction site inspections covering appointment of duty-holders and assignment of responsibilities, safety and health plans and welfare and training arrangements; develop and implement a major promotional campaign; enforce and publicise the new construction and the work at height regulations; deliver a national road show on the new construction regulations; hold industry information briefings on the construction regulations targeting managers and designers, and including vibration, noise, work at height, underground services, roof work and the lifting equipment regulations; prepare draft guidance on construction-specific aspects of work at a height and progress draft codes of practice on pre-cast construction, concrete anchors and client best practice; develop an online notification form for new construction projects; continue the development of the innovative safe system of work plan, an initiative aimed at simplifying the safety message for both English speakers and non-English speakers; and run a hard-hitting campaign to change attitudes to construction safety.

With regard to agriculture specifically, a farm safety project was launched in late 2005 as a joint initiative between the Health and Safety Authority and Teagasc. The project will support the national farm safety plan objective of cutting farm accidents by 50% and will run for a three year period. The initiative aims to ensure that farmers with three or fewer employees complete and implement a new comprehensive but user-friendly farm risk assessment, as required under the legislation. Currently, fewer than 30% of farmers have completed any form of safety risk assessment.

This joint Health and Safety Authority-Teagasc initiative will involve the provision of training on risk assessment at specially convened health and safety courses for farmers and the provision of follow-up advice. It is being piloted among dairy and tillage farmers in counties Cork, Clare, Donegal, Meath, Tipperary and Wexford. An evaluation of the implementation of safety measures by participating farmers will guide the future implementation of the initiative at a national level.

With regard to preserving the scene of accidents, all deaths are initially investigated by the Garda Síochána and the following is the process for preserving accident scenes. First, gardaí notify the authority of a workplace accident or fatality. Second, the authority asks gardaí to maintain the scene of the accident. Third, the authority then investigates the accident.

An Leas-Cheann Comhairle: Deputy Quinn should be brief.

Mr. Quinn: I will be brief but I will return to this issue on another occasion. I compliment the Minister of State on all of the initiatives he suggested and all the activities he outlined in a comprehensive reply. However, why did he choose, with his colleagues, not to accept one of the main recommendations of the Law Reform Commission, namely, to legislate for the crime of corporate manslaughter? Construction employers and their sub-contractors should be faced with the prospect of a crime of corporate manslaughter, which was recommended by the Law Reform Commission, which is not noted for its radical or off-the-top-of-the-head proposals, yet it was explicitly rejected by the Department of Enterprise, Trade and Employment. Until we get the kind of specific instruments that will wave not just a carrot, which is what is proposed, but also a stick, we will not achieve a reduction in the number of fatalities occurring in the industry at present.

Mr. Killeen: As the Deputy is aware, the issue was debated when the Bill was going through the Dáil. The matter is entirely appropriate to the Department of Justice, Equality and Law Reform but there are penalties under the new legislation that are considerably stronger than those provided for previously. The issue of the corporate manslaughter debate is one for the Department of Justice, Equality and Law Reform.

Ms Lynch: No, it is not.

Mr. Quinn: The Minister of State is kicking to touch. It is a matter for his Department.

Mr. Martin: It is for the Department of Justice, Equality and Law Reform.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters.

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Andrews — that the Minister will provide adequate funding for a comprehensive early intervention service for psychosis; (2) Deputy Gilmore — the urgent case of a person (details supplied) who has lost her rent allowance following her marriage on 7 April last and who is now facing eviction from her home on Thursday next; (3) Deputy Crawford — that the Minister outline the steps she has taken at national or European level to protect the income of farmers; (4) Deputy Connolly — to discuss the temporary use of available bed space at St. Davnet's hospital, Monaghan, to free up bed space in Cavan and Monaghan general hospitals; (5) Deputy Ó Caoláin — the need for the Minister to make herself fully accountable to the Dáil for the crisis in our health services; (6) Deputies

Costello, Ó Snodaigh, Cowley and Cuffe — that the Minister take urgent measures to resolve the hunger strike by 41 Afghans in St. Patrick's Cathedral; (7) Deputy Catherine Murphy — that the Minister outline his views on the proposal to change the airspace licence at Weston Aerodrome; (8) Deputy O'Dowd — to ask the Minister to discuss the urgent need for the Government to oppose in every possible way the decision of the British Government to increase the number of nuclear power stations, thus increasing the volume of nuclear waste to be reprocessed at Sellafield, which will increase the risk to the Irish people from potential accidents or acts of terrorism; (9) Deputy Neville — the funding of new and upgrading sewerage schemes in County Limerick; (10) Deputy McGuinness — the urgent need for an independent inquiry into the design and construction of the Piltown-Fiddown bypass; and (11) Deputy Burton — the crisis of school places in St. Ciaran's national school, Hartstown, where a number of children have failed to get school places for junior infants for September 2006.

The matters raised by Deputies Andrews, Crawford and Costello, Ó Snodaigh, Cowley and Cuffe have been selected for discussion.

Estimates for Public Services 2006: Message from Select Committee.

An Leas-Cheann Comhairle: The Select Committee on Health and Children has completed its consideration of the following revised Estimates for public services for the service of the year ending on 31 December 2006 — Votes 39 and 40.

Institutes of Technology Bill 2006: Second Stage (Resumed).

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

Mr. O'Connor: I welcome the opportunity to contribute on the Bill. I acknowledge the presence of the Minister of State, Deputy de Valera. As I speak, her presence will remind me that I should mention Tallaght because the Minister of State is a former Deputy for the area. If Deputy de Valera had not left Tallaght, one wonders where I would be today, but that is a long story.

Mr. Naughten: Tallaght might be better served if she had not left.

Mr. O'Connor: That is as may be. However, I am well known as an admirer of the work of Deputy de Valera, which I am happy to acknowledge.

I warmly welcome the publication of the Bill. It marks a major step forward in the development of higher education. It is undoubtedly the most important Bill dealing with the institutes sector since the Regional Technical Colleges Act 1992. The Bill is the culmination of a number of important reports and studies in recent years

which considered higher education in Ireland and the institutes of technology in particular. Six years ago the Cromien report found that the Department was deeply involved in operational matters for the institutes and that this should be reduced. The report recommended that much of the work being done by the Department should be carried out by the institutes.

Three years ago the council of directors of the institutes of technology produced their own expert working group report on the future position and roles of the institutes. This report was followed in 2004 by the OECD review of higher education policy in Ireland. Both reports recommended many of the measures that the Minister and her Department have incorporated into the Bill, which will give the institutes greater freedom and autonomy.

In particular, the OECD review went to considerable lengths to stress that Irish tertiary education and research and innovative enterprises, have to become the new drivers of economic development and of the country's economic competitiveness. The approaches to resource allocation, financial management methods and accountability requirements, all issues the Bill addresses, are increasingly at odds with managing a productive higher education system.

The success of the institute sector needs to be nurtured and celebrated and it must be defined, with the university sector, as an equal partner in a dynamic higher education system that covers a diverse range of functions. The controls and the freedom of the institutes to manage themselves to meet institutional objectives must be reviewed with a view to drastically lightening the load of external regulation.

The Bill gives effect to these recommendations. It has at its heart, the transfer of a number of powers from the Department of Education and Science directly to the management of institutes. It also moves the granting of permission or approval for many administrative functions from the Department to the Higher Education Authority. Overall the changes proposed by the Bill will allow the institutes deliver what the OECD review identified as their pivotal role in addressing the knowledge economy. This will also enable the institutes to respond quickly and efficiently to national and regional needs. The institutes of technology have matured into fully integrated third level colleges offering qualifications across the full range of the national qualifications framework, from higher certificate to honours degree and to research PhDs. The institutes have all been internationally reviewed as part of the process for assessment for delegated authority to award their own degrees.

Under the new arrangement, institutes of technology will be able to exercise greater autonomy, flexibility and timeliness in their individual and collective responses to strategic goals and priorities. These will be tremendously important and welcome developments for Ireland's 14 institutes

[Mr. O'Connor.]

of technology, their management, staff and students.

The new look Higher Education Authority will now have responsibility for universities and institutes of technology under its roof. This should be the basis for the development of a more coherent national higher education policy. It is of critical importance to achieve a strong sense of collaboration between the organisations in a unitary system if the potential of higher education is to be fully maximised at a regional and national level.

I commend my colleague, the Minister for Education and Science, Deputy Hanafin, and her officials on not replicating the British model when preparing the Bill. Unlike the experience in the UK, where in 1992 the polytechnic sector was subsumed into the university sector, we have chosen to value and preserve the distinctive differences of universities and institutes of technology. The Higher Education Authority which, at present, is responsible only for the university sector will have its remit extended to include the institutes of technology. This should result in a more coherent policy focused national higher education sector. While the new operating arrangements are expected to value the differences in provision they will also deliver a fundamental change in the equality of the sector between its two strands.

I am glad to acknowledge that the institutes of technology have been the success story of Irish third level education. More than 50% of all first time admissions to third level are to the institutes. Currently there are of the order of 90,000 students registered in the sector. The institutes have also played a major part in widening access to higher education and in increasing participation rates from 20% in 1980 to 55% today. In addition to full-time students, more than 20,000 also study part time each year on campus and in the workplace, building credits towards internationally recognised qualifications. A further 1,200 students are engaged in fourth level programmes at masters and doctoral levels.

The institutes have done tremendous work in attracting students across the social spectrum. It is acknowledged that in Ireland, students from disadvantaged socio-economic backgrounds, students with disabilities and mature students are under represented in third level education. These are all issues the Minister is addressing through a range of measures.

I hope the new governance arrangements proposed in the Bill will further strengthen programmes such as the impressive access programme run by the Institute of Technology, Tallaght. This programme is specifically designed to encourage the participation of people from local disadvantaged areas and to support them during their time in the institute. Approximately 40% of first year students attending IT Tallaght are

drawn from areas of Dublin where participation in third level is traditionally low.

I am always sensitive when speaking about Tallaght in any discussion or debate on national issues. Having listened to a number of colleagues this morning who mentioned Carlow, Kilkenny, Waterford and I have no doubt Athlone and Roscommon will be mentioned, I presume I will be allowed to mention Tallaght.

I have been involved in the project since its inception, having been a member of the County Dublin Vocational Education Committee from 1985 and had the opportunity and privilege to be a member of the interim board of the then Tallaght RTC project. I always took the view that the college in Tallaght came from a strong political and community campaign. It has often been stated that Tallaght is the third largest centre of population, that it has the population of a city but the status of a village. That has changed. Tallaght is a tremendous place and the college has become very much part of life there. I am glad to acknowledge that and the work of Dr. Tim Creedon, the director of IT Tallaght, and Stella Browne, the director of communications, who do a tremendous job in reaching out to the community.

On the matter of the name of the college, frequently I get inquiries from Tallaght and elsewhere on the recent name change. Perhaps I can be allowed time to explain it. When the college was set up it was called the Tallaght Regional Technical College from 1992. The institute undertook a full review of its activities during 2004 and 2005 and examined its values and how its brand image reinforced those particular values. As part of that process the institute re-engineered the logo to reflect where it wished to be as an institute and the perception of those who interact with the institute. The college management say the students told them they value the management team and what is being done in that regard. They regard the management team as orientated, supportive, friendly, accessible, relevant and professional and that their designers captured these values into the group representation of the new logo. I know from regular visits to the college that many of those involved in the college and in the community are proud to be a central element of the development of the new and vibrant Tallaght. At the same time the college authorities recognise that being south Dublin's third largest institute they were part of and provided a service to the greater Dublin area and beyond. As one who lives in and represents Tallaght I am always delighted that people would come to Tallaght, which is made easier because of the Luas, and it is great that people do that. The college has said that to capture both ideals it redesigned the logo and now the college describes itself as IT Tallaght, while retaining the title Institute of Technology Tallaght. The abbreviated title is ITT Dublin and this is reflected in the logo in the

English and Irish titles. I am glad to put that on the record because it is an important point.

I wish to speak about Tallaght for a moment. I represent not only Tallaght but Brittas, Firhouse, Templeogue and Greenhills. As the college is located in Tallaght I can be excused for speaking about Tallaght.

Mr. Naughten: The Deputy will have to look at the tallies the next time.

Mr. O'Connor: I will be looking at the tallies. I am proud of what has been done in the third level college in Tallaght. As someone with a strong commitment to social inclusion, I am happy the Government is doing so much in that regard. We need to stress that ideal in terms of our colleges, with particular regard to the college in Tallaght. I understand there are 2,300 full-time students in that college now and 1,300 part-time students. Other courses are also offered. It is important we support the ongoing strong relationship the college has, which is duplicated in many other communities, with the fine second level schools in the region, including Greenhills, Willington, St. Mark's, from which many students come to the Tallaght institute, Terenure College, Firhouse, Oldbawn, Killinarden, Jobstown and Tallaght community school.

From visiting the college this week I learn it runs an exciting project with local primary schools. It brings young people in sixth class to the college, shows them around and lets them see what is involved, even at this early stage. It introduces them to science and other subjects. That is an important initiative. It is important that our colleges work with the wider community, local schools and young people.

The institute in Tallaght has developed a number of excellent programmes and support schemes to enhance participation. It works closely with second level schools, particularly in local disadvantaged areas, with colleges of further education and community education groups. Students, parents, teachers and local agencies are involved, and a partnership approach is used to maximise the input of all concerned.

The access programme provides students who attended the link schools with financial, academic and personal supports which include items like free textbooks, laptop computer loans, extra tuition and peer mentoring. I am told that in particular, the use of a personal laptop is a great benefit in giving students the freedom to do their course work in their own time and at their own pace.

The institute in Tallaght also holds regular information sessions with local and community education groups, particularly in west Tallaght, to introduce the concept of third level education as attainable via a variety of routes. In addition, the access programme includes students with disabilities and helps arrange supports and exam logistics for them which include extra tuition, per-

sonal assistants, transport and exam arrangements such as extra time allowances, provision of a reader or scribe and the use of computers or tape recorders.

While the institutes cater for students of all abilities, the new freedom and flexibility they will enjoy when this Bill is passed will allow them to develop further innovative outreach programmes for people traditionally excluded from third level. We should all promote that. I do not want to be flippant but I sometimes say to students I bring to visit the Dáil that it is important they appreciate education. I said to a group the other day that it is only when one leaves school, one realises how happy one was there. Not all may subscribe to that, but I believe it is true. I also stress that education is important and I sometimes joke that if I had been properly educated, I might now have a decent job. Maybe I should not let that slip.

We should encourage young people to appreciate education. Elsewhere today I heard a lot of talk about citizenship, and education is part of it. I visit all the educational institutions in my constituency on a fairly regular basis. It is important we give time to and show interest in primary, second and third level education centres. I am also happy to get good responses from young people. Young people can often be cynical about politics, which is a phase we probably all went through.

The presence of my good friend from Limerick, the Minister of State, Deputy Tim O'Malley, reminds me to emphasise the point I made earlier about the importance of accessibility. I have listened to his contributions over the past few days and he spoke strongly about his role in looking after the disabled. I applaud his efforts as it is important the disabled have a champion. We must ensure they are properly represented and they know they have an open door where the Minister of State, Deputy O'Malley, is concerned. I wish him well in that regard.

The Institutes of Technology Bill 2006 will make an enormous contribution to improving the structures for higher education throughout the country and will give the institutes the operational freedom and flexibility they need to produce the skilled workforce to meet the challenges ahead for our economy and our society. I look forward to supporting the Bill and I am glad to hear a good deal of support for it even from the Opposition benches.

Mr. Naughten: I welcome Deputy O'Connor's contribution. He should think about doing stand-up comedy. He is good at it and should stick at it.

Mr. O'Connor: I cannot remember jokes.

Mr. Naughten: I welcome the opportunity to speak on this legislation. I want to raise a particular issue and I am glad the Minister of State, Deputy Tim O'Malley, is in attendance as I hope

[Mr. Naughten.]

he might relay the matter to his colleague, the Tánaiste.

In my area of Roscommon-south Leitrim, we are lucky to have three institutes of technology quite close to us — GMIT, which is based on two campuses in Galway and Mayo, Sligo Institute of Technology and Athlone Institute of Technology, on the edge of the county. They provide an excellent service throughout the region. Talking in particular of the BMW region and regional balance, we only have one third level university in the BMW region. That will be a serious challenge for the Government in the future.

Since the foundation of the institutes of technology, they have remained a poorer cousin in the third level system and have been driven to distinguish themselves by being innovative and responsive to students and to employer needs. They have rarely been afforded the luxury of being presented or offered the protective custody of an inherent right or privilege to establish and deliver specific courses and programmes. Because of that, the three institutes of technology in my constituency, GMIT, Athlone and Sligo, have adapted and have looked at where the needs are and how they can develop programmes.

Since the mid-1990s, as a country we have recognised that the educational and economic risk associated with the decline in the uptake of science programmes, especially at third level, would have a major impact on the development of our economy. Science programmes in the institutes of technology have probably always been more at risk than in universities because as the Central Applications Office points fell in universities and the institutes, students tended to go to universities where, as they saw it, there were opportunities to get a higher status degree, issued from a university, rather than going to the institutes of technology. As a consequence, the institutes of technology have had to innovate and provide a new range of subjects. The institute I know best, the institute of technology in Athlone, is a good example of this. There are other examples in Galway Mayo Institute of Technology and Sligo IT.

Athlone has produced core important undergraduate and postgraduate programmes in chemistry, toxicology, biotechnology and the pharmaceutical sciences and provides direct support and training to industry. As the health care sector, particularly in the midlands, has expanded over recent years, support has been given to the pharmaceutical industry locally. In addition to clinical nurse training, Athlone now provides veterinary nursing, dental nursing and pharmacy technician courses.

After listening to the Minister's comments last night I considered it important to contribute to the debate. She said that the Bill is a highly significant development for the future of Ireland's education system, especially the higher education system. She described it as an explicit recognition

of the importance and value of the institutes of technology to citizens and the education system. That comment annoyed me because that is not the case, although it is probably not intentional on the part of the Minister.

I am anxious to bring two matters to the Minister's attention. The first is something she dealt with in the House when I raised it some time ago. It was a proposal developed in Athlone Institute of Technology, with a number of other bodies, to establish a national institute for bioprocessing research and training. IDA Ireland had invited proposals in 2004 for collaborative groups of academic institutions to undertake this development. The three main functions of the new institute would be training and education in bioprocessing, research in bioprocessing technologies and scale-up capabilities for the stakeholder institutions.

One of the key elements of the proposal related to the location of the institute. Athlone Institute of Technology, together with DCU, NUI Galway and a number of other institutions, made a submission to IDA Ireland a number of years ago to establish that institute in Athlone. This was supported and encouraged by IDA Ireland at the time and Mr. Sean Dorgan, its chief executive, publicly indicated that the project would be developed on the Athlone campus. The four local authorities in the midlands also supported the project.

However, a number of the larger universities and biopharmaceutical companies in the Dublin region got wind of what was happening and kicked up a stink, with the result that the competition was expanded. The Government subsequently designated UCD as the preferred bidder and that centre is being located in Dublin. Although it had been developed by Athlone Institute of Technology, the other universities decided it was a good idea so they took it up.

Another area where Athlone Institute of Technology put forward a good proposal was in podiatry training. There is no such training school at present. The FÁS health care skills monitoring report in August 2005 stated that it is unsatisfactory that no podiatry course is provided in the education sector, particularly given that chiroprodists will require formal qualification when statutory registration is introduced. At present, Ireland has only one third the number of registered podiatrists Scotland has. That country produces 90 podiatrists per year from two schools of podiatry in Glasgow and Edinburgh. Ireland does not have any such course.

Let us consider the substantial cost to the health service of diabetes. There is a significant demand and need for podiatrists. There is also a major problem in the west with transport services for people to attend clinics in the region. They cannot access such services. With the proposal from Athlone, it would be possible to bring podiatrists into the region, train more of them and have an easily accessible service. Representatives

of the college met the Tánaiste about the proposal, on which the institute has done much of the background work.

However, what really annoyed them was the reply the Tánaiste gave me yesterday: "I understand that the HSE is of the view that the school of podiatry would be best located in a large centre of population, one that is associated with a multidisciplinary health professional environment and which is linked to a major teaching hospital". This is a shock to the health service staff dealing with Athlone Institute of Technology on the matter. This institute has found a niche, developed the course and conducted a significant amount of research but has discovered it cannot be located in Athlone and must be in a major centre of population. That decision is being taken by the Health Service Executive, although the staff working with Athlone Institute of Technology on this issue knew nothing about it.

The Tánaiste said that the final decision on the location of the school will be a matter for the Minister for Education and Science. It is hugely frustrating for the staff of Athlone Institute of Technology who have developed nursing programmes, established strong relationships with the Health Service Executive over recent years and are seeking to develop niche disciplines such as podiatry. They have been told Athlone will not get the podiatry school because it is not a major population centre.

In the US and the UK, podiatry is offered both within and outside a traditional medical training environment. In the UK, a number of former polytechnics — the equivalent of our institutes of technology — are successfully engaged in the provision of podiatric medicine education. In 2003 in the UK, when there was a review of podiatry training in the country, it appeared that London, the capital, would be without any training school for podiatry medicine. The argument that the location of podiatry training in Ireland should be limited to major centres of population appears quite farcical.

Athlone Institute of Technology developed a BSc programme in podiatry two years ago but has encountered numerous barriers to offering this programme through the CAO system. The institute effectively instigated the research and development of a BSc in podiatry in Ireland. During that research, representatives of the institute visited three podiatry schools in Brighton, Jordanstown and Caledonian University. None of these schools is attached to medical teaching hospitals, which is the recommendation mentioned by the Tánaiste.

The Tánaiste visited Athlone Institute of Technology 15 months ago and, on her advice, the institute developed the clinical training model, including training in Tallaght Hospital because it is recognised as having the best endocrine podiatry clinic in the country. The institute defined the clinical training needs of the students based on the UK Society of Chiropodists and Podiatrists

quality assurance committee for podiatry handbook. It has a building on the campus which would be a suitable location for a clinic. The registration requirements stipulate that there must be 1,000 hours of clinical training but the institute's programme will have 1,600 hours of such training.

Athlone Institute of Technology is ready to get the programme up and running. It can take in undergraduate students from 1 September next. However, it is being prevented from doing so by the Department of Health and Children and the Department of Education and Science. For that reason it was most frustrating to hear the Minister speak last night about encouraging, promoting and developing the institutes of technology when the two Departments are dragging their heels on this issue. There is an attempt behind the scenes to relocate that school in Dublin. The midlands will lose out again because pressure will be put on Ministers to switch the investment to Dublin.

It will be six years before a qualified podiatrist will emerge from the universities in Dublin. That means a six-year delay for a service that is needed and which the Tánaiste acknowledges is important. The provision of acute services due to the lack of specific treatment for people with diabetes and podiatry problems makes up 10% of the overall health service demand. One can only imagine the impact having properly accessible podiatry services would have on the demands on the health service. More than 3,000 people in the midlands come under the diabetic programme requiring access to podiatry care. Athlone Institute of Technology offers a multidisciplinary health professional environment for general and psychiatric nurse training. The institute offers courses for dental nurses and pharmacy technicians. It has research staff working at doctoral level in pharmacology, chemistry, molecular biology, tissue engineering, nursing toxicology, sterilisation technologies, environmental science, nursing software and materials. It has the critical mass, the academic support and the demands for these courses. It does not, however, have the support of the universities or the major teaching hospitals. As a result its podiatry school is slowly being undermined.

Athlone, which is centrally located, is ideal for the national treatment of podiatry patients. This is the opportunity for the Government to show if it is serious about decentralisation and giving the opportunity for the institutes of technology to develop and be innovative. The Government has already turned its back on Athlone Institute of Technology with its decision on the location of the National Institute of Bioprocessing, Research and Training. Although a commitment to locate it in Athlone was given by IDA Ireland, the Government decided to alter it. Although the school of podiatry was encouraged and promoted by the Tánaiste and Minister for Health and Children during a visit to the institute, it is now being

[Mr. Naughten.]

undermined and the centre will have to be based in Dublin.

Each year 90 podiatrists graduate in Scotland with its population of approximately 5 million people. Ireland, with a population of 4.2 million people, does not train any podiatrists. Even though the demand exists, only 30% of it is being met. It is unacceptable that we will have to wait another six years before there will be home-trained podiatrists. I ask the Minister of State to utilise the opportunity afforded by Athlone Institute of Technology.

The institutes of technology must be complimented in the practical training of their students. Having worked with people trained in the institutes of technology, I admit their hands-on training in the sciences was far better than that which I received at university. Research and development needs more funding, particularly in the agrifood sector. It is disappointing the investment is not being made. The agrifood sector accounts for €7 billion per annum, yet only 4% of the research and development budget will be spent on it. No funding allocation for research and development was announced when the Minister for Agriculture and Food, Deputy Coughlan, published the Agrivision 2015 report. It shows a lack of interest in developing the agrifood sector, a key indigenous sector in the economy.

I accept foreign direct investment is necessary for the economy. The institutes of technology have been crucial in bringing green field investment. Meanwhile, the indigenous agrifood sector has not developed. A corporate decision made in the United States could result in a company relocating to India or another part of Asia. Indigenous companies, on the other hand, are tied into the country, especially those in the agrifood sector. The sector's development cannot be ignored. An EU report indicates that in Ireland research and development spending as a proportion of GDP fell between 1998 and 2004. This coupled with the ESRI's warning on Ireland's export market must lead to a complete audit by Enterprise Ireland of the research and development needs of the food and drink industry. The recently released ESRI report attempted to set off the alarm bells on the issue of Ireland's export market. It pointed out that Irish exports grew by only 1.8% last year, at a time when global exports are growing at more than 6% per annum. The investment has simply not taken place. Agrifood exports only grew by 0.7% last year. As we continue to ignore the development of our agrifood capabilities, we will not have the competitive agrifood sector that can meet consumers' demands for convenience and prepared foods. I hope the Government will reassess its decision on research and development in the agrifood sector. Such research and development can be carried out by the institutes of technology many of which already work with small indigenous companies.

Mr. Nolan: I welcome the Institutes of Technology Bill 2006 and commend the Minister for Education and Science for its introduction. The legislation follows on from several Bills introduced for the education sector, particularly at third level, further enhancing its reputation. The OECD recently completed a review of higher education in Ireland in 2004. One key recommendation from the report was to maintain the differentiation between the university and institutes of technology sectors under the remit of a single authority for the purpose of achieving a unified higher education strategy.

The Bill provides for a mechanism for greater integration and cohesiveness in the higher education system. It introduces certain responsibilities and onuses, particularly on the institutes' directors and boards of directors. We are fortunate to have excellent directors in the institutes who are committed to the institutes and proud of those they represent. The legislation governing the institutes has been introduced in a timely manner. In the 1960s, the then Government recognised the numbers participating in third level education was far from encouraging. The numbers of students going on to second level education at that stage were disappointing but they were transformed in the late 1960s and early 1970s following the introduction of free education by Donogh O'Malley.

After the crisis in the 1970s and 1980s, with mass unemployment and young people having severe difficulties in finding jobs, it was sensible for successive Governments to encourage them into further education. The establishment of the regional technical colleges could not have come at a better time. They took up much of the slack in the sector, when young people who had finished second level were encouraged to enter third level education in the regional technical colleges with grant assistance.

The regional balance was important, with technical colleges in Athlone, Letterkenny, Sligo, Galway, Carlow, Dundalk, Waterford, Cork and Tralee. That ensured that young students from rural backgrounds could avail of third level education in their own locality. Not too many families could afford to send children to college in Dublin, Cork or Galway at that time. Even today many families would find it difficult to keep children in Dublin because of the huge increase in the costs of accommodation in the city. The regional technical colleges, institutes of technology as they are now, have been singularly successful and the Department of Education and Science and the Ministers who oversaw their development must take credit.

This legislation will give more power to individual colleges and they will be able to change with the times. Different colleges specialise in different areas, which is important, but they must be flexible enough to meet changing demands in society, the economy and the commercial sector. Recently some colleges have changed their

accountancy procedures to take into account changes in practice, with more European and US-style practices coming in. The courses are changing to accommodate those new methods so graduates will be up to speed.

Carlow Institute of Technology has ensured that the town has seen the largest increase in the number of second level students going on to third level in the last year. Over 74% of those who complete their leaving certificate go on to third level.

Institutes of technology have accommodated individual contractors, particularly in the construction industry, in block release courses. Unfortunately, not everything is positive in this area. Carlow has seen the demise of the sugar industry, which was a great source of apprenticeships. Since the closure of sugar plant, apprentices will no longer be trained and we must find new industries to take up that slack.

We have, however, seen opportunities develop in other areas. The Air Corps has placed on permanent display for the college's use one of its Fuga jets which had been grounded. The Minister for Defence and the Chief of Staff of the time must be commended for their foresight in ensuring the plane can still make a contribution to education. It is now used by Carlow IT to train electronics graduates in aeronautic electronics. Private companies in shipping or other sectors could also be asked to make contributions to the institutes.

We must not forget the VECs, which have supported the regional technical colleges. There were some farsighted CEOs in vocational education committees who moved on from the technical school sector, bringing their expertise into third level when the institutes of technology were created.

This Bill is a milestone in education legislation and the Minister is to be commended for it. Cases have been made for various institutes to seek university status. Any claim for such status for the south east must include Carlow IT. Waterford has made a lot of noise about university status but it may not be to its credit that it has not been as all-embracing as it could have been towards the institute in Carlow. It is unfair in that it is calling for an institute for the south east when it is in Munster. One of the last institutes to secure university status was the University of Limerick. Granting such status to Waterford to the exclusion of Carlow would be unfair as it would mean there would be three universities in Munster. With the demographics we will see in the census, Leinster clearly deserves a new university. It would go against demographic trends to talk about a new institute in Waterford and it is not well serviced on an infrastructural basis. Also, it is on the coast; a university should have a hinterland in all directions to draw students.

The proposal, however, to convert any institute of technology to a university goes against the first of the 52 recommendations in the recent OECD

review of third level education. I hope the Government is not considering granting university status to Waterford. Siting three universities in Munster to the exclusion of Leinster would be wrong. I was disappointed by the lack of round table discussions between Waterford Institute of Technology and Carlow Institute of Technology. A recent decision by the south-east regional authority fell down on county lines, with the majority of the authority supporting Waterford and Carlow being left high and dry because of the paucity of its representation on the authority.

It would make more sense to build a case for using the existing infrastructure and a multi-campus approach where each county contributes. A model akin to that of the University of Ulster, which involves using a multi-campus approach and where each campus has equal status, should be considered. It has worked very successfully for that university so I do not see why it would not work in the south east. An institution created as part of a multi-campus approach would have a much better chance of being regarded as a real university which served the needs of the south east than an institution in Waterford which put a new sign on the door but which was regarded as an otherwise unchanged institution. Such an institution would not be a real university. I doubt whether a new university in Waterford would have the full range of courses, such as medicine, dentistry and pharmacy.

It is not timely for Waterford Institute of Technology to make such a pitch because it has been singularly unsuccessful to date in convincing the public of the rightness of its case. I ask the Minister and Department to weigh the merits of having a university in Waterford very carefully and to consider other institutes of technology in the south east, such as Carlow Institute of Technology which has outreach centres in Wexford and Kilkenny. It is interesting to note that CAO applications to Waterford Institute of Technology have declined by over 20% in the last two years, while CAO applications to Carlow Institute of Technology have increased by 15%. If this is indicative of what is taking place locally, the case for granting university status to Waterford is not very strong.

I welcome the Bill because it marks a further stage of development of the non-university sector by investing more authority and responsibility in institutes of technology for the conduct of their day-to-day affairs. It is quite clear in the Bill that the directors of the institutes of technology will play a much greater role.

It is important to outline the historical context in which our present system of technical and technological education evolved. An organised system of technical instruction did not develop in Ireland until the early years of the 20th century. However, from the second half of the 19th century, a number of individual institutions made contributions to this field. The report of the Recess Committee in 1896 called for reform and

[Mr. Nolan.]

recommended that technical education be made the responsibility of a new Department which would administer State aid to agriculture and industry. It is important to remember that the Department of Agriculture played a major role in the education system until it was passed over to the Department of Education.

The Recess Committee was part of the Conservative Government's policy of killing home rule by kindness. The Irish people were to receive some very worthy measures, such as the Light Railways (Ireland) Act 1889, the Agriculture and Technical Instruction (Ireland) Act 1899 and the Congested Districts Boards (Ireland) Act 1899. With the help of these Acts, the Irish people were to be tranquillised and become subject to orders from the UK. We took all the powers given to us but kept marching onwards.

The Recess Committee also recommended the creation of a new type of second level school for agriculture and practical industry. The establishment of evening and continuation courses for those at work and of higher technical colleges arose out of this. It is interesting that the committee's view that the aim of practical education was essentially to aid the economic development of the country has not changed in over a century.

The Local Government (Ireland) Act 1898 set down the framework for a more organised local authorities structure for the country and enabled the new county and borough councils to levy rates for the support of technical education. This Act, coupled with the Agriculture and Technical Instruction (Ireland) Act 1899 which established the Department of Agriculture and Technical Instruction, as envisaged by the Recess Committee, are two of the great landmarks in the development of technical education in Ireland. The Agriculture and Technical Instruction (Ireland) Act defined technical instruction as instruction in the principles of science and art applicable to industries and in the application of branches of science and art to specified industries for employment.

As well as the Department of Agriculture and Technical Instruction, the Act provided for a board of technical instruction to advise on all relevant matters submitted to it by the Department. The borough, urban district and county councils set up local statutory committees which prepared schemes of technical instruction for their areas for approval and provided the necessary local funding which was a prerequisite for securing financial assistance from central funds.

It is important to remember where we came from. The one lesson we should learn from our history is that we are living in a time of change. I hope the Minister and her successors will continue to examine the changes in our economy and society and our educational needs. I hope this Bill will provide directors and boards of institutes of technology with the freedom they need to

provide the best possible education for our young population.

Ms Burton: In general, the Labour Party welcomes this Bill. Institutes of technology, including the Dublin Institute of Technology of which I was a member of staff for a long time, have played an important role in contributing to access to third level education, to the production of very high calibre graduates and, increasingly, to research and the various Government-sponsored initiatives in scientific research and development. The Minister should clarify matters relating to the latter point. I believe all the parties in the House agree that such scientific initiatives are vital for our continued economic success and development.

I welcome the Bill but the Minister should clarify a number of areas. Deputy Power and others noted that, in many ways, the motivation for this Bill arose from an OECD report produced a few years ago and presented to the former Minister for Education and Science, Deputy Noel Dempsey. The former Minister was an enthusiastic advocate of the report until Fianna Fáil examined some of its recommendations. One recommendation called for the return of third level fees through appropriate mechanisms. While the former Minister conducted a campaign in the media to bring back third level fees, the Taoiseach realised this was not necessarily the best course of action and Fianna Fáil backed away from it. It is important to remember that this recommendation was a key element of the OECD review of third level education in Ireland.

Another aspect of the report to which I object was the insinuation that institutes of technology should concentrate on teaching and producing undergraduates and granting diplomas and certificates. The report was, therefore, hostile to the idea of institutes of technology conducting active and expanding programmes of research and did not favour the expansion of degree awarding powers to institutes of technology. This was a mistake. The Minister must clarify her approach to this vital issue in the context of this Bill.

My colleague, Deputy Carey, who is present, was involved in VEC matters for a long time. The examinations and evaluations carried out around the country by independent bodies, including distinguished institutions of engineers, for example, have repeatedly rated the courses provided by institutes of technology such as DIT and the Cork Institute of Technology higher than those provided by universities, particularly in the engineering fields. This is partly due to the approach to innovative research in the third and fourth years of many of their engineering degrees. It is important that we acknowledge this strength.

Will the Minister of State clarify whether the institutes of technology will be encouraged to compete for research funding through the SFI and PRTLTI initiatives under this Bill? They have done so successfully to date. It is one of the most

positive aspects of the development of the colleges and should be expanded on. As the Minister of State is aware, this is critical to retaining and attracting high calibre staff. Currently, people at PhD level are applying to become assistant lecturers because it would allow them to begin their academic careers in secure employment. They are attracted to those institutes of technology where there is a significant research base through which they can not only become actively involved in teaching, but continue their academic research studies.

One should bear in mind that, particularly in the greater Dublin area, these factors have often been allied to a fruitful interaction with high-tech industries such as Intel and Hewlett Packard, which have welcomed the active research by institutes of technology that complement the type of work they carry out in Ireland. A momentum and a synthesis have been created whereby various institutes of technology, particularly DIT and those in Tallaght, Blanchardstown, Cork, Waterford, Sligo, Tralee in terms of the food industry, and a number of other institutes have built up active linkages with industry. This involves supplying appropriate graduates and encouraging high calibre staff to compete for research programme funding. It is important that the Minister for Education and Science clarifies her commitment to the expansion of this positive feature of third level development.

In this context, a section of the Bill clarifying and expanding on legislation in respect of DIT bothers me. Part 3 provides for appropriate amendments to that legislation and confirms DIT's absolute higher degree-awarding powers. In her speech, the Minister said that the institutes of technology will continue to have degree-awarding powers through the appropriate qualifications authority, as it were, but should we not create a track for particularly outstanding institutes? Cork and Waterford have the lead in this regard and should be considered for the same powers.

Deputy Nolan said that Government policy and the OECD report commend the binary system. The Deputy told the House that everyone believes in that system, but I favour a long-term move towards a unified system. For this reason, I welcome the inclusion of the institutes of technology in the HEA framework. However, I do not want the Minister to solidify an approach that views universities as the premier league and institutes as something else. There are different paths to development and different ladders in education but the objectives should be clear. We want the widest level of opportunity and we want to keep encouraging the institutes to develop. I hope the Minister will be able to clarify her policy approach in respect of these issues.

When professional bodies evaluate the key skills of engineering and science, computers, business and entrepreneurship taught at DIT and other institutes, skills that are critical to our econ-

omy and jobs base, they often rank the institutes and various courses above comparative university courses. The institutes and DIT can proudly go into the HEA framework with this achievement. They should be acknowledged for it instead of going in as the little brother to a big brother, that is, the universities. This is a critical factor in the Minister's philosophical approach to the area.

The initial micro-management of the institutes and, to a lesser extent, DIT by the VECs on behalf of the Department of Education and Science and lately by the Department itself means that the basis for calculating the cost ratios and Government payments has been different to the basis for universities. One must bear in mind that many universities were built and carry capacity for large class sizes in the fields of arts, law and commerce in particular. By and large, institutes of technology have not had that capacity.

If crude bases of measurement are used, this could mean that the institutes of technology under the HEA umbrella could find certain of their courses are disadvantaged from an economic point of view. It implies the Minister is required to specify policy to make transitional arrangements available as the institutes enter the HEA so that they are not disadvantaged in moving from one system to another. I expect the HEA will be aware of this aspect and will do its best to support the institutes. There are very specialist courses relating, for instance, to paramedical services, in the Dublin Institute of Technology, the nature of which are such that the number of students who can enrol is much smaller than would be the case at university level. The Minister must clarify matters in that regard.

I will discuss the origin of the institutes of technology and address an issue that arose during a recent political discussion programme on which I was a guest, "Tonight with Vincent Browne". It has become politically correct and fashionable, particularly following the views expressed by the former Minister for Education and Science, Deputy Noel Dempsey, and the publication of the OECD report, to damn as politically incorrect the abolition of third-level undergraduate fees. I was one of those in the Labour Party who championed the introduction of free undergraduate third-level education.

People have forgotten the history of the institutes of technology. From the late 1960s to the early 1990s, various Governments wisely decided to invest a significant proportion of Ireland's European Social Fund in education. As a consequence, students on various courses at the institutes of technology were heavily funded by ESF grants. Not only did they receive grants, they also received a weekly stipend. Furthermore, the bureaucracy involved was extraordinarily simple in comparison to that involved in obtaining a third-level grant from the Department of Education and Science. It was very simple to qualify

[Ms Burton.]

for an ESF grant. A student simply obtained a place on a course, signed up and attended classes, had his or her attendance certified and the money was issued.

For students from non-farming backgrounds, this was incredibly simple, direct and popular, compared to third-level education grants, which were, and still are, out of the range of most students whose parents are in paid employment. The son or daughter of a CIE bus driver, for example, is unlikely, even today, to qualify for a third-level grant, particularly if the parent has some overtime earnings. On the other hand, a student whose parents have a substantial holding of farmland is quite likely to qualify for a third-level grant. In the Fingal area of west and north Dublin, most third-level grants are issued to people with agricultural holdings or to self-employed people such as hauliers. The children of people who are employed, however, do not qualify for grants because the income threshold is too low.

The ESF grant system brought tens of thousands of students into the Irish third-level education system. It was the magic bullet that pushed our participation rates at third-level up from among the lowest in Europe to among the highest. When the Labour Party decided to abolish undergraduate tuition fees, it was against the background of the fact that ESF grants would be phased out because that stream of EU funding was coming to a natural end. At the same time, tax covenant schemes allowed wealthy people to write-off the college fees they paid, while the children of parents in paid employment, such as a CIE bus driver or a shop steward in a factory in Killarney, could not qualify for a third-level grant. When the Labour Party and the rainbow coalition Government made the historic decision to abolish undergraduate fees, they did so in the knowledge that it would contribute to the growth of the institutes of technology, particularly those outside Dublin and would open the door to third-level education to many thousands of additional students.

While the figures for participation have been very slow in coming through they are, nonetheless, improving. The Minister for Education and Science, Deputy Hanafin, graciously acknowledged that yesterday when she pointed out that our participation rate at third-level has increased from 40% to 55%. That is as it should be, if we want to continue to be champions in terms of educational participation and our development as a knowledge-based economy.

I do not know who the author of the aforementioned OECD report was but whoever suggested that we reverse the abolition of undergraduate third-level fees had a very narrow view point. It is the same view point as that of the heads of the universities, who have funding issues with the Government and who also found that the fees mechanism gave them far greater control over

their budgets than the current cheque in the post, as it were, from the Department of Education and Science, via the Higher Education Authority.

I wished to put these points on the record because criticism of the abolition of third level fees has become incredibly politically correct, particularly among the media and the chattering classes of south County Dublin. The latter have a surplus of private schools to which to send their children and are spending their money on second-level rather than third-level education. The rest of us live in the rest of the country. We do not live in Dublin 4 or south County Dublin. We live in places where those options are not available. In places like Galway and most of Connacht, for example, there are local schools which every child attends and that is all that is available.

I hope this Bill will mark an era of greater freedom for the institutes of technology and of growing equality with the universities. If institutes such as the Dublin Institute of Technology, my former college, or the Waterford Institute of Technology want to develop to university level and show they can meet the standards, I will cheer for them all the way.

Debate adjourned.

Visit of Bulgarian Delegation.

An Leas-Cheann Comhairle: Before calling Deputy Carey I wish, on my own behalf and that of the Members of Dáil Éireann, to offer a most sincere welcome to a delegation from the national parliament of Bulgaria, led by Mr. Svetoslav Spassov. I hope their visit is enjoyable, successful and to our mutual benefit.

Institutes of Technology Bill 2006: Second Stage (Resumed).

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

Mr. Carey: I am pleased to have the opportunity to contribute to this debate. There is a certain sense of *déjà vu* about some of the contributions to date. I was not in the House when the original Dublin Institute of Technology Bill was debated. However, I was a member of the City of Dublin VEC and was chairman of the governing body of the DIT at that time.

I compliment Deputy Burton on her, as usual, coherent and incisive contribution to the debate. There are two areas where I disagree with her, which will come as no great surprise. I am an unreconstructed opponent of the abolition of third level fees, but I will argue my point in that regard later. The other issue is the binary system. I do not want us to go down the road taken by the United Kingdom, where it has been an enormous mistake.

There is no doubt that the landscape of further and higher education has been dramatically transformed in recent years. As Deputy Burton and

others have said, the institutes of technology and their precursors, the regional technical colleges, played no small part in that. We should pay tribute to the contribution of those who ran the RTCs in the days when money was not plentiful. They built them up and managed to transform the local economies which they served. As Deputy Burton and others stated, without them places such as the hinterlands of Tralee, Athlone, Sligo, Letterkenny and elsewhere would not have been able to benefit from the opportunities provided by a growing economy. The vocational education committees were very vilified organisations. However, their chief executive officers and members were a bunch of adventurers because they were willing to try out educational opportunities and provide them at a time when the universities were not prepared to do so. Maynooth and others provided outreach courses in adult education, but that was the height of it. The VECs and regional technical colleges certainly did and built up a very high level of participation in higher and third level education, which few enough people probably envisaged.

I remember when the Bill was originally drafted. Many of the staff and academics in Dublin Institute of Technology and the institutes of technology could not wait to get out of the clutch of the City of Dublin VEC and other VECs because they felt they needed a more enabling and freer environment. The VECs also recognised that. The ITs have grown and developed and the contribution they have made has been phenomenal.

The part which the European Social Fund played can never be underestimated. When the opportunity of that funding was presented, very good use was made of it. We are now at a time when the Government is anxious to provide greater autonomy, flexibility, access to funding and other assistance which is necessary for the ITs to develop further. When this legislation is passed and DIT and the ITs are within the ambit of the HEA, they will begin to develop and grow even further.

I wish to put down this caveat, and Deputy Burton made a similar suggestion. The ITs must be very careful when they are within the HEA that they are not shouldered out of the rich pickings which the university sector is a past master at getting for itself. Perhaps reform of the HEA might be prudent to ensure parity of esteem and equality. The lure of potential funding is great and I hope it is not the only reason the ITs and DIT want to come within the ambit of the HEA. While they will thrive, they will also experience a sharp learning curve and will need to be very careful.

While I hope the binary system will continue, its preservation faces danger. I am not hugely wedded to a unitary system of education. However, I believe the traditional university sector and the newer providers of higher education have served this country well. Others mentioned

hands-on research, the provision of smaller class groups and the possibility of having a wider range of courses. Deputy Burton is correct to state that Cork, Waterford and all other institutes of technology are great examples of what can be achieved by that type of innovative approach.

The academic councils which have emerged in the IT sector have shown what is possible. If one looks across the water and examines what the polytechnics did prior to becoming universities, one sees they did a much better job of reflecting the needs of their regions than they do now. They are hidebound by procedure and I am not certain that the issue of reflecting the needs of their communities, and they can speak for themselves, is adequately addressed.

The other danger in abandoning the binary system is the tendency towards upward academic drift. A great deal of research evidence shows this. I strongly support research-based activity, such as more masters and doctorates, in the IT sector. However, I am also concerned that those at the lower end of the academic stream, such as apprenticeship, certificate and diploma education, will not get the same prominence and attention in a single system. That danger exists within the HEA.

My principle experience is through the DIT. I was always very conscious that the DIT provided a platform for apprenticeship education for one and two-year diplomas and for part-time education. I always felt it was great that one could become an architect in Bolton Street by studying on a part-time basis. One could move from being a carpenter through the apprenticeship school and the FÁS system into full-time education if one chose to do so.

I am concerned that area of education may not be given the concentration it deserves. Areas of this country, including parts of Dublin, have a low level of third level participation. In my humble opinion, one of the great ways to attract people into mainstream third level education is to provide this ladder of opportunity. I acknowledge that HETAC and FETAC do a very good job in developing that ladder of opportunity. However, it is in its early stages and while the vertical trip can be done reasonably well, I am not sure it is possible to enter on different stages of the ladder.

I give credit to the VECs for identifying the emerging further education sector as an area of educational need. However, there is a need to link it more closely with mainstream third level education. When we tried to get funding for non-mainstream courses in the DIT from the Department, all sorts of questions were raised and hurdles presented as to whether a course could be validated or met the needs of specific sections of the community. A certain level of experimentation is required to allow the further education sector to develop. The next area on which we must concentrate is validating the further education sector as the entry point for many people

[Mr. Carey.]

who otherwise find entry to third level quite difficult.

Regarding the origins of the report, people in Government know if the OECD is asked to carry out a report, it will be carried out. In some respects perhaps its findings are those it has been hinted we would like to see as outcomes of the report. Nonetheless, that is where we are at. The report is good and the reasons for moving in the direction we have taken are worthwhile and valid.

I have never been convinced that just because PhDs and high end research take place, a facility should become a university. Waterford and the DIT are campaigning for this. It is regrettable that not one of our existing universities is in the top end of the world class league. Why do we need to add to that sector a further group of struggling quasi-universities? I suggest to DIT and others that they wait for the situation to develop academically by way of course provision and through a track record. Within ten years it is very likely these institutes will become universities, if not in name, in all but name. MIT has managed to do a very good job on the world academic stage without being called a university. That is a note of caution.

With regard to Deputy Burton's point on participation in education, it is true there is an increasing level of participation in third level education. We can see it everywhere. We should identify the types of courses in which some of the new entrants are engaged. It is important to acknowledge that many of these are one and two year courses. Some are sub-degree courses. This is important, and it takes a generation for us to improve participation.

With regard to fees, I have always held the view that those in high income brackets, like ourselves, ought to pay for education. The resources which would be freed up by people like us and those more wealthy than us should be made available to provide supports for those at the entry points of third level education. I have stated repeatedly, here and elsewhere, that it is unfair that the son or daughter of a person working in a bar, for example, cannot get a maintenance grant, but the son or daughter of the person who owns the bar, as it is incorporated as a company, can get it. It is unfair and the issue must be examined. The Minister is considering it.

The coherence brought about by this move is important. It will not happen just because we wish it to. There was an article in yesterday's *The Irish Times* by the director of the institute in Dún Laoghaire which raised many of the issues raised by people here. We may not need to be all that worried about whether people know that the institutes exist. It may be a question of branding. As the problem exists, it may need to be considered, especially if awareness is as low as 35%.

There may be a need to examine where the lack of awareness comes from. There has been a tendency, although it may be changing, for career

guidance counsellors in second level schools to put less emphasis on the opportunities available in the institutes of technology side of higher education. There is a tendency to advise students to go to one of the more traditional universities because of its reputation and links etc., as there is a notion the student will probably fare better.

The governing bodies of the institutes of technology must have a significant number of "heavy hitters" who are from the local industrial base. I commend the Minister on the welcome move of considering this. As far as I know, the vast majority of the chairs of the boards of the institutes are now drawn from the industrial sector. If people from the industrial hinterland are around, they will be able to do a number of things. It is a confidence building measure, which is important to any academic institution, and the governing body would be able to find ways of accessing research funds etc.

On the other hand there is an argument regarding whether the balance between private and public funding is right. It probably is not, but I am not sure how it could be redressed in the short term. Having strong people on the governing body will give some clout to the institutes of technology, which they need to establish themselves and attract funding.

The issue of drop-out rates has often been mentioned with regard to institutes of technology. It has been an unfair criticism. The resources which have been allocated for support services have never been the same as they have been in the broader third level sector. I was always critical that there was only a token medical service and student support service when I was associated with DIT. We were putting it together incrementally, and I know there is a better service there now. As a result, there is a better level of student retention in that sector. This must continue.

I have doubts with regard to linkages with second level schools. Working within the HEA sector, there is a danger such linkages would not be forged as well as I would like. I have a recollection of what occurred previous to the other institutes of technology Acts being enacted. I was a member of the academic council in DIT at the time, and we had developed a weighting of points scheme with the advice of a person who was an education officer in the City of Dublin VEC at the time, and he went on to work in the third level sector. I believed it to be a good scheme, as the weighting of points would top up a student's leaving certificate points, thereby giving assistance in getting into a course. That was dropped very quickly as soon as the institutes of technology were distanced from the VECs. I am concerned that such a sundering of the link between second and third levels might continue.

The investment in premises and plant will be necessary, although the institutes of technology have benefitted enormously in recent years from Government support. There is a multi-million

euro package of capital investment in the institutes of technology, but they need more. For example, they are still lagging behind universities with regard to library and IT services.

There are innovative ways of trying to get funding, but sometimes the funding is limited to a number of years, or perhaps to a particularly enlightened chief executive of a large multinational company. When that person moves on to greater things, going back to the United States, for example, the funding is in jeopardy. This is a matter with which the institutes of technology should be careful, in order that they are not caught in a trap.

I strongly support the Bill, with the caveat that the HEA is not just a cosy club. There should be vibrant interaction between participants from the traditional sector and the new providers of further education. If it is possible to get that mix right, I have no doubt the growth of third level education can continue. The Minister for Finance, Deputy Cowen, made significant provision with the Minister for Education and Science in the recent budget for the research area. That must continue, as unless we have a new research and skills base, we will not be able to compete with the new arrivals in the area of the knowledge economy, which includes areas such as biotechnology.

I strongly commend the Minister's initiative in bringing this Bill forward. I wish the higher education sector well, and I wish increasing progress to the institutes of technology sector. If it can develop incrementally as well as it has since the regional technical colleges arrived in all towns on the backs of lorries — they were prefabricated buildings — there is a bright future for third level education and, more importantly, the consumers of third level education.

Mr. Boyle: I wish to share time with Deputy Catherine Murphy.

Previous speakers have declared an interest in terms of working with various institutes of technology. Some have participated on governing bodies. My particular interest derives from the fact that I twice attended an institute of technology. I welcome the introduction of a Bill that raises standards and gives adequate recognition to the qualifications that are offered by institutes of technology.

However, we need a wider debate on Second Stage on the role of institutes of technology within the wider third level sector. To paraphrase George Orwell, some third level institutions are "more different than others". Very often the status that attaches to university education still remains resolutely unattached to institutes of technology, despite the fine work that is being done there and the highly skilled people who emerge from them.

My attendance at what was then Cork Regional Technical College was first on a course in business studies and then, after a damascene conver-

sion a number of years later, a course in child care. I have always thought that made me qualified to sell babies. I have always been grateful for the years I spent in Cork RTC, which has subsequently become Cork Institute of Technology, because of the many ideas that I gained from my time there, especially in the second period. It was not much of a wrench to return to third level education during the 1980s because there were no jobs. Enrolling in third level education was an opportunity that might otherwise not have existed.

The institutes of technology have always been innovative and flexible in developing new courses in ways the university sector has been unable to do. The child care course I took was, in effect, a course in community care and has subsequently officially become that. In Irish education at that time, however, there was no standardised third level qualification which recognised the desire of people who wanted to work in youth and community work. Now there is a basket of choices in that regard but it was the RTC or IT sector that first developed that work. That is why it is frustrating when the drafters of various Bills before this House, of which there was an example a number of months ago, provide, at the behest of the Department of Education and Science, that there be a number of representatives of the third level sector on registration boards for particular areas.

In the past I and other Members tried to amend such provisions to allow equal representation of the IT sector to the university sector but the Minister and her predecessor were not amenable to that. When legislation is left vague the representatives tend to be drawn from the university sector rather than that of the institutes of technology. If we are serious about this legislation we must ensure equal recognition.

The question has been asked whether institutes of technology are equal among themselves. I welcome the provision in this Bill to declare the constituent parts of Cork Institute of Technology members of the institute as a whole. These include the Crawford College of Art and Design, the Cork School of Music and the National Maritime College. That an educational institution can be so broad in terms of the courses it offers, its qualifications, the number of students attending and the number of staff working there indicates there are differences between institutes of technology. A Bill such as this, with its one size fits all approach, may not properly address that.

It is important that the Higher Education Authority is given a remit to endorse qualifications and standards from institutes of technology. If we want to avoid the experience of Britain from the 1970s, where polytechnic colleges became universities lite, and to maintain the distinction between education in institutes of technology and universities, we must find a middle way between the practice where universities can award qualifications independently, but

[Mr. Boyle.]

for the most part, institutes of technology must refer to a body such as the Higher Education Authority. Speaking parochially, and as a representative of a Cork constituency, the Cork Institute of Technology has the right to be a self-awarding institution, without assuming university status. I would like this Bill to have addressed questions like that because the third level sector should be as far from a one size fits all approach as possible.

What is the Government's priority? It is all very well to produce legislation that sets out a reporting and awarding procedure in a particular education sector but we also need to know if the Government is serious about allocating resources in a fair and proportionate way. There is a sense that, whether in primary, secondary, further, higher or third level education, imbalances exist, which this Government's policies seem only to exacerbate. The emphasis on fourth level education in the last budget risks leaving many people behind. We have unacceptably high levels of functional illiteracy and, despite free university tuition and education grants, access to education is still denied to many. Recent studies show that many years after the policy of free university tuition was introduced, as few as 8% of the people in the area immediately next door to University College Cork attend the college, which is not in my constituency but across the river. That indicates systemic problems with how people access education.

Where a person lives determines the type of primary, secondary, further and, if they are lucky, higher education they receive. The Government is failing spectacularly in that regard but is silent on the issue. Education adds to the individual for the benefit of society, but the education philosophy of the Government is still geared towards the economic rather than the social advantages.

In general this is a Bill that deals with technical details and tidies up some of the legal anomalies that put institutes of technology in a difficult situation. It constitutes, however, the bare minimum. I would like to have seen more boldness, innovation and radicalism, though I am not sure I want to encourage radicalism in this Government. There is another way to deliver education and if it was more evident on the benches opposite I would be more confident of having better legislation.

Ms C. Murphy: This Bill deals with the institutional arrangements for a sector which has evolved over many years and made a significant contribution to third level education. It would be difficult to imagine the third level sector without the institutes of technology and many of the provisions of the Bill are welcome in that they make arrangements for further progress to be made in this area.

In the pre-Celtic tiger days, when there were queues at the unemployment offices and the ports

were full of those seeking opportunities in other countries, one group of colleges, the regional technical colleges, was producing graduates who found it easier than others to secure work in the economic climate of the time because they possessed relevant skills. The RTCs have since transformed into institutes of technology which have continued to cater for the needs of those seeking education to gain employment and have maintained links with industry, an approach that has worked well.

The institutes of technology complement the university sector, thus creating a clear space for them as individual entities. This contrasts with the position in the United Kingdom where the polytechnic sector was amalgamated with the university sector. A strong argument can be made for maintaining and expanding the independence of the institutes, and this is the clear purpose of the legislation.

I read the article on institutes of technology which featured in yesterday's edition of *The Irish Times*. It can be difficult to construct a corporate identity when a sector is spread over a series of campuses, each of which comes under a separate authority. The Dublin Institute of Technology's physical move to Grangegorman is a step in the right direction in that it will consolidate the identity of the institute in the capital. This consolidation stands side by side with a real example of decentralisation in action. It would be difficult to imagine towns and cities such as Carlow, Waterford and Athlone without institutes of technology. In this respect, I am surprised that spontaneous recognition of the sector is as low as one third of the population, given the number of people who have studied or are studying in the institutes. I was also surprised to learn that 90,000 students are enrolled in the institutes, a figure equivalent to the population of a decent-sized county.

A measure of the importance of the institutes of technology and university sector is that counties which do not have ITs view the establishment of such an institution as a fundamental necessity given the proven linkage between having a third level institution and the ability to generate employment. Their role in creating research and development linkages is also important.

While I welcome the Bill, a number of problems have been highlighted. The Teachers Union of Ireland, although it welcomes the Bill, has expressed disappointment and concern about the diminution of security of employment for future appointees in institutes of technology. The union has highlighted the difference in job security between future employees of institutes of technology and employees in the university sector for whom the concept of tenure is enshrined in legislation. The TUI describes the statutory right to tenure as an essential bulwark for academic freedom. Such a right could be enshrined in the legislation by way of amendment, but this hinges on whether the Government views the role of the

institutes as equal to that of the universities. If it takes this view, academic freedom will be an essential requirement if institutes and universities are to operate on an equal basis. The fears in the sector concerning security of employment must be addressed.

The institutes of technology have already established a pattern of accommodating students from disadvantaged backgrounds and I have no doubt this trend will continue. I also welcome that this function is provided for in legislation. It is essential for those with disabilities that adequate financial provision is made to ensure their inclusion. With significantly more funding available to the university sector in this respect, the funding issue for institutes of technology will need to be addressed if inclusion in this sector is to materialise.

The flexibility afforded to students, many of whom study part-time, is an important component in the education system. With jobs for life no longer available, it is vital that workers are facilitated to engage in life-long learning. Co-operation between institutes of technology allows students to accumulate credits towards academic qualifications which are recognised nationally and internationally.

From my dialogue with some of the industries located in my constituency, I am aware that specific courses are designed with the needs of employees and industry in mind. This approach works very well and benefits both parties. The institutes of technology have been at the forefront of developing such linkages.

The institutes of technology developed out of the regional technical colleges when the need to develop the sector was identified on the basis of a bottom-up approach. The post-leaving certificate, PLC, sector has developed in much the same fashion. In light of the perceived lack of commitment to deliver on the recommendations of the McIver report, what was the purpose of commissioning the report in the first instance? One expects that reports are commissioned with a view to completing the project in question. A timeframe for the implementation of the McIver report must be announced soon if the widespread frustration in the PLC sector is to be addressed.

Under the new arrangements students should be given a role on the boards of the institutes of technology because students are a key component in feeding information to boards and ensuring they are inclusive.

It is difficult to understand the reason certain graduates are precluded from participating in Seanad elections while others, with whom they compete in the jobs market and every other walk of life on an equal basis, have a right to vote in them. Given that graduates have equal qualifications, all of them should be entitled to participate in Seanad elections. While I favour extensive reform of the Seanad, at a minimum, this inequality should cease.

Ms F. O'Malley: Bills of this nature show the House in its best light. This Bill, for example, gives Deputies an opportunity to work together for the betterment of the institutes of technology sector. It is clear from the contributions of Opposition Members that their views do not differ from those Government Members.

We are all conscious of the role the institutes of technology have played and will continue to play in third level education and this legislation facilitates them in fulfilling their role with greater power and confidence. As Jim Devine, chairman of the council of directors of institutes of technology, noted in a newspaper article published yesterday and referred to in this House, the institutes are different but equal. It is important that the Bill enhances the status of the institutes of technology and gives them autonomy. It is also vital that any organisation seeking to provide educational courses should be autonomous and have the ability to determine and award its own degrees.

I listened with interest to Deputy Boyle's contribution in which he made valid points about the need for organisations to be able to award their own degrees. The Bill will deal with this area. I also agree with the previous two speakers who said that the effect of the Bill will be much more positive than the development of the third level education sector in the United Kingdom where polytechnics were amalgamated with universities. The method proposed in this legislation is a better way.

A refreshing aspect of the education provided by institutes of technology is their close collaboration with industry. In my constituency, the Dún Laoghaire Institute of Art, Design and Technology provides a good example of this. It is a pioneering institute in the area of digital media, including photography. As the institute develops, we are getting great incubation spaces for the key element of research. Students are learning about the cutting edge of technology and its close application to industry. That is vital as we develop our knowledge economy, which is where Ireland needs to prosper if we are to make further progress.

My one concern is that institutes of technology have not had tremendous success in gaining access to research and development funding, which is worrying. Nonetheless, the Government has demonstrated its commitment to research and development, especially in the previous budget with the development of the strategic initiative fund. Concerns have been expressed that before we develop fourth level education, we need to ensure that primary, secondary and tertiary education are well resourced. It is one of those radical measures that Deputy Boyle was lamenting the Government does not have enough of and, from time to time, I share that sentiment.

It is important to get added value from our education sector. Looking back, anyone would recognise that Ireland's economic success was

[Ms F. O'Malley.]

built on the education system provided to citizens from the 1960s to date. This includes the measures initiated by the Labour Party when last in Government, such as the abolition of third level fees.

The disparity of access to research funding between the university and IT sectors is slightly worrying. A report commissioned by the institutes of technology entitled Building Research Capacity indicated that while 44% of all new entrants to higher education have entered institutes of technology, such institutes' access to funding has been minuscule. The report stated that of a total research funding by PRTLTI to date of €600 million, the institutes have received €14.5 million or 2.5%. The institutes have received 1.5% of capital expenditure. It is no wonder, therefore, that this causes a certain level of concern in the IT sector which feels at a significant disadvantage given that it caters for 44% of all new third level entrants.

Deputy Boyle asked how we can redress that imbalance. The ITs provide an excellent service so we must ensure that they also have access to research and development funds. We need to be careful in examining how that can be done. All research funding should be allocated on a competitive basis but the statistics are worrying. We should try to address this matter within the provisions of the Bill. We are all used to flying the flag for our constituencies.

Mr. Fahey: Indeed we are.

Ms F. O'Malley: The Dún Laoghaire Institute of Art, Design and Technology is an extraordinary establishment in many ways. I am familiar with the Minister of State's institute of technology in Galway, which is a fine establishment and, like the Dún Laoghaire one, a fine building has been provided for it. The Dún Laoghaire Institute of Art, Design and Technology has 1,500 students. It has provided cutting-edge research in digital performance, not just concerning the arts but also business and new technology. It has provided a very good service with added value not just for our local area but for the country generally.

I met the institute's administrators during the week and they said that the autonomy provided for in this legislation will allow the establishment to grow and become more audacious. We need to cultivate such boldness in the institutes of technology and freeing them from direct ministerial control will facilitate that process.

The provisions of the Bill will lighten the load of external regulation, allowing the institutes to deliver what the OECD report identified as their pivotal role in addressing the knowledge economy. The provisions will also enable the institutes to respond quickly and efficiently to national and regional needs. For all these reasons, the Bill should be supported.

Mr. M. Moynihan: I welcome the opportunity to contribute to the Second Stage debate on the Institutes of Technology Bill 2006. Higher education in Ireland has undergone a major transformation over the past generation. Considerably more than half of school leavers now proceed to third level compared with just 20% in 1980. The institutes of technology have been at the centre of this remarkable expansion which has, in turn, been a key factor in our current economic success.

The institutes have done a first class job in responding to the need for economy-linked skills. This success has led to dramatic growth in student numbers, the range and level of courses provided and the development of concentrated research strength. Awards from sub-degree to doctoral level are now made in the IT sector. These are rigorously quality assured and retain a vital relevance to wider social and economic needs. The institutes now have a vital role as we look to the higher education system to support our wider national objectives for social and economic development in the new knowledge age.

Over the past ten years in particular, the institutes have built a strong reputation, engaging in applied and basic research and technology transfer programmes with industry. The institutes, which have only been a feature of Irish higher education since the 1970s, have demonstrated the ability to respond to economic changes in a regional, national and international context.

The technological sector now accounts for almost 50% of those pursuing third level educational qualifications in Ireland. The chief executive of IDA Ireland, Sean
6 o'clock Dorgan, praised the institutes for their "real world" quality, their openness and accessibility, and for how they cater so flexibly for so many ambitions and needs. They are relevant, connected and responsive to changing demands and expectations. The institutes also reflect many of the features that make Ireland attractive — our creativity and ability to initiate and innovate without waiting for direction, our agility and ambition, and our continuing wish to improve.

Mr. Dorgan also noted how all the qualities and work of the institutes are essential for our future as global competition is ongoing and relentless. We need to step up the skills of everyone, from bricklayers to biochemists, receptionists to researchers, so that we can fulfil the potential and satisfy the aspirations of all in society. Yet, surprisingly, there is a feeling that the institutes of technology need better public relations and that they are not universally recognised or acknowledged for their many attributes.

Two weeks ago a national institutes of technology survey was published which showed that the institutes have a surprisingly low profile. Apparently, only 35% of people are aware of the institutes of technology when spontaneously

asked, although awareness does rise to 85% once prompted, and is higher in areas near a campus. According to Jim Devine, chairman of the council of directors of the institutes of technology: "The trouble is, the public is still not as aware as we would like it to be, and that is a challenge we as a group aim to take up."

The report's authors note that there is uncertainty in the public mind as to how many institutes of technology there are and whether each is independent or if they operate as a group. Some 55% of people are aware that institutes award nationally recognised qualifications but just 35% realise the institutes award internationally recognised qualifications. Just 42% of those surveyed were aware of the honours degree courses offered by institutes and a mere 14% of the public seemed to be aware of the significant contribution being made by the institutes at post-graduate or fourth level. This clearly is an issue we will have to address as we seek to build and develop a knowledge economy in Ireland. The serious intent of the Government to do this was highlighted in last December's budget.

Many believe that our economic success has been caused by our low tax policies and there is no doubt of the major contribution these have made, but a huge indicator of our economic success has been the exceptional wealth of intellectual capital available to investors, whether domestic or from overseas. Ireland has become synonymous with the quality of its graduates.

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

In budget 2006, a commitment was made to the establishment of a new PhD level of education, a fourth level. Last year the Minister for Education and Science signalled the Government's intention to create a multi-annual strategic innovation fund for higher education. To achieve what we must achieve will require a commitment to substantial change in all our third level institutions. As the Minister for Finance, Deputy Cowen, noted:

We must strip out unnecessary duplication. There must be an appetite from within the sector itself for greater collaboration. This is a small country. It is not sensible to have our third level institutions pitched against each other across all key disciplines. Instead, what we need is the promotion of a system-wide collaboration that can draw on the collective strengths of all of our third level institutions [universities and institutes of technology].

We are competing in a global world. To compete and to retain the strength of our offer demands an investment in the knowledge, skills and innovation capacity of this nation. Our edge in education is being challenged not just by the established sources of excellence but also by emerging nations across the globe. The Government believes such a programme is fundamental to our economic and social development and the allocation of €300 million to the strategic innovation fund for higher education over the next five years is a real statement of intent.

In addition, it is essential that investment in modern facilities is maintained in university and institute of technology campuses around the country. As a result, we are committing €900 million to the third level sector over the next five years as part of the Department of Education and Science capital envelope. The physical development will have to reflect the changed approach whereby there must be greater co-operation between the institutions involved. This brings planned investment in capital spend and the strategic innovation fund for third level to €1.2 billion over the period 2006 to 2010.

These strands of planned investment in higher education form a core element of the Government's strategy for developing skills and competencies. This will be an important element of the investment strategy for the new national development plan. The landmark OECD report on third level education recommended greater freedom and autonomy for the institutes, which is what we are dealing with in the Bill.

The purpose of the Bill is to give statutory effect to the Government policy of transferring responsibility for the day-to-day management of the institutes of technology from the Department of Education and Science to the Higher Education Authority. The overall thrust of the Bill is to facilitate the designation of the institutes of technology under the Higher Education Authority and to remove the Minister and the vocational education committees from the normal operational activities of the institutes, thus providing greater autonomy for the institutes to fulfil their missions.

The provisions in the Bill signify a fundamental change in the management of third level education. The Bill will produce a unified framework for higher education. For the first time the 14 institutes of technology and the seven universities will come under the control of one body, the Higher Education Authority. At present the institutes are managed by the Department of Education and Science. The Higher Education Authority currently has responsibility for universities only. The Bill will also extend significant new managerial and academic autonomy to the institutes of technology, which is aimed at facilitating further development of their roles. A key aspect of the Bill is the freedom it will give the institutes of technology. In the past there has been criticism that the Department's control of

[Mr. M. Moynihan.]

the institutes restricted them from developing further.

The Bill will allow for a cohesive approach to the considered development of higher education, drawing on the various strengths of all our universities and institutes. There is no doubt this is a landmark Bill which will provide our institutes of technology with a managerial freedom and support they will require as they enter the next phase of development. The Bill provides the institutes of technology with the recognition they deserve. They have contributed enormously over the years to Irish society and the current economic boom. I commend the Bill to the House.

Mr. Connaughton: I wish to share time with Deputy Timmins.

Acting Chairman (Mr. Stanton): Is that agreed? Agreed.

Mr. Connaughton: I join other speakers in welcoming the Bill. As one who has spent a long time in the House, I believe there was genuine debate on the subject, which is close to the hearts of many. Many speakers came at the issue from different angles during the debate, including some who had spent time as lecturers, graduates and board members. I have been around so long I still regard the institutes as RTCs.

The Government has got it right in this regard. The proper place for the institutes of technology is within the remit of the Higher Education Authority. To explain the matter from my vantage point, it reminds me of two blades of grass emanating from the same stem, but they will never be the same. They will always have different characteristics but they can co-exist under the remit of the Higher Education Authority. I congratulate Deputy Carey on his excellent contribution. He has an in depth knowledge of how the system works.

There are some in-built problems for the institutes of technology in their new home, but that is to be expected. I shall refer to some of those problems in a moment.

The history of the institutes of technology goes back to the original eight regional technical colleges. I was education officer with Macra na Feirme when they were introduced in 1970. If ever there was a need in Irish education it was for regional technical colleges. There was no place for those who were outside the normal vein — either one got to university or one did not get a third level place. At that time there were no travel arrangements with the United Kingdom and Northern Ireland universities, but we have come a long way since then.

Looking at the eight locations of the regional technical colleges it is clear they have become vibrant centres for economic development, although many others have since been established. This is not an anti-university debate. We

are proud of the university structure here. On a parochial level I am proud of NUI Galway which has taken its place on the world stage. I am equally proud of the Galway-Mayo Institute of Technology and Athlone Institute of Technology as they are the two about which I am most familiar. Those two institutes have very different characters. While both are located in the west they cater for different aspects of education.

Usually when one thinks of Athlone Institute of Technology one thinks of the technology of plastics which it has pioneered down through the years. It is easy to see the connection between some of the industries in that midland region and the place where they started in the plastics industry. From a Galway point of view, it has had a major success with the development of Galway city and its environs. A definite type of graduate comes through the system in the Galway-Mayo Institute of Technology.

It has been graphically stated that when the institutes of technology go to their new home they will be rubbing shoulders with the university sector, but as far as research and funding for same is concerned, they are the poor relation. That cannot be allowed to continue. For a number of years some of the institutes were in the market for the funding which universities have been so good at securing through the industrial sector. The universities have a network through which they are able to get that funding and they have been extraordinarily good at it. The institutes of technology will have to be given more or less the same route to such funding. I cannot see them being able to acquire the same level of funding as universities for many years. Institutes of technology get only 1%, 2%, 3% or 4% of what universities have been able to get.

Incidentally, why are the new directors of the institutes of technology not called presidents. The connotation of director might be that one is on the board of directors or that one is the chief executive. If one is on the American scene with potential investors or people who want to be connected financially with such an institution, a telephone call from the president, rather than the director, of the local institute of technology would carry more weight. While that is a small issue it is an important one. I do not understand the reason they are not given the title of president.

As regards what the institutes of technology should do, I have always believed that for young people starting out it is about what the educators are able to do with them when they walk through the gate on their first morning at third level that is important. It is not about the directors, the board of directors or the governors. I have said down through the years that from the young person's point of view it is not from where they started but where they finish that is important. We are all aware of the wide range of capabilities in families, some of whom have no trouble academically getting through all the way up to uni-

versity. There are also those who struggle but get a foothold on the ladder without a great leaving certificate. They complete a certificate course in one of the institutes of technology and if they have a belief and a confidence they will succeed.

In hundreds of cases I have had the great pleasure of being with these young people on the occasion of a postgraduate conferring at the local university. It is a long journey but there is no problem in the end provided they are serious about it. I give the gold medal to the institutes of technology. Were it not for the fact that they were involved at that level and were able to dovetail the various capabilities of the students with the particular courses, they would not have been so successful. Nowadays there is a great deal of sideways movement. That many students have access to the institutes of technology is important. There are many people who if they hear or read this debate will understand what we are getting at. That is the reason I hope there is never an ultimate merger between the institutes of technology and the universities. There are horses for courses. However, that does not mean one is better than the other. Rather it is what is done for students that counts. I hope the Higher Education Authority will have the ability to see the best possible opportunities for the institutes of technology in their new role.

We are lucky in that many people are at work, including many young people. I guarantee that most of the people of whom I speak today will still be working in 20 years' time. They will not be doing the same job, however — they certainly will not be doing it in the same way. Whatever problems we had retraining in the past, they were nothing compared to what we will have to do in the next 20 years — upscaling and so on. If ever there was a role for the institutes of technology, it is in this area.

I am very impressed with the GMIT in Galway, for example. The chairman of its board of directors, Rory O'Connor, the managing director of Hewlett Packard, sends out the message that it wants a close connection with the industrial world. When such people are linked to a college, funding will certainly be available from outside for research as well as from inside, from the HEA. It is against that background that I see a brilliant future for the institutes of technology.

I have been around since the formation of what were called the regional technical colleges. They are being put on a proper footing. They will stand shoulder to shoulder with the best in education in this country. Of course they will not be an answer to all our problems but there is a great niche for them. I hope that funding will come their way in an easier manner than before. With the commitment, the expertise and the absolute sincerity, which is evident on conferring day — I had the great pleasure of seeing members of my family and others celebrate on such days — there is a great future for the institutes of technology. On this occasion, the Government has got it right.

Mr. Timmins: There is broad welcome for this Bill. I will concentrate on some specific aspects and on education in general.

The Schedule states that the director of an institute of technology shall not question or express an opinion on the merits of any policy of the Government, or a Minister of the Government, or on the merits of the objectives of such a policy. The Government will argue that is a long-standing convention with respect to the Civil Service, but it appears to be a draconian measure. If that applied to Iraq or the former Soviet bloc, we would be a little startled. That the directors of the newly developed institutes will not be allowed express an opinion on policy is a barrier that must be broken down. This Bill would have been an ideal opportunity to start that breakdown. My party will bring forward an amendment on Committee Stage to deal with that and I hope that the Government will look at it in a positive manner. Otherwise we will ask in the future how we put up with such a situation. We must examine that convention right across the Civil Service. If Secretaries General of Departments were allowed speak publicly about issues such as decentralisation, we might adopt a different attitude.

I hope this Bill will be a precursor to allowing graduates from institutes of technology to vote in Seanad elections, and that they will not be kept as the preserve of a few universities. Society has evolved and I ask the Minister for Education and Science, in conjunction with the Minister for the Environment, Heritage and Local Government, to consider permitting graduates of these colleges, the former regional technical colleges and ITs, now the institutes of technology, to vote in Seanad elections.

In her speech, the Minister referred to access to third level education and stated that all our citizens should have a fair and equal opportunity to share in the considerable personal benefits of participation at these levels. I acknowledge participation has increased from 44% in 1998 to the present 55%, but in vast areas of the country, it is very low. While it is important to put funding into third level, until such time as we provide sufficient funding for educational disadvantage at the initial stages of education, we will hinder many people with educational difficulties. Such people generally come from poorer backgrounds because people with money can pay for intervention. Until that is done, there will always be that disadvantage.

For a number of years I have been talking of literacy difficulties. We do not have the ability in our educational system, due to the curriculum in the teaching colleges, to identify literacy difficulties. This leads to juvenile delinquency. I asked the then Minister for Justice, Equality and Law Reform, Deputy O'Donoghue, to initiate research on the issue to find the correlation between literacy difficulties and juvenile delinquency, because I believe there is a strong correlation. In a few years' time we will see possibly a

[Mr. Timmins.]

“Prime Time” programme, with dramatic music, showing what has been “discovered”, when many of us know the situation has existed for years.

My county of Wicklow, which borders many counties and is divided geographically, does not have a third level institution, either a university or an institute of technology. The county is generally served by Carlow, Tallaght, Waterford and Dún Laoghaire. The local authority has taken an initiative to purchase the old Claremont convent in Rathnew. We are hoping to establish a third level outreach centre with the institute of technology in Carlow and I ask the Minister to give whatever support she can to its establishment. Access to third level from Wicklow is down the list. We are possibly in the bottom quarter of counties with regard to third level access. Due to historical reasons, we did not have educational facilities.

Deputy Carey spoke of third level funding. There are mixed views on this. There was much merit in Deputy Carey’s argument that, for example, a bar owner might get an educational grant while the bar worker or his or her family could be denied it.

I feel strongly about one issue. Graduates of third level institutes should give back something to the State, be it by working here for six months or a year after graduation. Someone who qualifies as an engineer should perhaps have to work for a local authority for a period, or for a State body, while someone who qualifies as a doctor might help in the public health service. Those graduates should give something back to society. The local authority in my area has received approval for 12 engineers on non-national roads, a subject dear to the heart of the Minister of State, Deputy Batt O’Keeffe, but it can currently get only four engineers. Despite the copious amounts of cash we are getting from the Government, we cannot use it. We must bring in a system whereby graduates will give something back to society.

I broadly support the Bill but will repeat my objections. The draconian measure whereby the directors of the institutes of technology cannot express opinions on policy must be re-examined. If we are serious about putting the institutes of technology on a level playing pitch, there must be Seanad voting rights for their graduates. In regard to my constituency, the Minister should give some backing to establishing an outreach centre at Claremont college, which is dear to my heart.

Mr. Fleming: I welcome the opportunity to speak on the Institutes of Technology Bill 2006. I am pleased to see further reforms in this education sector, which has been developed over a number of years since the regional technical colleges were first set up. Various legislation has been passed in this area over the years and we see further advances today.

I will address some of the issues Deputy Timmins raised. I agree with some of his assertions and perhaps not with others. For graduates of the institutes of technology to be allowed vote in the Seanad elections to the third level panel is long overdue. I think the first time I voted was in a referendum in 1979 to allow for the change in representation. Until then the NUI and TCD had three seats each in the Seanad. It was elitist. I was probably a student in UCD at the time but I was happy that people in other third level institutions should have equal rights in terms of representation in the Seanad. That was passed overwhelmingly; only a very small percentage of the people opposed the proposal.

Nevertheless, it has never been enshrined in legislation. I made inquiries about this a few years ago. This issue is a hardy annual, as it were. People ask why the Oireachtas will not implement the legislation and the will of the people but I have been told, although I have not seen it officially in writing, that the wording put to the people was deficient. Like some other constitutional referenda, when an attempt was made to implement the wording it was discovered it would not achieve what the people were told it would achieve. The people who drafted the legislation were probably graduates of one of the universities but they did not do their colleges any favours on that issue. I support Deputy Timmins’s sentiments in that regard.

The other point he raised is the provision whereby the director will be unable to express a view different from or in opposition to Government policy. The Deputy has great difficulty with that and he indicated the Fine Gael Party will put down an amendment to change it on Committee Stage. There is good reason for the provision. It might be interesting if Secretaries General were free to express different policy views from the Government of the day but in a democracy the elected Government has been given authority by the people to set policy. When it passes legislation people are required to implement the policy. If people do not like the policy, it will be possible in a subsequent election to change the Government.

To provide for a situation where accounting officers for institutes of technology can work to a different policy agenda from the Department of Education and Science, the Higher Education Authority or the Government would be a recipe for disaster. There would be mayhem across the third level sector if every officer was free to paddle his or her own canoe in terms of what he or she considers suitable policy. I urge the Deputy to reconsider in depth before putting down such an amendment on Committee Stage. I would be surprised if the Fine Gael Party accepted that this is the appropriate way to proceed.

I serve on the Committee of Public Accounts with Deputy Noonan, who is the impartial chairman of that committee. The strength of that com-

mittee is that when dealing with the financial affairs of bodies — sections of this legislation deal with the administrative and financial functions of the institutes of technology — it is always clear that Secretaries General, Accounting Officers and members of the committee do not get involved in policy issues. They examine the administration and implementation of policy, as set down by the elected Government, and whether it is being implemented according to proper procedures.

If the remit was widened further to allow different policies to be implemented, the public would be entitled to ask who is speaking for a Department or college — the elected Government or Minister or the Secretary General or director. I hope the Fine Gael Party will consider that broad issue. If it proposes to change the situation in this case, the logic of its argument is a fundamental breakdown in the relationship between the Civil Service and the Government, a relationship that has served the State well since its foundation. I do not believe that is the party's intention so I hope it considers the matter carefully.

I am pleased that participation rates in third level education have increased in the last decade or so from 44% to 55%. It has always been a concern for me that people in County Laois had one of the lowest levels of participation in third level education in Ireland. It is one of the reasons I entered public life and put my name forward for election. Public representatives are regularly asked, particularly when they visit schools, why they entered politics. One of the reasons I offer is my hope to do better for my county, and one of the ways of improving life in one's county is improving the level of education there.

Members will remember being told in their youth that a good education is essential. That maxim continues to be true from one generation to the next. We must ensure that what our generation achieved is passed on to the next generation. County Laois is adjacent to the Carlow Institute of Technology, formerly the regional technical college. I am extremely proud of the institute. In my capacity as a Deputy I have visited it on a number of occasions, given that I represent the native county of many of its students. Many of them commute to the college daily while others stay in Carlow during the week and return home at weekends. A number of people in County Laois attend Athlone as well, but to a lesser extent.

Carlow Institute of Technology is a model institute. I consider it to be a south Leinster institute, given its wide catchment area. The college authorities have been working with local authorities in the surrounding counties to broaden people's awareness in those counties of the role of the Carlow institute with a view to improving the educational facilities in the region. I am pleased with the synergy between the Carlow Institute of Technology and the operation

of the national development plan. The only reference to Portlaoise in the national development plan is its designation as an inland port and transport hub for the country in view of its proximity to Dublin and to some of the main motorway routes to the south and west. Furthermore, many of the mainline rail services pass through County Laois.

In that context, there is a proposal, which is just at gestation stage, that there be an outreach from Carlow Institute of Technology in Portlaoise to provide third level education on logistics. This is in line with the national development plan. On the outskirts of Portlaoise, close to the motorway, the local authority has identified a large tract of land for logistics purposes. It would be a tremendous boost and would be complementary to the commercial activity in the town if there were an outreach facility from Carlow Institute of Technology to provide third level education in transport and logistics. I am not aware of any such facility elsewhere in the general region and I believe it would be an excellent facility.

It would have the additional advantage of establishing a formal outreach programme from an institute of technology in County Laois, something that does not exist there at present. It would also be of benefit to prospective students of Carlow Institute of Technology in that there would be an opportunity to participate in a new range of courses which would be developed in consultation with the Higher Education Authority.

There has been a long-standing debate about the difference between the universities and the institutes of technology, which are called polytechnics in England. We have a dual system and the colleges have separate functions. In England, the colleges have been combined to some extent but I do not know if that has been a success. Some people believe this legislation is a step along the route of giving university status to the institutes of technology, but I do not believe that is the case or that it is necessary. Given the population of Ireland we are more than well served by the number of universities in the country.

It is important to increase the international standing of our universities rather than dilute it by automatically adding more. There is a benefit in bringing the universities and the institutes of technology under the HEA's remit. It can strategically examine how they are operating and act as a conduit for finance, administration and policy decisions. It is not necessary for the institutes of technology to merge with the university sector. Most people involved are practical on the matter and see the benefits in the continuation of the current system

As a member of the Committee of Public Accounts, I cannot help considering the Bill from a financial perspective. The legislation is concerned with the administration of the institutes, leaving the implementation of curricula to institute directors. Many sections outline the

[Mr. Fleming.]

director's role in the event that an institute runs up a deficit, borrowing is required and property is to be disposed. That is essential and the traditional approach is taken, but I am concerned more about what happens when there is a surplus of funding — maybe that is set down in the legislation.

The building up of surpluses is, in a curious way, as serious as running up a deficit. A surplus build-up means that the Government, through taxpayers' money, has provided funds to a third level college for educational facilities and courses. For a variety of reasons, the courses may not take place and the students who should have benefited from them are losing out. That has been evidenced at the Committee of Public Accounts. I accept the Department of Education and Science has come to grips with these issues in the past few years, but this can still happen from time to time, depending on economic cycles. Mechanisms must be in place to ensure unspent moneys are not accumulated, especially if the Department or the HEA could utilise the funds more productively elsewhere.

For example, during the IT boom some third level colleges found it difficult to recruit lecturers for IT courses. Anyone with the qualifications to teach in the area were being snapped up by IT companies offering much higher salaries. Although teaching posts were advertised in colleges, many were not filled. For many of them, the recruitment process had to begin again six months into the academic year. Often in such circumstances the courses never got off the ground, even though funding was in place. A mechanism must be in place whereby if such problems arise they are reported and the funds can be diverted during the academic year for other current expenditure purposes in the college or to another college with a shortfall for other courses. The same problems with recruitment can easily arise in the sciences too. My concern is that the students who could have benefited from such courses may not have had the opportunity of doing so.

Deputy Timmins was brave enough to say that graduates from all third level institutes should make a professional contribution to society by working here for a certain period after graduation, and he has a legitimate point. Last year I attended a debate at the Literary and Historical Society in UCD as a Government Deputy. It was a difficult job because when I was in college, the only self-respecting action of each student was to give out about the Government. It was the same that night where the motion was about how badly the Government was doing its job. The debaters challenged me on the problems with the health service. I returned the challenge by asking how many in the audience were medical students who would graduate that summer. There was a fair number in the audience. When I asked how many were going to stay in Ireland to work in the health

service, they unanimously informed me they were all going abroad to America, Australia and the UK. I can understand the benefits for young medical graduates going abroad to further their professional experience, but inevitably many of them will settle abroad if their careers there are good. Irish society, meanwhile, will have invested taxpayers' money for 20 years in their education, yet it gets nothing in return.

There is a point in asking graduates to make a professional contribution to society. It is a serious issue that merits debate. As Deputy Timmins stated, the shortage in engineering graduates means we have to recruit abroad, yet at the same time our graduates are going abroad. It may simply be a sign of the global village we now live in.

It is important that directors of institutes of technology are accountable to the Dáil and can be called to discuss matters arising from reports of the Comptroller and Auditor General. They are responsible to speak before the relevant Oireachtas committee if necessary. I am pleased with the reserve functions of the governing bodies as opposed to the administrative, day-to-day functions of the director. The director's main function is the provision of a course of study. If a college does not have provision for proper courses of study, it should not be in business. The function of the governing body is to appoint a director and an academic council. The director is required to prepare a strategic plan. I note the term of office for a director is ten years and boards can be appointed for up to five years, both positive developments. I commend the Bill to the House.

Mr. P. Breen: I welcome the thrust of the Institutes of Technology Bill 2006, which aims to put the State's 14 institutes of technology on an equal footing with our universities in running their affairs and allowing them to pursue options for greater self-administration and expansion. In contrast to our seven universities, administered by the Higher Education Authority, the institutes of technology are under the control of the Department of Education and Science. The Bill will address this by passing control of the institutes to the HEA and simplifying the complex higher education model that prevails. I endorse the statement of the chief executive of IDA Ireland, Mr. Sean Dorgan, that the institutes have been distinctive for their real world quality and their accessibility.

Thousands of students have passed through the ITs over the past three decades and there are more than 90,000 students in full and part-time study in them. I am proud to say that I count myself among that number, having attended the school of building in Limerick during the 1970s. It has since closed and the Limerick Institute of Technology in Moylish opened in its place. It was a small building when I was there. The expansion that has taken place since reflects its success in recent years. Results in Limerick Institute of

Technology are phenomenal and many students who have passed through it went on to enjoy great success. The same can be said for Galway-Mayo IT and Tralee IT, where students from County Clare would go.

It is timely that I should speak on this Bill a fortnight after a survey by the institutes themselves revealed some of the problems that result from having a dual model of administration at third degree level. The public remains unaware of the precise nature of the IT sector, the range of education opportunities it provides and the qualifications that can be received. The survey revealed that just 35% of people are aware of the IT sector as a whole and that there is confusion about the number of institutes, their precise status and the degrees they offer. They award graduate and postgraduate degrees, just as the universities do, along with diplomas. They offer a much broader range of courses than the universities, including e-business and enterprise, computing and information technology, applied sciences, nursing studies, social sciences, architecture, media and digital media, tourism, art and design, and film and animation. They must also be recognised for the role they play in providing an astonishing array of evening adult classes to those wanting to pursue educational opportunities part-time.

The role of the ITs, along with the universities, must be recognised. They have opened their doors to thousands of people, currently amounting to 50% of all students entering higher education. This does not include the 20,000 who study part-time either on campus or in the workplace as part of an IT accredited course. That luxury is only available to those living in close proximity to such an institute. While Ennis is well positioned regarding access to Galway-Mayo Institute of Technology, Limerick Institute of Technology and Tralee Institute of Technology, it is sufficiently far from these places not to be able to avail of them for day or evening courses. The vocational education committee in Ennis has worked on this in conjunction with the universities but there is an opportunity for them to work with the institutes of technology.

Ennis, with its expanding population of 25,000, should one day soon be considered for an IT, perhaps in partnership with one of its neighbouring ITs. An institute of technology is an enriching facility for any town or city, acting as a natural draw for youth, industry and ideas. A company recently established a base in Cork because there was an institute of technology and a university in the town. In my constituency of Clare, however, people still grow up with no firm expectation that they will be able to settle in their areas. A training college in the vicinity would be a wonderful means of drawing young people to the area and perhaps retaining them there. I have seen in my area of rural west Clare where people move out for education purposes and then move on. It is difficult to bring them back if industry does not exist to provide them with employment.

There are wonderful advantages native to County Clare, with its pristine coastline and beautiful beaches and landscape. The Burren has benefited from the school of art in Ballyvaughan that draws people in every year in conjunction with NUI Galway. It is very important to the area. Clare would be served well by its own institute of technology.

In the short term, I hope the enactment of this Bill will go some way towards meeting the recommendation of the institutes' survey that they need to strengthen their profiles in the public consciousness. Nothing works like funding and the continued advancement of moneys towards the IT sector will enable the institutes to get their message across.

The survey found that while there is a high degree of awareness of ITs in one's local area, there was a great deal of ignorance of the others or that there are 14 ITs in total. The role they have played and must continue to play, however, cannot be overstated. They are the major component of the Celtic tiger, despite this Government's illusion that it is responsible for this success. IT graduates have been central to Ireland's economic growth and in contributing to the skills base that makes Ireland a top world location for inward investment, especially with manufacturing industry moving away from Ireland to cheaper countries where labour costs are lower. We must have a well educated pool of graduates leaving ITs and universities to attract high tech industry.

As Fine Gael spokesman on small business, I am conscious that, as knowledge industries replace manufacturing as the key driver of foreign direct investment, the education sector must continue to play its role in drawing in the maximum number of people. It must offer the widest range of courses and continue to develop inquiring minds among our student population. It must also strive to build links with the small to medium-sized enterprise sector which represents a critical gap in the links between industry and education in transferring research and knowledge to the industrial sector. There are more small to medium business interests in Ireland than large industries.

More work must be done as well to expand educational opportunities to the children of marginalised families and to adults wishing to return to full-time or part-time education. The opportunities for working adults for lifelong learning opportunities remain limited, to the shame of this Government. Tax incentives are measly and nothing yet has been heard of the great plan to expand the number of our population who have PhDs. I look forward to some meaningful results from the €300 million strategic innovation fund. Ireland produces just 75 science and engineering PhDs per million of population compared with 180 per million in Finland. This is because, as in so many aspects of our education system, from primary level upwards, there are critical funding gaps. In supporting this Bill, I hope it signals

[Mr. P. Breen.]

some much needed and real change for our institute of technology sector.

Debate adjourned.

Private Members' Business.

Pupil-Teacher Ratio: Motion (Resumed).

The following motion was moved by Deputy O'Sullivan on Tuesday, 16 May 2006:

That Dáil Éireann, recognising:

- the right to primary education enshrined in Article 42 of the Constitution;
- the failure to adequately plan for population growth in certain parts of the country;
- the uncertainty regarding the availability of school places for hundreds of children next September;
- the thousands of children who are taught in prefabricated classrooms; and
- the failure of the Government to fulfil the commitment contained in An Agreed Programme for Government to reduce class sizes for children under nine to below international best practice of 20:1;

calls on the Government to:

- ensure that a place is provided for all children old enough to go to primary school next September;
- establish a proactive, forward planning role for the Department of Education and Science in the provision of schools and school extensions so that adequate provision is in place when needed;
- establish a primary school database; and
- set out a timetable for the implementation of their commitment to reduce class size to international best practice guidelines.

Debate resumed on amendment No. 1:

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

- commends the Government for investing record levels of Exchequer funding in education since 1997 by more than doubling the budget from €3.1 billion to €7.9 billion currently;
- supports the historic decision to provide capital investment funding on a multi-annual basis to the value of €3.9 billion over the next five years;

— commends the Minister for Education and Science on her management of the school building programme which will deliver 1,100 projects over the next 18 months and which has delivered 6,287 projects since 2000;

— notes the initiatives that her Department has taken to ensure that schools are provided as quickly as possible through innovations in the design process and the improvements that have been made in forward planning through greater co-operation with local authorities and the publication of area development plans;

— welcomes the fact that next September there will be 4,000 more teachers in our primary schools than there were in 2002 and notes that these teachers have made an immeasurable difference to the lives of children with special needs, those from disadvantaged areas and those whose first language is not English; and

— further welcomes the allocation of more mainstream classroom teachers for our primary schools for September 2006 and September 2007.

—(Minister for Education and Science).

Mr. P. Power: I wish to share time with Deputies Grealish, O'Connor, Keaveney and Carey.

Acting Chairman: Is that agreed? Agreed.

Mr. P. Power: I welcome the Labour Party motion moved by Deputy O'Sullivan as it gives us an opportunity to again focus on the changing priorities of education in 2006. It also gives us a chance to focus once again on the fact that we are in the middle of the largest ever Government expenditure on education since the foundation of the State. It gives us a chance to examine the policies, proposals and any alternatives put forward by the Opposition and to hold a contest of ideas.

Unfortunately, the motion is too narrowly framed because it only focuses on class sizes and does not give us a chance to have a holistic debate on the subject. I commend the Minister for Education and Science on her stewardship since her appointment. It is widely recognised that she is one of the most outstanding Ministers for Education in the history of the State. She brings her personal experience, expertise and political ability with her and is keenly aware of modern priorities in education.

This debate should address priorities because we are in the middle of a considerable programme of Government expenditure on education. Regardless of how one looks at it, it is highly unlikely that any alternative Government would be in a position to spend far more money on edu-

cation. We should, therefore, work within current parameters.

(Interruptions).

Mr. P. Power: Deputy O'Sullivan should look at the facts. Expenditure on education is running at double the rate of most other Departments, with the exception of the Department of Health and Children. This is a considerable amount of money. Compared to the capital programme of the last Government, this Government's expenditure has been five times greater in terms of capital expenditure.

Ms O'Sullivan: We spent more of our national wealth when we were in power.

Mr. P. Power: We should examine what the Government is doing and what the Opposition would do with the same resources because this debate concerns the prioritisation of the considerable resources currently available. We should not conclude this debate unless the Opposition clearly states what it would do within the context of the available resources. Where would the Opposition shift its priorities and from which areas would it take money? It behoves anyone putting forward a motion such as this to set out clearly where the shifting of priorities would take place. We should be very direct about this because the motion clearly calls for certain pupil-teacher ratios and class sizes to be brought into play. If the Opposition was to carry out the objectives set out in the motion tomorrow morning, from where would it draw the resources? Would it draw them from special needs education, education for disadvantaged children, training or pay?

Ms O'Sullivan: No.

Mr. P. Power: Should I tell the parents of a student in Limerick, a town with which Deputy O'Sullivan is familiar, who are seeking additional resources for special needs that their child is not entitled to additional time, resources and resource hours because the money is being diverted into another area? Am I to tell a school in my constituency, such as Gaelscoil Sairseal, which the Minister visited and gave commitments to regarding funding, that it will not receive a new school building because we are going to reduce class sizes, which have already been reduced significantly in the past few years, from 23 to 20?

Ms O'Sullivan: This school has been waiting for 16 years for a proper building. The Government has yet to provide this school with a school building.

Mr. P. Power: The problems facing schools such as Gaelscoil Sairseal result from the size of classrooms, rather than class size. Such schools must accommodate 35 people in grossly overcrowded classrooms. They are not interested in

the minute difference between pupil-teacher ratios of 22:1 and 20:1. They simply want new schools and new classrooms. This is why we have diverted the resources in this fashion and why the Government has set out its stall as to where it will prioritise resources on the capital side, in terms of special needs education and in terms of education for disadvantaged children. We have set out our stall and where our priorities lie and to date I have not heard the Opposition state where its priorities lie.

Schools in my constituency like Gaelscoil Chalah and Gaelscoil Seoirse Clancy want new facilities and new classrooms. They do not necessarily want radical reductions in class sizes, given the reductions that have already taken place. It would be wholly inadequate to tell overcrowded schools, such as Gaelscoil Sairseal in Limerick, that they will not receive new classrooms but will receive new teachers who must teach in classrooms which are completely inadequate.

Concentrating on infrastructure is far preferable to immediately moving to a pupil-teacher ratio of 20:1. The latter move is not practical because schools need more classrooms to immediately introduce such a pupil-teacher ratio. This is why the Government has focused on the largest ever capital funding of education. Let us compare the current level funding with previous levels. When the rainbow Government was in power, it reduced funding on the capital programme. Our funding is five times the figure spent by the rainbow Government. In the three years of the rainbow Government's tenure of office, 40% of all classes in Limerick contained more than 30 pupils. This figure is now 21%, representing considerable and continuous progress in this area.

Are we now to suggest diverting all our resources and priorities into this one area to the neglect of special needs education and education for disadvantaged children? I think not. The record speaks for itself. A total of €3.9 billion has been spent in capital funding over five years, while €2.5 billion was spent between 2000 and 2006. In real terms, approximately €10 billion would be spent on capital expenditure in education over a ten-year period. This is approximately €1 billion per year in real terms. We can contrast this with a complete levelling off and no increases in funding between 1994 and 1997. More than 5,000 teachers are now working directly with primary school children with special needs, compared with 1,500 in 1998. Will anyone suggest in any motion before this House that this does not represent progress? This represents considerable progress. A total of 7,100 whole-time equivalent special needs assistants are now working in schools, compared with approximately 1,500 in 1998, which, again, represents considerable progress.

I would prefer to say to parents of children in these difficult circumstances that we recognise and are pumping resources into these mar-

[Mr. P. Power.]

ginalised and difficult areas. The Opposition has not stated that it would immediately lower the pupil-teacher ratio to 20:1 without taking funding from any other area.

Ms O'Sullivan: It is in the programme for Government.

Mr. P. Power: To do so would be the political equivalent of the three-card trick. It is not possible for the Opposition to say one week that it wants to solve problems in the disability sector or education for children with special needs and say the next week that it wishes to put all its money into reducing class sizes.

Ms Enright: The Government can publish something in the programme for Government and then ignore it. The Government wants it every which way.

Mr. P. Power: It is a chicken and egg situation. It behoves the Opposition in the limited time left in this debate to set out exactly the areas in which it would cut funding. Both Deputy O'Sullivan and the Minister have been actively engaged in dealing with the issue of school places in Limerick. No Deputy could condone schools cherry-picking students over and above other schools, which has resulted in some students in Limerick not being offered secondary school places in recent years. I welcome the initiative taken by the Minister to introduce an area development plan to examine the demographics and capacity figures for the next five to ten years to put in place the infrastructure that will prevent the situation in Limerick developing again. I commend the amendment to the House.

Mr. O'Connor: Hear, hear.

Mr. Grealish: I thank Deputy Peter Power for sharing his time with me and I appreciate the opportunity to speak on this Private Members' motion. I favour the Government's amendment for two reasons. First is the issue of targets. The Opposition's motion makes much of the Government's commitment to reduce class sizes to international best practice guidelines. In the view of Opposition Members, this is in the context of the Government's failure in respect of the pupil-teacher ratio. To accept such a view would be a mistake and would send the wrong signal to the citizens of this country.

The Progressive Democrats believe that when the programme for Government and policy targets are being set for a period of five years, it is important to aim for international best standards, which is no less than the people deserve. Due to our prudent and experienced management of the economy, we have the resources to invest in health, education, transport and policing. As the Minister pointed out, the Government is investing considerable sums of money in school building and modernisation projects. In the past

six years, €2.5 billion has been allocated to thousands of projects, which will make a significant difference to individual school communities around Ireland.

It would have been easier not to pursue international best standards in class sizes. When the Government took office, we needed to reverse decades of underinvestment and respond to rapidly emerging needs and new demands. Not pursuing those standards would have been a softer option. Instead, we knew the resources, skills and talents of teachers and public servants justified aiming for the highest standards. It is regrettable to send a message to the electorate that if the Opposition framed a programme for Government, something less than the best would be pursued. This is not the policy of the Progressive Democrats.

Ms O'Sullivan: The Government will not implement its programme.

Ms Enright: That would be dishonest.

Mr. Grealish: The Opposition motion in no way acknowledges the work done or progress made to date. Every Deputy is aware of the problems in terms of school facilities. We are playing catch-up and starting from a low base. Every Deputy, including the Fine Gael and Labour Deputies who put their names to the motion — that is a shame — is aware of significant improvements in school facilities in their constituencies.

I compliment the Minister, who is working hard to make real improvements. Recently, she met a delegation seeking a new Gaelscoil in Oranmore in my constituency of Galway West. She also met Oireachtas Members from County Galway. The case of overcrowding and chronic conditions they put to the Minister was solid. She was excellent in the meeting and gave a commitment that she would move the project forward. I welcome the fact that she gave permission to the OPW to advertise for a site, for which ten expressions of interest have been received. I publicly thank the Minister for her work.

In business, the setting out of so-called stretch goals is now standard practice. It enables one to find out what a system is capable of producing and helps move it towards its best possible performance. In pursuing best international standards, the Progressive Democrats and their colleagues in government have done this in respect of the education system. It has delivered much. At primary level, the figures are 63 new schools, 246 large-scale refurbishments and extensions, 63 modernised schools, 55 school extensions and more than 4,300 refurbishment projects. At post-primary level, the figures are 19 new schools, 129 large-scale refurbishments and extensions and more than 1,300 refurbishment projects.

When children start in their new classes next September, there will be 4,000 more primary teachers than in 2002, that is, one teacher for every 17 pupils at primary level. The average

class size has been reduced to 24 pupils. The Government has made the right choices rather than the easy ones and targeted extra teachers at those who need them most, that is, children with special educational needs, those from disadvantaged areas and those with English language needs. The Opposition's motion would lead one to believe it would have made different decisions, but they would have been the wrong ones. This gives the electorate an interesting indication of the choice it faces in the next election.

Mr. O'Connor: I appreciate this opportunity to support the Government's amendment to the motion. It is in keeping with tradition to compliment Deputy O'Sullivan on tabling the motion.

Ms Enright: Are there divisions between the Progressive Democrats and Fianna Fáil?

Mr. O'Connor: It is fair that we have different views. I was about to spend time speaking about education in County Limerick but Deputy Peter Power has done so effectively and, instead, I will talk about Tallaght and Dublin South-West.

Ms Hanafin: Surprise, surprise.

Mr. O'Connor: During my address on the Institutes of Technology Bill, I paid tribute to the Minister's work. At the institute in Tallaght, which I regularly visit, I know the Minister's work is appreciated and the Bill is warmly welcomed.

Some of my colleagues spoke emotionally about education and it is important that we all support what the Minister is doing. I am not an expert but I remember my school days, which were a while ago, with a great deal of affection. I regularly bring visitors from schools in my constituency to the Oireachtas and make the point that we only discover how much we love school when we leave it. I am from a generation in which children were treated differently. I went to school at Clarendon Street in this parish, then Syngue Street and, for secondary school, Drimnagh Castle. I am from a Dublin of a different era but it is important that we understand the need for proper investment in education and do what we can to educate the children of our communities.

The Minister knows that I strongly support her actions in respect of schools in what we often describe as disadvantaged areas. My constituency is no different and I welcome the fact that she has visited schools there. Recently, she went to the Sacred Heart school in Killinarden, a parish of 1,500 houses that is making good progress, including success in the Early Start programme and so on. The Minister must continue to pool her resources in respect of those services as they will be supported.

My colleagues have spoken about the international community, to which the INTO and others refer as newcomers. Perhaps that is all right but the Department must examine the particular challenges faced by some schools in this

regard. I have brought to the Minister's attention on a number of occasions St. Mark's junior-national school in Springfield, Tallaght, which was established 30 years ago or so. It has been a tremendous facility for the local community. It is coping well with the influx of international children but it faces particular challenges. I welcome the fact that the Minister recently arranged for senior departmental officials to examine the position in the school. Arising from this, I hope special incentives will be provided. Deputy Crowe and I have raised this matter a number of times, including in Adjournment debates. There is a strong case to be made for St. Mark's school.

In my constituency there are a number of new communities, particularly in west Tallaght in areas like Carrickmore, Belfry, Westbrook, Firhouse and the general Ballycullen area. There are particular challenges for parents in those areas who need to access school places. There will always be a need for the planners in the Department of Education and Science to liaise closely with local authorities — in our case, with South Dublin County Council — to ensure that enough forward planning is taking place. Where new communities are developing and children are seeking school places, the Department should look ahead and provide those places. It will always be the case that parents will want to bring their children back to where they were educated, and Tallaght is no different in this regard. I wish the Minister well and assure her of my support.

Ms Hctor: Tá mé buíoch seans a bheith agam labhairt ar an bpointe tábhachtach seo. I am grateful for the time, however short, to address this issue. I am well qualified to do so, having been a teacher myself. I am fully aware that the presence of pupils in a classroom to the point of overcrowding can have a negative impact. Thankfully we have a Minister who is absolutely committed to her job and I take this opportunity to commend her. Her absolute commitment is astounding and is evident in the way that funding has been spent in recent times, across the spectrum of education, from buildings, special needs assistants and special resource teachers in schools at all levels.

I am puzzled, to say the least, by the section of the motion tabled by the Opposition parties which refers to the failure to adequately plan for population growth in certain parts of the country. Perhaps this Private Members' motion should have been directed to the Minister for the Environment, Heritage and Local Government, Deputy Roche, who could, within the planning spectrum, address families. He could ask them, when choosing their house and where to live, how many children they intend to have and in what month of the year they intend to have them. Then a report could be issued to the Departments of the Environment, Heritage and Local Government and Education and Science so that the kind of forward planning demanded could be done

[Ms Hctor.]

ahead of time. I really do not know what the Opposition was at.

Ms O'Sullivan: We really do not know what Deputy Hctor is talking about.

Ms Hctor: Reference was made to thousands of children in prefabricated buildings. What is wrong with prefabricated buildings? There is a well-known multinational company in County Kildare whose entire complex is a state-of-the-art prefabricated building. There are now very few prefabricated school buildings, thanks to this Minister. There are alternatives available and schools have the option to put bricks and mortar in place rather than prefabricated buildings.

Mr. Wall: I do not know what is going on in Tipperary.

Ms Enright: There are plenty of prefabs there.

Ms Hctor: The 400 to 500 teachers who are now teaching non-Irish children were never included in our programme for Government. However, we recognised that acute need and those teachers are successfully providing English classes to pupils. There is a target to be reached in this area and it is doubtful that it can be done by 2007, but we have addressed the most acute needs first in those areas where postponement was not an option. I heard of one school recently with pupils representing over 100 different nationalities.

The tackling of disadvantage has had a great impact in the schools in our larger cities, urban centres and more unsuspected places where disadvantage clearly exists. Thankfully, the recent group commissioned by the Minister recognised this fact, for which we are very grateful.

The ongoing spending in education is not always visible. It is often manifested in subtle ways when, for example, transport is not a difficulty for people with special needs. Where funding is needed, even if it is for only one pupil to attend a particular school, it is provided, often at enormous cost. Needs are addressed and met.

I commend the Minister on her work with her Department and the level of co-operation we experience when we make representations to her. I am surprised that the Opposition did not put more creativity into its motion because this is an important issue and one which the Minister will continue to address.

Mr. Carey: I am pleased to have an opportunity to speak on this issue. Every Government has priorities, as does every party. Fianna Fáil, since its foundation, has made education one of its key priorities and that is record which nobody can challenge. One only has to look at Mr. Donogh O'Malley and the introduction of free second level education. Equally, the initiatives brought forward by the current Minister, Deputy Hanafin, prove that the Government has given education

priority. It has given primary education specific priority and, within that, priority was given to the areas of disadvantage and special needs.

That is why there has been unprecedented expenditure on education. That is why, over the coming weeks, as has been outlined *ad nauseam* in this House, over 800 schools will be totally transformed under the summer works scheme. That is a scheme which was in its infancy only two or three years ago. I spent 30 years teaching in schools, some of which were not exactly state of the art. The provision of new windows, new heating systems or rewiring is transforming school buildings, which is as it should be. It is only in a quality physical environment that quality education can be delivered.

The issue of prefabricated buildings has been mentioned. Nobody likes teaching long term in prefabricated buildings, although the modern versions are better than the earlier models. My first teaching job was in a prefab and I was freezing in the middle of winter and sweltering in the summer. The Government is addressing that issue and the need for the provision of prefabricated buildings is being reduced.

With the greatest respect to people on all sides of this House who have been members of local authorities, it is long past time when there was real engagement between local authorities and the Department of Education and Science in progressing the planning of education provision. I welcome the fact that we have in the Dublin area, which is the most rapidly expanding area of the country, a mechanism which allows for planning for the future needs of the city and surrounding areas.

I make absolutely no apology for what has been done for those who are disadvantaged by the Minister since she came into office, and by the Government over the past few years. She has increased the number of special needs and classroom assistants, as well as the overall number of teachers. As has been said repeatedly, if all the 4,000 additional teachers employed were deployed in standard classrooms, the pupil-teacher ratio would be reduced to an unprecedented level. However, school management boards and principals, in their wisdom, have taken decisions to deploy their staff in ways they feel best meet their needs. The INTO, of which I am a member, acknowledges that the Government has put unprecedented levels of investment into education.

The Minister's DEIS initiative is one of the most radical and innovative programmes in the area of provision for disadvantaged areas. Up to now, a scattergun approach was taken to providing for disadvantaged areas. Everybody wanted a little bit of the action. I welcome the fact that at primary level, 320 urban and 320 rural schools will benefit from a range of services which will enhance the quality of education and improve the efficiency of educational delivery.

Initiatives such as the school completion programme have proven extraordinarily beneficial

and the level of school retention has increased. I recently received a reply from the Minister's office on absenteeism from schools in my area. Already, due to the investment and the commitment of the teachers, strong evidence suggests that the level of absenteeism is being reduced and the levels of transfer from primary to post-primary and retention throughout the system are improving. That shows in the level of participation in further and third level education. I strongly commend the Minister's amendment to the House. Those on the other side of the House would be wise to support the Government amendment.

Mr. Gogarty: I will be brief. The Government promised in its programme for Government to reduce class sizes, but it has failed in that promise. Notwithstanding the increased investment in special needs which the Minister trumpeted, we remain below the European Union average in terms of education spending and near the bottom in terms of pupil-teacher ratio.

I and others have highlighted this for a considerable period. A quick check of Dáil and other records show that most recently I raised this matter on 3 March 2005, 9 March 2005 and 5 April 2006. I also raised it by means of a statement on 30 August 2005. Others also raised it, yet the Minister and the Minister of State, Deputy de Valera, pat themselves on the back and state it is a case of "either-or". Education is too important to be an "either-or" issue. Education matters, and funding a reduction in class sizes would benefit pupils, their communities, taxpayers and society at large.

People are aware of my position on funding and know that the Green Party is committed to providing an additional ring-fenced targeted €1 billion investment above 2006 levels. What are Fine Gael and Labour committed to providing? We need to see the costings, otherwise we get nothing more than platitudes. What new excuse will the Government come up with after we have seen their amendment tonight? It is failing our children, parents and teachers by not providing the necessary investments and reducing class sizes while revenues are available and our economy is performing strongly.

I wish to share time with Deputies Crowe, Gregory, Murphy, Connolly and Breen. I could continue for the full allocated time but it would be like talking to a brick wall. Shame on the Minister, Deputy Hanafin, the Minister of State, Deputy de Valera, and the Government.

Mr. Crowe: More than a quarter of primary school pupils are taught in classes of more than 30 pupils. This is unacceptable in one of the richest countries *per capita* in the world. Deputy O'Connor mentioned St. Mark's senior school in my constituency, which caters for children from 47 different countries with varying levels of English. The average class size is 30 pupils. These class sizes are unfair on all those concerned. The

only additional staff that school gets are two language teachers on a two-year contract.

For teachers who already have a stressful enough job, attempting to teach such large classes inevitably proves difficult. Pupils lose out as less time is spent on one-to-one teaching. School discipline may also suffer as it is more time consuming for a teacher to control larger classes. Pupils do not get the same attention in larger classes and it is clear that they suffer.

In their programme for Government, Fianna Fáil and the Progressive Democrats committed themselves to reducing class sizes for children under nine years of age to below the best international practice of a ratio of 20:1 by 2007. They will fail and they do not accept, as other speakers stated, the priorities may have shifted. It is seen by many as another promise broken.

As other speakers stated, the Government has failed to plan for the explosion in the population. In the Dublin 15 area, this increase in population has brought a marked increase in the demand for primary school places. It is unacceptable that we witness an unprecedented increase in the amount of property development and construction of office blocks and private apartments throughout the city while some areas do not have sufficient schools or adequate buildings.

This year in Little space, three primary schools used the same site for the first school term, Ongar Educate Together, Tyrrellstown Educate Together and the Mary Mother of Hope school. More than half the pupils in nine west Dublin schools are in classes of more than 30 children, representing some of the largest classes in the country. One school in Hartstown has 19 classes with more than 30 pupils and recently it received more than 20 children who applied for places in September.

It is a depressing day for Irish education when parents must camp out for days to ensure their children's enrolment in their chosen school or when children are refused entry to schools. This is a country of waiting lists. An area in Kilinarden parish in my constituency has an action plan for a further 2,500 houses to be constructed. However, the local authority refuses to see the need for increased school places, supposedly on the basis of a drop in rolls. However, any principal will state there is no drop in rolls.

Regarding one school, Scoil Chaitlín Maude, a number of people have taken the decision to educate their children through Irish but there is no room in the school. It was told last year that it would not get another prefab. I am told Scoil Sainín is also full. We state that children should be allowed have that option but the reality is that seats in those classes are not available.

I call on the Department of Education and Science to engage with the relevant Departments and agencies to produce assessments to ensure population and housing trends are closely monitored so that all school children have access to their local schools. As part of the plan for Adamstown, in South Dublin County Council's area,

[Mr. Crowe.]

schools were developed and paid for by the developer. Perhaps that is how the Minister should consider progressing, given that adequate funding does not come from the Department. Developers make enough money throughout the country to provide funding. Perhaps the Minister for the Environment, Heritage and Local Government will examine that and introduce legislation to provide for it.

Budget 2006 saw the announcement of the provision of an additional 500 teachers over the next two years to assist in the reduction of class sizes. A total of 250 extra teachers for this year in a system of 3,150 schools is a small step. The average class size in both Lithuania and Luxemburg is 15 and that to what we should aspire. We should seek to reduce class sizes as much as possible. The Government's lack of political will means that in the coming years the crisis in primary school places will be replicated due to the failure to provide sufficient secondary school places.

Mr. Gregory: I fully support this motion calling for a place for all children in primary education and to reduce class size to international best practice. Last night, the Minister tried to bamboozle us with a range of statistics. However, she cannot get away from the simple and central fact that this country, with its super successful economy and the boast that it is one of the most affluent in the developed world still has a deplorable record on class size, way behind most of our European partners. The Minister boasts of the recent improvements. However, these are the least one could expect at a time of unprecedented wealth and resources. Far more could and should have been done long before now.

In my constituency, which I share with the Taoiseach, there are still disgraceful inequities with regard to educational opportunity. In the Dublin 1 area, the reality of disadvantaged education, which the Minister is claiming to be doing so much about, is that a majority of children from the primary schools in Dublin 1 and parts of Dublin 7 still do not go on to third level education. Many drop out before they complete second level.

The Minister's policy on special needs and resource teachers discriminates against the smaller, inner city acutely disadvantaged schools, the schools most in need of positive discrimination for resources and teachers. This would give children half a chance of getting on in life. This discrimination is the reason we have, in those same areas, an ongoing and worsening drugs crisis. So much could be done for these children through education, but the State continues to fail to provide adequately for them.

In the Cabra area of my constituency, parents have made huge efforts to build up a Gaelscoil, with the sole aid of the local St. Fionbarra GAA club. They have had marvellous success, yet the Government is leaving them to soldier on in dil-

apidated prefabs and a discarded builder's hut. The Dublin 7 Educate Together school was recently forced to call an emergency public meeting of parents before it could establish whether it would have any premises in the coming school year.

I will conclude by paying tribute to a person who throughout her teaching life did much for the most disadvantaged children in the areas served by Rutland Street national school. I refer to the late Máire Buckley, the teacher who had only just retired before being tragically killed in the mayhem a week ago on the Naas Road. *Ar dheis Dé go raibh a anam.*

Ms C. Murphy: It comes as a bolt from the blue for parents when they discover their child is not automatically entitled to a place in a local school. We have an annual season in Kildare called find a school place. It starts around March, and there is a frenzy for months afterwards. This happens every year, and as we do not have a State-run school system, the boards of management become a buffer for the Department of Education and Science. The Department indicates, when asked about a specific four year old or five year old, that the child is not legally required to attend school until the age of six. One should try saying this to the parent who has a child in a play-school for a couple of years, with the child totally bored.

With one school in Kildare, the Office of Public Works has taken seven years to find a site. The national school in Kill has a big billboard on the side of the school, or rather the collection of prefabs, stating that the school is full. A full class of children have not gained admission to that school. Every year we see a rush of planning permissions for prefabs and the Department often sanctions these at the 11th hour. For example, one is needed for Straffan in September and until last Friday there has been no word on this.

A new school in Naas was constructed to take 16 classes. Many of the classrooms will remain vacant for up to seven years because the other schools in the area cannot agree a joint enrolment policy. This is occurring in a town where children are in prefabs, gym halls, classes of more than 35 and where children are being refused places. Parents are driving their children to three or more schools every day, adding to traffic jams and stress levels, and often ensuring that a parent cannot return to the workforce. They were angry about this last year during the by-election campaign, and they will be twice as angry when the general election comes around next year.

Recently we were told that we had to fill in a census form so that services could be planned. Where is the evidence that census figures were used in the past? With the rate of growth that is occurring in Celbridge, for example, it is entirely possible to predict the need for a new primary school. This will not materialise as a result of people filling out a census form. It will come about after enough parents get angry enough and

after enough children have been refused school places. At that stage we will get a prefab in a field.

I represent a constituency which has been developing since the 1970s. We could run courses in crisis management because that is what we are experiencing with the issue of education provision. It is time we had real integrated planning and delivery in a timely way of critical facilities such as schools.

Mr. Connolly: I welcome the opportunity to contribute to this debate. Far too many children spend too much of their time in portakabins or other temporary buildings attached to the side of national schools. Some children spend all their school lives in portakabins. It has been mentioned that it is not nice to teach in a portakabin, but one also has to think of the people being taught in these portakabins and what it is like for them.

The manner in which these children get to school and the near miss that occurred during the week in County Meath should be noted. I would associate a prefab building with being a fire trap, but not a bus. We must look at our ageing bus system, and we cannot let this debate go without making some form of reference to the matter. It is a major issue. We are seen to be one of the world forces in terms of our economy, yet we are not getting the basic matter of children at a national school, or the methods of transporting them there, right. It is becoming exceptionally dangerous as there have been three major incidents in the past 12 months, with two of them occurring in the same county. We should consider the issue.

Our planning has been poor, and this probably goes back a number of years. Nobody would have expected us to get to the pitch we now find ourselves at, but there is a significant onus on county councils, as they are allowing major housing developments without associated services and infrastructure. This infrastructure could be a shop, a place of worship or, in this case, a school. Where there are new housing developments and young couples, it follows naturally that there will be children of school age in a short few years afterwards.

County councils must get their act together in that respect. Health services should also play their part, using the births register. There should be co-operation in these matters and matters of future planning. This could be passed on to relevant Departments so that proper plans can be made, and developers would be obliged to make provision for these types of facilities on sites.

Another issue I wish to refer to is the difficulty in staffing. Staff numbers must be submitted to the Department by the previous 30 September, but this often affects a school in that it may lose a teacher for a critical year within that period. I will leave the issue at that.

I speak to many principal teachers and they tell me that they regret having applied for a principal-

ship and having become a principal. This is tragic and a sad reflection on how the teaching profession is progressing. It reflects the frustrations felt on behalf of staff.

Acting Chairman (Mr. Glennon): There are two minutes remaining in this slot.

Mr. J. Breen: Everybody accepts a right to education. Today's debate on the institutes of technology dealt with the latter end of this scale. This motion, which I fully endorse, deals with the even more important primary education. Throughout the country we have seen massive urban construction development, particularly in the past 20 years. This brings with it a duty to put proper infrastructure and community supports in place. However, school expansion and construction is one of many areas where the Government has failed.

In the past year I wrote to the Minister, Deputy Hanafin, on behalf of primary schools seeking various amounts of funding for expansion in Six-milebridge, Ballyea, Querrin, Tuamgraney and Moveen. The reality is that due to a lack of long-term planning, these and other schools have student enrolment demands far in excess of departmental guidelines. Many have prefabricated buildings which are now totally unsuitable for teaching requirements and I am sure that if health and safety inspections were carried out, many such prefabricated classrooms would be closed.

St. Finnachta's national school in Sixmilebridge, County Clare, applied for funding to enable necessary development in December 2005, but to date it has not even received an acknowledgement of this application. Part of its proposed development is to replace two prefabs which have been in classroom use since 1976. Classrooms in the old part of that school are approximately half the size recommended by the school planning section of the Department of Education and Science. Yet this application did not even merit a written response to the school. Next September, this school expects to have an enrolment of 310 pupils, but it only has ten teachers and a principal. These deficiencies far outstrip the commitments given under An Agreed Programme for Government.

Ennis national school has fought for many years to acquire a suitable site so that a new larger school, capable of meeting the demands required of it, can be built. Eventually a site was secured and it was hoped that the development would go ahead in an area close to St. Flannan's College, in the heart of a residential part of Ennis. The ESB then sought permission to build a telecommunications mast close by but planning permission was refused and the appeals inspector from An Bord Pleanála also recommended that permission be refused. However, An Bord Pleanála granted permission, citing that to refuse would be in contravention of national school strategy on telecommunications. To allow con-

[Mr. J. Breen.]

struction of a mast so close to a primary school shows how much of a priority the health of our school children is under this Government.

The failure of the current administration to even come close to the teacher-pupil ratio commitment announced in 2002 in An Agreed Programme for Government is an indictment of the Minister for Education and Science, Deputy Hanafin's appalling record in office. The failure of her Department to annually spend its full budget allocation—

Acting Chairman: I ask the Deputy to conclude.

Mr. J. Breen: —for school building in the years since then merely adds to the shame the Minister should feel, but the tabling of the amendment to the motion shows how out of touch with reality this Government is. I wish I had longer because I have much more to say.

Mr. Gilmore: He is not going back anyway.

Mr. J. Breen: The Deputy can write that down.

Dr. Upton: I wish to share time with Deputy Lynch and Deputy Gilmore.

I welcome the opportunity to speak in the debate this evening and I congratulate Deputy O'Sullivan for proposing the motion. I hear about the issue every day in my constituency. I attended a residents' meeting yesterday and one of the main topics was the concern in the local community over development in the area, and specifically its impact on local schools. The residents see young families coming into the area but there is no plan for school places for children. They anticipate those needs and called on the Minister to ensure places would be made available. It seems all they can look forward to are prefabs.

Harold's Cross primary school is in my constituency. Next year the fourth and fifth classes will combine in a shared classroom of 37 pupils. Part of the fifth and the sixth classes will also combine with a total of 38 pupils, taught by one teacher. The school is part of the DEIS programme and it is a disservice to the pupils and teachers of the school that it is not provided with adequate teaching resources to educate its children. The school has worked really hard to provide best quality education and services for its pupils but it is totally unsatisfactory that it is expected to do so. It places a huge burden on the teachers and the pupils.

The Minister should consider the special conditions of this school and provide the necessary classes. I will declare an interest, being on the board of management of the school, and I know at first hand the effort that goes into maintaining it and ensuring the best quality service and provision of education. I never cease to be amazed at the commitment and generosity of parents who continue to fundraise for their schools so that the

facilities that should be provided by the State are there for their children. It is not good enough that parents who are very often on social welfare or low incomes, as many are in my constituency, are called on to provide extras which are basics, because they are nothing remotely like a luxury for their school.

St. Michael's primary school in Inchicore has recently received attention. I am sure the Minister of State is aware of the situation. I appreciate that it was not the Minister for Education and Science, Deputy Hanafin, who decided to give only eight weeks' notice of closure but it put the school, the teachers and the pupils in a very difficult situation. I welcome the fact that it has been given a stay of execution of at least a year in which the situation can be reviewed. It is more than an opportunity to see where the children can otherwise be accommodated.

Most parents I encounter plan for their child's education after they are christened. They like to book them into schools in certain areas. The parents of children in St. Michael's were asked to find alternative places for their children within eight weeks. Many of the children affected are from a disadvantaged background. The fact that parents had to try to find alternative schools put a huge burden on them. Many of them would be at risk of dropping out of the school system entirely if that were to happen. We cannot allow that to happen. There is good regeneration in the area and a new community is developing. Old flats are being knocked down and nice new houses and apartments built. Young people will be coming into the area so there will be more families and a greater need for schools, but there is no boys' secondary school in that catchment area.

The National Educational Welfare Board was established to look out for children at risk and who had problems such as with poor attendance at school. In reality the board is not sufficiently resourced to address the myriad problems that arise on a daily basis, in particular where there is disadvantage. It cannot deliver the service it was set up to deliver if the resources are not available to it. It is not acceptable to have a token system in place. A protective role should ensure the right of young children to a decent education. The focus should be on those most at risk in disadvantaged areas, but that is not happening at the moment.

The fact that there is a lack of planning was raised at my constituency meeting last night. There has been an explosion of apartment-building in the area, which will inevitably attract young families and more children. Approximately two years ago there was an application for a huge development but not even a token effort to address the need for a school. All that was planned was a crèche. The local schools were already stretched but nobody had thought of the need for a new school. It highlights the lack of planning and co-ordination among the various activities and the lack of connection between

local authorities and the Department of Education and Science.

The educational needs of communities have to be linked to all other developments that take place. Targets have to be set now and not when the crisis happens. The prefab era should be over and the pupil-teacher ratio should reach the promised level in line with best international practice.

I can relate to what Deputy Connolly said and it has been raised with me many times. Many principals have said they regretted taking on the responsibility or have threatened to leave because of the pressure. In one case, a principal teacher of two years threatened to leave if he did not receive adequate resources and he has done just that. He had enough.

Ms Lynch: I congratulate the proposers of the motion, Deputy O'Sullivan and Deputy Enright. Because we accept education and appreciate its benefits the motion is timely.

By choice, by inclination and by right of birth our children are citizens of the world. Right around the globe young Irish people are making their way and succeeding in every walk of life. As time goes on they will do so more and more while, at home, young Irish people are and will continue to be engaged with global issues, competing at a global level and excelling on the world stage. The world asks them only one question: "What do you know?" It does not ask them whom they know, what their father does, where they went to school or where they come from. They are not in the least bothered about that but want to know what a person knows and what they can do because that is the test. Fortunately, our citizens are doing very well. Today, tomorrow and in the future the answer will depend on education. Every year, approximately 1,000 children fail to make the transition from primary to secondary level and 18% leave secondary school without a leaving certificate. Ireland continues to have significant problems in the area of reading, particularly but not exclusively in disadvantaged areas where up to 30% of primary school children suffer severe literacy problems. This is partly because we provide primary education on the cheap, packing about a quarter of primary school students into classes of 30. Cork city and county have the greatest numbers of pupils in classes of 30 children or more. In addition, schools are often located in dilapidated buildings and are starved of funds for non-pay budgets. These problems will only affect those who succeed in finding a school place for their child.

Ireland also allows massive numbers of houses to be built on greenfield sites with no provision for extra places in schools. However, it appears to come as a complete surprise to the Department of Education and Science that when young couples move into newly built houses, children soon follow.

Class size is important to the many children who leave school unable to read, to the quiet child in a class of 30 who falls behind because the teacher does not notice she is having problems as her demands must be counted among the many of the 29 others in the room, to the troublemaker who hides his learning difficulties by playing the class stand-up comic and to the child who wants to learn but is held back because so many others need the teacher's attention. Class size is not just an abstract numbers game that teachers' unions and Opposition parties play against the Government but a vital issue for thousands of young people who are losing opportunities for their future. It is about the kind of society we are building. The school system is failing many children and giving them a negative experience, self-image and attitude towards the world.

Research has shown consistently that outcomes for young people, especially those who are disadvantaged or have learning difficulties, are much better if they are in small classes. Currently, 100,000 primary pupils are in classes of 30 children or more. A person who walked into an Irish classroom, accident and emergency ward or one of many of our local authority estates could be forgiven for believing this was one of the poorest states in Europe and one which is not addressing its problems because it cannot afford to do so. We know this is not the case. Despite being one of the richest states in Europe, Ireland's public services are among the poorest. The amount of money invested in education as a percentage of gross national product or gross domestic product places this country close to the bottom of the league in Europe and the OECD countries. Expenditure on education as a percentage of GDP has declined from 5.4% in 1994 — the Government has a *grá* for taking us back to that year — to 4.6% this year, having dipped to 4.1% in the year 2000 when we had never been richer.

Smaller classes are especially important in areas of disadvantage. The maximum pupil-teacher ratio in such areas should be 20:1 and 15:1 in areas of chronic disadvantage. It is crucial that we achieve these levels if we are to break the cycle of intergenerational poverty and lack of opportunity.

While I do not propose to identify a specific area, I will highlight a problem regarding the school completion programme. Of the 82 school completion projects in the State, several are located in Cork city, one of which is among the largest in the country and covers eight schools. The project has three workers dealing with 1,882 pupils in eight participating schools spread over a large geographical area. As regards the measures of disadvantage used for schools participating in the programme, figures show that 67% of pupils in the eight participating schools live in a family where the head of household is unemployed and 68% live in families which hold a medical card. Although they faced a virtually impossible task, the project workers managed quite well until the decision was taken not to increase the pro-

[Ms Lynch.]

ject's annual budget. This meant that no increases were forthcoming to cover the costs of wage agreements and benchmarking, with the result that the number of project workers was reduced to two.

I met the principals of five of the schools in question the other morning. These are busy individuals who would not take time off to talk to me unless they were seriously concerned about an issue. They informed me that the project has caused them numerous headaches but they work hard on it because they believe it will be successful, having seen its benefits to the children in their schools. Despite this, the project must be cut back repeatedly because it receives only a cost of living increase every year and this does not keep pace with the cost of paying the staff they wish to retain.

Class size is also of prime importance to children with special learning needs who are increasingly accommodated in mainstream schools. The early years, in particular, are vital. It has been common for specific learning disabilities such as dyslexia to remain undetected. Smaller classes would make it much easier for teachers to develop a relationship with each child and thus enable him or her to spot the signs of disability at an early date. Smaller class sizes are not the only solution but important programmes such as Breaking the Cycle and the school completion projects are being cut back.

Mr. Gilmore: I compliment my colleague, Deputy Jan O'Sullivan, on tabling the motion which I support. Ireland takes a rather unusual approach to the integration of education planning with physical and social planning. In most countries the planning of schools is at the centre, if not the start, of the entire planning process. The reverse is the case here. We tend to plan housing development and address school needs once houses have been built. If we are lucky, a site is reserved for a school and if we are unlucky, we end up with children being ferried hither and thither from recently built estates. We need to rectify this problem.

We must also take into account the fact that educational needs change with time. In my constituency the shortage of second level places and lack of choice of second level schools are the most common issues raised by parents. My constituency is unusual in that most of the second level places in my constituency are fee-paying. Consequently, the choice left for those who wish or must avail of the non-paying sector is much more limited. I emphasise, however, that Dún Laoghaire in my constituency and Bray in the adjoining constituency are served by many excellent schools.

Shankill, which has a population of 15,000, needs a new second level school and parents are demanding that one be established in the area. This demand could be easily met. Two years ago the Minister for Justice, Equality and Law

Reform, Deputy McDowell, inexplicably decided to close down Shanganagh Castle, a young offenders centre. The buildings, which have been vacant ever since, contain educational facilities and classrooms and could, with a certain amount of refurbishment, be developed as a viable second level school to serve an area of growing population. The castle has the added advantage of having grounds which could accommodate the playing facilities necessary for a second level school.

I ask the Minister to raise with the Minister for Justice, Equality and Law Reform and the local authority the possibility of redeveloping Shanganagh Castle as a second level school to serve the growing catchment and, in so doing, provide added choice and places for the many people in my constituency who wish to avail of second level education for their children in the non-fee paying sector. I also ask her to consult local schools which would clearly have an interest in the matter. It is a need which must be met. There is a readily available solution and, frankly, I do not understand why this need has not been addressed before now.

This is a subject I have raised by way of Dáil questions with the Minister for Education and Science. In her replies, she was not disposed to the provision of a new second level school for the Shankill area but I ask the Minister of State to reconsider the matter because there is a real need for it. I meet parents all the time who are seeking the provision of additional second level places in the non-fee paying sector. They include parents who, in some cases, resent the fact that they are being pressed into paying fees, rather than having a range of options in the non-fee paying sector that is available in most other parts of the country.

Minister of State at the Department of Education and Science (Miss de Valera): In requesting the House to endorse the record achievements of this Government in education since 1997, I ask the House to look at the facts. As the Minister for Education and Science said here last night, the priority this Government attaches to providing quality education at all levels is evident from the fact that the budget for the Department has doubled since 1997 from €3.1 billion to €7.9 billion currently.

The facts show the sea change that has been brought about since 1997 and they demonstrate clearly and unambiguously our sustained commitment to rectifying the deficit in every area of education. It is revealing to look at the facts. Some €3.9 billion has been allocated for capital funding over the next five years. Some €2.5 billion is being spent on school building between 2000 and the end of 2006. Over 1,100 projects will be carried out in schools on a rolling basis over the next 18 months. Some 23 new post-primary and four new primary schools will be delivered under the PPP programme. Between 2000 and 2005, a total of 6,287 large and small-scale building projects were completed, along with 4,778 primary

school projects and 1,509 post-primary school projects.

New targeted planning processes, building delivery systems and devolved delivery schemes have been introduced to fast track provision. The local contribution for State-owned buildings, which had cost €63,000, has been abolished and 4,000 extra teachers have been provided since 2002. The average primary class size has been reduced from 27 to 24 and the pupil-teacher ratio has been improved to the point where there is one teacher for every 17 pupils at primary level and one for every 13.4 pupils at post-primary level. On top of this, over the next two years, funding has been secured to provide an extra 500 teachers to reduce class sizes further and tackle disadvantage.

On the disadvantage front, a new action plan called the DEIS programme, which is being implemented on a phased basis, has been introduced and will benefit pupils in 640 primary schools — 320 urban and 320 rural — and 200 post-primary schools. The full implementation of this plan will cost €40 million.

Significant advances have also been made on the special needs front, which have made a real difference to the lives of many children with special needs and their families. There are now over 5,000 teachers in our primary schools working directly with children with special needs, including those requiring learning support. There are also over 7,100 special needs assistants in our schools. Over €30 million is spent on school transport for special needs pupils and over €3 million is now allocated towards specialised equipment and materials for pupils with special educational needs. This figure is up from €0.8 million in 1998. In addition, the level of resources to support students with special educational needs in the second level system has also grown significantly in recent years.

The Department is currently funding 12 autism-specific facilities that are operating on a pilot basis. These facilities are providing an applied behavioural analysis model of response, which is one of a range of models of approach to the education of children with autism.

I want to clarify a number of issues which have arisen in this debate. These include the processes involved in prioritising school building projects and the fact that the published prioritisation criteria in place emerged following consultation with the education partners. Rapidly developing areas attract a band one priority rating under the criteria, which is the highest band rating possible. I remind Deputies that the school building programme must proceed on a fair and rational basis as set out in the criteria. Under no circumstances will it proceed on the basis of who shouts loudest or seeks to grab media attention.

Ms O'Sullivan: We are looking for a fair system.

Miss de Valera: Regarding the significant plans in train to provide the requisite accommodation in Dublin 15, I find it difficult to accept the proposals put forward by Deputy Burton who persists in trying to create panic over this matter. This is despite having been told of these plans time and again by the Minister, Deputy Hanafin. It may be colourful and headline grabbing to make outrageous allegations but the responsibility for the needless stress placed on parents will then have to be borne by her. The equally reckless allegation of a shortage of pupil places in Swords is unacceptable. There is no shortage. In media reports, the parents themselves accepted this and explained that they were merely exercising choice. I could pick off other points regarding class sizes, pupil-teacher ratios and prefab accommodation but I have made clear the huge improvements that have been made in recent years, particularly since 1997.

I wish to refer briefly to school transport, an issue raised earlier which concerns my own area of responsibility. The safety of such transport will continue to be a priority. The Minister for Transport, Deputy Cullen, told CIE representatives yesterday that he wants Bus Éireann to examine its maintenance procedures. This was also mentioned by the Taoiseach on the Order of Business this morning.

Ms Enright: At last.

Mr. Stagg: I wish to share time with Deputy Wall.

Acting Chairman: Deputy Stagg has 15 minutes in this slot.

Mr. Stagg: I thank our spokesperson on education, Deputy O'Sullivan, and the Fine Gael spokesperson, Deputy Enright, for having tabled this motion. The right to a primary education is so basic and important that it is enshrined in Article 42 of the Constitution. Every parent in this rich country has a right to expect that that constitutional commitment will be honoured and that school places of a high standard will be provided for all children old enough to attend primary school. However, decent hard-working families who pay their taxes find that the constitutional commitment to which I referred is not being honoured by their own Government. They find that their children are taught in unsuitable and over-crowded prefabs or cannot find a school place for them regardless of what the Minister says about the matter.

The number of primary school places required in any community is entirely predictable. There is no rocket science involved. We have the census results, we know what land is zoned for development, and we can predict accurately the number of children and when they will need school places. It never ceases to amaze me that as a society we can build houses so rapidly that they seem to spring up of their own volition, like mushrooms.

[Mr. Stagg.]

However, the provision of schools is hog-bound in bureaucratic procedures and red tape that takes years to produce a school.

Somebody should tell the educational planners the simple truth that when houses are built and young couples live together the natural outcome is that children are produced. From four and half years of age, children need school places. Somebody should also tell the educational planners about modern methods of producing buildings, especially buildings that are basically all the same. It is not necessary to go through a myriad of stages to get to a final decision. Perhaps the Minister might do these simple things to cut the red tape and actually produce classrooms. I assure parents and their children that when Deputy O'Sullivan is Minister for Education and Science in a year's time, she will do that. I also assure parents that Labour in Government will abolish the practice of providing prefab classrooms as a first resort. Such sub-standard accommodation will only be used in an emergency.

I will cite two case studies to demonstrate the points I am making. First, I will take the case of Kill national school, which was built in 1951. It now has nine prefabs in the school yard and another is being put in this summer. That will be the last prefab as no more will fit. Some 23 children have been refused places there in September because there is no room. The "oldest come first" rule has been applied, so some children will be six years old before they get places. Protestants have been told they are at the back of the queue. The school is now on a traffic island on the busiest motorway in the country and in the middle of one of the biggest engineering projects nationwide. The question must be asked again and again as to why this dire and acute situation has been allowed to develop to the crisis level that now exists in Kill, not just for the children who cannot get a school place for next year but also for the generation of children who have gone right through their primary education in sub-standard and overcrowded conditions.

The Department of Education and Science had access to the last and second last censuses for Kill. The Department and Minister were given a copy of the Kill development plan that accurately predicted the level of house building in the area. They could accurately calculate the number of children and the number of school places required in Kill.

What action has been taken to meet the entirely predictable demand for school places? In 1999, seven years ago, the OPW was instructed by one of the Minister's predecessors to find a suitable site in Kill for a new school. In 2002 a development plan was adopted for Kill village. The Fianna Fáil majority was generous to local landowners by zoning large tracts of land for housing but they zoned only one site for educational use, a site deemed to be archaeologically sensitive on which no building would be allowed. What a farce.

Every year, including this year, another prefab has been added and the playground area has been shrinking. In March of this year the OPW, after seven years, announced it had agreed a price with a developer for a school site in Kill. However, it now transpires that the deal is contingent on more land being zoned and even more houses built before the contract can be signed. This practice of holding the community to ransom, a form of community blackmail, is to be condemned and should be outlawed by making the compulsory acquisition of land for schools a legal possibility. In Government, the Labour Party will positively examine this option.

We can now see that in Kill the Department and successive Ministers failed over a seven year period to find a site and build the required school, and there is very little light at the end of that tunnel. Meanwhile the children of Kill are condemned to schooling in substandard and overcrowded conditions in the middle of a traffic island while other children cannot even get a place there. This is hardly to cherish all the children of the nation equally or fulfil the constitutional guarantee to our children.

My second case study concerns the primary schools of Naas, the capital town of County Kildare which has seen rapid growth in the past ten years. This growth was planned, with predictable increases in the number of children and required school places. There are 2,375 pupils in the five existing national schools serving the town, with 400 of these accommodated in prefabs or so-called temporary accommodation.

These schools are bursting at the seams and cannot expand any further. A new 16-classroom school has been completed and has two infant classes. With the completion of the new school, the long-suffering parents and their children thought that some level of relief, some salvation from the dire situation, was at hand, but their hopes have been dashed. The Minister, Deputy Hanafin, has decided that the new school is to remain empty except for the infant classes. The school, Scoil Bríde, will not be fully utilised until 2013, with only one class added each year — that is the Minister's decision, which I received in writing from her yesterday. This means that in 2007 some 14 state-of-the-art classrooms, with all the ancillary facilities and built with taxpayers' money, will be vacant except for a security company which will mind it while 400 children are forced to finish their primary education in so-called temporary accommodation. For most of these children, there is nothing temporary about this accommodation; it is the only type they have ever known. They have been and continue to be deprived by the action of the Minister.

I rest my case, which is well demonstrated by the examples of Kill and Naas, one a small village and the other the capital town of the county.

Mr. Wall: On behalf of the two proposers of the motion, Deputies O'Sullivan and Enright, I thank all the contributors who have made such a

contribution to it. I am sure both Deputies are gratified that such a high percentage of Deputies, many on the Government side, agreed with the thrust of the motion.

At a time when two major items, health and education, have been discussed in the House, it is ironic that so many factors are common to both. In the health services there are major problems of overcrowding, lack of facilities and lack of expertise to ensure in particular the health of the dear ones we all love, our senior citizens. This debate is focused on the other end of the spectrum. We are here fighting on behalf of the children — the adults and parents of tomorrow — who suffer a similar lack of facilities and support mechanisms. The general thrust of my argument is that the Government has failed these two most important groups, the senior citizens and the children, the parents of tomorrow.

As a proud race, one of our favourite sayings is “Tús maith is leath an oibre”, meaning a good start is half the work. Our primary school children, in particular those in Kildare, are not getting a good start and are being taught in prefabs and overcrowded rooms that do not lend themselves to a good or even a fair start.

The Minister referred to the national average class size. Kildare, one of the most advanced counties in Ireland in terms of its information technology sector which has resulted from commercial and industrial development, is well outside the figures suggested by the Minister. She referred to there being an average of 24 pupils per teacher. In Kildare for the past four years there has been an average of 26.8 pupils per teacher. The last figures I received from the Minister showed that the average class size was on the increase when compared to the national figures. Kildare is going in the opposite direction to that which has been held up as a wonderful achievement by the Government.

In Scoil Mhuire in Ballymore, 75% of the classes exceed 31 pupils and the three senior classes have 35 children in each. The amazing point about this school is that it has two empty classrooms which are insured and heated and cost the board of management resources to maintain. The difficulty is that it is necessary to go through an appeal process to get a teacher to provide classes. With one appointment by the Minister, the class sizes in the school would drop dramatically to the national average. Despite that, the red tape appears, there are appeals and the issue is put on the long finger. The people of Ballymore were expected to make a major contribution when that school was refurbished, which they did without fear or favour. They searched the highways and byways of Ballymore to raise money but now they experience the frustration of having to go through an appeal process to get an extra teacher to make a difference for their children.

Children are the most important resource. This issue is not about red tape or the Minister gloat-

ing about figures in the House. We do not seem to realise that the children of today are the parents of tomorrow. We focus on the financial implications that may upset the budget or deny the Government the opportunity to introduce a major budget as it moves into an election year.

Mr. S. Ryan: The people will not be coddled.

Mr. Wall: I hope not. They will certainly not be coddled in Kildare.

I wish to refer to the time factor. There are adults in Athy resource centre who are trying to get on the employment ladder and are going back to school. I raised this matter with the Minister but she referred it to the Minister of State, Deputy de Valera, for reply. In addition to their measly wage packet because they are going back to school they get an extra €6 or €7. That money is used to pay the rent for a classroom in order to obtain the education they need. The Minister referred the matter to the Minister of State a month ago but I have heard nothing since. Given that I am raising the matter this evening I hope to have a reply. I hope also that there will be an opportunity for those people to get off the bottom of the ladder through education and to make application for employment.

We have always said tomorrow can be better. It could certainly be better if the Government had the confidence of everyone involved. There are teachers in every parish and town who are second to none. They have given their all, yet they are frustrated, demented and tormented because of the lack of facilities to enable them to teach, to prepare the young people of today for tomorrow. They should not be required to babysit or to be in a classroom with 35 children where they cannot teach. Nobody in the House will say that one teacher can look after 35 children in one classroom. If they are in a senior class that is neither feasible nor possible. Yet in County Kildare we are moving towards that number in the classroom as the pupil-teacher ratio is increasing rather than decreasing, which the Minister of State highlighted as one of the major factors.

Mr. S. Ryan: Shame on the Government.

Mr. Wall: Parents must be happy that their children will be educated in schools that boast the type of facilities associated with a prosperous modern European country. They must be secure in the knowledge that when their children go to school they will be educated by teachers who have time to teach and are not there to babysit large numbers of children. They must have confidence in the Government's ability to plan the facilities and type of education parents want and their children need. Unfortunately, they do not have that confidence in the Government.

Mr. S. Ryan: Well done.

Amendment put.

The Dáil divided: Tá, 62; Níl, 59.

Tá

Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Brady, Johnny.
 Brady, Martin.
 Callanan, Joe.
 Callely, Ivor.
 Carey, Pat.
 Carty, John.
 Coughlan, Mary.
 Cowen, Brian.
 Cregan, John.
 Curran, John.
 de Valera, Síle.
 Dempsey, Tony.
 Dennehy, John.
 Ellis, John.
 Fahey, Frank.
 Fitzpatrick, Dermot.
 Fleming, Seán.
 Glennon, Jim.
 Grealish, Noel.
 Hanafin, Mary.
 Haughey, Seán.
 Hoctor, Máire.
 Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.
 Kelly, Peter.
 Killeen, Tony.
 Kirk, Seamus.

Kitt, Tom.
 Lenihan, Conor.
 Martin, Micheál.
 McDowell, Michael.
 McEllistrim, Thomas.
 McGuinness, John.
 Moynihan, Donal.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donnell, Liz.
 O'Donovan, Denis.
 O'Keeffe, Batt.
 O'Keeffe, Ned.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Roche, Dick.
 Sexton, Mae.
 Smith, Brendan.
 Smith, Michael.
 Treacy, Noel.
 Wallace, Dan.
 Wilkinson, Ollie.
 Woods, Michael.
 Wright, G.V.

Níl

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

McGinley, Dinny.
 McGrath, Paul.
 McManus, Liz.
 Mitchell, Olivia.
 Moynihan-Cronin, Breeda.
 Murphy, Catherine.
 Murphy, Gerard.
 Naughten, Denis.
 Neville, Dan.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Penrose, Willie.
 Perry, John.
 Rabbitte, Pat.
 Ring, Michael.
 Ryan, Eamon.
 Ryan, Seán.
 Sargent, Trevor.
 Sherlock, Joe.
 Stagg, Emmet.
 Stanton, David.
 Twomey, Liam.
 Upton, Mary.
 Wall, Jack.

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

Amendment declared carried.

Question put: "That the motion, as amended, be agreed to."

The Dáil divided: Tá, 63; Níl, 55.

Tá

Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Blaney, Niall.
 Brady, Johnny.
 Brady, Martin.
 Callanan, Joe.
 Callely, Ivor.
 Carey, Pat.
 Carty, John.
 Coughlan, Mary.
 Cowen, Brian.
 Cregan, John.
 Curran, John.
 de Valera, Síle.
 Dempsey, Tony.
 Dennehy, John.
 Ellis, John.
 Fahey, Frank.
 Fitzpatrick, Dermot.
 Fleming, Seán.
 Glennon, Jim.
 Grealish, Noel.
 Hanafin, Mary.
 Haughey, Seán.
 Hoctor, Máire.
 Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.
 Kelly, Peter.
 Killeen, Tony.
 Kirk, Seamus.

Kitt, Tom.
 Lenihan, Conor.
 McDowell, Michael.
 McEllistram, Thomas.
 McGuinness, John.
 Martin, Micheál.
 Moynihan, Donal.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donnell, Liz.
 O'Donovan, Denis.
 O'Keeffe, Batt.
 O'Keeffe, Ned.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Roche, Dick.
 Sexton, Mae.
 Smith, Brendan.
 Smith, Michael.
 Treacy, Noel.
 Wallace, Dan.
 Wilkinson, Ollie.
 Woods, Michael.
 Wright, G.V.

Níl

Allen, Bernard.
 Boyle, Dan.
 Breen, James.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Costello, Joe.
 Cowley, Jerry.
 Crawford, Seymour.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deenihan, Jimmy.
 Enright, Olwyn.
 Gilmore, Eamon.
 Gogarty, Paul.
 Gormley, John.
 Gregory, Tony.
 Hayes, Tom.
 Healy, Seamus.
 Higgins, Joe.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Lynch, Kathleen.
 McCormack, Pádraic.

McEntee, Shane.
 McGinley, Dinny.
 McManus, Liz.
 Mitchell, Olivia.
 Moynihan-Cronin, Breeda.
 Murphy, Catherine.
 Naughten, Denis.
 Neville, Dan.
 Noonan, Michael.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Penrose, Willie.
 Perry, John.
 Rabbitte, Pat.
 Ring, Michael.
 Ryan, Eamon.
 Ryan, Seán.
 Sargent, Trevor.
 Sherlock, Joe.
 Stagg, Emmet.
 Twomey, Liam.
 Upton, Mary.
 Wall, Jack.

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

Question declared carried.

Adjournment Debate.

Mental Health Services.

Mr. Andrews: I am grateful for the opportunity to raise the important issue of early intervention in psychosis. This issue arises out of a number of Government strategies and research that has taken place over the last ten to 15 years. Psychosis is an illness that affects 5% of our population. It involves detachment from reality and often leads to schizophrenia. Approximately 75,000 people in this country suffer from psychosis.

The DETECT project serves Dublin and the south-east region. It aims to reduce the period of undetected psychosis to the minimum possible time. Usually there is a delay of about two years in the detection of psychosis. The challenge is to shorten this to six months, in line with international best practice. If that is done, the chances of recovery are significantly heightened.

DETECT is a new multi-agency approach to early detection. Funding comes from the HSE but it is only 10% of what is required. The balance is being provided by the St. John of God Brothers. The HSE has provided a minimal amount of funding but statistics show there are 1,000 new cases of psychosis every year. People with psychosis are at extremely high risk of suicide; the rate is 25 times higher than in the general population. It is also a widely-known fact that this illness most commonly affects young people. Everybody is keen to reduce the incidence of suicide as it is the main cause of death among the young population.

These facts are lamented widely, and rightly so. However, according to research, there is a solution. It is early intervention and means providing services at a very early stage of psychosis. In Norway, psychosis is, on average, detected six months after a first episode; in Ireland, it takes two years. For so long as that remains the case, only crocodile tears will be shed for those who are suffering from psychosis.

I can give an example of the gap in the service. A parent telephoned DETECT from Shankill in County Dublin. She expressed her concern about her son's behaviour. Teenagers can be moody and it is sometimes hard for a parent to distinguish between a moody teenager and early evidence of psychosis. It is mainly young males who suffer from this illness. DETECT told her it could do little for her and recommended that she go to her general practitioner. However, many general practitioners in Ireland know nothing about the illness. In addition, it would be extremely difficult for this mother to persuade her son to visit a general practitioner because of a perceived mental illness.

The key is to provide funding to extend the pilot scheme, DETECT. Over three years it will cost approximately €15 million to roll out a proper programme. DETECT can reduce the stigma associated with attending services for mental illness. For example, in the CSPE course in secondary school, pupils are presented with information about physical illnesses they could suffer as teenagers but there is no information on mental illnesses. This huge gap adds to the stigma and fear associated with engaging with available services for mental illnesses. DETECT must be established on a national basis and the programme must be given the resources to provide information, inpatient care and treatment in the community. I urge the Minister of State to seriously consider these matters.

Minister of State at the Department of Health and Children (Mr. T. O'Malley):

I thank Deputy Andrews for raising this matter. The World Health Organisation's 2001 mental health report confirms psychoses represent a major public health problem. Psychotic disorders include schizophrenia, drug-induced psychosis, some forms of bipolar disorder, depression and psychotic symptoms associated with epilepsy and other organic conditions. Worldwide, psychosis ranks as the third most disabling condition and poses an enormous burden in human suffering and economic cost.

Psychosis affects approximately 75,000 people, some 3% of the population. It is characterised by a loss of contact with reality leading to disturbances in perception, cognition, feeling and behaviour. Although psychosis can be a result of multiple factors including stress, withdrawal or intoxication with substances, medical conditions and mood disorders, most commonly it signals the onset of schizophrenia.

Each year more than 800 people, mainly young people, develop schizophrenia, the most common psychosis. The experience of psychosis has a profound impact on the individual, their family members and friends. A first episode of psychosis most often occurs in adolescence or early adult life, a critical period in human development and has great potential to derail education, work and social goals. The early identification and appropriate treatment of psychotic illness is the key to success of treatment and long-term prognosis.

To address the need for early diagnosis of serious mental illness in young people, DETECT, the first pilot project for early intervention in psychosis assessment was established. The service is provided in the south Dublin-east Wicklow area by the Health Service Executive, HSE, in collaboration with the St. John of God Hospital in St. Irlorgan. The pilot project began with an allocation of €500,000 from the 2005 HSE development funding for mental health services. The model offers an intensive multidisciplinary-based mental health assessment to confirm the diagnosis of psychotic illness.

9 o'clock

Preventive interventions in psychotic disorders are now a realistic proposition. The approach of DETECT is consistent with the recently launched report of the expert group on mental health policy, *A Vision for Change*. This report is the first comprehensive review of mental health policy since *Planning for the Future*, and has been accepted by Government as the basis for the future development of mental health policy. *A Vision for Change* acknowledges the relationship between the length of time it takes to respond to an individual's first experience of psychosis and the long-term outcome for that service user. It recommends that, in addition to the DETECT project, a second early intervention service pilot project should be undertaken with a population characterised by a different socio-demographic profile. This will be undertaken with a view to establishing the efficacy of early intervention service for the mental health service.

The provision of early intervention services is also in accordance with *Reach Out: The National Strategy for Action on Suicide Prevention 2005-2014*. The strategy includes the development of a fast-track priority system from primary care and early intervention services to community-based mental health services. It also commits to further funding and evaluation of pilot service initiatives which aim to improve the early detection of psychological distress and mental health problems through community outreach work. This year an additional €1.2 million was allocated to the national office for suicide prevention. In 2006, €25 million was allocated to the HSE for the further development of our mental health services. In accordance with the HSE's functions under the Health Act 2004, the HSE's strategic planning and reform implementation innovation fund is considering the extension of funding for this project and a decision is expected by the end of May.

The Government is fully committed to funding a comprehensive early intervention service for psychosis which will improve the recovery prospects of service users and form part of our efforts to tackle the rate of suicide among young people.

Farm Household Incomes.

Mr. Crawford: I thank the Ceann Comhairle for allowing me the opportunity to raise this important matter. I also thank the Minister of State at the Department of Agriculture and Food, Deputy Brendan Smith, for attending the House to reply. I take it then it will not be the Minister for Justice, Equality and Law Reform, Deputy McDowell.

Mr. McDowell: I am sorry to disappoint the Deputy.

Mr. Crawford: Farming for many is at a crossroads. With no leadership or support, its outlook is serious. The beet industry is finished. The mushroom industry is on its knees. Poultry units

lie empty while dairying, the lead sector, is now experiencing serious problems. Dairy farmers in trouble are now turning in frustration to co-operative societies. The decisions taken at EU level by the then Minister for Agriculture and Food, Deputy Walsh, who was in charge of Ireland's EU negotiations, with the Taoiseach present, are now coming home to roost.

The export of skimmed milk powder to countries outside the EU has become uncompetitive by up to \$300 per tonne, given the weakening dollar, the reduction in export refunds and the increased competitiveness from the US and Oceania. The competitors from some of those countries have a different quality control for their products. The Fischler reforms of Agenda 2000 and the mid-term review in 2003 are taking effect, with more to come on 1 July. This year sales of butter into intervention are higher than last year. It will soon reach the reduced quota limit of 50,000 tonnes. As the outlook is not good, some of the biggest and best dairy farmers are simply getting out of the sector.

Last week, the Agriculture and Rural Development Commissioner, Mariann Fischer Boel, made it clear in the Chamber that she is not aware of the seriousness of the problem. Action must be taken. We cannot allow the bureaucrats from Brussels to end the livelihoods of our farmers. The Government must also take action as it has some leeway. Even removing the disease and the dairy inspection levies would mean €600 to €800 to the average dairy farmer, a small goodwill gesture when the State's coffers are awash with money. There is no reason the levies cannot be abolished as they do not exist in Northern Ireland.

Poultry farmers are at the end of their tether, with many units closed and others partially filled, resulting in no profits. Yesterday I spoke to a poultry breeder whose hens were slaughtered because the hatchery does not want the eggs. This will head up through the system, causing changes at the factory end in the next several weeks. The problem was caused by news reporting of avian flu. It cannot be ignored by the Government as it was outside farmers' hands.

Mushroom growing was once a thriving national industry with two thirds of it based in counties Cavan and Monaghan. It has since been reduced to a small number of growers. Many of those left have made major investments in their operations with Government supports. However, if no real action is taken soon, the industry will be gone. How can a farmer be expected to sell mushrooms at less than 70 cent a pound when production costs stand at 75 cent a pound? Are farmers supposed to give a service, create employment, provide the raw materials for industry and then receive no return for their labour or investment and lose money?

When the BSE crisis broke out, the then Minister for Agriculture, Food and Forestry, Ivan Yates, was brought to his knees in the House. The IFA walked out of meetings. The then

[Mr. Crawford.]

Government fought the case at Brussels and got improvements for Irish beef exports. The Minister for Agriculture and Food must highlight the crisis for farming at Cabinet and in Brussels to secure as much support as possible for hard-pressed farmers before it is too late. The nitrates directive has still not been imposed, something else they will have to bear. A Minister of State, a former president of the IFA when some of the negotiations took place, admitted in this House to Commissioner Fischer Boel that he can no longer afford a farm manager to run his farm. Other farm leaders are leaving farming and instead going into industry. The biggest and best are selling out and the industry is in crisis. The beet industry has gone. Do not let the others follow.

Minister of State at the Department of Agriculture and Food (Mr. B. Smith): I thank Deputy Crawford for raising this issue and welcome the opportunity to outline the facts.

By any measure, 2005 was an exceptional year for the farming sector with the introduction of the single payment scheme. Aggregate farm income reached a record level of €2,765 million. This was a 24% increase on 2004, reflecting a once-off overlap in direct payments, as farmers received over €1 billion under the single payment schemes as well as almost €620 million in payments due on the old premia schemes. In addition, these farmers also received almost €570 million in rural development measures such as REPS, compensatory allowances and forestry premia. These measures brought total direct payments to €2,280 million, the highest amount ever in the history of Irish farming. These exceptionally figures fully justify the decision to decouple payments from production.

While the overlap between the single payment scheme and the old premia scheme will not be repeated in 2006, direct payments are expected to exceed 2004 levels, with increased expenditure provided for under the single payment scheme and rural development measures. It should also be remembered that expenditure by the Department this year will be over €3 billion. This level of spending is testament to this Government's commitment to Irish agriculture and our confidence in this sector's future.

This motion speaks of the need to protect farmers' incomes. This is precisely the intention of Government policy and the measures we have taken at both national and international level. Even before the exceptional increase in farm incomes in 2005, the national farm survey estimated that income on full-time family farms was €30,650. The average industrial wage, although not directly comparable, was lower at €29,620 in 2004. These figures were compiled before the exceptional increase in 2005 incomes and I very much look forward to seeing the income figures for full-time farms when they are published shortly. They will show significant further increases and will bear full testimony to the poli-

cies being followed by this Government in encouraging the development of the agricultural sector.

The Government's objective is to develop a competitive mushroom sector for the maximum number of producers. This sector accounted for over 38% of horticultural production in 2005. The funding provided by the Department is making a major contribution to the development of the mushroom sector. The scheme of investment aid for the development of commercial horticulture assists capital investment in specialised plant and equipment by mushroom producers. For the period 2000-06, mushroom producers have been approved grant aid under this scheme of approximately €6 million to support investments in the industry to the value of some €17 million. Under the marketing and processing scheme, a total of €1.62 million has been approved in grant aid to support investments to the value of €4.6 million. In addition to this, the aid paid to the mushroom producer organisations in 2005 amounted to €5 million. As Deputy Crawford said, the number of growers has reduced but the output has not decreased. The sector is worth almost €100 million in exports to the economy.

Over the last six months some parts of the European poultry industry have been experiencing market difficulties arising from the publicity surrounding avian influenza. The problem has been felt acutely in Mediterranean countries, while more northerly countries have encountered far fewer problems. In Ireland demand has improved in recent weeks and is now approximately 10% down on normal. The rates of export refunds have already been increased to extraordinarily high levels but their impact has been limited due to low third country demand.

The EU has also decided that exceptional support measures may be considered for the poultry industry. Measures under this framework will be co-funded on a 50:50 basis by the EU and the individual member states. We will shortly propose a package of support measures to the EU Commission for approval and co-funding. At political and official level, we will work to achieve the best possible outcome on the introduction of the most useful special support measures to meet the particular needs of the Irish poultry sector. The Minister and I have had constant contact with this sector and know the difficulties it has encountered. We are determined to support it.

Following a number of successful years for the Irish dairy industry on international and EU markets, 2006 is proving to be more challenging. As the situation developed over recent months, we urged the Commission on several occasions to use the market management tools in a more effective manner to ensure the overall stability of the milk sector. I was, therefore, pleased that the Commission responded to developments on the international markets by increasing export refunds for butter and whole milk powder at the end of April and again at the last milk management committee, when the tender refunds were

accepted at a higher level for butter and butter oil.

Since the Luxembourg agreement of 2003 the dairy sector is operating in a new policy framework, where market forces have an even greater influence on the price paid for milk. It is critical that the sector as a whole maintains relative competitiveness and focuses on managing the transition to the next stage of intervention price reductions in July with the aim of maintaining and enhancing industry competitiveness and ultimately farm incomes.

Overall, it is clear that the range of measures taken in the specific sectors mentioned in the motion, as well as the overall results in terms of farm income, show the determination of the Government to underpin the income and viability of our farm families.

Asylum Applications.

Mr. Costello: I wish to raise the need for the Minister for Justice, Equality and Law Reform to take urgent measures to resolve the hunger strike by 41 Afghans in St. Patrick's Cathedral.

The Minister and the Government should proactively seek to resolve the hunger strike by the 41 Afghan men in the cathedral. To do that, there must be communication and engagement. The decision by the Office of the United Nations High Commissioner for Refugees to approach the Department is both welcome and significant. While the Minister may not be prepared to negotiate directly with the hunger strikers, he should be prepared to accept the offer and good offices of the UNHCR in seeking a resolution to the hunger and thirst strike. I am glad he has availed of the office's services.

The hunger strike is now in its fourth day in St. Patrick's Cathedral. Eight of the hunger strikers are minors, some of whom are unaccompanied and have been in the care of the HSE for up to two years and more. A number of them have been taken to hospital, including three today, one with a suspected heart attack. The human body deteriorates rapidly without food and water.

Dean Robert McCartney, Canon Pierpoint and their staff at the cathedral have handled the hunger strikers with great consideration and sympathy, providing sanctuary in the age-old tradition of the Christian churches. The situation, however, is totally unsatisfactory and worsening rapidly. I was there until 8.25 p.m. and my colleague, Deputy Michael Higgins, has been down a number of times and we have urged them to end the hunger and thirst strike.

There are avenues that can be pursued. A window of opportunity exists because none of them have been served with deportation orders and that offers room for flexibility. The men are not attacking the Minister's officials or saying the process is wrong; they are concerned that it does not take into consideration the needs of Afghan people in their situation. As a result, their applications are refused and they have no choice but

to engage private legal representation and engage in judicial proceedings in the High Court because the process has not been properly dealt with. However, they have no money to do this.

This case has brought certain issues into the open which the Minister has scope to deal with if negotiations between him and the UNHCR are maintained. Having set the process in motion with the UNHCR, which unfortunately has not answered any questions, the Minister must open up the scope of the discussions and negotiations and allow these men's direct concerns to be articulated. There is scope for a solution but communication must be maintained. The Minister and his Government must be willing to seek and ensure that a solution is found.

Lives, including those of minors and those in the care of the State, are at stake. As far as I can gather, the HSE has not received the resources necessary to deal properly with some of these young people. A total of 20% of those on hunger strike, some of whom have been on thirst strike for four days, are minors. The Minister should also take into consideration these aspects of the case.

Aengus Ó Snodaigh: I commend the clergymen, Residents Against Racism and the Dublin fire brigade for the excellent work they have carried out over the four days to ensure the men involved in this protest are looked after as much as possible. Over 40 men and teenagers are engaged in this protest. They are tired, some are very ill and some of them have, regretfully, resigned themselves to their fate. Nobody undertakes a hunger strike lightly, much less sticks with it as long as these men have done, unless he or she is convinced of the correctness and justice of the case.

This protest was brought about by the failure of the asylum system in Ireland to take cognisance of these men's case, the lack of compassion in the system, the prejudicial assumption of illegality against applicants, the blind adherence to the Fortress Europe doctrine and the failure to introduce complementary protections for individuals who fall outside the narrow convention criteria for refugee status but who may still be in grave danger should they be forced to return to their country of origin.

I call on the Minister to declare Afghanistan an unsafe destination, as the Ministers for Foreign Affairs and Defence have done by sending peace-keeping forces there. The Minister for Justice, Equality and Law Reform should also declare that nobody who fails his draconian asylum process will be returned to a war zone or an unsafe country. I doubt if Afghanistan makes the dubious EU white list of safe countries. The Minister should either meet the men or send an official from his Department to meet them. They are in his constituency, their case should be listened to and they should be granted the right to remain until, at very least, the ongoing war in Afghanistan ends.

Dr. Cowley: I am grateful for the opportunity to raise this very important matter. I welcome the intervention today by the UNHCR and ask the Minister to undertake an urgent review of the entire asylum process. I visited St. Patrick's Cathedral yesterday to discover why 44 Afghans were on hunger and thirst strike. These men must be assured that the asylum process will be fully transparent so that they know exactly what is going on at all times. They also need to be reassured that a decision has not already been made to deport the group *en masse* and that individual cases will be given proper consideration. They also need a translator who has no difficulty with the English language.

I was horrified to discover boys, some as young as 15, pupils at Terenure College in Dublin, who were on hunger and thirst strike. I visited them with Deputy Joe Higgins and we implored them to begin drinking again. They did so while we were there because they had received news that their representatives would meet Department officials. I understand that, unfortunately, some of them have resumed their thirst strike, which I very much regret.

The men were very upset that the system did not display the transparency they expected and hoped for. They were given no explanation as to why certain decisions were being made. Someone who had been guaranteed a response within three weeks would receive it one year later. They experienced difficulties with the Department translators who did not appear to have a full knowledge of English. These difficulties are compounding the situation in which they find themselves.

They deserve a fair hearing. I saw scars resulting from abuse on some of them. Space must be created to ensure that dialogue and justice can be achieved and seen to be achieved by the Irish people. This country prides itself on its compassion and I acknowledge the compassion shown by the courageous churchmen who, although they do not approve of the hunger strike, are treating the men with compassion; Dr. Austin O'Carroll; paramedics; ambulance staff who have tended to them; and the solidarity groups who are with them.

Most of all, I ask the Minister to extend the same humanitarian concern to these men that the Taoiseach asked to be extended to Irish people without proper documentation in the US. I hope the Minister acts in this regard. This problem can be easily resolved.

Mr. Cuffe: I compliment all those who have given assistance to the men and children in St. Patrick's Cathedral. I have concerns about the Refugee Appeals Tribunal and the men, whom I call upon to give up their hunger strike. I call on the Minister to do what he can either to meet with these men or facilitate a further meeting between them or their representatives and his Department.

My concerns about the Refugee Appeals Tribunal, which I have previously raised, still remain. The Minister appoints the members of the tribunal, there is no independent selection or interview and I have heard that at least one member has never granted leave to remain to any individual with whose case he has dealt. I do not know if the latter assertion is true but I do know that the process is at variance with international norms.

I make a direct appeal to the men and children to give up their hunger strike. I want them to go through the full legal process which remains available to them. It is crucial that they avail of this process and do not turn away from the agencies offering help.

I call on the Minister either to meet the men or facilitate a process of discussion with them. I am heartened by the fact that some meetings have taken place to date but there are real concerns about the process. Four out of every five applicants from Afghanistan have been refused. There are concerns about delays since some of the men have been waiting for decisions for many years, concerns that their stories are not being listened by those they meet in the Refugee Appeals Tribunal and very simple concerns about translation and their inability to make themselves clear. The desperate measures they have taken are a reflection of the desperate situation which exists in the system, which needs radical reform. It does not simply concern the problems of Afghanistan; it also concerns the problems of the Refugee Appeals Tribunal. I ask the Minister to assess carefully any application made to him under section 3 of the Immigration Act 1999.

Minister for Justice, Equality and Law Reform (Mr. McDowell): On Sunday, 14 May 2006, 34 individuals claiming to be Afghan nationals entered St. Patrick's Cathedral in Dublin and commenced a hunger strike, which they stated would not end until they were granted asylum or leave to remain in Ireland. There are approximately 40 such persons in the cathedral at the present time. No request has been received from the dean or chaplain of the cathedral for any form of State intervention to remove them. It is not true to suggest, as has been suggested in the House this evening, that some form of sanctuary has been offered or afforded to them.

I am advised that in respect of the individuals concerned, one person made an asylum application in late 2003, 18 people made asylum applications in 2004, 17 people made asylum applications in 2005 and four applications were made this year, one as recently as late March. Based on the information available, the Garda National Immigration Bureau believes that one individual in the cathedral may have been awarded refugee status and that one person may have been awarded leave to remain. As the majority of the cases in question are either in the asylum or leave to remain process, I am advised that on the basis of the names available to my Department at this

stage, no individual has been issued with a deportation order.

It is important that I preface my remarks by pointing out that it has been the policy of successive Ministers for Justice, Equality and Law Reform not to comment on individual applications or groups of asylum claims from particular nationalities. That said, there are two fundamental principles underlying the asylum process. First, when asylum seekers come here and seek our protection, their cases are fairly and independently examined. Second, a deportation process after a person's case has been dealt with fairly and subject to the relevant statutory safeguards is central to the proper running of any immigration and asylum system.

Therefore, the task for the independent refugee determination agencies in the case of each individual asylum seeker is to determine whether, following investigation, he or she is deemed to fall within the terms of the refugee definition in the Refugee Act 1996 on the basis of all the information gleaned. As Deputies are aware, two independent statutory offices consider applications or appeals for refugee status, namely, the Office of the Refugee Applications Commissioner, known as ORAC, and the Refugee Appeals Tribunal, known as the RAT. The United Nations High Commission for Refugees is given full access to the refugee determination process and can examine any case at any time to ensure that fair procedures and our Geneva Convention obligations are complied with.

The asylum process in place in the State is comprehensive and compares well to many other countries, particularly our EU partners. This fact was recently acknowledged by a former UNHCR representative to Ireland who is quoted as stating that Ireland is now a model for the new member states of the European Union and that we now have "a system which in many respects is one of the best in Europe".

Every asylum application is considered on its merits. Not only is the case tabled by the applicant considered, but a wide variety of sources are also consulted by ORAC and the RAT before making a recommendation, including information from organisations such as the UNHCR, Amnesty International, other EU member states and media and Internet sources. The assessment carried out includes determining whether an applicant has a well-founded fear of persecution, whether the persecution is related to a Geneva Convention reason, whether the applicant is unable or unwilling to return to his or her own country, what internal protection alternative, if any, might be available within that country and credibility issues, which it is extremely important to consider.

Every asylum applicant is guaranteed a right of appeal to a statutorily independent and separate body, the RAT. Every asylum applicant is also guaranteed access to legal assistance provided by the Refugee Legal Service and to interpretation services. Therefore, I find it difficult to accept the

suggestion that money is an issue for these asylum seekers. There is a legal service that provides assistance to all persons with stateable cases.

Mr. Costello: It is an issue.

Mr. McDowell: Under the provisions of section 17(1) of the Refugee Act 1996, the final decision in respect of an asylum application is a matter for the Minister for Justice, Equality and Law Reform based on the recommendation of the Commissioner or the decision of the tribunal. However, under the legislation scheme, the Minister is obliged except in exceptional circumstances to accept a recommendation that a person should be given refugee status.

Regarding the processing of claims from unaccompanied minors for asylum, strong safeguards are in place, including assistance from a representative of the Health Service Executive in each case and comprehensive access to the Refugee Legal Service. Comprehensive training is provided to specialist case workers who deal with unaccompanied minors in ORAC and members of the RAT. This training, in conjunction with the training in the asylum process, has been provided in co-operation and consultation with the UNHCR.

In the course of contributions, reference has been made to the presence of minors among the group in question. While some people refer to them as children, they seem to be between the ages of 16 years and 18 years.

Mr. M. Higgins: Or 15 years.

Mr. McDowell: Whether it is permissible or appropriate for an unaccompanied minor to be allowed by adults to participate in a hunger strike or threaten self-harm as part of an organised protest is a matter not merely for those adults but also the HSE, which must form a judgment in the interests of that minor and take whatever action is appropriate to protect the minor. I wish coldly and rationally to emphasise this point.

Mr. Costello: The HSE is doing that. It is in the cathedral.

Mr. McDowell: We must consider the minors' interests separately. No adult of any kind or from anywhere has the right to organise a protest in which self-harm or hunger striking is encouraged on the part of a child. There is no walking away from this. We will not be manipulated by people who are attempting to exploit minors and put them in the way of danger.

Mr. Costello: The Minister should not blame the HSE.

An Leas-Cheann Comhairle: Order.

Mr. McDowell: I am not blaming the HSE in the slightest. I have full confidence that the HSE will take every step in accordance with its statu-

[Mr. McDowell.]

tory duty to protect minors. Others, particularly support groups, should see the wood from the trees. No group of adults or political lobby has the right to take children or minors and put them in the way of self-harm. It is fundamentally wrong and must be condemned out of hand.

Asylum applicants from Afghanistan amounted to 24 people in 2003, 106 in 2004, 142 in 2005 and 40 to the end of April of this year. After a fair and comprehensive determination process at first instance in ORAC, there were 30 grant applications, which is more than 10%, in the period 2003-06 to date. This compares to 232 refusals during the same period. At appeal stage in the RAT, the number of Afghan refugees granted status was 23 in the same period. In total, there were 53 grant applications, an undeniably high recognition rate. The number refused status at appeal was 76 during the same period. It is emphatically not the case that anyone who travelled from Afghanistan to Ireland by whatever means — there are no direct flights — can demand to remain in Ireland simply by pointing to the disturbed or dangerous conditions that may obtain in parts of that country. If that were the case, the State would be obliged to accommodate any person claiming to be an Afghan.

In accordance with section 3 of the Immigration Act 1999, as amended, a person who has failed the asylum process and been refused refugee status in the State is entitled to make representations to the Minister within 15 working days setting out reasons as to why he or she should not be deported, voluntarily leave the State or consent to deportation. This is colloquially referred to as the humanitarian leave to remain phase.

Following consideration of each case, a decision is taken on whether to deport or grant temporary leave to remain. Section 3(6) of the Act requires the Minister to consider 11 factors, including representations received by or on behalf of the person, family and domestic circumstances, humanitarian considerations etc. The safety of returning a person, or *refoulement* as it is referred to, is fully considered in every case when deciding whether to make a deportation order. This means that a person shall not be expelled from the State or returned in any manner whatsoever to a state where, in the opinion of the Minister, 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. The Department of Justice, Equality and Law Reform uses extensive country of origin information drawn from different independent sources, including the UNHCR, in evaluating the safety of making returns to third countries. I am satisfied that the procedures followed in all cases ensure that all asylum requests are considered in a comprehensive and fair manner.

At the request of the individuals concerned, a meeting was held with senior officials of my Department on Tuesday afternoon at the headquarters of the Irish Naturalisation and Immigration Service. The meeting was attended by some of the persons in the cathedral, representatives of the Church of Ireland and the chairperson of the Afghan Social Cultural Centre and the Afghan Society of Ireland. Absolutely no negotiations took place at this meeting. It presented an opportunity for the individuals in question to communicate their issues and concerns to the Department.

At the meeting my officials, while clarifying that they were not in a position to speak about individual cases, took the opportunity to outline the comprehensive statutory framework and procedures governing the asylum and leave to remain process, which I have just explained to this House yet again. It was also pointed out at the meeting that the Government is not in a position to concede to demands from the protestors with regard to the awarding of residency status in this State. No decision will be taken, except in the context of the normal statutory framework governing the asylum and leave to remain process.

It was further pointed out that concessions of the sort demanded would have major negative consequences for the asylum process. At times there can be over 100 nationalities in our asylum system and to concede to such group demands from the protestors would have inevitable negative consequences for the entire refugee determination process. There is no doubt that it would also act as a pull factor in terms of a major increase in asylum applicants on the basis of a perception that they would benefit from similar action. I am not going down that road and the Belgian experience is warning enough for me and the Government of the consequences of making bad decisions in the face of such tactics.

The UNHCR representative in Ireland offered to meet a representative group of the protestors this evening. That meeting has taken place and I am grateful to the representative for the intervention.

I reiterate what the Taoiseach said in this House yesterday, that we simply cannot operate our asylum and leave to remain process on the basis of caving in to threats of hunger strikes or the occupation of historical buildings. I have, in the past, been confronted with threats of hunger strike by people who have sewn their mouths shut to demonstrate their determination. I have been confronted with threats of suicide, self-harm and so forth. It has been our invariable practice to refuse to be influenced by such tactics. No democratic society can do business on that basis and the Irish people would not tolerate us capitulating in such a fashion.

The Dáil adjourned at 9.45 p.m. until 10.30 a.m. on Thursday, 18 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 10, inclusive, answered orally.

Questions Nos. 11 to 58 resubmitted.

Questions Nos. 59 to 69, inclusive, answered orally.

Official Languages Act.

70. **Mr. O'Shea** asked the Minister for Enterprise, Trade and Employment the cost to his Department of fulfilling its obligations under the Official Languages Act 2003 for each year since its inception; the budgeted cost of these obligations for 2006; the distribution of these costs between different sections of his Department; the percentage of this cost that relates to staff costs; and if he will make a statement on the matter. [18196/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): My Department has not yet been notified to prepare a Statutory Scheme under Section 11 of the Official Languages Act, 2003. However, since 2003 my Department has complied with all the appropriate sections of the Act that have commenced, namely, Section 9.2 relating to correspondence etc, received in the Department in the Irish language and Section 10 relating to publishing key policy documents simultaneously in Irish and English. It is not possible to provide a breakdown of the costs to the Department of fulfilling its obligations under the Official Languages Act since its inception in 2003, because accurate figures are not available for the years 2003 and 2004. However, I can inform the Deputy that the figure for 2005 was €49,153 and that expenditure to date in 2006 amounts to €1,276. The budgeted costs of these obligations on the Department for 2006 is €50,000. My Department has made provision in the 2006 Estimates for an additional €125,000 to enable it to fulfil any further obligations on the Department this year under the Official Languages Act.

It is not possible, in the time available, for the Department to provide information on how the above costs could be distributed between different sections of the Department or to provide information on the percentage of the above costs which relate to staff costs.

Industrial Development.

71. **Mr. Deenihan** asked the Minister for Enterprise, Trade and Employment the efforts made by the IDA to provide employment and attract foreign direct investment into County Kerry in view of the unacceptable number of job losses in the county; and if he will make a statement on the matter. [18463/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): IDA Ireland is the agency with statutory responsibility for the attraction of foreign direct investment to Ireland. Under the Industrial Development Acts I am precluded from giving directives to the Agency regarding individual undertakings or from giving preference to one area over others.

IDA Ireland assures me that it is actively promoting County Kerry and the advantages of locating in Kerry, which include a young skilled population, the presence of an institute of technology, and the availability of first class business parks and a regional airport to potential new investors and is also working closely with existing clients in Kerry to encourage them to expand their operations. In addition IDA Ireland is also working with a wide range of bodies at local level, including FAS, to enhance the attractiveness of the county for investment.

The job losses that have occurred with the closure of Jet Environmental, Transmould and Sara Lee, are regrettable and stem from the fact that Ireland is now much less competitive in certain types of operations. Job creation and losses are a feature of economic development in all countries as various sectors expand and contract in response to market demand, competitive forces,

[Mr. Martin.]

restructuring and technological change. Despite these job losses there remains a diverse range of companies in Kerry representing a number of industry sectors such as, Engineering, Pharmaceuticals and Consumer Products. Indeed at the end of 2005, there were 1,888 people in permanent employment in eighteen IDA assisted companies in the County.

The latest Quarterly National Household Survey, dated Sept-Nov 2005, shows that unemployment in the South West Region, which includes Kerry, has decreased by some 6.1% over the previous 12 month period. Employment in the region has, in fact, increased by 6.4%, or 17,500 jobs, over the same period. This compares with the national increase of only 4.6%. In the 12 month period to April '06, the live register has decreased in by -0.3% in Kerry compared to an increase of 1.9% in this period in both the South West Region and the nation as a whole.

To support and enhance the marketability of the county for new investments IDA Ireland and Shannon Development (SFADCo), which has responsibility for providing property solutions in the north of the county, are investing significantly in the provision of planned and focussed property solutions.

I am confident that the strategies and policies being pursued by IDA Ireland, together with the ongoing commitment of Government to regional development, will continue to bear fruit in terms of maximising sustainable investment and jobs for the people of Kerry.

Question No. 72 answered with Question No. 68.

Employment Rights.

73. **Mr. Crowe** asked the Minister for Enterprise, Trade and Employment if an assessment will be carried out to determine whether workers are being denied adequate toilet breaks by employers in view of the fact that such actions by employers, which have been encountered in other jurisdictions, can result in potentially serious health problems for workers. [18343/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Organisation of Working Time Act 1997 transposed into Irish law the EU Council Directive 93/104/EC of 22 November 1993 concerning certain aspects of the organisation of working time. One of the objectives of the Directive is the improvement of workers' safety, hygiene and health at work.

The 1997 Act provides that an employee is entitled to a break of 15 minutes after working for more than four and a half hours and to a further break of 15 minutes after working for more than six hours. The Act did not specifically define the types of break in order to give both employees and employers flexibility on the issue.

If an employee is being denied such breaks by his or her employer it would be open to such an employee to refer the matter to a Rights Commissioner under the 1997 Act claiming a breach of that Act. A Rights Commissioner can award an employee an amount up to two years remuneration for a breach of the Act.

It would also be open to an employee who is in dispute with his or her employer over the issue of breaks to refer the matter to a Rights Commissioner under the Industrial Relations Acts. However, this is a voluntary service and if the employer refuses to attend the hearing of the Rights Commissioner the case cannot be heard.

In such a situation an employee can refer the dispute to the Labour Court under section 20 of the Industrial Relations Act 1969. To make such a referral the employee must undertake beforehand to be bound by the recommendation of the Rights Commissioner. The Labour Court will hear the case even in the absence of the employer. It should be pointed out that neither the recommendations of the Rights Commissioner or of the Labour Court under the Industrial Relations Acts are legally binding. However, they are widely accepted as being morally binding.

Having regard to the above legislative provisions, I do not propose to carry out an assessment in order to determine whether workers are being denied adequate breaks by their employers. I would, nevertheless, expect and indeed urge, all employers to take a reasonable and common sense approach to the granting of breaks by allowing employees to take such breaks as and when they are required.

Bullying in the Workplace.

74. **Aengus Ó Snodaigh** asked the Minister for Enterprise, Trade and Employment if he will introduce a requirement that bullying as a risk, together with policies and procedures to mitigate that risk, be included in every employer's safety statement as recommended in the report of the Expert Advisory Group on Workplace Bullying published in August 2005. [18338/06]

146. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment the reason he has decided that it is necessary to wait on an updated survey of the incidence of workplace bullying, not due to be completed until at least October 2006, before acting to implement the recommendations of the Expert Advisory Group's Report on Workplace Bullying published in August 2005. [18335/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I propose to take Questions Nos. 74 and 146 together.

The Expert Advisory Group's Report on Workplace Bullying was launched and published

by me on the 17th August 2005. An important recommendation contained in the Report was that a follow up survey on workplace bullying, similar to that commissioned for the 2001 Report, be conducted as soon as practicable to establish a baseline from which the effectiveness of the new structures and processes would be measured.

This Department issued tenders for the survey and has recently awarded the contract to the successful tenderer. The survey is expected to take about 6 months to complete.

There was not full agreement within the Expert Advisory Group on some of its recommendations. One example of this is the recommendation that bullying should be a mandatory inclusion as a risk in every employer's Safety Statement and that the Health and Safety Authority would be charged with ensuring that this is enforced.

I have already given a commitment to publish the results of the survey, which will be brought to Government along with the Report and the views of the Social Partners and other interested parties, for decision on how best to implement the Report's Recommendations, including that mentioned above.

Question No. 75 answered with Question No. 68.

Health and Safety Regulations.

76. **Caoimhghín Ó Caoláin** asked the Minister for Enterprise, Trade and Employment if he will initiate an investigation into the health and welfare of workers who are compelled to stay on their feet for most of the working day and the occupational health risks associated with prolonged standing at work. [18341/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): Regulation 4 of the Safety Health at Welfare at Work (Miscellaneous Welfare Provisions) Regulations 1995 (S.I. No. 358 of 1995) states:

Industrial Turnover Index 2000-2005 (Base Year 2000)

Sector	2000	2001	2002	2003	2004	2005
Manufacturing Industries	100	107.7	110.3	107.2	108.4	113.0
Annual % Change		7.7	2.4	-2.8	1.1	4.2

Source: CSO Release Industrial Production & Turnover Table 6 (12 May 2006).

Turnover for manufacturing industries has increased year-on-year from 2000-2005, except for 2003 where turnover was down 2.8 percent on 2002. From 2004-2005, the annual increase in turnover for manufacturing industries was 4.2 percent, the highest annual increase since 2001.

However there are significant differences in the relative performance of various manufacturing sectors. Two 'modern' sectors have performed

“It shall be the duty of every employer to ensure that where any employed persons have in the course of their employment reasonable opportunities for sitting without detriment to their work or where a substantial proportion of any work done by employed persons can properly be done sitting, there shall be provided and maintained for their use suitable facilities for sitting.”

If work can be carried out whilst seated, then seating should be provided in all cases. However, if a risk assessment identifies a risk of injury to a worker because of the nature of the work, then remedial action must be taken to minimize the risk.

If the employer does not appropriately deal with the matter, the employee may refer it to the Health and Safety Authority, which will, if warranted, investigate the matter and if necessary, take appropriate enforcement action.

An indicative list of occupational health risks associated with standing at work cannot be provided as risks, if arising and identified in a risk assessment, would depend on the specific job, the individual employee, hours of work, nature of the task etc.

Manufacturing Sector.

77. **Mr. Kenny** asked the Minister for Enterprise, Trade and Employment his views on the fact that manufacturing turnover has increased by less than one per cent from 2000 to 2005; and if he will make a statement on the matter. [17873/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The manufacturing sector in Ireland continues to perform strongly, both in terms of increasing turnover (monetary value) and production (volumes of units produced). According to the latest CSO Release — Industrial Production and Turnover (dated 12th May 2006), overall turnover in 2005 is up 13 percent relative to 2000 in manufacturing industries.

very strongly over the period with turnover for Publishing, Printing and Reproduction of Recorded Media up 42 percent relative to 2000 while turnover in the Chemicals Sector increased by 24 percent. There has also been substantial increases in turnover for more traditional sectors. From 2000-2005, turnover for Food, Beverages and Tobacco increased by 16 percent, Wood and Wood Products by 27 percent, and Minerals by

[Mr. Martin.]

10 percent. Two sectors in particular have experienced considerable turnover declines over the same period with turnover for Textiles and Textile Products having fallen by 35.6 percent relative to 2000 and turnover in the Leather and Leather products sector declining by 83 percent relative to 2000.

To assist industry maintain competitiveness and increase productivity the economic development agencies are working on an ongoing basis to promote the adoption of new technology and best practice at company level. The agencies aim to support sustainable, high value added enterprise in Ireland through the provision of mentoring and developmental supports, the enhancement of management capabilities and critical workforce skills in client companies, support for the creation and implementation of strategies for market entry, development and growth, and strong supports for innovation and for research and development.

Trade Regulations.

78. **Mr. M. Higgins** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the companies that have been affected by Statutory Instrument 130 of 2006, European Communities, Trade with Iraq, Regulations 2006; if so, the names of those companies and the nature of their trade with Iraq; and if he will make a statement on the matter. [18201/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Aherne): Statutory Instrument number 130 of 2006, European Communities Trade with Iraq Regulations 2006, provides for penalties for infringements of Council Regulation (EC) No. 1210/2003 which prohibits the import, export and dealing in any item of illegally removed Iraqi cultural property. The Order also revoked European Communities (Trade with Iraq) Regulations 1997 (S.I. No. 370 of 1997) which provided for penalties for breaches of the EU prohibition on trade with Iraq. I am not aware of any companies affected by this Order.

Employment Rights.

79. **Mr. Gilmore** asked the Minister for Enterprise, Trade and Employment the steps he proposes to take in view of the commitment in the partnership talks to increase the number of labour inspectors from 31 to 90 to ensure the speedy recruitment of such inspectors having regard to the difficulties which were experienced by his Department in attempting to recruit the existing additional inspectors to bring that number up to 31; and if he will make a statement on the matter. [18194/06]

94. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment if it is his

intention to establish the Labour Inspectorate as a statutory body with enhanced powers, separate from his Department; and if so, the reason for this decision. [18472/06]

98. **Mr. Cuffe** asked the Minister for Enterprise, Trade and Employment the reason for the delay in implementing the recommendations of the report on the mandate and resourcing of the Labour Inspectorate regarding the streaming of the record keeping requirements to tie in with the statements of pay; and when he expects the proposal to come into operation. [18468/06]

143. **Mr. Gormley** asked the Minister for Enterprise, Trade and Employment if he intends to introduce legislation that will compel companies to inform labour inspectorates of breaches by contractors or sub-contractors in pay rates and employment standards that come to their attention. [18473/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 79, 94, 98, and 143 together.

The Social Partners, and the various Government Departments concerned, have been carefully considering a range of options that will underpin an enhanced employment rights compliance regime. The staffing and resourcing of the Labour Inspectorate in the context of a possible new employment rights compliance model is just one feature of those considerations.

The discussions have also included reflection on the obligations and responsibilities applying to main contractors and their subcontractors. A consensus has already been established around the proposition that record keeping should be improved and that the information provided in Statements of Pay can be enhanced. However, while considerable progress is being achieved on these, and other matters, a definitive conclusion is still awaited. The necessary steps to implement the various commitments that may emerge from the discussions will be undertaken without delay once those conclusions are finalised.

Grocery Industry.

80. **Mr. G. Mitchell** asked the Minister for Enterprise, Trade and Employment his views on whether the profit levels of grocery multiples operating here should be published; and if he will make a statement on the matter. [17895/06]

145. **Mr. Eamon Ryan** asked the Minister for Enterprise, Trade and Employment if, in view of the lack of discernible reduction in grocery prices following the abolition of the Groceries Order and the lack of price transparency along the supplier chain, he intends to review his decision not to oblige large retail companies to publish details of their annual turnover and profit. [18464/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 80 and 146 together.

The Groceries Order was in place for many years and was abolished less than 2 months ago. I believe it is much too early at this stage to expect to see any significant impact on the grocery sector. However, I have asked the Competition Authority to monitor the sector and the Authority is currently putting in place a monitoring mechanism to track data and trends over coming months and years.

It is important to remember, however, that the Order was abolished for a number of reasons, including the fact that in certain circumstances it criminalised shopkeepers for passing on discounts to consumers. In deciding that the Order should be repealed the Government simply decided to remove an obstacle to competition.

As regards the reporting and disclosure requirements of grocery multiples, all companies operating in Ireland are free to establish and organise themselves in the most suitable form to promote and run their business, provided they comply with national and EU legislation.

The disclosure requirements regarding accounts reflect the requirements of the 4th and 7th EU Company Law Directives. These are found in the 1986 Companies (Amendment) Act and the European Communities (Companies Group Accounts) Regulations 1992, as amended, which allow multi-national companies with Irish subsidiaries to file annual returns (with audited accounts) for the financial affairs of the parent undertaking and the subsidiary undertaking as a whole.

I think it would be inappropriate to compel one specific sector to disclose commercially sensitive information publicly. If such disclosure were required generally in the economy it might discourage foreign direct investment, as many multinationals might prefer to establish elsewhere. Further, many companies operating in Ireland at present choose to register as “unlimited” companies which, depending on whether they are public or private, have lesser disclosure requirements.

Employment Rights.

81. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment the reason, in view of the growing concerns regarding the employment conditions of workers who are employed in domestic service, he has not asked the Labour Court to investigate the employment conditions prevailing for these workers as he is entitled to do under the provisions of Section 24 of the Industrial Relations Act 1946. [18334/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Labour Inspectorate of the Department is responsible for monitoring certain

employment conditions for all categories of workers in Ireland, including immigrant workers. The Inspectorate operates without any differentiation with regard to worker nationality as statutory employment rights and protections apply to immigrant workers in exactly the same manner as they do to other workers.

In the area of pay and conditions, it is primarily the provisions of the National Minimum Wage Act, 2000 and the Organisation of Working Time Act, 1997 that apply to employees who are employed in domestic service. Employees, working in the provision of domestic service, as is the case for employees in most other areas of the economy, are not categorised in any unique fashion in current employment legislation.

Inspectors pursue allegations of worker mistreatment and when evidence of non-compliance with the relevant employment rights legislation is found, the Inspectorate seeks redress for the individual/s concerned and, if appropriate, a prosecution is initiated. In this regard, I urge anyone who has evidence of the mistreatment of workers to furnish all the relevant details and any related materials to the Inspectorate with a view to pursuing the matter.

The Labour Relations Commission commissioned the University of Limerick to carry out a review of the JLC system in 2005. Arising from this review and following bilateral consultations with the social partners and stakeholders, the Department prepared a paper as the basis for implementation of the review in further consultation with the social partners and stakeholders, in the context of the current partnership talks. Discussions with the social partners are ongoing regarding the appropriate measures to support the employment rights of domestic workers.

Against this background, I do not propose to avail of Section 24 of the Industrial Relations Act 1946 to request the Labour Court to furnish a report into the employment conditions prevailing for domestic workers.

Economic Competitiveness.

82. **Mr. Ring** asked the Minister for Enterprise, Trade and Employment his views on the assessment by a person (details supplied) in a report Productivity; Ireland's Economic Imperative that the trend in GNP based productivity has been deteriorating since 2000; and if he will make a statement on the matter. [17874/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Ireland has enjoyed substantial economic growth since the 1980s. In particular, the period since the mid-1990s saw a surge in Irish economic growth, as a result of both improved productivity and increased employment. While Ireland's productivity growth as measured by GNP per worker has been strong relative to other countries, between 2000 and 2005 it slowed down significantly. This was in

[Mr. Martin.]

large part due to the general economic slowdown in the early years of the new millennium, the consequences of which was felt globally. Generally speaking, Ireland's productivity performance since 2000 compares well with most other developed countries and above the EU average. While productivity growth in Eastern Europe was much stronger in this period, this was from a much lower base.

Productivity is one of the key determinants of competitiveness and growth. Radically improving productivity across all business sectors is a competitive imperative we cannot ignore if we are to maintain and improve our living standards. There is a range of factors that impact on productivity levels. For developed economies, knowledge and its development and use, through investment in skills, education, research and development plays a vital role in the drive towards higher levels of productivity. Investments in infrastructure and technology, particularly ICT, are also critical in raising productivity levels. Productivity growth at the firm level can be achieved through better management practices increased innovation and organisational design.

The report to which the Deputy refers concludes that there are three ways to improve productivity — further investment in physical capital, investing in education and training and thirdly by making better use of ICT. Over the last few years our policies have been directed towards achieving improvements in all of these areas.

The report highlights the significant discrepancies in the productivity performance between different sectors of the economy, which was also raised in the Annual Competitiveness Report 2005. Superior productivity growth has been concentrated in a small number of sectors (Pharmaceuticals, ICT) with evidence of much weaker productivity growth in sectors of the economy less exposed to international competition such as retail, construction, general services and in some sectors of indigenous manufacturing.

The enterprise agencies of my Department have been mandated to adjust their support strategies to the needs of their clients in the modern global economy. To assist the drive towards competitiveness and increased productivity the enterprise development agencies are working with companies to

- provide mentoring and developmental supports,
- enhance management capabilities and critical workforce skills,
- support the creation and implementation of strategies for market entry, development and growth,
- build productivity, and
- provide support for innovation and for research and development.

In 2005, Enterprise Ireland launched a €20 million Productivity Improvement Fund, which will greatly assist Irish firms in their drive for higher efficiency and international competitiveness.

Energy Costs.

83. **Ms C. Murphy** asked the Minister for Enterprise, Trade and Employment the research his Department is undertaking or intends to undertake into the effects rising energy prices will have on job securities; the dialogue he has or intends to have with industry on the matter; the point at which intervention to protect jobs would be needed; and if he will make a statement on the matter. [18388/06]

102. **Mr. O'Dowd** asked the Minister for Enterprise, Trade and Employment his assessment of increased energy costs on small and medium enterprises; and if he will make a statement on the matter. [17872/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 82 and 102 together.

Escalating energy costs are affecting the cost structure of all sectors of the economy, including households. Global energy markets have seen sustained increases in price levels for the past two years. No consumer, whether industrial, commercial or personal is immune from the impact of higher oil, gas and electricity prices as a result of price changes on international markets. We are all price takers in this regard. However, the Irish economy has proved resilient with growth of 4.7% in GDP in 2005 with continued expansion of many sectors including those that are energy intensive (e.g. Pharmaceuticals, food and drink, construction etc). Despite elevated energy prices over the past couple of years there is no indication that high prices are having a marked impact on economic growth or employment.

Energy costs are predominantly a global issue, as they are driven by oil prices. The development agencies under my Department are monitoring the issue of energy costs and the impact of such costs on the overall competitiveness of companies. I meet and consult with business and industry as part of my job. This takes place both formally and informally. In addition, industry representatives input to current preparations for the next National Development Plan and to the Social Partnership process.

My colleague the Minister for Communications, Marine and Natural Resources who has primary responsibility in this area is preparing a national energy policy paper that will address key policy options for energy management. This will help address energy cost developments faced by enterprise and set out policy on a range of issues affecting energy and oil dependency.

As part of Government policy to improve the energy market the Government in co-operation

with the Northern Ireland authorities, is working on changes to both legislation and the regulatory process that will bring about an all island energy market. This will have a positive influence on energy costs to users. In addition, Sustainable Energy Ireland has been vigorously promoting and advising on energy efficiency through a range of programmes over the last number of years and is eager to provide its energy conservation and efficiency services to the SME sector.

Departmental Investigations.

84. **Ms Shortall** asked the Minister for Enterprise, Trade and Employment the costs incurred by the State, at the latest date for which figures are available, arising from the various inquiries instigated by or on behalf of his Department; the element of these costs which have been recovered from any of the other parties involved; and if he will make a statement on the matter. [18223/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The costs incurred since 1997 on company investigations initiated by or on behalf of my Department currently amount to approximately €11.3 million. This amount does not include the salary costs of civil service staff who worked on a number of these investigations or those legal costs borne by the Vote of the Chief State Solicitor.

Costs of some €9.3million were incurred by High Court inspectors appointed under Section 8 of the Companies Act 1990, €5.8 million in the case of National Irish Bank Limited/National Irish Bank Financial Services Limited and €3.5 million in the case of Ansbacher (Cayman) Limited. In the case of the Ansbacher enquiry, the High Court proceedings taken by the State to recover the costs of the inquiry were settled out of court for the sum of €1.25m in favour of the State. In the case of National Irish Bank Limited/National Irish Bank Financial Services Limited, the Court ordered that National Irish Bank pay the full costs of the investigation. I understand that the Department of Justice, Equality and Law Reform, which had borne the costs of the investigation, has recouped the full cost from National Irish Bank. The aggregate recoupment to the State from Section 8 investigations was €7.05 million or over 75% of the total of €9.3million.

The balance of €2 million represents the costs arising from section 19 examinations. Section 19 as originally enacted did not provide for the recoupment of costs. This has now changed with the enactment of the Company Law Enforcement Act 2001.

Economic Competitiveness.

85. **Mr. Allen** asked the Minister for Enterprise, Trade and Employment the number

of the National Competitiveness Council's various recommendations which have been implemented; and if he will make a statement on the matter. [17889/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): In its Competitiveness Challenge 2005 (launched in November last year) the National Competitiveness Council emphasised the importance of the strategic direction enterprise policy is now taking. The NCC also suggested a range of policy choices for which my Department would be responsible and others that fall under the remit of other Government Departments.

The NCC gave policy advice and comment in the following four areas;

Taxation and Regulation,
Economic and Technological Infrastructure,
Education and Training and,
Entrepreneurship and Innovation.

Each of these four areas have been addressed in the context of the NCC's specific suggestions and advice received from the Enterprise Strategy Group.

The Council in 2005 set out a vision that requires two complementary and cross cutting imperatives — promoting a dynamic and competitive export base and raising productivity across the entire economy. Work in these strategic areas has moved from policy planning to the detail of operational implementation. In May 2005 I launched Enterprise Ireland's new strategy "Transforming Irish Industry". This is delivering new programmes to help internationalise Irish companies and improve their capacity to win more business in new markets. It also provides significant support to help reorientate firms towards more innovation and developing the potential of start-ups. I also approved an extensive Productivity Fund with a budget of €20 million to help indigenous firms improve productivity across their business functions. This Fund is managed by Enterprise Ireland. Meanwhile, IDA Ireland continues to be a world class development agency in both the quality and sophisticated export orientated investments it consistently attracts here.

In relation to other recommendations under the remit of my Department, the NCC commented on the importance of business regulation and I have set up the Business Regulation Group under the Chairmanship of Mr. Donal de Buitleur to advise the Government on how the perceived compliance burden on business can be lightened.

In the areas of training and labour force development, FÁS has been provided with €35.6 million to invest during 2006 in more training for those in employment. €8.5 million was allocated to the Training Networks Programme (TNP) operated by Skillnets Limited, a social partner

[Mr. Martin.]

company. TNP supports in-company training and development by firms cooperating with each other in training networks. In addition €6 million was allocated to the ACCEL Programme, which was launched in October 2005. This Programme supports in-company training and is aimed at companies working together in groups.

In relation to the objective of promoting competitive markets, I have provided additional resources to the Competition Authority, abolished the Groceries Order and have given the National Consumer Agency a strong mandate to be a loud voice for consumer interests.

Other Government Departments are also playing their part in implementing the recommendations of the National Competitiveness Council. The 2006 Finance Bill phased out several property tax breaks and increased Revenue powers in line with NCC recommendations and the Strategic Infrastructure Bill is currently being examined in the Oireachtas.

Industrial Development.

86. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the number of small and medium sized enterprises set up here in the past year; the number of such businesses that have closed same in the same period; and if he will make a statement on the matter. [18401/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): We do not currently have precise statistics in relation to the total number of new small and medium sized enterprises established each year. However, during the period 1st May 2005 to 30th April 2006 a total of 17, 707 companies were registered with the Companies Registration Office, which operates under the aegis of my Department. The vast majority of these would have been small or medium-sized enterprises.

During the same period a total of 12,389 companies were struck off; these were comprised of 7,943 involuntary strike offs, 3,208 voluntary strike offs and 1,238 Revenue strike offs. In addition there were 1,223 liquidations notified during the period in question.

Another indication of activity in this area can be inferred from the total number of VAT registrations maintained, on an annual basis, by the Office of the Revenue Commissioners. This shows that, at the end of 2005, there were a total of almost 254,000 such registrations. This was up from 236,000 at the end of 2004, giving a net increase of around 18,000.

I might also add that one of the recommendations of the Small Business Forum, whose report I have just published, was that the Central Statistics Office should publish an annual 'Small Business Release' which would present up-to-date, robust data on a range of indicators relevant

to the small business sector. This 'Release' would enable emerging trends to be monitored and key business issues to be identified. My Department will be pursuing this recommendation with the Central Statistics Office.

Business Regulation.

87. **Mr. Ring** asked the Minister for Enterprise, Trade and Employment the number of meetings of the Business Regulation Group which have taken place to date; the action which has been taken arising from those meetings; and if he will make a statement on the matter. [17886/06]

123. **Mr. Bruton** asked the Minister for Enterprise, Trade and Employment the areas of Government regulation for which he is responsible that he considers unwieldy or anti-small business; if he intends to instigate reform in this area; and if he will make a statement on the matter. [17894/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 87 and 123 together.

The first stage in the strategy of ensuring that the regimes that regulate business are proportionate, effective and efficient is to gather evidence as a basis for framing and delivering reform. I set up two complementary bodies to achieve this end, the Business Regulation Forum and the Small Business Forum:

Business Regulation Forum

The BRF has been operational since November 2005. It is a standing dialogue on regulatory issues between Government and business and was established on the basis that it be a problem-solving entity and would identify areas where regulatory reform was necessary. The goal of the BRF for end-2006 is to draw on the experience and expertise of its members and on evidence-based analysis to develop an agreed report on achieving a measurable reduction in the regulatory compliance burden for businesses. The BRF has met 5 times to date towards that end. Its work programme for 2006 will draw, inter alia, on the following elements: An analysis of submissions received on existing regulatory burdens; Advancing the target of measuring administrative burdens on business in Ireland; A review of existing authoritative recommendations for regulatory reform; Contributing to the design and carrying out of a Business Satisfaction Survey; and International benchmarking of best regulatory practice. Work is in train on each of these strands.

Small Business Forum

Last Summer I set up the Small Business Forum (SBF) to examine the current environment for conducting small business in Ireland. We now have some 250,000 small businesses in Ireland providing more than half of private sector employment — that's almost 800,000 jobs, nearly

double the level of a decade earlier and it is very important that we sustain the dynamic growth of small business. Yesterday, Joe Macri, the Chairman of the SBF, presented me with their report which sets out a robust analysis of the issues facing small business and proposes a set of measures to address these. I am delighted to confirm that I am seeking to implement all the recommendations that fall within my Department's remit, including Raising the standard of management capability through the establishment of a Management Development Council. Providing Knowledge Acquisitions Grants Making Innovation Vouchers available to small business Developing an National Entrepreneurship Policy Developing networks of Business Angels Compiling and publishing comprehensive data on the small business sector.

Over the coming months I will work closely with my Government colleagues to look at an implementation path for the remaining recommendations.

In order to ensure that the implementation process is as seamless as possible I intend to invite the members of the Forum to remain in place to act as a body in respect of the implementation of the Report.

Export Markets.

88. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if recent trends in exports are a positive indication for the future of the economy; and if he will make a statement on the matter. [18402/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The most recent annual trade figures published by the Central Statistics Office show that the value of Irish exports for 2005 increased by 5% from 2004 and this followed a 2% rise the previous year. This increase of 5% in 2005 continues the upward trend in the value of exports, which, with the exception of the global economic slowdown, which occurred around 2002, has been a feature of our export performance since the early 1990s. I am heartened by this continuous improvement in exports, against a difficult background of ongoing low growth rates in the US and the major European economies, in recent years.

It is a key fact that one of the drivers of the success of the Irish economy in recent years has been the significant growth in our foreign trade. From a level of €35bn in 1995, our merchandise exports rose to €88bn last year, a truly impressive level of growth. This was achieved despite a significant slowdown in the economies of many of our significant trading partners. As a small open market economy, exporting over 90% of its GDP, Ireland is hugely dependent on the ability of its exporters to succeed in world markets. However, I am confident that the trend we are currently witnessing, of year on year growth in exports, coupled with a consistent economic growth rate

of around five per cent per annum, bodes well for the future.

There are uncertainties in relation to oil and gas prices, following the sudden increases in recent times, which could impact significantly on both the level of our imports and on transport and other costs for exporters. In addition, the exchange rate between the Euro and both Sterling and the US Dollar may fluctuate, thereby affecting trade with these markets. Wider competitive issues for Irish companies are of course very important and these are being addressed in the work of the National Competitiveness Council and a range of initiatives identified in recent reports by the Council are being implemented.

I am confident, therefore, that the recent trends in our export performance are a very positive indication of the ongoing health of the economy.

Decentralisation Programme.

89. **Mr. P. Breen** asked the Minister for Enterprise, Trade and Employment the progress to date of the decentralisation plan for his Department and the agencies under its aegis; and if he will make a statement on the matter. [17885/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): My Department is required to move 250 posts to Carlow under the Government's Decentralisation Programme. In addition, four of the Agencies under the aegis of my Department are due to decentralise as follows: FAS is to move 383 posts to Birr, Co. Offaly; Enterprise Ireland is to move 292 posts to Shannon; The Health and Safety Authority is to move 110 posts to Thomastown, Co. Kilkenny, and The National Standards Authority of Ireland is to move 132 posts to Arklow, Co. Wicklow. Department of Enterprise, Trade & Employment With regard to my Department, the number of posts in Business Units decentralising to Carlow, as at 16th May, is 276. Having regard to the Department of Finance agreed staff protocols, my Department has approached all General Service staff who expressed a first preference before 7th September 2004 i.e. "Priority Applications" for relocation to Carlow through the Central Application Facility and there are currently 169 priority first preference applications for Carlow, with good interest across all grades.

Officials in my Department have analysed the so-called "Two to Ten" priority applicants — those who before the 7th September 2004 deadline identified Carlow as their 2nd or subsequent choice. In addition, given that there still remains a deficit in some grades my Department has assessed the post September 2004 CAF applicants, in line with Department of Finance policy. As a result of these "trawls" we expect to be in a position to fill a further 39 posts.

My Department currently has 93 Carlow-bound applicants assigned to decentralising posts and we

[Mr. Martin.]

expect to have all decentralising posts filled in sufficient time to ensure that staff are adequately trained in advance of the move to Carlow.

With regard to the property side of the Department's move, the Office of Public Works has completed the purchase of a site in Carlow town centre. The Office of Public Works, in conjunction with its legal advisers and the National Treasury Management Agency, is finalising the documentation which is required in order to seek expressions of interest from developers in relation to the design, build, finance and maintenance of new office accommodation and car parking for the Department in Carlow. On completion of this process, a short-list of developers will be drawn up from whom tenders will be invited. The Office of Public Works has assured the Department that progress on this project, which is one of a number to be procured using the Public Private Partnership model, is a priority. The OPW expect construction to begin early in 2007 and the construction phase may take up to 24 months.

In order to accommodate staff who wish to move earlier than the projected building completion date, officials of my Department, in consultation with the Department of Finance and the OPW, as well as decentralising staff and Business Units, are actively exploring the option of an earlier move to Carlow, subject to securing, high quality temporary accommodation. This latter option could allow for the movement of some decentralising staff to Carlow during the first half of next year. Agency Decentralisation My Department continues to provide advice and support to each of the four Agencies in progressing their decentralisation programmes and there is a dedicated Agency Decentralisation Committee to drive the process forward. In addition, I am satisfied that each Agency is fully engaged in the process and taking all of the relevant steps to advance their decentralisation plans.

In outlining the current Agency position on decentralisation, it must be remembered that CAF data is based on "priority first preference" applications.

FÁS

The FAS Head Office relocation, involving 383 staff, to Birr, Co. Offaly, has a target date of Easter 2009 for the move. The negotiations for the purchase of a site in Birr are at an advanced stage.

To date 79 FÁS staff have signalled their agreement to transfer to Birr. The inclusion of a "relocation clause" in recruitment and promotion contracts is being opposed by SIPTU, which represents a majority of the staff in Head Office. Following a Labour Court recommendation, which was of the opinion that FÁS was in breach of the consultations procedures provided for in the company and union industrial relations procedures agreement, SIPTU served notice of their members' intention to take industrial action.

In advance of the industrial action, discussions between both parties were held under the auspices of the Labour Relations Commission to see

whether progress could be made. It was unfortunately not possible to find a resolution and the industrial action is taking place on a phased basis.

Differences remain between the parties, which must be addressed through further dialogue. It would not be helpful at this point to get into detail 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.

Enterprise Ireland

With regard to Enterprise Ireland, the most recent CAF figures show that a total of 52 people have signaled their interest in moving to Shannon, at this stage.

The most immediate implementation step for Enterprise Ireland is to provide for a new HQ building, designed to meet the business needs of the organisation. Enterprise Ireland, working closely with the Office of Public Works (OPW), has identified but not yet acquired a preferred site in Shannon. Health and Safety Authority The position with regard to the Health and Safety Authority (HSA), with 110 posts moving to Thomastown, is that to date a total of 62 people have expressed an interest in transferring to Thomastown.

The Authority has been advised by OPW that as the site procurement is in the final stages, the current timeline for availability for occupancy is mid 2008.

The Authority has now secured an office in Kilkenny city which will act as an interim base for 25 staff who are in the process of recruitment for the REACH (Registration, Evaluation and Authorisation of Chemicals) strategy as well as some serving staff who wish to move in advance of the Thomastown premises being available. The Authority has informed me that they hope to have this office fit for occupancy by June of this year. All staff that move in the interim to Kilkenny city will transfer to Thomastown when the premises there are completed.

NSAI

Finally, in relation the National Standards Authority of Ireland, a total 132 staff are to be relocated to Arklow. The latest available CAF figures show the total number of first preference priority applications received from within the agency is 11. When those from across the civil and public service are added the total is 130. However, a significant grade mismatch is evident within these numbers. NSAI are working closely with OPW in identifying and securing suitable office accommodation in the Arklow area and the NSAI anticipate a target date of April 2009 as the completion date of its decentralisation plan.

Health and Safety Regulations.

90. **Mr. Crowe** asked the Minister for Enterprise, Trade and Employment the measures he will introduce to increase worker involvement in health and safety risk management in view of the fact that worker involvement is recognised as

being key to sensible health and safety management strategies. [18342/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Safety, Health and Welfare at Work Act, 2005 has enhanced provisions on consultation between the employer and the employee on safety and health issues at the workplace. Employees are entitled to select a safety representative (or by agreement with the employer, more than one) to represent them in these consultations. The Act also contains provisions in relation to protection against dismissal and penalisation from acting in compliance with the Act or other relevant statutory provisions.

The employer is obliged to consider any representations made by the safety representative and, in so far as is reasonably practicable, take any necessary and appropriate action in response.

Section 26 of the Act places a duty on the employer to consult his or her employees with regard to making and maintaining arrangements to enable both the employer and employees to co-operate in promoting and developing safety, health and welfare and to monitor the effectiveness of those measures. An employer must also consult the employees or their safety representatives, or both, on any proposed measure that is likely to substantially affect safety, health and welfare at the place of work.

Employees have a right to make representations to their employer on matters relating to their safety, health and welfare at work.

Consultation with employees must be made in advance and in good time so as to allow them time to consider, discuss and give an opinion on the matters before managerial decisions are made. The information given must be sufficient to allow employees to fully and effectively participate in the consultation process.

Safety consultation and participation by employees supports risk control by encouraging involvement in the development of safety and health policies. The pooling of knowledge and experience through consultation and participation can ensure everyone's commitment to achieving and maintaining appropriate safety and health standards at the workplace.

Insurance Industry.

91. **Mr. Boyle** asked the Minister for Enterprise, Trade and Employment the reason he has failed to provide consumer protection guidelines for income continuance schemes as recommended by the 2003 Pension's Board Report; and the measures he intends to take to provide adequate employees covered by the scheme with adequate information and protection regarding the schemes. [18467/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): The Deputy's question refers to income continuance plans which are insurance products offered by insurance companies.

Since the establishment of the Irish Financial Services Regulatory Authority (IFSRA) under the Central Bank and Financial Services Authority of Ireland Act, 2003, insurance companies and their products are regulated by IFSRA. The Central Bank and Financial Services Authority of Ireland Act 2004 Act created a statutory financial services ombudsman for consumers. Consultative consumer and industry panels have also been appointed where matters of policy and practice are discussed. My Department has no responsibility for this matter.

Consultancy Contracts.

92. **Ms Lynch** asked the Minister for Enterprise, Trade and Employment the additional consultancy services that his Department proposes to utilise in 2006; the reason an increase of 66 per cent for consultancy fees has been provided in the estimates; and if he will make a statement on the matter. [18211/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The A07 Consultancy subhead is available for use by any Section of my Department which needs to commission skills, knowledge or expertise not available within the Department in order to help them meet their business goals.

Forecasting the amount required for general consultancy for any year is an inexact science, given how difficult it is to forecast the level of demand, as requirements are not always known a full year or more in advance. That said, two specific issues lead to my Department seeking a significant level of increase for 2006 over last year's outturn. Firstly, when the Estimate was being prepared, my Department identified a higher than normal number of project applications for the following year (2006) than was the case in 2005. Secondly, an extra €100,000 was provided for 2006 to cater for additional consultancy work that might arise as a result of the requirement to undertake Regulatory Impact Analyses (RIA) on proposed new legislation.

To date, my Department has approved expenditure from the A07 subhead of our Vote in respect of seven consultancy projects to a maximum value of €409,031. This leaves a balance of €217,969 available for projects arising in the second half of the year.

Workplace Fatalities.

93. **Aengus Ó Snodaigh** asked the Minister for Enterprise, Trade and Employment his views on the recommendations contained in the Law Reform Commission report on corporate manslaughter published in October 2005. [18339/06]

104. **Mr. Ferris** asked the Minister for Enterprise, Trade and Employment if he will introduce legislation to provide for the offence of corporate manslaughter as proposed by the Law

[Mr. Ferris.]

Reform Commission in its report of October 2005. [18337/06]

136. **Mr. Sargent** asked the Minister for Enterprise, Trade and Employment if, in view of the 20 per cent increase in workplace fatalities in 2005, he intends to implement the recommendations made by the Law Reform Commission in 2005 for a new statutory offence of corporate manslaughter. [18474/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 93, 104 and 136 together.

The Law Reform Commission, in its report published in October 2005, recommended that as the current law of corporate liability for manslaughter does not provide a clear basis for constructing liability, a new basis, in legislative form, is necessary. To this end the Commission included the draft of a short Bill in its report.

The Commission also recommended that there should be individual statutory liability for managers who were culpable in the causation of death. This has also been implemented under Section 80 of the Safety, Health and Welfare at Work Act, 2005 which provides for directors, managers or other similar officers of an undertaking to be held liable by the Courts for an offence that is attributable to connivance or neglect on their part.

While this is a considerable step forward in implementing the recommendations of the Commission, the Attorney General's Office was of the opinion at the time of the drafting of the Bill, which is now the 2005 Act, that there were much broader issues than safety, health and welfare at work relating to the overall criminal justice system which needed to be considered; and that therefore it was not appropriate to comprehensively deal with the whole issue of corporate manslaughter in a Bill which was providing for the law and regulation of occupational safety, health and welfare. It should be noted for the record that the Commission accepted the Attorney General's Office view that the scope of the 2005 Act was narrower than the proposed offence recommended by it in its report.

Further consideration of the recommendations in the report of the Law Reform Commission will now take place primarily at Government level by the Minister for Justice, Equality and Law Reform in the context of his main responsibilities for the criminal law system.

Question No. 94 answered with Question No. 79.

Employment Rights.

95. **Mr. Broughan** asked the Minister for Enterprise, Trade and Employment the position regarding the investigation on the disclosure that Polish workers employed by a contractor at the

ESB power station in Moneypoint were being paid well below the national minimum wage; the sanctions or penalties which are available against companies in such situations; the measures which have been taken by his Department to date to ensure full compliance with all labour standards by all contractors, especially those working for State companies; and if he will make a statement on the matter. [18218/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Labour Inspectorate has been following up this case since a series of interviews were undertaken with employees concerned on Friday, April 7th last. There is acknowledgement that certain arrears are due to employees.

The company has produced revised contracts of employment to its employees and the Inspectorate is examining this material at present. While the Inspectorate has no function in providing any form of approval or endorsement of such documents we will convey observations on any aspects that might give cause for concern.

The contracting company has provided certain undertakings with regard to the payment of arrears and the rates of pay applicable from April onwards. An inspection of records will be carried out very shortly with a view to verifying that the company's undertakings have been discharged fully and that everything is now in order.

With regard to the broader question of compliance across a range of companies associated through subcontracting relationship the Social Partners have been engaged in dialogue on the matter. It is anticipated that future contracting relationships may require actions that will underpin a tighter regulatory framework in this regard.

96. **Ms Burton** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to reports indicating that migrant workers, from within the European Union, working in the mushroom industry have been paid €2.50 a hour; the steps he proposes to take to ensure that existing employment laws are not abused in view of the fact that these workers appear to be regarded as self employed agricultural contractors; and if he will make a statement on the matter. [18191/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I am aware through a variety of sources that there is particular concern with regard to the alleged practices of some employments in the mushroom industry.

In this connection I have met with Officials from SIPTU and key representatives from the industry. In the latter case I was accompanied by my colleague, Mr. Brendan Smith, Minister for Food and Horticulture at the Department of Agriculture. Each meeting provided an opportunity for the parties to outline the general posi-

tion from their particular perspectives. All parties condemned, without reservation, any practices amounting to non-compliance with employment rights entitlements or any other mistreatment of employees.

I am aware that the Labour Inspectorate has identified this sector for a focused campaign this year and that, in the meantime, contacts with regard to the employment status of such workers have been ongoing with colleagues in the Scope Section of the Department of Social and Family Affairs.

Fairtrade Products.

97. **Ms McManus** asked the Minister for Enterprise, Trade and Employment if he will confirm that only fair trade tea and coffee are sold in his Department's canteens, restaurants and cafés and those of agencies under the control of his Department; the value of fair trade produce sold in outlets in his Department for each year since Fair Trade products were introduced including to date in 2006; and if he will make a statement on the matter. [18202/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): In my Department, which is spread over 8 separate buildings, there is only a medium sized canteen in Davitt House and a very small canteen in Kildare Street. My Department has no restaurants or cafes. The tea/coffee served in these two canteens is not confined to Fair Trade tea and coffee which, I understand, is also the position in relation to the agencies under the aegis of my Department. It would be impossible to put a yearly value on the Fair Trade produce sold in these two outlets of my Department since Fair Trade products were introduced.

I have asked that consideration be given to enhanced sale of Fair trade tea and coffee in my Department's two canteens and in those of the agencies under the Department's control.

Question No. 98 answered with Question No. 79.

Adult Literacy.

99. **Ms O'Sullivan** asked the Minister for Enterprise, Trade and Employment the steps he has taken, including those in conjunction with the Department of Education and science, to improve the levels of adult literacy, specifically among the long term unemployed; and if he will make a statement on the matter. [18210/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): Under the auspices of my Department, FÁS implements a number of initiatives to address the literacy needs of long term unemployed.

- The Return to Education Programme responds to the individual needs of partici-

pants on the FAS Community Employment (CE) programme as they relate to literacy and numeracy development. This programme, developed by FAS in conjunction with the National Adult Literacy Agency (NALA), is delivered country-wide through the Vocational Education Committees. It covers a range of subjects, including information technology applications, and prepares participants to access recognised FETAC qualifications.

- The Core Skills Programme has been developed to address the work related personal and social competencies of disadvantaged participants on CE. The programme covers a range of modules relating to work and work/life issues. A FETAC Core Skills Certificate is available to participants who reach the specified programme standards.

About 8,000 participants are supported each year through participation on these programmes. In addition, the FAS Workplace Basic Education Fund has a 2006 budget of €2million which it is using to fund workplace initiatives on basic literacy and numeracy.

In recognition of the drive to promote a more qualified workforce and the range of new opportunities available under the National Qualifications Framework, FAS has proposed two new awards at FETAC Level 3 to provide formal recognition of achievement in pre-vocational training — a Certificate in Personal and Social Employment Skills and a Certificate in Vocational Employment Skills.

The opportunity to access recognised qualifications motivates participants, particularly more disadvantaged learners, and gives them a foothold on the career progression ladder.

In addition, and in recognition of essential competencies and skills that staff working with the long term unemployed require, FAS, in consultation with NALA, has devised the Integrating Literacy Programme. This programme provides competencies specifically designed to enable staff to understand and work effectively in their daily interaction with participants who have literacy problems. This training comprehends all stages of programme delivery, from programme administration, through to design, assessment and review. It is delivered and accredited by NUI Maynooth.

Company Mergers.

100. **Mr. M. Higgins** asked the Minister for Enterprise, Trade and Employment the proposed company mergers that his Department is currently aware of under its responsibility for the regulation of mergers; the number of mergers dealt with by his Department in each year from 2002 to date in 2006; and if he will make a statement on the matter. [18197/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Under the Competition Act 2002 responsibility for regulating mergers and takeovers, with the exception of media mergers, was transferred from the Minister for Enterprise, Trade & Employment to the Competition Authority with effect from 1st January 2003. Details of all notified mergers since 1st January 2003 are available from the Competition Authority and are published on its website, www.tca.ie.

In 2002, 99 notifications were processed by my Department under the Mergers and Takeovers (Control) Acts, 1978 to 1996. As regards “media mergers” as defined by the 2002 Competition Act, my Department received 11 in 2003, 14 in 2004, 24 in 2005 and, so far, 6 in 2006.

Insurance Industry.

101. **Mr. G. Murphy** asked the Minister for Enterprise, Trade and Employment the number of the 47 recommendations in the Competition Authority’s final report and recommendations in regard to competition in the non-life insurance market which have been implemented; and if he will make a statement on the matter. [17890/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Competition Authority’s Report on Competition Issues in the Non Life Insurance Market, which focussed on motor, employers’ liability and public liability insurances, published in March 2005, contained 47 recommendations directed at a number of bodies including the Financial Regulator, the Department of Transport and the Motor Insurance Bureau of Ireland.

Two of the recommendations have already been implemented by the Financial Regulator who is also conducting a consultation process in relation to the implementation of another recommendation. A further seven recommendations may be implemented by means of the Financial Regulator’s forthcoming Consumer Protection Code.

The Competition Authority regularly reviews the position in relation to the implementation of its recommendations. As part of that process the Authority is currently engaging with all those to whom recommendations were directed with a view to progressing their implementation.

Question No. 102 answered with Question No. 83.

Job Losses.

103. **Mr. Hogan** asked the Minister for Enterprise, Trade and Employment his plans to bring employment to Newbridge following the announcement of the plan to lay off 250 people at a company (details supplied); and if he will make a statement on the matter. [17883/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The company in question has experienced a reduced demand for several of the products it manufactures at its facility in Newbridge and it is anticipated that up to 250 positions will be phased out between 2006 and 2007. The training agency FAS will assist the workforce, which is highly skilled, to plan new careers and identify training needs. The agency will also provide training in the range of skills necessary to secure alternative employment.

Notwithstanding the job losses, the company announced last March that it was investing €350 million, with significant support from IDA Ireland, in its Newbridge facility to expand future production capabilities for a new and emerging pipeline of pharmaceutical products. This investment is part of the company’s global manufacturing strategy and demonstrates a continued commitment to its Newbridge facility. Unfortunately, while the Newbridge facility prepares for the arrival of these new products, the company has decided that a significant number of positions need to be phased out.

The Industrial Development agencies will continue to promote the area for employment opportunities. The strategy of IDA Ireland to create employment in Newbridge is to progress the development of a knowledge economy in order that the town can compete both nationally and internationally for foreign direct investment. The agency is also working with its existing client base to expand their presence.

Enterprise Ireland is also actively involved in assisting its client companies to grow and develop their businesses. Since the beginning of 2003, that agency has approved over €14 million and made payments of over €3.7 million to companies in County Kildare to help them grow their sales. One of the main indigenous industry sectors in the County is the food and consumer products sector which accounts for a major part of the employment growth within the County. Expansion projects by Green Isle and Dawn Foods have been announced for nearby Naas. From a combined base of over 1,100 employees, these companies will provide a further 250 new jobs over the next few years.

I am confident that the Industrial Development agencies will continue to provide sustainable investment and job opportunities for the area.

Question No. 104 answered with Question No. 93.

EU Enlargement.

105. **Mr. Gogarty** asked the Minister for Enterprise, Trade and Employment the derogations contained in Articles 1-6 of Regulation 1612/68 of the Accession Treaty the Government will seek upon the accession of Romania and Bulgaria to the EU; and the reason for the

Government's change in position on migrant labour from prospective EU States. [18471/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I announced at Report Stage of the Employment Permits Bill 2005, on 3rd May, that I propose to bring forward an amendment to the Bill at Committee Stage in the Seanad on this issue. This will be an enabling provision to permit me as Minister to, by Regulation, either permit access or to continue to restrict access to our labour market by nationals of Romania and Bulgaria.

Postal Services.

106. **Mr. S. Ryan** asked the Minister for Enterprise, Trade and Employment the reason for the decline in absolute costs of the provision in the estimates for postal services and telecommunications in his Department; and if he will make a statement on the matter. [18217/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The 2006 estimate for postal and telecommunications services in my Department is €974,000. This represents an increase of €24,000 or 2.5% on the 2005 estimate of €950,000. Actual expenditure however in 2005 on postal and telecommunications services exceeded the initial estimate provision for the year by €37,000. This was due to a number of once off payments in 2005 including the upgrading of telecommunications equipment, spending on data transfer technology for the Labour Inspectorate and the upgrading of data lines linking the Department's offices which are not expected to recur this year. Consequently, there has been no decline in the estimates provision for postal and telecommunications services in my Department in 2006 compared to 2005.

Equal Opportunities Employment.

107. **Mr. Boyle** asked the Minister for Enterprise, Trade and Employment the reason the FÁS national supported employment programme has been designed primarily for people with the least severe disabilities when it was originally charged with providing supported employment for people with significant disabilities; and the measures he intends to take to ensure that those with significant disabilities are included within the scope of the programme. [18466/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Supported Employment is an open labour market programme which is operated on behalf of my Department by FAS. It seeks to facilitate the integration of persons with disabilities into the open labour market by providing supports on the job. A job coach, who assists both the job seeker and the employer, provides the support. Supported Employment identifies existing jobs, matches suitable individuals

with those jobs and assists them to integrate into the workforce by providing supports in the workplace. Supports may also be given in relation to adapting the work environment to meet the needs of an individual worker.

The Supported Employment programme, therefore, does not focus on the nature or the severity of the person's disability, but rather on their ability to do the job. As such, the programme has been successful in securing employment for persons with a wide and varied range of disabilities. FAS has a proposed expenditure budget of €8.2m allocated for this programme in 2006, representing a 24% increase on the actual spend of €6.6m in 2005. A total of 700 participants availed of this programme in 2005.

FAS also administers the new Wage Subsidy Scheme which was launched last year. The scheme offers financial support to employers outside the public sector to encourage them to employ people with disabilities. It provides the potential for both the employee and the employer to receive an incentive. The amount of subsidy paid to an employer under the scheme varies in accordance with the level of productivity of the individual compared with normal work performance.

In addition, FAS contracts with Specialist Training Providers through an extensive training centre network to deliver vocational training to people with disabilities who require more intensive support than would be available in FAS mainline options. The budget for this activity in 2006 is €46.8m in line with maintaining the number of participants at 1,961 for the full year.

The total budget for FAS schemes and grants aimed at promoting or facilitating the employment of people with disabilities in the private sector in 2006 is €67.31m.

Provision of sheltered employment and other arrangements to meet rehabilitative needs of individuals are outside the remit of the Supported Employment programme, which as already indicated, has an open labour market focus. Responsibility for rehabilitative training and sheltered workshops are the responsibility of the Department of Health and Children.

County Enterprise Boards.

108. **Ms O'Sullivan** asked the Minister for Enterprise, Trade and Employment the work of the County Enterprise Boards; the number of personnel employed by the board in respect of each board, for each of 2005 and to date in 2006; the number of proposals or requests which they received, the number of projects they have supported and grant aided; the average amount of grant aid which was for projects in each board area; the net additional employment that was created; and if he will make a statement on the matter. [18212/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The thirty-five County and City Enterprise Boards (CEBs) were established in 1993 to provide support to small businesses with 10 employees or fewer. Their function is to develop indigenous enterprise potential and to stimulate economic activity at local level. The CEBs support individuals, firms, community groups, provided that the projects have the capacity to achieve commercial viability. Priority must be given to manufacturing and internationally traded services companies which could develop into strong export entities.

As of 31st December 2005 there were 143 full-time and 6 part-time employees working within the CEB network. The equivalent figures for end April 2006 is 141 fulltime and 6 part-time employees. (Full details in respect of each Board are included in Appendix 1).

My Department does not collect or retain information centrally on the overall number of proposals or requests received by the CEBs. Requests or proposals received by them may not result in formal applications for assistance and many requests may informal requests for general business advice and information. Full details on the activities of individual CEBs are available in their Annual Reports which are laid before the Houses of the Oireachtas.

The specific types of formal CEB assistance available to micro-enterprise is broken down between financial assistance such as grants for feasibility studies, employment grants and capital grants and non-financial assistance such as Programmes covering Business Management, Mentoring, E-commerce, Enterprise Education and Women in Business networks. The general levels of available financial assistance are as follows:

- Capital grants up to a maximum of 50% of the cost of capital and other investment or €75,000, whichever is the lesser; a portion of the grant in excess of 40% (in the BMW Region) or 35% (in the S&E Region) to be in refundable form.
- Employment grants a grant of up €7,500 per new job, to a maximum of 10 new jobs.
- Feasibility study grants up to a maximum of 60% (in the BMW Region) or 50% (in the S&E Region), of the cost of a feasibility study and business plan, subject to an overall limit of €6,350 (in the BMW Region) or €5,100 (in the S&E Region).

Details of the total amount of grants drawdown by project promoters in respect of each CEB for 2005, and the average grant paid, are included in Appendix 2. Accurate comparable data for 2006 to date is not yet available.

Over 30,000 net jobs were created in CEB assisted enterprises from 1993 to end 2005 of which nearly 2,000 net new jobs were created in 2005 itself. The focus of the CEBs is increasingly

on the development of sustainable growth-oriented local enterprise which will deliver high quality job creation. The CEBs are also increasingly using non-financial forms of assistance and while these “soft supports” may not directly generate jobs in an enterprise they contribute positively to the wider policy objective of building an enterprise culture which, in time, can result in significant indirect job creation without direct financial input from the State.

Appendix 1: Number of personnel employed by each County and City Enterprise Board in 2005 and to date in 2006

CEB	End Dec 2005	End Apr 2006
Carlow	4	4
Cavan	5	5
Clare	4	4
Cork City	3	3
Cork North	2	2
Cork South	4	4
Cork West	4	4
Donegal	5	5
Dublin City	5.5	5
Fingal	4	4
Dublin South	5	4.5
Dún Laoghaire	5	5
Galway	4	4
Kerry	5	5
Kildare	4	4
Kilkenny	4	4
Laois	3	3
Leitrim	5	5
Limerick City	4	4
Limerick Co.	4	4
Longford	4	4
Louth	4.5	4.5
Mayo	3	4
Meath	5	5
Monaghan	5	5
Offaly	4	4
Roscommon	4	4
Sligo	5	5
Tipperary NR	4	4
Tipperary SR	4	4
Waterford City	3	3
Waterford Co	3	3
Westmeath	4	2
Wexford	5	5
Wicklow	5	5
Totals	146*	144**

*This figure is composed of 143 fulltime and 6 part-time employees.

**This figure is composed of 141 fulltime and 6 part-time employees.

Appendix 2: Grants paid out by each County and City Enterprise Board in 2005

CEB	Total Projects	Average Grant
		€
Carlow	24	12,160
Cavan	36	6,182
Clare	38	7,598
Cork City	23	3,213
Cork North	0	0
Cork South	12	22,210
Cork West	24	13,197
Donegal	26	25,838
Dublin City	48	12,096
Fingal	23	19,396
South Dublin	14	27,996
Dún Laoghaire/Rath	32	19,751
Galway City & Co.	66	6,885
Kerry	54	5,455
Kildare	18	12,133
Kilkenny	32	10,877
Laois	21	6,383
Leitrim	24	9,973
Limerick City	24	9,652
Limerick Co.	21	17,616
Longford	36	6,572
Louth	41	5,447
Mayo	23	13,097
Meath	20	14,897
Monaghan	26	10,105
Offaly	27	11,023
Roscommon	24	10,392
Sligo	24	12,218
Tipperary NR	17	13,630
Tipperary SR	21	9,626
Waterford City	20	9,730
Waterford County	20	12,298
Westmeath	34	8,475
Wexford	32	16,133
Wicklow	23	21,501
Total	948	11401

Employment Agencies.

109. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment if he will introduce legislation to make it unlawful for an employment agency to operate here without a licence having regard to the large migration flows that have occurred in the European Union of 25 Member States and the role played by employment agencies in one country to place workers on contract in another country; if his attention has been drawn to the potential for abuse that this could give rise to; and if he will make a statement on the matter. [18224/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): Under the Employment Agency Act 1971, a person carrying on the business of an employment agency must be the holder of a licence issued by the Minister for Enterprise, Trade and Employment and must operate from a premises in Ireland that conforms with prescribed standards of accommodation, set out in Regulations made under the Act.

As part of the Government's commitments under Sustaining Progress, in June 2005, the Department of Enterprise, Trade and Employment issued a White Paper on the Review of the Employment Agency Act 1971. The deadline for submissions was 15 July 2005 and 10 submissions were received.

The Department is currently finalising further consultations based on the submissions received. Government approval will then be sought to have a Bill drafted by the Office of the Parliamentary Counsel to the Government. It is hoped to publish this Bill in the second half of 2006.

Matters under consideration for inclusion in the Bill include providing for a system of licensing/registration of Irish and foreign-based employment agencies operating in Ireland, supported by an industry regulatory code which will set out in detail, the practices and standards that such employment agencies would be expected to follow.

Another issue under consideration is a possible Statutory Monitoring and Advisory Committee — representative of all the various interests in the sector. This Committee would oversee the regulatory code and make recommendations to the Minister for Labour Affairs in light of experience with any new legislation.

Changes under consideration are aimed at preventing any abuses by employment agencies which may arise in relation to the recruitment and placement of workers in Ireland.

In drafting legislation, it will however, be necessary to take account of (a) the potential impact of revised proposals from the European Commission on the draft EU Services Directive published on 4 April 2006 and (b) the free movement of persons, services and capital within the EU as laid down in the EU Treaty.

Corporate Enforcement.

110. **Ms McManus** asked the Minister for Enterprise, Trade and Employment the number of corporate enforcement officers currently employed by the Office of the Director of Corporate Enforcement; the number of cases dealt with by the ODCE in each year from 2002 to date in 2006; the average time from a case file being opened to a satisfactory resolution; and if he will make a statement on the matter. [18198/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The ODCE currently has

[Mr. Martin.]

about 29 staff who are engaged in corporate enforcement work. The breakdown in the table that follows excludes staff involved on a full-time or part-time basis in company law compliance and ODCE corporate services work.

The Director provides information and statistics in his Annual Reports and End-of-Year Statements on the results and work of his Office. These documents are available on the ODCE website at www.odce.ie. I have also included a

table which summarises the most recent headline results available to my Department for each of the years 2002 to 2005 with respect to case assessment and enforcement in the company law area.

The Director does not publish figures for the average time taken to conclude a case, and it is my Department's understanding that he does not regard it as a meaningful or reliable measurement of progress because of the diversity and occasional complexity of the cases under ODCE investigation.

Table 1: ODCE 'Corporate Enforcement Officers'

Grade	Current Staff
Accountant Grade I	2
Assistant Principal	2.8
Clerical Officer	4.3
Detective Garda	3
Detective Inspector	1
Detective Sergeant	1
Director	0.5
Executive Officer	4
Higher Executive Officer	2.7
Legal Adviser	3
Principal Officer	1.5
Principal Solicitor	1
Solicitor	2
Total	28.8

Table 2: ODCE's Case Assessment and Enforcement in Company Law Area

	2002	2003	2004	2005	Total
Detection					
Public Complaints/Auditor Reports	620	1,950	1,956	2,373	6,899
Cases Determined	426	1,406	1,577	2,111	5,520
Insolvency					
Initial Liquidator Reports	300	525	362	327	1,514
Initial Reports Determined	4	560	529	317	1,410
Enforcement					
Court Proceedings Initiated	19	71	41	50	181
Court Orders / Judgments Secured	35	109	122	144	410
Convictions	14	43	66	49	172
Disqualifications	0	1	3	21	25
Restrictions (via liquidators primarily)	0	153	200	145	498

Company Law.

111. **Ms B. Moynihan-Cronin** asked the Minister for Enterprise, Trade and Employment the work which has been completed on the reform of the Companies Act 1990; the areas that are being examined; the priorities which his Department has for consolidation and reform; the number of people, in his Department, who are currently working full-time on this project; and if he will make a statement on the matter. [18208/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The section which works on drafting the General Scheme of the Company Law Reform and Consolidation Bill has four full-time persons but the Company Law Division of my Department works in a collegiate way with a pooling of its expertise and experience. In the context of this Bill it is also relevant to mention the huge contribution made by members of the Company Law Review Group to ensuring that

our companies code will be a model of good practice and efficiency and will enhance the competitiveness of Irish business.

The main strands of this initiative in better regulation are simplification, consolidation, and reform. The core reform element will place the private company as the standard company type and most of the reforms centre on the private company. The reforms to other types of companies are less but the principle of simplicity is pursued throughout and consolidation will itself deliver more transparency and accessibility. The detailed sectoral reforms proposed are outlined in the First and Second Reports of the Company Law Review Group. The Third substantive report of the Review Group, outlining progress in the project in 2004-2005 is being published and I anticipate laying it before the Oireachtas shortly. In addition, as the draft parts of the General Scheme of the Bill have been completed they are published on the website of the Company Law Review Group in a standing consultation with interested parties. I anticipate taking the General Scheme of the Bill to Government this Autumn for agreement to drafting of the Bill proper.

Health and Safety Regulations.

112. **Caoimhghín Ó Caoláin** asked the Minister for Enterprise, Trade and Employment the reason Directive 2003/18/EC amending Council Directive 83/477/EEC on the protection of workers from risks related to exposure to asbestos at work was not transposed by the deadline of the 15 April 2006; and his views on whether the unwarranted delay in the transposition of this directive demonstrates an apparent lack of concern for the safety and health of workers. [18340/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): I regret that Directive 2003/18 was not transposed by the deadline of the 15 April 2006, and I am anxious that it would be transposed as soon as possible. I have not yet received a legislative proposal in this regard from the Health and Safety Authority, but I am advised that draft proposals for the Regulations were published on 9 May on the Authority's website, as part of the public consultation process provided for under Section 57 of the Safety, Health and Welfare at Work Act 2005.

I am informed that as part of the process of promoting awareness of the new provisions, the Authority has organised a meeting with asbestos industry contractors, demolition firms, consultants, the social partners and other relevant interests to consider the draft Regulations.

The public consultation period will end on 6 June and I am advised that formal draft proposals will be ready shortly after that for submission to

the Office of the Parliamentary Counsel for legal settlement.

It is important to remember that the existing Directive 83/477/EEC as amended by Directive 91/382/EEC is already fully implemented and enforced. So too is another Directive, concerning the marketing and use of asbestos, which enforces a ban on its use in general.

The main changes to the existing legislation brought about by EU Directive 2003/18/EC focus on those who are now most at risk, in particular workers who remove asbestos and workers who accidentally come across asbestos at work in the course of servicing and maintenance activities. They also reflect the more detailed research on limits for exposure to chrysotile asbestos and the methods for measuring airborne asbestos undertaken on the basis of the method adopted by the World Health Organisation. The Directive therefore introduces a single exposure limit value for all work activities where exposure to asbestos dust in the air at a place of work may arise, a requirement for adequate training, and a requirement that persons involved in demolition and asbestos removal activities must be qualified to do this work in a safe way to ensure the protection of their employees.

Economic Competitiveness.

113. **Mr. English** asked the Minister for Enterprise, Trade and Employment his views on the observation in the Competition Authority's Strategy Statement 2006-2008 that lack of a formal response by Government on recommendations for removal of public restrictions of competition can undermine Competition Authority recommendations; and if he will make a statement on the matter. [17876/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Competition Authority published its Strategy Statement for the period 2006 to 2008 at the beginning of the year. The Strategy Statement sets out the Competition Authority's objectives for the next three years and its plans on how it proposes to implement those objectives. The Authority states that the focus of its strategy over the next three years is about discharging its functions in the most timely, efficient and effective way possible.

Amongst the goals listed in the Authority's Strategy Statement is the promotion of competition where it is absent, limited or restricted. It describes advocacy as being fundamental to the achievement of its goals, particularly when many regulations and business practices restrict competition. The Authority uses its advocacy role to address this type of issue through publication of reports or position papers which identify particular restrictions on competition in specific sectors or industries.

[Mr. Martin.]

The observation in question is made in the context of the “Critical Success Factors” identified in the Authority’s Strategy Statement that could affect the implementation of its strategy over the next three years. For example, the Authority believes that if its recommendations, made after careful consideration of a sector or industry in order to improve the competitive environment, were to be completely ignored by government departments or public bodies, then this would have a negative impact on the achievement of its objectives.

All recommendations of the Competition Authority are given due weight and I think it would be very unlikely that any future recommendation would be completely ignored by any body or agency to which it is addressed.

National Disability Strategy.

114. **Mr. Eamon Ryan** asked the Minister for Enterprise, Trade and Employment the reason for the lack of consultation with people with disabilities in the formulation of sectoral plan of the National Disability Strategy; and if he intends to establish an independent monitoring system to assess the progress or otherwise of the plan. [18465/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Department has fully consulted with representative organisations for people with disabilities in the preparation of the Sectoral Plan for my Department. This Department participated in a comprehensive regional consultative process which was organised by the National Disability Authority in 2005. These conferences were attended by members of the general public, people with disabilities, carers, advocates, family friends and service providers. Submissions and proposals were also sought from all interested individuals or groupings. In addition, the requirement to draw up a Sectoral Plan was highlighted on the Department’s website. All submissions received have been carefully considered and taken into account. As a consequence of these consultative arrangements, detailed submissions have been received from the National Disability Authority, the Disability Legislation Consultative Group, the Not For Profit Business Association and PwDI. In addition, the Department has engaged with the FÁS National Advisory Committee on Disability which includes representatives of disabilities organisations. In the recent past the Department has again in the context of on-going discussions with representatives of the relevant representative organisations, reported on progress made to date, and indicated the considerations and focus that will inform the Sectoral Plan to be finalised in the near future.

Departmental Investigations.

115. **Mr. Sherlock** asked the Minister for Enterprise, Trade and Employment the position in regard to each of the inquiries being carried out by or on behalf of his Department; the projected date for the conclusion of each such investigation; the inquiries in respect of which reports have been referred to the Director of Public Prosecutions; and if he will make a statement on the matter. [18222/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Sixteen investigations into company law matters were initiated by my predecessor in the period since 1997. In three cases, the High Court appointed, on an application by the Minister, inspectors under section 8 of the Companies Act 1990. The Inspectors appointed to Ansbacher (Cayman) Limited presented their Report to the High Court on 10 June 2002. The Report was subsequently published and was referred to the DPP. The Inspectors appointed to National Irish Bank Ltd and National Irish Bank Financial Services Ltd presented their Report to the High Court on 12 July 2004. The Report was subsequently published. The Court ordered that a copy of the Report be referred to several relevant authorities, including the DPP. In 2005, the Director of Corporate Enforcement initiated proceedings in the High Court under section 160 (2) of the Companies Act 1990 (as amended) seeking the disqualification of nine persons against whom adverse comment was made by the Inspectors. I note that last October the High Court granted a disqualification order against one of the nine persons. The proceedings against the other eight remain before the Court.

One investigation under section 14 of the Companies Act 1990 was completed in 1998. The report on this was referred to the DPP. One investigation was undertaken under section 59 of the Insurance Act 1989. The report on this was referred to the DPP as well as to the inspectors who undertook the section 8 investigation into that company. Eleven investigations were initiated by the Minister under section 19 of the Companies Act 1990. Six of these have been concluded. Of the six investigations completed, reports were referred to the DPP in two cases. A number of summary prosecutions have since been successfully concluded in one case. One report provided an input into the successful application to the High Court for the appointment of inspectors under section 8 while the fourth report was passed to the relevant High Court inspectors. One report was completed in September 2002 and a further report was completed in March 2003. Both reports have been referred to the Director of Corporate Enforcement. Two of the eleven Section 19 investigations were held up in legal appeals, to such extent that no effective pro-

gress was made by the authorised officer and the matter of reports of the examinations did not arise. These enquiries are now the responsibility of the Director of Corporate Enforcement. In relation to the three remaining Section 19 examinations, I would refer the Deputy to my reply to Question No. 11278 of 23 March 2006. The Authorised Officer is continuing to provide information and assistance to relevant authorities, as outlined in that reply.

Energy Resources.

116. **Mr. McEntee** asked the Minister for Enterprise, Trade and Employment his views on the recent report by Forfás entitled *A Baseline Assessment of Ireland's Oil Dependence*; the implication for industry here; and if he will make a statement on the matter. [17875/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I welcome this report which has provided some significant food for thought as to the future availability of oil and the subsequent implications for the enterprise sector and for the economy as a whole. The report highlights the need for very careful consideration as to the way in which our future competitiveness and prosperity may be affected if we do not make careful use of a finite resource and provide for its replacement. Oil supply is not unlimited, yet world consumption has steadily increased. By comparison with other countries, Ireland's enterprise sector is not very energy-intensive, at least directly. Our emphasis on modern industries and advanced sectors has meant that the amount of energy used by the sector in proportion to output has decreased in recent years. A focus on less energy-intensive sectors in the future should help this trend to continue.

Oil is used as a direct input into some production processes but mainly as an input to electricity generation and to transport. If world oil prices continue on an upward path, all countries will be affected, but we will be affected more than most. We depend mainly on gas and oil for generating electricity, but oil and gas prices move more or less together, so the costs of electricity would have to rise for both enterprise and consumers as long as our dependence is so high. Our pattern of oil use, as the Forfás study points out, has made us one of the most oil-dependent countries in the world. Our transport sector depends on oil with most of our freight and passenger transport by road. Given our position as one of the most open economies in the world, with exports and imports combined much greater than our GDP, and the fact that we are an island nation on the periphery of Europe much of our international trade and connectivity is absolutely dependent on oil. So our imports and exports, on which the economy depends in different ways, will all be affected by

shortages of oil at a reasonable price. This means that transport costs are more important to us than to many other countries and therefore oil price increases will impact on our competitiveness.

The message of the Forfás report is clear: oil dependency means vulnerability, and whether world oil production peaks in a few years or in ten or fifteen years, there is an urgent need to prepare for this and for significant increases in the price of oil. I am particularly conscious of the way in which our oil vulnerability affects the enterprise sector both directly and indirectly: our heavy dependence on roads, road freight and passenger cars can translate very quickly into higher costs for everyone, and can put at risk the spatial patterns of development that we have pursued up to now. I am convinced that there is much scope for the enterprise sector to adjust, and that the time for action is now. Investigation of alternative sources of energy, together with serious efforts at energy conservation, will help to reduce the vulnerability and to give Ireland a competitive edge in energy-related industries and innovation. The Government will be very supportive of such action: my colleague the Minister for Communications, Marine and Natural Resources is preparing a long-term strategy statement, a Green Paper that will be published shortly. I understand that the Forfás report has been taken fully account in the preparation of the Green Paper, and I think that we will have policies in place that reflect the significance of the issue for the enterprise sector and the need for a major shift towards more sustainable energy policies to ensure our competitiveness for the future.

Job Losses.

117. **Mr. Timmins** asked the Minister for Enterprise, Trade and Employment the steps he will take to counteract the dramatic rise in redundancies, now averaging 523 per month; and if he will make a statement on the matter. [17882/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): In the past five years the numbers in employment increased by 268,000 or by 15.6%. Employment increased by 87,000 or by 4.7% last year alone. This is the highest annual rate of growth since 2000. Over 7,000 new jobs are created every month on average. This is way in excess of the average rate redundancies. This means that those who lose their jobs through redundancy are finding new employment. In effect we have full employment and have reached a stage where new job opportunities often have to be filled by the important skills brought by immigrants. Competitive economies display long term growth in national income, sustainable increases in employment and distinctive progress in living standards for all citizens. Ireland is such an economy. It is also one of the most open econ-

[Mr. Martin.]

omies in the world where growth in employment and national income depend on being able to trade competitively against the most sophisticated economies in the world. This we are doing successfully.

County Enterprise Boards.

118. **Mr. P. McGrath** asked the Minister for Enterprise, Trade and Employment the role his Department will take in working against so-called ghost communities where there is a paucity of local employment, as warned against by Chambers Ireland in their submission on the National Development Plan 2007-2013; and if he will make a statement on the matter. [17880/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): County and City Development Boards have been established in each county to improve co-ordination and delivery of public services at local level and all 34 CDB Strategy Statements have been published. It is in such a forum that issues like long-term commuting or poorly paid local employment experienced by so called “ghost communities” or “ghost economies” would normally be addressed. In so far as my Department and its enterprise development and training agencies are concerned they are actively participating on these Boards to address local development issues with their particular focus on active labour market measures, investment promotion, fostering entrepreneurship, company start-ups and expansions. The agencies also work closely with a wide range of other local organisations such as third level educational institutes, private sector developers and utility providers etc. to achieve their goals.

The pursuit of the national goal of balanced and sustainable regional development is also an important goal for my Department and its development agencies, which are operationally independent. The National Spatial Strategy provides a framework for this goal wherein the focus is on the Gateway and Hub locations throughout the State. However smaller locations can sometimes also be appealing to potential investors who may wish to locate some functions away from the main centres of population and the development agencies, in particular IDA Ireland, will encourage and facilitate such investments at every opportunity. Local bodies in smaller communities can help in making their areas more attractive for investment. In supporting the marketing of individual areas, regardless of size, I believe it is important to think big and sell the positives rather than highlighting negatives such as “black spots” and “ghost communities”. Ultimately the decision regarding where to locate investments and job is a matter for individual investors.

IDA Ireland’s experience of dealing with overseas investors is that companies will often only consider larger centres that have the scale, infrastructure and services capable of sustaining their investment. The agency is optimistic in regard to job creation from new and expansion projects in 2006. Such projects not only bring high wage jobs but also have knock-on benefits in other sectors such as supply, distribution and transport, thus creating further investment/employment opportunities for local people in the immediate vicinity and surrounding areas. Similar knock-on benefits would arise in the case of indigenous companies supported by Enterprise Ireland. The main vehicle for supporting local enterprise is the network of thirty-five County and City Enterprise Boards that were established nationally in October 1993. Their primary role is the promotion and development of micro-enterprise and entrepreneurship at a local County level. In this regard, therefore, project promoters within any County may seek assistance from their local CEB and, subject to certain qualifying criteria, may receive either financial or non-financial assistance in the form of business training, mentoring etc. The focus of the CEBs is increasingly on the development of sustainable growth-orientated local enterprise which will deliver high quality job creation, without displacement or deadweight, and which may, in time, have sufficient mass to access and avail of the services of Enterprise Ireland.

Enterprise Ireland provides support towards the development of Community Enterprise Centres throughout the country through its CEC scheme. Community Enterprise Centres support entrepreneurs and start up businesses by providing much needed workspace for local micro enterprises, which facilitates the development of employment opportunities at local level. I believe the strategies and policies being pursued by the Department and its Agencies are and will continue benefit local economic development, both directly and indirectly.

Economic Competitiveness.

119. **Mr. Stagg** asked the Minister for Enterprise, Trade and Employment his view on the decision of the Competition Authority to interpret the Competition Act 2002 as prohibiting self-employed persons from having a trade union negotiate employment terms and conditions for them. [18226/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): As I have previously explained in this House, one of the aims of the Competition Act 2002 is to prohibit anti-competitive practices by “undertakings”. An “undertaking” is defined in the Act as “a person being an individual, a body corporate or an unincorporated

ated body of persons engaged for gain in the production, supply, or distribution of goods or the provision of a service". This definition has been in use in Irish competition law for some time and is supported by EU case law. While the Competition Authority accepts that it is perfectly legal for a trade union to represent employees in collective bargaining with their respective employers, it determined in this case, that the actors in question were self-employed contractors and not employees. The view expressed by the Authority in its investigation, however, was in respect of the case in question only and the parties to the investigation did not appear to take issue with the Authority's view since they entered into undertakings in settlement of the case, thereby avoiding the necessity of going to Court. I understand, however, that the Competition Authority has recently met with representatives of ICTU and Irish Actors' Equity SIPTU in relation to this issue and that the Authority has invited Equity and/or ICTU to make a written submission in the matter.

Employment Support Services.

120. **Mr. Deasy** asked the Minister for Enterprise, Trade and Employment his views of the assessment by Forfás (details supplied); his plans to improve funding in this area; and if he will make a statement on the matter. [17879/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Deputy is referring to a report entitled Data Analysis of In-Employment Education and Training in Ireland that was published by Forfás in 2005. At the time this report was in preparation, the latest full year for which the full range of data was available was 2003. At that time this Department was contributing less than €14m in direct training grants to activities classified in this report as Continuing Vocational Education and Training. These funds were invested by FÁS and Skillnets Limited to upskill those in work. Since then, the Deputy will be pleased to learn that my Department's allocations to this activity have benefited from a nearly four-fold increase to over €52 million in 2006. The 2006 allocations are being invested by FÁS in its expanded Competency Development Programme (€35.6m), by Skillnets Limited in the Training Networks Programme (€8.5m) and by Enterprise Ireland and a subsidiary of Skillnets (€2m and €6m approximately) both of whom are managing in-company training programmes on behalf of my Department.

Flexible Work Practices.

121. **Mr. Stanton** asked the Minister for Enterprise, Trade and Employment his views on the Central Statistics Office figures that some 80 per cent of the workforce are being denied flex-

ible work arrangements; the action he will take to address same; and if he will make a statement on the matter. [18187/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The CSO Quarterly National Household Survey module dealing with Work Organisation and Working Time for the second Quarter of 2004 found that 68.6% of employees had a fixed start and finish time to their working day with 16.5% having the ability to vary their start or finish times. The CSO report does not deal with the reasons behind the percentage of workers not availing of flexible work arrangements and does not contend that all are actually denied this facility. The issue of introducing flexible work arrangements in the workplace is a matter for negotiation between employees or a trade union acting on their behalf and employers. I have no plans to introduce flexible working hours on a statutory basis for all employees.

Science and Technology.

122. **Mr. Stagg** asked the Minister for Enterprise, Trade and Employment the progress made to date in appointing a new chief science adviser to the Government; and if he will make a statement on the matter. [18225/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I will shortly be concluding my consideration of this matter in consultation with my Cabinet colleagues, and I envisage that a public competition for the position of Chief Scientific Adviser will be initiated in the next number of weeks.

Question No. 123 answered with Question No. 87.

Departmental Staff.

124. **Mr. Howlin** asked the Minister for Enterprise, Trade and Employment the number of labour inspectors currently employed by or on behalf of his Department; the number of cases investigated by these inspectors in each year from 2002 to present; the average time from a case file being opened to a satisfactory resolution; and if he will make a statement on the matter. [18200/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): Since November 2005 the number of Labour Inspectors assigned and serving has been increased to thirty-one officers.

The numbers of workplace inspections/visits undertaken by the Labour Inspectorate in respect of the years 2002 to 2005 and to date in 2006 are set out in the tabular statement below.

[Mr. Killeen.]

The average time from a case file being opened to a satisfactory resolution during the period 2002 to 2006 is not available. On foot of the Deputy's question an officer undertook a survey of all cases since January, 2004. Arising from this survey, the average duration of cases opened since January 2004 was approximately two and a half months. It should be noted that the duration of case files varies widely in that some cases reach a satisfactory outcome within a few days and the more complex cases may require several visits and possible prosecution in Court, which can extend for several months.

Year	Inspections/Visits
2002	8,323
2003	7,168
2004	5,160
2005	5,719
2006	5,799 (to date)

Departmental Programmes.

125. **Ms B. Moynihan-Cronin** asked the Minister for Enterprise, Trade and Employment the sums of money that have been deployed within his Department for the employment and human resources development operational programme as set out in the National Development Plan 2000-2006; and if he will make a statement on the matter. [18209/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The NDP's Employment and Human Resources Development Operational Programme (EHRDOP) is a €15 billion plan that addresses Ireland's labour market and human capital development needs for the period 2000-2006. The budget comprises €892 million of assistance from the European Social Fund (ESF).

The EHRDOP comprises 52 measures which are implemented by a variety of Government departments and agencies. The programme is managed centrally by the EHRDOP Managing Authority which forms part of the ESF Policy and Operations Unit of my Department. Among the activities supported by the programme are:

- The National Employment Service
- Training for the unemployed and redundant workers and specific marginalised groups
- Initiatives to combat early school leaving and Back to Education Initiatives for early school leavers and Travellers
- The National Adult Literacy Strategy
- Access to Third Level Education for students from socio-economically disadvantaged backgrounds,

- Training for those in employment to enhance the productivity and competitiveness of Irish companies

To the end of 2005, according to the latest figures available, the programme has accounted for expenditure of almost €12 billion and remains on target for reaching its financial targets by the end of the programming period.

Within the remit of my Department, programme-related expenditure occurs through FÁS, Enterprise Ireland, the Employment and Training Strategy Unit of the Department and, of course, the ESF Policy and Operations Unit. The total sum expended by these agencies in particular is just over €4.98 billion.

EU Directives.

126. **Mr. McGinley** asked the Minister for Enterprise, Trade and Employment the number of EU directives for which he has responsibility that remain to be implemented; and if he will make a statement on the matter. [17893/06]

132. **Mr. Costello** asked the Minister for Enterprise, Trade and Employment the number, in respect of EU directives for which his Department has responsibility, remaining to be implemented; the directives that are overdue; the number of warnings received from the EU Commission since 1997 regarding delays or non-implementation of such directives; and if he will make a statement on the matter. [18221/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 126 and 132 together.

There are currently a total of twenty-nine Directives due to be transposed by this Department. Of these, as at end April 2006, 13 are overdue for transposition and are detailed in the table below.

From May 2006 to December 2006 another six Directives require to be transposed. A further ten Directives require to be transposed in 2007 and subsequent years.

It is expected that of the Directives currently overdue four will be transposed by the end of May 2006. Another Directive, (2002/14/EC), that is also currently overdue has been implemented in law but is awaiting a Commencement Order to complete formal transposition.

It is not possible to provide definitive information on proceedings relating to the delay or non-implementation of Directives prior to 2001. However, since 2001, my Department has received 26 notifications (additional to the six extant notifications in the table above) from the Commission in respect of the non-transposition of EU Directives. All of the Directives covered by the previous 26 notifications have now been transposed.

My Department continues to accord a high priority to the transposition of Directives and makes every effort to transpose Directives in time to meet the deadline given for transposition.

Overdue Directives as at end April 2006.

Description of Directive	Deadline for Transposition	Current position
Directive 2001/45/EC. . . amending Council Directive 89/655/EEC concerning the minimum safety and health requirements for the use of work equipment by workers at work	19/7/2004	Drafting of Regulations almost complete. Draft is with Parliamentary Counsel. Expected date of transposition: End-June 2006. Reasoned Opinion issued by the Commission.
Council Directive 2001/86/EC supplementing the Statute for a European company with regard to the involvement of employees	8/10/2004	Draft Regulations are being finalised and it is intended to send them to Office of the Parliamentary Counsel shortly. Expected date of transposition: 31 July 2006. Reasoned Opinion issued by the Commission.
Directive 2002/14/EC establishing a general framework for informing and consulting employees in the European Community	23/3/2005	The Employees (Provision of Information and Consultation) Bill 2005 was signed by President on 9th April 2006. Expected date of transposition: Awaiting commencement Order. Reasoned Opinion issued by the Commission.
Commission Directive 2004/111/EC of 9 December 2004 adapting for the fifth time to technical progress Council Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road	1/7/2005	Commission Directives 2004/111/EC and 2004/112/EC are linked. The Carriage of Dangerous Goods by Road Act 1998 was intended as a basis for implementing both of these Directives. Deficiencies in the 1998 Act have brought into question the legality of using this as a means of transposition of these two Directives. New draft Regulations were forwarded to the Office of the Parliamentary Counsel on 28 March 2006. The expected date of transposition: End May 2006.
Directive 2002/44/EC of 25 June 2002 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibrations)	6/7/2005	Drafting of Regulations almost complete. Expected date of transposition: End June 2006. Letter of Formal Notice issued by the Commission.
Commission Directive 2004/112/EC of 13 December 2004 adapting to technical progress Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road.	14/12/2005	Commission Directives 2004/111/EC and 2004/112/EC are linked. The Carriage of Dangerous Goods by Road Act 1998 was intended as a basis for implementing both of these Directives. Deficiencies in the 1998 Act have brought into question the legality of using this as a means of transposition of these two Directives. New draft Regulations were forwarded to the Office of the Parliamentary Counsel on 28 March 2006. Expected date of transposition: End May 2006. Letter of Formal Notice issued by Commission
Regulation 2006/2004 EC of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws	29/12/2005	Final draft of SI has been cleared by the OPC. Expected date of transposition: End May 2006.
Directive 2005/88/EC . . . of 14 December 2005 amending Directive 2000/14/EC on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors.	31/12/2005	Office of Parliamentary Counsel received draft Regulations on 27 February 2006. Regulations signed on 3rd May 2006.
Directive 2001/84/EC. . . of 27 September 2001 on the resale right for the benefit of the author of an original work of art (deadline 1/1/2006) This Directive is linked to 2004/48/EC below (infringement of IP rights).	1/1/2006	Government approval to draft Bill was obtained in July 2005 and drafting by the Parliamentary Counsel is progressing steadily. It is hoped that the Bill will reach all stages in the Houses before the end of 2006. Letter of Formal Notice issued by the Commission.
Directive 2003/10/EC . . . to lay down requirements on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (noise)	15/2/2006	Health & Safety Authority preparing Regulations. Expected date of transposition: End-June 2006
Directive 2003/18 EC on the protection of workers from the risks related to exposure to asbestos at work.	15/4/2006	Following public consultation draft Regulations will be finalised for submission to the Department by the Health and Safety Authority by mid-June 2006. Expected date of transposition: End July 2006.

[Mr. Martin.]

Description of Directive	Deadline for Transposition	Current position
Directive 2004/48 EC on the Enforcement of Intellectual Property Rights Linked to Directive 2001/84/EC above.	26/4/2006	Parliamentary Counsel commenced drafting of the Bill to give effect to the Directive. (See 2001/84/EC above.)
Directive 2004/22 EC . . . of 31 March 2004 on measuring instruments	30/4/2006	Draft implementing Regulations have been prepared. It is anticipated that the Directive will be transposed by operational date of October 2006. Expected date of transposition: October 2006

Industrial Development.

127. **Mr. Sherlock** asked the Minister for Enterprise, Trade and Employment the number of companies who made grant refunds in respect of Enterprise Ireland and IDA Ireland; the reason those refunds were made; the number of jobs involved; the names of the companies; and if he will make a statement on the matter. [18216/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The provision of grant assistance for individual companies, and the related matter of companies refunding grants where appropriate, is a matter for Enterprise Ireland and IDA Ireland themselves, and not one in which I have a direct function.

I have made enquiries with IDA Ireland and Enterprise Ireland regarding their latest available figures in respect of grant refunds.

IDA Ireland report that in 2004 a total of 31 companies made grant refunds to the agency, as a result of company closures or due to a reduction in employment in those companies. The number of jobs involved totalled 3440. In 2005 a total of 36 companies made grant refunds as a result of company closures or due to a reduction in employment in those companies. In respect of 2005 the number of jobs involved totalled 2061.

Enterprise Ireland report that in 2004 a total of 23 companies made grant refunds to the agency, and in 2005 a total of 12 companies made refunds. Grant refunds were made to Enterprise Ireland as a result of company closures, or non-compliance with grant conditions or agreements. Enterprise Ireland estimate the reduction in employment associated with closures giving rise to the repayment of grants made over 2004 and 2005 at 1,130.

IDA Ireland and Enterprise Ireland have not released the names of companies who refunded moneys on the basis that this information is commercially sensitive and may impact negatively on companies who continue to trade in Ireland or overseas.

Decentralisation Programme.

128. **Mr. Wall** asked the Minister for Enterprise, Trade and Employment if he has had discussions with the director general and board of

FÁS to ascertain if the proposed decentralisation will be cancelled in view of the opposition voiced by staff through their trade union to its implementation; and if he will make a statement on the matter. [18189/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): 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. A "relocation clause" included in recruitment and promotion contracts has given rise to industrial action by SIPTU. The dispute was the subject of a Labour Court recommendation.

In advance of the industrial action discussions between both parties were held on two occasions under the auspices of the Labour Relations Commission to see whether progress could be made. Following lengthy talks at which both sides put forward proposals, it was unfortunately not possible to find a resolution and the industrial action went ahead on a phased basis. Differences remain between the parties and, naturally, I strongly support using all the established consultation mechanisms and I hope that further discussions will lead to a resolution of the issue.

I have discussed progress regarding the decentralisation of FÁS with its Chairman and Director General in recent months.

Grocery Industry.

129. **Mr. Hayes** asked the Minister for Enterprise, Trade and Employment if his Department has conducted or plans to conduct research into the effects of the abolition of the Groceries Order on prices; if he has the results of that research; and if he will make a statement on the matter. [17878/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): In view of concerns expressed by some contributors to the public consultation process on the Groceries Order last year, I asked the Competition Authority to monitor the sector following the repeal of the Order. The Authority is currently putting in place a monitoring mechanism to track data and trends over the coming

months and years and it will keep my Department informed of developments.

EU Directives.

130. **Ms Burton** asked the Minister for Enterprise, Trade and Employment the steps his Department will take in view of the consensus between the European Commission, Council and Parliament on the Services Directive in order to ensure that the provisions of the draft directive are transposed into law here with the minimum delay; the timetable for the enactment of such legislation; and if he will make a statement on the matter. [18192/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The European Commission's amended proposal was published on 4th April following the European Parliament's first vote on the proposal on the 16th February 2006. The amended proposal is currently being examined in the Council Working Group and COREPER. The Austrian Presidency hopes to have political agreement on the proposal for the Competitiveness Council on 29th and 30th May 2006, although it remains to be seen if this ambitious target can be met.

If and when the draft Services Directive is adopted it is the intention that it will be transposed into Irish law within the time-frame that will be specified within the Directive, which is expected to be in the order of two years from adoption.

Labour Inspectorate.

131. **Dr. Upton** asked the Minister for Enterprise, Trade and Employment the number of inspections carried out by the labour inspectorate; the number of prosecutions initiated by the inspectorate in respect of the years 2002, 2003, 2004, 2005 and to date in 2006; if there are plans to increase this number during the remainder of 2006; and if he will make a statement on the matter. [18220/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The number of workplace inspections/visits undertaken by the Labour Inspectorate (during and after normal business hours) and prosecutions initiated in respect of the years 2002 to 2005 and to date in 2006 are set out in the tabular statement below.

The primary function of the Labour Inspectorate is to seek compliance and rectification of any breaches identified, including payment of any arrears due to employees. Inspectors pursue allegations of worker mistreatment and seek redress for the individual/s concerned and, if appropriate, a prosecution is initiated. Successful prosecution can be dependent on adequate support from witnesses.

Since November 2005 the number of Labour Inspectors assigned and serving has been increased to thirty-one Officers. As part of the programme of work implemented to train the new Inspectors their schedule included a focus on National Minimum Wage compliance, which commenced in February 2006. In addition to the new Inspectors a number of experienced Officers are participating in this exercise in order to provide support and guidance as well as undertaking inspections themselves. It is expected that the additional resources and the focused campaign will substantially increase the number of inspections/visits carried out in 2006.

Year	Inspections/Visits	Prosecutions Initiated
2002	8,323	25
2003	7,168	20
2004	5,160	14
2005	5,719	25
2006	5,799 (to date)	7 (to date)

Question No. 132 answered with Question No. 126.

Personal Injuries Assessment Board.

133. **Mr. Howlin** asked the Minister for Enterprise, Trade and Employment the number of cases currently before the Personal Injuries Assessment Board; the number of cases for which rulings have been given since its inception; the number of these cases that have been referred to the Courts for further action or appeal; the number of staff currently employed by the PIAB; the intended number of staff to be employed by the PIAB; the date by which he expects the PIAB to be fully staffed; the date on which a review will be undertaken on staffing levels in the PIAB; and if he will make a statement on the matter. [18199/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): In all, 19,625 cases have been received by the Personal Injuries Assessment Board to date as follows. There are currently 4,886 cases with the PIAB in the 90-day "consent to process" period i.e. PIAB has received a claim and has issued formal notice to the responding party, and is awaiting consent to process from that party. There are a further 4,293 cases in the 9-month statutory assessment process, where the responding party has indicated that liability is not contested and damages are being assessed. The PIAB has made awards in 2,063 cases to date. Authorisations (the Board does not refer cases to the Courts, it issues authorisations to proceed to Court in certain cases after which any decision to proceed to litigation is a matter for the claimant) have been issued in a further 8,383 cases. Some of these will have been resolved since PIAB

[Mr. Martin.]

involvement and others will proceed to the Courts. The PIAB would not be aware of the number of these cases which actually proceed to litigation, although it is believed that a significant proportion are settled outside of the Courts once an authorisation issues from the PIAB.

The Board currently employs 53 staff members. The staffing requirements of the Board will be dependant on the volume of cases coming before the Board. Staffing levels in the PIAB will be kept under continuous review by my Department.

Industrial Relations.

134. **Mr. Coveney** asked the Minister for Enterprise, Trade and Employment the number of times the Employments Rights Group, announced on 24 May 2005 has met; the discussions which took place; the action that has arisen as a result of those meetings; and if he will make a statement on the matter. [17891/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): In response to the recommendations of the Employment Rights Review Group and following a process of extensive consultations with interested parties, a programme of action was agreed by Government to facilitate the simplification of procedures and provide greater ease of access for all users of the services of the employment rights bodies.

Following the Government decision, an Employment Rights Group comprising representatives of a small number of Government Departments, the Social Partners and the Employment Rights Bodies was established to consider the operational implications of implementing the terms of the Government decision.

The Employment Rights Group has already met on four occasions. A proposed meeting in April 2006 was deferred due to the demands made on some members of the group by the Social Partnership talks.

To date, discussions have taken place in the ERG on such matters as the new operating mandates of the ER bodies, the likely caseloads to be handled by the different bodies under new arrangements, including personnel resources, together with simplifying and streamlining procedures and improving the level of customer service in the bodies. In addition, the ERG is to examine the body of employment rights legislation with a view to harmonising redress procedures and consolidating the large corpus of legislation now in existence. Working Groups have been active in the individual bodies, examining procedures and documentation and considering issues arising in relation to the better delivery of service.

A number of issues emerging from the current Social Partnership talks overlap with the intended work programme of the ERG, with particular ref-

erence to compliance with employment rights legislation.

Health and Safety Regulations.

135. **Dr. Upton** asked the Minister for Enterprise, Trade and Employment the number of deaths and injuries arising from workplace accidents generally and specifically in regard to the construction industry for 2005; the way in which these figures compare with 2004 and 2003; the figures to date in 2006; the additional steps he intends to take to reduce such accidents; and if he will make a statement on the matter. [18190/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Health and Safety Authority published its Annual Report for 2005 and its Summary of Fatality, Injury and Illness Statistics 2004-2005 on Tuesday May 9th. Much of the details that the Deputy seeks can be found in the latter report which contains detailed breakdowns on Injuries, Illness and Fatalities of workers across economic sectors.

Overall, there were 68 workplace deaths in 2003, 50 in 2004, 73 in 2005 and 13 so far in 2006. In the Construction Industry specifically, there were 20 deaths in 2003, 16 in 2004, 23 in 2005 and one so far in 2006.

In terms of injuries from work place accidents, data from the Central Statistics Office, Quarterly National Household Survey, shows overall levels of 21,900 injuries in 2003 and 21,840 in 2004, the last year for which data is available. The injury levels in construction were 5,300 in 2003 and 5,820 in 2004.

The Safety, Health and Welfare at Work Act 2005, which I brought into operation on 1 September 2005, updates, repeals and replaces the Safety, Health and Welfare at Work Act 1989 and provides a modern legal framework to guarantee best international practice in regard to health and safety in Irish workplaces.

There are over 200,000 workplaces in Ireland and in order to make best use of its resources, the Health & Safety Authority is once again in its Programme of Work for 2006 prioritising a number of sectors for attention. These include the high-risk sectors of agriculture, construction, and mines and quarries, as well as the health services, local authorities and process industries. Key actions in these sectors will include—

- a major national road show which will visit a minimum of 5,000 construction workers;
- the development of a farm “safety village” at the World Ploughing Championships and;
- the publication of codes of practice tailored to those employing three or less in the agriculture, quarrying, and construction sectors.

In relation to the Construction Sector specifically, the Authority plans to—

- carry out a focused programme of 7,500 construction site inspections covering appointment of duty-holders and assignment of responsibilities, safety and health plans and safety statements, work at heights, reversing vehicle safety, welfare and training arrangements;
- develop and implement a major promotional campaign;
- hold industry information briefings on the Construction Regulations targeting managers and designers and including vibration, noise, work at height, underground services, roof work, and the lifting equipment regulations;
- research the issues involved in the employment of non-English speaking workers; and,
- prepare guidance on construction-specific aspects of work at a height and progress draft codes of practice on pre-cast construction, concrete anchors, and client best practice.

Question No. 136 answered with Question No. 93.

137. **Mr. Ferris** asked the Minister for Enterprise, Trade and Employment further to the revelation in his reply to Parliamentary Question No. 439 of 25 April 2006 that only 76% of workplaces inspected in 2005 had safety statements available, the breakdown of the actions which were taken against the 24% of employers who in 2005 were found not to have safety statements available including the number and percentage of employers against whom prosecutions were initiated and penalties imposed. [18336/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): Under Section 20 of the Safety, Health and Welfare at Work Act 2006 every employer is required to prepare a written safety statement, identifying hazards and assessing the specific risks at that place of work, outlining protective and preventive measures taken and emergency plans.

Enforcement action was taken by the Health & Safety Authority in 42% of inspections carried out in 2005. This action comprised inspectors serving 493 Prohibition Notices, 458 Improvement Notices, 10 Improvement Directions and 4,770 written advice letters. These covered all types of breaches under the 2005 Act and other occupational safety and health Regulations.

In addition, 40 prosecution cases were taken in 2005 which resulted in fines totalling €463,338 being imposed by the Courts. 22 of these cases were taken under summary proceedings and the

remaining 18 were on indictment. 85% of the cases resulted in convictions, while the Probation Act was applied in one case.

Company Law.

138. **Mr. Rabbitte** asked the Minister for Enterprise, Trade and Employment if his attention has been drawn to the recent liquidation of a construction firm (details supplied) who transferred its contracts of employment and commercial contracts to a sister company notwithstanding the fact that substantial sums of money were owed to the Revenue Commissioners, the Construction Industry Pension Fund and the employees; if he has satisfied himself that the provisions of company law were properly upheld; and if he will make a statement on the matter. [18205/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The main company law provisions in Ireland dealing with companies which fail and whose owners re-engage in trading under a new name are addressed under the Companies Acts 1963 to 2005 and in particular under the provisions of the Company Law Enforcement Act 2001.

Under the provisions of section 56 of the Company Law Enforcement Act 2001, liquidators of insolvent companies are required to submit a report to the Director of Corporate Enforcement within 6 months of their appointment. The liquidator of this company was appointed at a creditors' meeting on the 16th March 2006. Therefore the liquidator has, in this instance, until the 16th September 2006 to submit this report. The liquidator's report should outline the circumstances of the insolvency and address whether the directors acted honestly and responsibly in relation to the conduct of the company's affairs. The liquidator would normally address the type of allegations made by the Deputy. Liquidators are further obliged to bring High Court proceedings for the restriction of such directors unless relieved of that obligation by the Director of Corporate Enforcement.

In accordance with section 299 of the Companies Act, 1963, as amended, if it appears to a liquidator that any past officer or any member of the company has been guilty of any offence in relation to the company for which he is criminally liable, the liquidator is obliged to report the matter to the Director of Public Prosecutions and to refer the matter to the Director of Corporate Enforcement. The Director of Corporate Enforcement has the power to bring any other prosecution for breaches of the Companies Acts as deemed appropriate in any individual case.

With regard to sums of money owed to the Revenue Commissioners, I have been informed that a revenue official attended the creditors meeting of PSK Construction Ltd. on 16th March at which the Liquidator for the company was

[Mr. Martin.]

appointed. A committee of inspection was formed and an official from the Revenue Commissioners was appointed to the committee to monitor progress with regard to the liquidation.

With regard to sums of money owed to the employees of this company, a number of claims for unpaid entitlements have been certified by the liquidator and submitted to the Insolvency Payments Section of my Department, where they are currently being considered under the Insolvency Payments Scheme. The Scheme provides protection for employees' entitlements, such as arrears of wages, holiday pay, pay in lieu of notice and certain unpaid pension scheme contributions, where they lose their jobs due to the insolvency and liquidation of their employer. Claims for entitlements are made through and certified by the liquidator, and payments are made from the Social Insurance Fund. Employees' claims against the assets of the employer in relation to entitlements paid under the Scheme are transferred to the Minister for Enterprise, Trade and Employment, who is then included in the distribution of assets by the liquidator on the winding up of a company.

With regard to sums of money owed to the Construction Federation — Operatives Pension Scheme, this organisation has been in contact with the liquidator appointed to the construction firm and is awaiting a report from the liquidator in this regard.

Unemployment Levels.

139. **Mr. Kehoe** asked the Minister for Enterprise, Trade and Employment the steps he intends to take to deal with the high level of unemployment in County Donegal; and if he will make a statement on the matter. [17881/06]

200. **Mr. McGinley** asked the Minister for Enterprise, Trade and Employment if the Donegal inter-Departmental group is still operating; the number of meetings it has held; the recommendations that have been put forward by the group; if a report will be published; and if he will make a statement on the matter. [18690/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 139 and 200 together.

The Deputies will be aware that there have been significant employment developments for Donegal recently. In March 2006, I announced the establishment of a new Enterprise Managed Service Centre by AssetCo in Buncrana. The project involves an investment of €5.2 million and will lead to the to the creation of 130 new jobs. Also, in March 2006, I announced that Abbott, one of the world's largest healthcare companies, is to make a further high value healthcare investment in Ireland of €36 million, to establish a manufacturing facility in Donegal town which will

create at least 155 high quality jobs with over 45% requiring a third level qualification. You will also be aware that I announced 210 new jobs last September being created by Zeus Industrial Products, Letterkenny and PowerBoard, Burnfoot. These projects are being supported by the Industrial Development Agency and Enterprise Ireland.

I can assure you that the State development agencies under my auspices, IDA, EI, FAS and Donegal County Enterprise Board, are fully committed to supporting and promoting job creation and job retention in Donegal. In addition to recent job announcements, this commitment is also evidenced by ongoing development and support by the Agencies for a number of business parks and enterprise centres in Donegal. These include the completion of the IDA Letterkenny Business Park, the provision of a 25,000 square foot advance office building at Windyhall, the completion of site development work at Ballyshannon for a new facility and also a development at Buncrana, where IDA is working with a local developer to provide new manufacturing and office buildings. In addition to providing support for nine Community Enterprise Centres in Donegal, Enterprise Ireland has also provided substantial support for the expansion of the Letterkenny Institute of Technology 'Business Development Centre' and the development of a 'Marine Biotechnology Centre'.

The development agencies will continue to work together to promote Donegal in order to attract investment and to foster job creation there. However, I also recognize that there have been significant job losses in Donegal in recent years. This Government recognizes the particular difficulties in Donegal and is working to assist in improving the overall environment to increase the attractiveness of Donegal as a location for enterprises. In that context, I established the Inter-Departmental Group on Donegal, which is chaired by the Secretary General of my Department. The Group has met on four occasions, the last meeting being held yesterday, 16 May. I intend to announce the findings of the Group in the very near future, having consulted my Cabinet colleagues.

Finally, I can assure the Deputies that support for job creation in Donegal will continue to be a priority for the State development agencies under the auspices of my Department.

Departmental Agencies.

140. **Mr. Perry** asked the Minister for Enterprise, Trade and Employment the activities of the national Consumer Agency; his views on whether this activity constitutes good value for taxpayers' money; and if he will make a statement on the matter. [17877/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The establishment of a

National Consumer Agency, which was the principal recommendation of the Consumer Strategy Group, was fully accepted by the Government. In this regard, I hope to publish the legislation establishing the new Agency later this year and to have the NCA up and running early in 2007.

The Deputy will be aware that I appointed a Board to the NCA in June 2005 to act in an interim capacity until the new Agency is established on a statutory basis. Since its appointment, the Interim Board has been very active in advocating the consumer's cause and raising the awareness of consumer rights. The Interim Board has been allocated funding to allow it to continue and intensify its activities throughout the course of 2006. In addition to being a forceful advocate on behalf of the consumer, the Interim Board as part of its terms of reference will have a key role in preparing the way for the fully operational Agency itself.

One of the Interim Board initial activities following its appointment was to articulate the consumer's case in the recent debate on the Groceries Order. Indeed that debate highlighted the importance of ensuring that the consumer's interests along with the interests of other parties are fully considered in issues of important public policy.

In addition, the Interim Board of the NCA has, since its appointment, been active in a raising awareness of consumer rights and in particular its public campaign launched in the Christmas/New Year period focussing on the rights of consumers when purchasing products. This campaign involved a high profile series of both radio and television adverts and the publication of a National Shoppers' Rights Card which has been distributed to over 2 million consumers.

The Interim Board also established a consumer helpline which has received well in excess of 9,000 calls to date. The Interim Board has also initiated work on the development of its dedicated consumer website and it is anticipated that this will be fully operational in the third quarter of this year.

I am fully satisfied that the Interim Board is playing a very important role in bringing the consumer's interests to the fore and that its activities in focussing on raising awareness of consumer rights and the consumer agenda do represent value for money.

I am confident that the Interim Board in conjunction with other agencies such as the office of the Director of Consumer Affairs, the Competition Authority and indeed the National Consumer Agency itself, once formally established, will help to create a new environment of consumer awareness, access, protection and influence that will enhance the quality of life for Irish consumers.

Departmental Bodies.

141. **Mr. Gilmore** asked the Minister for

Enterprise, Trade and Employment the reason the announcement of the composition of the new Labour Relations Commission was delayed until eight days after the Commission came into office; the relevant experience and skills of each of the Ministerial nominees on the panel; the remuneration or allowances made to each member of the outgoing panel for each year of its term; and if he will make a statement on the matter. [18195/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen):

The announcement of the appointment of the new Board of the Labour Relations Commission was made by me on 9th April last in advance of the first meeting of the new Board which took place the following day. The new Board took up office on 1st April 2006 and has been appointed for a term of 3 years.

The two Ministerial appointments to the new Board were made on the basis of both individuals' background in, and experience of, industrial relations and human resource management at senior level.

This Department is responsible for the payment of Board Members' fees for the Labour Relations Commissions. Details of the annual fees payable to the outgoing Board Members for each year of its term were as follows:

Chairman:	€15, 236.86 per annum
Ordinary Member:	€10,157.90 per annum

Community Employment Schemes.

142. **Mr. Penrose** asked the Minister for Enterprise, Trade and Employment the number of persons on community employment programmes on 1 January 2006 for each county; the number of voluntary or not for profit organisations that are utilising community employment programmes to promote the activities of their organisation or provide a service to their community. [18207/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The following tabular statement provides a county-by-county breakdown of the numbers of participants employed on Community Employment (CE) Schemes by approximately 1,270 CE Sponsor organisations on 1st January 2006.

County	1/1/2006
Carlow	328
Cavan	250
Clare	561
Cork	2,165
Donegal	1,115
Dublin	5,798
Galway	1,418

[Mr. Martin.]

County	1/1/2006
Kerry	932
Kildare	622
Kilkenny	404
Laois	331
Leitrim	109
Limerick	1,202
Longford	312
Louth	742
Mayo	784
Meath	414
Monaghan	366
Offaly	389
Roscommon	286
Sligo	398
Tipperary	1,095
Waterford	583
Westmeath	527
Wexford	817
Wicklow	702
Total	22,650

Question No. 143 answered with Question No. 79.

Departmental Investigations.

144. **Ms Shortall** asked the Minister for Enterprise, Trade and Employment the position in regard to the investigation by the Labour Inspectorate into allegations of very serious irregularities in regard to the treatment of employees of a Turkish company (details supplied) which has been operating here; if all the workers have been given access to money held in accounts in a bank in Holland; if he has considered requesting the Gardaí to conduct an investigation into allegations that money had been diverted into accounts to which the workers previously had no access; and if he will make a statement on the matter. [18219/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Allegations of non-compliance with labour legislation in respect of a major Construction Firm were raised in this House on 8 February, 2005 by Deputy Joe Higgins. Those allegations were that certain non-national construction workers were required to work excessive hours and that such workers were in receipt of pay of between €2.00 and €3.00 per-hour in contravention of the statutory minimums applicable.

The Labour Inspectorate undertook an investigation of these allegations. That investigation was completed within six weeks and required the exclusive attention of three Labour Inspectors under the direction of two senior members of

staff. A report on the investigation was prepared and circulated to relevant parties, including the construction firm involved.

Subsequently, the Department was informed that the firm proposed seeking a Judicial Review with regard to the investigation and Inspector's Report. At an interlocutory hearing a judgment was given whereby the Department was restrained from publication of the Inspector's Report but permitted to forward the document to relevant prosecutorial bodies. On foot of this outcome a copy of the Inspector's Report was sent to the Department of Social and Family Affairs, the Revenue Commissioners, the Office of the Director of Public Prosecutions, the Competition Authority, the Office of the Director of Corporate Enforcement and the Garda Commissioner.

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

Arising from my concern that all Turkish workers would have access to the money that had been transferred to their bank accounts in Finansbank in Amsterdam, the Minister and officials met with senior management from GAMA Turkey and GAMA Ireland, the legal advisors to GAMA Turkey, and a Human Resources consultant, retained by GAMA. At that meeting, I was assured by these senior managers, their Legal Advisor and the Human Resources consultant that all GAMA workers in Ireland, past and present, would have full access to the money that had been transferred to their bank accounts in Finansbank.

The Minister contacted the President of Finansbank and was assured that, provided the consent of the workers was forthcoming, his bank would cooperate in ensuring that officials would have sight of relevant bank records in his bank, so that they could be satisfied that all workers would have access to the money in their bank accounts. Officials from the Department travelled to Finansbank on 14 April, 2005.

Following these meetings and contacts which my officials had with SIPTU and the Deputy, I am satisfied that a substantial number of Turkish workers, who were in Ireland around last April, received value for the funds that had been transferred to their personal bank accounts in Finansbank.

The Department wrote to GAMA Turkey's legal advisors on 29 April, 2005 seeking certain details on each current and former GAMA employee, including the money transferred to Finansbank and the money transferred from Finansbank to their personal bank account in Isbank in Turkey. Despite reminders to GAMA

Turkey's legal advisors, and engagement with a PR company engaged by GAMA, this information was not supplied at the time. Some weeks ago a substantial volume of data was presented by GAMA to the Department and was examined by my officials. The information supplied was not sufficient to enable me to assure the Deputy that all GAMA workers in Ireland, both past and present, have received value for the amounts that were transferred into their personal accounts in Finansbank.

The Department has advised GAMA by letter dated 4 April, 2006 that the material recently supplied does not enable the establishment of the factual position in relation to the workers about whom I am concerned. GAMA has been asked again to supply the missing information.

Question No. 145 answered with Question No. 80.

Question No. 146 answered with Question No. 74.

Commemorative Events.

147. **Caoimhghín Ó Caoláin** asked the Taoiseach his plans to support commemorations in 2007 of the 150th anniversary of Argentine independence, in view of the long-standing ties between Argentina and Ireland; and if he will make a statement on the matter. [18567/06]

The Taoiseach: The Admiral Brown Society has been awarded a grant of €10,000 from the Commemoration Initiatives Fund in my Department towards funding for a memorial park to commemorate Admiral Brown in 2007.

148. **Caoimhghín Ó Caoláin** asked the Taoiseach if funding will be made available for the creation of a memorial park to Admiral William Brown in County Mayo, in view of the 150th anniversary next year of the independence of Argentina, whose navy was founded by Admiral Brown; and if he will make a statement on the matter. [18568/06]

The Taoiseach: The Admiral Brown Society has been awarded a grant of €10,000 from the Commemoration Initiatives Fund in my Department towards funding for a memorial park to commemorate Admiral Brown in 2007.

Vaccination Programme.

149. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she will ensure that pneumococcal vaccination is introduced onto the childhood immunisation schedule without delay as pneumococcal meningitis is a very serious illness. [18943/06]

153. **Mr. J. Higgins** asked the Tánaiste and Minister for Health and Children if she will intro-

duce vaccination against pneumococcal meningitis onto the childhood immunisation schedule. [18626/06]

173. **Ms C. Murphy** asked the Tánaiste and Minister for Health and Children if it is intended to include pneumococcal vaccination onto the childhood immunisation schedule; if so, when same will occur; and if she will make a statement on the matter. [18736/06]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 149, 153 and 173 together.

The inclusion of the pneumococcal vaccine in the Primary Childhood Immunisation Programme is being considered by the National Immunisation Advisory Committee as part of its review of the immunisation guidelines. No decision has yet been reached. My Department and the Health Service Executive will be guided by the expert advice from the NIAC in this regard.

Health Services.

150. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children if an audiologist is available to carry out hearing examinations on children in the south Wicklow area; if an appointment can be made; and if she will make a statement on the matter. [18623/06]

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.

151. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children the number of public audiologists available in Counties Wicklow and Carlow; the areas they cover; and if she will make a statement on the matter. [18624/06]

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.

152. **Mr. Timmins** asked the Tánaiste and Minister for Health and Children her plans to ensure that hearing examinations are carried out on

[Mr. Timmins.]

newly born infants; and if she will make a statement on the matter. [18625/06]

Tánaiste and Minister for Health and Children (Ms Harney): My Department has recently received a copy of the Report of the Universal Neonatal Hearing Screening Working Group and is in discussion with the Health Service Executive in relation to its implementation.

Question No. 153 answered with Question No. 149.

Insurance Industry.

154. **Mr. G. Mitchell** asked the Tánaiste and Minister for Health and Children her views on the concerns of the Irish Haemophilia Society in regard to the nine year delay in implementation of an insurance scheme for persons infected with HIV or Hepatitis C through provision of contaminated blood or blood products; and if she will make a statement on the matter. [18627/06]

171. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that commitments in relation to the introduction of an insurance scheme for persons infected with HIV or Hepatitis C have been long delayed; and if a timetable will be set for the necessary enactments to introduce such a scheme. [18734/06]

Tánaiste and Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 154 and 171 together.

I wish to assure the Deputies that I am committed to ensuring that an insurance scheme for persons infected with Hepatitis C and HIV through the administration of blood and blood products within the State is established on a statutory basis as soon as possible. The legislation is included as a priority in the Government's Legislative Programme for the current session and it is my firm intention that the enabling legislation will be enacted before the summer recess.

The process of drafting the legislation, which is both complex and innovative, is almost complete. As soon as I receive the final agreed text from my legal advisors I will submit it to the Government for approval and will publish it as soon as Government approval is received.

Health Services.

155. **Mr. G. Mitchell** asked the Tánaiste and Minister for Health and Children the reason a person (details supplied) in Dublin 12 is being asked to pay for chiropody services; and if she will make a statement on the matter. [18628/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and per-

sonal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, 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.

There is no statutory obligation on the Health Service Executive (HSE) to provide chiropody services to GMS patients; however in practice arrangements are made to provide these services. Before the establishment of the HSE the nature of the arrangements for chiropody and the level of service provided was a matter for individual health boards and so a degree of variation in practice developed over time. Priority is usually given to certain groups of people, including people who are medical card holders aged 65 years and over. In several regions the service is provided by private chiropodists by arrangement with the HSE.

I consider that it is inappropriate for private chiropodists who are providing services on behalf of the HSE to charge patients a top-up fee, and I have conveyed this view formally to the HSE. My Department requested the HSE to review the fee arrangements in place for the provision of chiropody services, with a view to ensuring that such additional fees will no longer be levied on persons in receipt of this service; and this process is under way.

Services for People with Disabilities.

156. **Mr. Aylward** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the serious shortage of speech and language therapists in the Waterford community services area; and if she will arrange to appoint additional therapists for this area to deal with the backlog of cases awaiting therapy. [18629/06]

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.

157. **Mr. Connaughton** asked the Tánaiste and Minister for Health and Children the reason there is such a backlog of applications not approved for the special housing aid for the elderly in the Health Service Executive western region; if her attention has been drawn to the fact that there are many elderly people waiting almost two years for approval; and if she will make a statement on the matter. [18630/06]

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.

158. **Mr. Connaughton** asked the Tánaiste and Minister for Health and Children the criteria for transportation of elderly sick people to hospital clinics by private buses and taxis; if the Health Service Executive western region has made a decision to curtail such transport to persons who have been getting it over the past number of years; and if she will make a statement on the matter. [18631/06]

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.

159. **Mr. O'Connor** asked the Tánaiste and Minister for Health and Children when a decision will be announced regarding the location for the proposed new children's hospital in Dublin; and if she will make a statement on the matter. [18632/06]

Tánaiste and Minister for Health and Children (Ms Harney): On 3rd February last, the Health Service Executive published a report which was prepared by McKinsey & Co., on the delivery of tertiary paediatric services in this country. This report was commissioned by the HSE following my request to it to arrange a review of those services.

The report recommends that best outcomes for children would be obtained by developing one national tertiary paediatric centre, which would also provide all secondary paediatric services for the greater Dublin area. The report also recommends that ideally the new facility should be located on the site of, or adjacent to, a major adult teaching hospital in order to achieve the maximum service benefit for children.

Arising from the report's recommendations, a joint HSE/Department of Health and Children Task Group was established to progress matters and to advise on the optimal location for the new facility.

In the course of the Group's deliberations a number of important issues arose that were not included in its original remit. In particular, the importance of co-location with a Maternity Unit has been identified as an issue of significance. In addition, a number of proposals have been received from the private sector in relation to the building of the new facility.

The Task Group's remit has, accordingly, been extended to allow the Group to examine the issues which have arisen, as a consequence of which the Group is now expected to report in or around the end of May.

Hospital Services.

160. **Mr. O'Connor** asked the Tánaiste and Minister for Health and Children her views on the remarks of the Church of Ireland Archbishop (details supplied); her plans to meet the Archbishop to discuss the matter; and if she will make a statement on the matter. [18633/06]

Tánaiste and Minister for Health and Children (Ms Harney): I met with Archbishop Neill last January at his request to discuss the review of the delivery of tertiary paediatric services that was at that time being undertaken by McKinsey & Co., and we discussed his concerns in relation to the position of Tallaght Hospital vis-à-vis the outcome of the review.

The Health Service Executive published the McKinsey Report on 3rd February last. The report recommends that best outcomes for children would be obtained by developing one national tertiary paediatric centre, which would also provide all secondary paediatric services for the greater Dublin area. The report also recommends that ideally the new facility should be located on the site of, or adjacent to, a major adult teaching hospital in order to achieve the maximum service benefit for children.

Arising from the report's recommendations, a joint HSE/Department of Health and Children Task Group was established to progress matters and to advise on the optimal location for the new facility. As part of its work, the Group invited submissions from Tallaght Hospital and the other Academic Teaching Hospitals in Dublin in relation to the possible co-location of the proposed new hospital on their sites. Subsequently, the Group met with senior representatives of the hospitals and also visited the hospital campuses.

In the course of the Group's deliberations a number of important issues arose that were not included in its original remit. In particular, the importance of co-location with a Maternity Unit has been identified as an issue of significance. In addition, a number of proposals have been

[Ms Harney.]

received from the private sector in relation to the building of the new facility.

The Task Group's remit has, accordingly, been extended to allow the Group to examine the issues which have arisen, as a consequence of which the Group is now expected to report in or around the end of May. My primary concern is to ensure that, in determining the optimum location for the new children's hospital, we arrive at a solution which is in the best interests of the children of this country.

Hospital Waiting Lists.

161. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children the reason for the delay in providing an urgent operation in the case of a person (details supplied) in County Kilkenny; if she will expedite the matter in view of the concerns expressed by their general practitioner and the fact that they deem the case urgent; and if she will make a statement on the matter. [18634/06]

Tánaiste and Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have a reply issued directly to the Deputy.

Hospital Services.

162. **Ms McManus** asked the Tánaiste and Minister for Health and Children the number of acute beds in hospitals (details supplied); the number of intensive care beds; and the number of day beds in each of the hospitals. [18635/06]

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.

Community Welfare Service.

163. **Ms McManus** asked the Tánaiste and Minister for Health and Children her position in view of the concerns expressed by community welfare officers regarding their transfer to the Department of Social and Family Affairs. [18636/06]

Tánaiste and Minister for Health and Children (Ms Harney): I should explain at the outset that

the Community Welfare Service of the Health Service Executive (HSE) administers the supplementary welfare scheme on behalf of the Department of Social and Family Affairs. The decision to transfer the scheme, together with associated resources, to the Department of Social and Family Affairs presents an opportunity to bring about positive change for social welfare customers while advancing the Health Reform Programme.

By way of background, the Deputy will wish to know that the Commission on Financial Management and Control Systems in the Health Service (the Brennan Report) noted that, over the years, the health system had been assigned responsibility for a number of what might be regarded as non-core health activities. It recommended that the Government consider assigning non-core activities currently undertaken by agencies within the health service to other bodies.

An interdepartmental group was subsequently established to examine this issue. The Group's report (Core Functions of the Health Service Report) was submitted to, and accepted by, the Government recently. Among other recommendations, the Group considered that income support and maintenance schemes administered by the Health Service Executive, together with associated resources, should be transferred to the Department of Social and Family Affairs. I should also mention that this approach had been advocated previously in the Report of the Commission on Social Welfare in 1986 and in the Review of Supplementary Welfare Allowances by the Combat Poverty Agency in 1991.

An interdepartmental group has now commenced work to progress the implementation of the transfer. I am confident, along with my colleague the Minister for Social and Family Affairs, that this transfer process can be carried out without any negative effect on the standard of service currently provided by community welfare officers, or in the important role that they play in addressing issues of disadvantage in the community. There are of course administrative and industrial relations issues to be resolved as part of the implementation of the Government's decision and engaging with the relevant trades unions and other stake holders will be an essential part of the overall process. I understand that the HSE has been in touch with the health service unions in this regard.

Health Services.

164. **Mr. English** asked the Tánaiste and Minister for Health and Children the number of clients in each Health Service Executive area currently waiting for methadone treatment for each clinic; and if she will make a statement on the matter. [18637/06]

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.

165. **Mr. English** asked the Tánaiste and Minister for Health and Children the number of clients in each Health Service Executive area currently being treated at each methadone clinic; and if she will make a statement on the matter. [18638/06]

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 Waiting Lists.

166. **Mr. Ring** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Mayo will be called for a surgical procedure. [18639/06]

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.

Services for People with Disabilities.

167. **Mr. N. O'Keeffe** asked the Tánaiste and Minister for Health and Children if she will assist in having a person enrolled at a special centre (details supplied) in County Cork as this person is on the priority list for placement. [18640/06]

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.

Hospital Waiting Lists.

168. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children if an appointment will be brought forward for a person (details supplied) in County Wexford; and if she will make a statement on the matter. [18717/06]

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.

Care of the Elderly.

169. **Mr. G. Mitchell** asked the Tánaiste and Minister for Health and Children if she will examine the situation whereby there is no funding available to provide assistance to the elderly living at home (details supplied); and if she will make a statement on the matter. [18732/06]

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 Supports.

170. **Mr. Bruton** asked the Tánaiste and Minister for Health and Children the funding she has made available in 2006 for the payment of home care packages to persons being cared for at home; if she has issued guidelines to health authorities in relation to the approval of home care packages to persons being cared for at home; if she envisages that such decisions be made by hospital consultants, or by persons based in the community care teams in relation to her guidelines; her views on whether to date these packages appear to be confined to persons being discharged from hospital rather than based on an assessment of need in the community; and if she will make a statement on the matter. [18733/06]

Minister of State at the Department of Health and Children (Mr. S. Power): The Tánaiste has allocated €30 million for the provision of Home Care Packages in 2006, and a further €25 million for the Scheme in 2007. At the beginning of 2006 there were approximately 1,100 Home Care Packages in place and the 2006 Budget allocation will provide an additional 2,000 extra Home Care Packages in 2006. It should also be noted that an

[Mr. S. Power.]

additional €30 million has been allocated to the Home Help Service for 2006, which will provide an additional 1.75 million hours, and these additional hours will also benefit those living at home.

The remainder of the Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 171 answered with Question No. 154.

Hospital Services.

172. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Clare will receive an appointment for hip replacement; and if she will make a statement on the matter. [18735/06]

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.

Question No. 173 answered with Question No. 149.

Services for People with Disabilities.

174. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children if a person (details supplied) in County Mayo is entitled to receive a motorised transport grant for an adapted vehicle with clamps for the wheelchair; and if she will make a statement on the matter. [18737/06]

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.

175. **Mr. Kehoe** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Wexford will be

called for an appointment to Waterford Regional Hospital. [18738/06]

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.

176. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the number of children awaiting speech and language assessment and therapy in County Kildare at the present time; the action she proposes to take to eliminate waiting lists and provide the services as required within a reasonable time; and if she will make a statement on the matter. [18826/06]

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.

177. **Mr. Durkan** asked the Tánaiste and Minister for Health and Children the number of instances in respect of which carer's hours were reduced in the past 12 months; and if she will make a statement on the matter. [18827/06]

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.

Vehicle Registration Tax.

178. **Mr. S. Ryan** asked the Minister for Finance the number, make and model of vehicles that have been afforded vehicle registration tax relief on environmental criteria; and if he will make a statement on the matter. [18610/06]

Minister for Finance (Mr. Cowen): There are two environmental criteria on which a vehicle may receive vehicle registration tax relief — each at the rate of 50% — that it is (i) a series production hybrid electric vehicle or (ii) a series production flexible fuel vehicle. "Hybrid electric vehicle" means a vehicle that derives its motive

power from an electric motor and an internal combustion engine and is capable of being driven on electric propulsion alone for a material part of its normal driving cycle. “Flexible fuel vehicle” means a vehicle that derives its motive power from an internal combustion engine that is capable of using a blend of ethanol and petrol, where such blend contains a minimum of 85 per cent ethanol.

I am informed by the Office of the Revenue Commissioners that the respective make, model and number of each of the series production hybrid electric vehicles that have availed of the relief up to end April 2006 — since the introduction of the relief in January 2001 — are as follows: Toyota Prius — 718; Lexus RX400H — 202; and Honda Civic — 2.

The flexible fuel vehicles relief was only announced in last December’s Budget with the legislative provision underpinning the new relief

Grade	Number of CAF applicants	Number of Revenue Applicants	Number of Applicants from other Departments
Principal	1	1	0
Assistant Principal	10	8	2
Higher Executive Officer	15	12	3
Executive Officer	42	39	3
Staff Officer	5	3	2
Clerical Officer	50	28	22
Total	123	91	32

Of the 91 first preference applications from Revenue 11 are from outside of Dublin, also 11 of the 32 first preference applications from other Departments are from outside of Dublin.

The Office of Public Works is currently assessing various options with a view to identifying a suitable site in Athy. Details of applications made for Athy from other Departments after the priority period are not yet available but will increase the numbers.

180. **Mr. Wall** asked the Minister for Finance the number of officials seeking a transfer to the

being enacted in the recent Finance Act. So far, six Ford Focus vehicles have availed of the relief.

Decentralisation Programme.

179. **Mr. Wall** asked the Minister for Finance the position in regard to the decentralisation of the Revenue section of his Department to Athy; the number of officials declaring an interest in the transfer; the break-down of the category of those interested; the number from within his Department in the declared number; the number in other Departments outside of Dublin declaring an interest; if a site has been identified; and if he will make a statement on the matter. [18611/06]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners, that the number of first preference applications on the Central Applications Facility for Athy is currently as follows:

proposed decentralisation of the information technology sector of his Department to Kildare Town; the number of officials within the section seeking the transfer; the number outside the Department seeking a transfer; and the grades of the officials seeking the transfer; and if he will make a statement on the matter. [18612/06]

Minister for Finance (Mr. Cowen): The Public Appointments Service has provided the following information in relation to first preference applications to decentralise to Kildare with my Department on the Central Applications Facility (CAF).

Grade	Number of CAF Applicants	Number of CAF Applicants from the Department of Finance	Number of CAF Applicants from Other Departments/ Offices
Principal Officer	2	2	0
Assistant Principal Officer	9	7	2
Administrative Officer/ Higher Executive Officer	8	3	5
Executive Officer	6	0	6
Staff Officer	1	1	0
Clerical Officer	10	0	10
Service Officer	2	1	1
Total	38	14	24

[Mr. Cowen.]

There are a further 15 first preference applications/expressions of interest from non-administrative civil servants and State Bodies bringing the total number of first preference applications for Kildare to 53.

Cross-Border Funding.

181. **Ms Harkin** asked the Minister for Finance the projected and actual spend on INTERREG North South projects in the Border region for each year from 2000 to 2004. [18692/06]

Minister for Finance (Mr. Cowen): The Operational Programme for the INTERREG IIIA Ireland-Northern Ireland was adopted by the European Commission in March 2002 and it was formally launched in November 2002. During 2003 there was some expenditure incurred in getting the Programme up running and payments were issued to projects during 2004. The total value of the Programme is €179m and spend can be incurred until 2008. Actual expenditure in 2004 was €44.5m and €32.1m in 2005. All projected expenditure targets have been met to date and I am satisfied that the Programme spend targets will continue to be met over the remaining period.

Tax Code.

182. **Mr. Morgan** asked the Minister for Finance the number of workers paying income tax in 2005 and in each of the previous 10 years. [18710/06]

Minister for Finance (Mr. Cowen): It is assumed that what the Deputy requires are the numbers of income earners, both PAYE and self-employed, on the income tax record for the years in question who have a tax liability.

I am advised by the Revenue Commissioners that the relevant information is as follows:

Numbers of income earners 1995/96 to 2005
(rounded to the nearest hundred)

Tax Year	Income earners with a tax liability	All income earners
1995/96	1,005,400	1,331,600
1996/97	1,043,800	1,390,000
1997/98	1,112,600	1,493,000
1998/99	1,187,000	1,584,900
1999/2000	1,208,500	1,667,200
2000/2001	1,262,600	1,765,000
2001*	1,262,000	1,790,000
2002	1,252,300	1,885,000
2003**	1,267,400	1,926,900
2004**	1,301,600	1,986,800
2005**	1,307,500	2,028,900

*Short tax "year" from 6th April 2001 to 31st December 2001.

**Provisional and likely to be revised.

The figures for the years 1995/1996 to 2002 inclusive are based on incomes data derived from income tax returns held on Revenue records and have been grossed-up to an overall expected level to adjust for incompleteness in the numbers of returns on record at the time the data were extracted for analytical purposes.

For the years 2003 to 2005, the figures are estimates from the Revenue tax forecasting model using actual data for the year 2002 adjusted as necessary for growth in incomes and employment for the years in question.

It should be noted that a married couple who has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

Nursing Home Funding.

183. **Ms C. Murphy** asked the Minister for Finance if compliance with the principles of the UN Charter for Older People and Ireland's signature to this Charter is a key consideration for grant aiding nursing home facilities; if not the reason therefor; and if he will make a statement on the matter. [18711/06]

Minister for Finance (Mr. Cowen): Capital expenditure incurred on the construction or refurbishment of registered nursing homes may be written off for tax purposes over 7 years at the rate of 15% p.a. over the first 6 years and 10% in year 7. A number of changes to this scheme were introduced in the 2006 Finance Act. The tax life of these buildings or structures that are first used or first used after refurbishment on or after 1 February 2007 is being extended to 15 years, as is the holding period for balancing allowance and balancing charge purposes. The write off period and annual rate of write-off remain unchanged.

To qualify for allowances the registered nursing home must be operated or managed as a registered nursing home within the meaning of section 2 of the Health (Nursing Homes) Act, 1990 and be registered under section 4 of that Act.

While the criteria for capital allowances for registered nursing homes does not refer to the UN Charter for Older People, the Deputy may wish to be aware that with regard to the issue of standards in Nursing Homes, the Department of Health & Children is currently undertaking a consultation process on legislative proposals to establish the Health Information and Quality Authority (HIQA) incorporating the Office of the Chief Inspector of Social Services on a statutory basis.

The Office of the Chief Inspector of Social Services will be established as an Office within HIQA. It will continue the SSI's work in respect of child welfare and protection services. It will also be assigned responsibility for the inspection of residential services for persons with a disability

and for residential services for older people, including private nursing homes.

I am also informed by the Minister for Health and Children that there are no grants available for the construction of nursing homes from her Department.

Traffic Management.

184. **Mr. Gregory** asked the Minister for Finance if the Office of Public Works is intent on going ahead with traffic restrictions at Ashtown Gate and Cabra Gate, Blackhorse Avenue, Dublin 7; the restrictions and the timescale involved; the predicted traffic increases of the proposed restriction at peak times on Nephin Road, Baggot Road and Blackhorse Avenue; if Dublin City Council is opposed to the proposed restriction and if they require City Council co-operation before they can proceed; if the Minister who has responsibility for the Office of Public Works will meet with a delegation of local residents before directing the Office of Public Works on the issue of the traffic restrictions; if agreement has been arranged with concert promoters for a three year period for concerts in the Phoenix Park without consultation with the local community; and if he will make a statement on the matter. [18712/06]

Minister of State at the Department of Finance (Mr. Parlon): I wish to confirm that the proposed one way traffic system for the Cabra and Ash-town gates has been deferred further pending the outcome of the independent traffic management study currently being undertaken which will also examine the impact of such a system on adjacent roads.

Extensive consultation has taken place with both Dublin City Council and Fingal County Council. A letter was received from Dublin City Council recently requesting deferral of the scheme until the current traffic management study has been completed.

I have already met with deputations of local representatives on this issue and I am fully familiar with the concerns and reservations of a number of local residents.

No firm decision has been made and no consultation has taken place or agreement reached with Promoters, on the question of major concerts in the Phoenix Park from 2007 onwards. The Commissioners would be happy to consider submissions from both local and other public interests, on the issue.

Fishing Industry Development.

185. **Mr. Grealish** asked the Minister for Communications, Marine and Natural Resources the details of pilot projects identified by National Fisheries Management Executive to facilitate the exploitation of surplus salmon; if he will confirm that to permit the harvest of salmon even where

stocks are abundant would run contrary to the objectives and spirit of the Government's decision of 24 March 2006 to fully align with scientific advice and the precautionary principle; and if he will make a statement on the matter. [18573/06]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne):

As the Deputy is aware, I announced on 24th March that I had decided to adopt the recommendations made to me by the National Salmon Commission (NSC) in relation to the total allowable salmon catch for 2006. This will involve reductions in the quota available to both commercial fishermen and anglers in 2006. In doing so I have also reaffirmed the Government's commitment to fully align with the scientific advice provided on the management of the wild salmon fishery by 2007.

I understand that the National Fisheries Managers Executive and the Marine Institute have agreed an expansion of the ongoing Genetic Stock Identification (GSI) project during the coming salmon fishing season, in order to determine the tendency of certain identified inshore fisheries to impact on multiple stocks. This is in line with the scientific advice provided by the NSC's Standing Scientific Committee that mixed stock fisheries pose particular threats to the status of individual stocks and that fisheries operated in estuaries and rivers are more likely to fulfil national requirements and international obligations. In this regard, as the Deputy will appreciate, it is important that decisions to close or to keep open individual inshore commercial fisheries on the basis of their propensity to capture multiple stocks, particularly stocks that are below conservation limits, would be made on the best available scientific information.

I am advised that recent advances in genetic analysis have enabled assignment of salmon caught at sea or inshore to their home rivers with a high degree of probability. It is proposed to collect scale samples from salmon taken in inshore commercial fisheries (drift net, draft nets and fixed bag nets) and to use these genetic techniques to assign salmon to their home rivers. This DNA profile information will be compared to genetic data contained in a river specific juvenile baseline database, currently being developed in two ongoing studies, the Atlantic Salmon Arc Project (ASAP) and the Marine Institute's GSI programme.

The Marine Institute is currently collecting genetic material from commercial fisheries operating at sea, particularly offshore, to determine the river composition of the salmon catches nationally and at district level. I am advised that the objective of the additional pilot work is to answer questions about stock composition at the sub-district level targeting specific inshore fisheries and in many cases individual licence holders

[Mr. Browne.]

in particular locations, thus determining the river composition of those identified inshore fisheries on a site-specific basis.

I understand that if the results of genetic analysis show that some estuarine drift net fisheries exploit individual salmon stocks or salmon stocks from a number of rivers in home estuaries, these nets could continue to operate provided the rivers entering those estuaries were above conservation limits.

It is also proposed to undertake a study on the survival of salmon caught and released by different methods of capture in a number of Irish rivers. This information would be very valuable in providing confidence in the practice of catch and release in Irish rivers. The study will also be important in promoting a proper code of practice for catch and release. Catch and release of salmon by anglers in Ireland will, I understand, become increasingly important as a conservation measure in the coming years.

These projects should yield important information about the commercial and recreational fishery to guide policy towards restoring salmon stocks in threatened catchments while permitting the harvest of salmon where stocks are abundant.

Broadcasting Regulations.

186. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources if his attention has been drawn to the fact that the broadcasting from parish churches on Sunday mornings has been discontinued by order; if he will ensure that the necessary steps are taken and instructions given to the relevant authorities to ensure their restoration without delay; and if he will make a statement on the matter. [18824/06]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I am aware of the situation regarding the broadcasting of services from parish churches, to which the Deputy refers. However, the primary issue here is one of safety.

The Commission for Communications Regulation (ComReg) is the statutory body responsible for the management of the radio spectrum in Ireland and are required to investigate any interference with services, particularly where critical safety issues are concerned.

ComReg has been contacted by the Irish Aviation Authority regarding frequency interference with Air Traffic Control systems and as result of its inquiries, ComReg has contacted three churches in counties Kildare, Meath and Kilkenny in relation to the transmission of religious services.

ComReg fully understands the importance of such local community services and intends to permit wireless public address systems to meet the needs of religious and other community organis-

ations. Regulations permitting the transmission of such services are due to be in place later this year.

These Regulations will require my consent as Minister for Communications, under the Wireless Telegraphy Act 1926 and both ComReg, who have expertise in the technical area of radio spectrum safety and I, fully intend to fulfil our duties in relation to potential safety issues.

Middle East Peace Process.

187. **Mr. Crawford** asked the Minister for Foreign Affairs if, in view of the deepening poverty levels among the Palestinian population, the Government will commit to providing the aid that had been earmarked to the Palestinian Authority and call for a full resumption of EU assistance; and if he will make a statement on the matter. [19036/06]

188. **Mr. Crawford** asked the Minister for Foreign Affairs the role the Government is playing in mobilising the quartet to give meaning to the vision of two viable states of Israel and Palestine; his views on the fact that actions on both sides have contributed to the situation of insecurity and poverty and that without international impartiality peace will be elusive; and if he will make a statement on the matter. [19037/06]

191. **Mr. O'Connor** asked the Minister for Foreign Affairs his views regarding the situation in Palestine; and if he will make a statement on the matter. [18571/06]

193. **Mr. F. McGrath** asked the Minister for Foreign Affairs the role the Government is playing in mobilising the Quartet to give meaning to the vision of two viable States of Israel and Palestine. [18851/06]

194. **Mr. F. McGrath** asked the Minister for Foreign Affairs the steps Ireland and the EU Government will be taking to ensure Israel's compliance with international law in view of the fact that the Israeli Government has chosen to ignore calls by the Quartet to freeze settlement expansion and the construction of the separation barrier. [18852/06]

195. **Mr. F. McGrath** asked the Minister for Foreign Affairs if the Government will commit to providing the aid that had been earmarked to the Palestinian authority in view of the deepening poverty levels among the Palestinian population; and if a full resumption of EU assistance will be called for. [18853/06]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 187, 188, 191 and 193 to 195, inclusive, together.

The Government has been consistently active in promoting a lasting and peaceful settlement of the Israeli-Palestinian conflict. Together with our

partners in the EU, we remain convinced that the only way forward is through negotiations between the parties, in line with the principles and steps set out in the Quartet Roadmap. A mutually acceptable two-State solution must entail the co-existence in peace and security of two viable, sovereign and independent States, with agreed international borders. The EU is playing a vital role in the deliberations of the international Quartet, with the urgent objective of creating an environment for the earliest possible return to negotiations.

We believe that the Israeli Government and the Palestinian Authority must face up to their obligations under the Roadmap, and under international law. We share the concerns which have been expressed by Deputies about the humanitarian and economic impact of Israel's policies and activities in the Occupied Territories. I have raised directly with the Israeli Government our serious concern at practices which are contrary to international law, including the continued expansion of settlements and the construction of the separation barrier on occupied land. The General Affairs and External Relations Council on 15 May again emphasised that both parties must avoid any unilateral measures which prejudice final status issues. The EU has consistently stated that it will not recognise any change to the pre-1967 borders other than those arrived at by agreement between the parties.

Since the Palestinian elections in January, the EU and the Quartet have set out very clearly the conditions which must be met by Hamas if it is to engage with the international community. The new Government of the Palestinian Authority must commit to the peace process. It is essential that it renounce violence, recognise Israel's right to exist and adhere to agreements already negotiated by the Authority and the PLO.

The EU has been the strongest supporter of the Palestinian people internationally. It is also the largest donor to Palestine, providing an average of €500 million annually to support Palestinian institutions, NGOs and civil society and for humanitarian assistance. In February, the Council approved the release by the Commission of €121 million in humanitarian assistance to the Palestinians. Since early April, the Commission has temporarily suspended direct assistance to the Palestinian Authority, and the EU is continuing to review its assistance against the Government's commitments to the principles set out by the Council and by the Quartet.

I do not believe it is reasonable to argue that the EU should continue its capacity-building support for the Hamas Government irrespective of its willingness to adhere to the basic principles of the peace process. The Government believes, however, that the Palestinian people should not have to face the prospect of a humanitarian crisis because of the reluctance of their Government to meet its responsibilities. The EU is committed to

continuing necessary assistance to meet the basic needs of the Palestinian population, and Ireland has argued strongly for the widest possible definition of these basic needs. On 15 May, following the Quartet meeting on 9 May, the Council undertook the urgent work of developing a temporary international mechanism to channel international assistance directly to the Palestinian people. The Council stated that, as a matter of priority, the mechanism will aim to provide for basic needs, including health services.

The Government believes it will be essential that all international donors cooperate to ensure the effectiveness of the new temporary structures. The EU has already called on the Israeli Government to resume the transfer of withheld Palestinian tax and customs revenues, which are essential in averting a crisis in the Occupied Territories. I hope that a decision to resume the transfers can be taken without delay, if possible through the new international mechanism. Equally, it is important that both the Israeli Government and the Palestinian Authority take concrete steps to implement their obligations under the Agreement on Movement and Access, which was signed on 15 November 2005 and which provides for the movement of people and goods between Gaza and the outside world.

I have already given a commitment that the Government will maintain the level of Ireland's bilateral assistance to the Palestinians, which amounted to over €4 million in 2005. Already this year, since the Palestinian elections, the Government has allocated €1.5 million in humanitarian assistance through the United Nations Relief and Works Agency (UNRWA). I expect to make further allocations in the near future.

Human Rights Issues.

189. **Mr. O'Connor** asked the Minister for Foreign Affairs if his Department will provide significant development aid to eastern European countries in which poverty issues have clearly been identified; and if he will make a statement on the matter. [18569/06]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): Ireland is playing its part in efforts to relieve poverty in Eastern European countries and will continue to do so. Through our membership of the European Union and the United Nations Funds and Agencies (such as UNDP and UNICEF) as well as the World Bank, Ireland contributes to the international effort to assist these countries get out of the poverty trap.

Ireland is also a member of the European Bank for Reconstruction and Development (EBRD) and contributes to its multi-donor funds which focus on assistance to the poorer countries and regions in Eastern Europe where transition challenges are greatest. The progress being achieved through the EBRD's donor-funded programmes

[Mr. C. Lenihan.]

is encouraging. Results can already be seen across a range of sectors, with growth in local business activity and employment, increased financing for micro enterprises and an excellent EBRD initiative on emigrants' remittances, an important part of national incomes in the poorer countries.

Through our Irish Aid bilateral assistance programme, Ireland also aims to address poverty issues in this region. Funding for 2006 stands at €7 million, all of which will be spent on projects aimed at poverty alleviation and assistance in the process of transition to democracy. The small to medium-sized projects we fund are implemented by international organisations, intergovernmental and non-Governmental, as well as by Irish NGOs.

In addition, discussions are ongoing about the possibility of co-operation between Irish Aid and the Development Co-operation Programme of Hungary, for the benefit of Eastern Europe.

Foreign Conflicts.

190. **Mr. O'Connor** asked the Minister for Foreign Affairs the position regarding his endeavours and contacts in respect of the need to finally settle the Cyprus question; and if he will make a statement on the matter. [18570/06]

Minister for Foreign Affairs (Mr. D. Ahern): The United Nations has the lead role in the search for a comprehensive settlement of the Cyprus problem. The Government fully supports the UN Secretary General in this important work. In this context we welcome the appointment by the Secretary General of Mr Michael Moller of Denmark as UN Special Representative to Cyprus in January this year. Together with the Presidency and our EU partners we continue to maintain contacts with the UN and other parties on the Cyprus problem.

The last major effort for a settlement took place in the first half of 2004 and resulted in the referendums of 24 April 2004 on the Secretary General's proposals. Since that time there has been very little movement on the issue. On 28 February the Secretary General and President Tassos Papadopoulos of Cyprus met in Paris to review the situation and examine modalities for moving forward. They agreed that the resumption of the negotiating process within the framework of the good offices of the Secretary General must be timely and based on careful preparation.

The Secretary General and President Papadopoulos also met on 12 May in the margins of the EU-Latin America Summit meeting in Vienna to discuss the follow-up to the Paris meeting.

The EU and its Member States, including Ireland, are agreed on the importance of supporting the efforts of the UN Secretary General. A just and lasting settlement would contribute to peace, stability and harmonious relations in the region. We consistently make this clear in our contacts, both at political and official level, with

the Government of Cyprus and others closely concerned with the issue.

Question No. 191 answered with Question No. 187.

Emigrant Support Services.

192. **Mr. O'Connor** asked the Minister for Foreign Affairs the efforts he has made in respect of undocumented Irish in the USA; his recent contacts in the matter; and if he will make a statement on the matter. [18572/06]

Minister for Foreign Affairs (Mr. D. Ahern): The St. Patrick's Day period provided the Government with a very valuable opportunity to again make known our concerns about the welfare of the undocumented Irish in the United States and to reiterate our strong support for the approach to immigration reform favoured by Senators Kennedy and McCain. It was an opportunity that the Taoiseach and I availed of to the full in our meetings with President Bush, his Administration and key figures on Capitol Hill.

President Bush was appreciative of our concerns and emphasised to us his support for a comprehensive approach which involves reform as well as enforcement. This is an approach which he endorsed again earlier this week in a significant statement on immigration. I warmly welcome his remarks and, in particular, his view that most of those who are currently undocumented should be able to apply for citizenship, once qualifying conditions are met.

The Taoiseach and I also had important discussions with Niall O'Dowd and Grant Lally of the Irish Lobby for Immigration Reform (ILIR) during our visit to the US in March. Earlier this week in Dundalk, I met again with Grant Lally and we had a very helpful discussion on the current situation in the legislative debate. ILIR are most effective in giving expression to the views of many members of our community in the US on immigration reform. I was particularly pleased to inform Mr. Lally of my decision to provide a further US\$50,000 to support ILIR in its important work.

It remains clear that reaching consensus on the sensitive and divisive issue of immigration reform presents US legislators with a very formidable challenge. I very much welcome the bipartisan agreement reached last week in the Senate on how the debate should proceed. This agreement enabled the resumption of discussion in the Senate this week on a compromise bill which, in its current form, contains many of the key elements of the Kennedy/McCain bill. These include provisions that would enable the majority of the undocumented to regularise their status and have open to them a path to permanent residency.

The discussions underway in the US Senate represent a very important phase in the debate on immigration reform. Should the Senate pass a

bill, the legislative process will then move to a Conference Committee composed of representatives of the House of Representatives and the Senate convened to reconcile differences between the Senate bill and the Sensenbrenner/King bill passed in the House last December.

During this crucially important period in the Senate, the Deputy can be assured that our efforts on behalf of the undocumented Irish are being maximised to the greatest degree possible.

Questions Nos. 193 to 195, inclusive, answered with Question No. 187.

Implementation of Legislation.

196. **Ms C. Murphy** asked the Minister for Arts, Sport and Tourism the provisions which remain to be implemented in relation to the National Cultural Institutions Act 1997; and if he will make a statement on the matter. [18739/06]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): As the Deputy may be aware, I gave effect to the principal outstanding provisions of the National Cultural Institutions Act 1997 in May 2005 under statutory instruments. These conferred non-commercial semi-state status to the National Library of Ireland and the National Museum of Ireland and established new statutory Boards for both institutions. The provisions that remain to be enacted relate primarily to the extension of Mandatory Deposit of certain material with the National Library and a scheme of Export Licensing of fine art objects by the National Museum and the provision for the compulsory purchase of certain heritage objects. As these are issues that will have impacts on the operations of the two national cultural institutions and further afield they will be brought into effect on a phased basis.

Officials at my Department are currently consulting with the various interested groups, in particular the new statutory Boards of the Institutions and the Department of Finance. As these are satisfactorily concluded proposed schemes will be presented to the Parliamentary Draftsmen for the preparation of statutory instruments.

Health and Safety Regulations.

197. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment his views on whether employers convicted on breaches of health and safety law resulting in serious injury or death should be ineligible for public contracts. [18687/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): As in all other cases involving the administration of statutory legislation, the application of penalties for conviction for breach of the Safety, Healthy and Welfare at Work Act 2005 and other occupational safety and health

legislation is solely a matter for the Courts to determine in accordance with the provisions of the legislation in question. Section 78 of the 2005 Act sets out detailed provisions relating to the penalties that may be applied by the Courts for breach of the legislation.

Where matters have been determined by the Courts and the defendant has complied with the Court's ruling, there are no administrative or enforcement actions that may be applied as regards eligibility to compete for contracts, or other matters pertinent to the legislation, beyond the standard conditions that apply to all other parties involved in the tendering process.

Arms Trade.

198. **Aengus Ó Snodaigh** asked the Minister for Enterprise, Trade and Employment if he will make a statement on the relationship between the arms industry lobby and the European Security Research Programme. [18688/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The European Security Research Programme is concerned exclusively with civil security. It aims to contribute to the improvement of European citizens' security and to reinforce European technological and industrial potential in this area within the 7th European Research Framework Programme which will commence in 2007. The focus of the Programme includes supporting proposals for protection against terrorism, enhancing crisis management and devising integrated systems for communication. Given the civil nature and scope of the Programme, the issue of the relationship indicated by the Deputy in his question does not arise.

Job Losses.

199. **Mr. N. O'Keeffe** asked the Minister for Enterprise, Trade and Employment if he will investigate the continuing delay in having redundancy payments made to a person (details supplied) in County Cork. [18689/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): A claim for payment of a statutory redundancy lump sum in respect of the person concerned was received in the Redundancy Payments Section of the Department at the end of March 2006. A query arose in connection with the claim which had to be cleared with the employer.

The matter has now been resolved and the payment is now being processed. The person concerned should receive his statutory redundancy lump sum within the next 2 weeks.

Question No. 200 answered with Question No. 139.

Job Creation.

201. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment the average workforce in 2005 and in each of the previous ten years. [18698/06]

Year	1997	1998	1999	2000	2001	2002	2003	2004	2005
Number (million)	1,467.7	1,547.1	1,647.4	1,712.6	1,759.9	1,782.3	1,828.9	1,894.1	1,980.6

Employment Rights.

202. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment the cost to the State of increasing redundancy payments to four weeks of pay per year of service. [18699/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The total cost to the Social Insurance Fund of providing for statutory redundancy payments for the first three months of 2006 was €36.1m. Of this, expenditure on employer rebates of 60% where the employers paid eligible employees their correct statutory redundancy lump sum entitlements amounted to €34.2m. Expenditure arising from direct payments by the Department from the Fund to employees who were not paid their statutory redundancy amounted to €1.9m.

From these most recent figures, which were based on statutory redundancy payments of two weeks pay for every year of service (together with the usual bonus week), it can be estimated that the current total cost of redundancy payments for the full year will amount to €143.2m with €136.7m in respect of employer rebates and €7.5m in respect of direct payments to the employees. The cost of statutory redundancy based on four weeks pay per year of service can be further extrapolated from these figures. Thus, the total cost for the year would amount to €288.5 with €273.5m for employer rebates and €15.0m for direct payments to employees.

Redundancy entitlements were last discussed in the context of Sustaining Progress and agreed at two weeks pay per year of service plus a bonus week. There are no plans at present to increase statutory redundancy entitlements.

Employment Regulation Orders.

203. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment the number of Employment Regulation Orders and Registered Employment Agreements which have been introduced in each of the past 10 years. [18700/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Labour Court receives proposals from Joint Labour Committees, on foot of which

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): Data in relation to the numbers in employment, which is available from the Quarterly National Household Survey since 1997, is as in the table.

it makes Employment Regulation Orders (EROs). EROs are statutory instruments which set out terms and conditions applying to specified workers in a particular sector.

The registration of Employment Agreements and the maintenance of the Register of such agreements is also a matter for the Labour Court. I have no direct function in relation to the making of EROs or the registration of Employment Agreements. I will, however pass the Deputy's question to the Labour Court and request them to provide the relevant information to the Deputy.

Community Employment Schemes.

204. **Mr. Morgan** asked the Minister for Enterprise, Trade and Employment if the cap on length of service for community employment workers aged 55 or over will be removed due to the particular difficulties faced by persons over that age in finding other employment due to a number of factors including standards of educational achievement. [18701/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): Community Employment (CE) is an active labour market programme designed to provide eligible long term unemployed people and other disadvantaged persons with an opportunity to engage in useful work within their communities on a temporary, fixed term basis. CE helps unemployed people to re-enter the active workforce by breaking their experience of unemployment through a return to a work routine and to assist them to enhance/develop both their technical and personal skills.

In November, 2004 the 3 year CE cap was revised to allow those of 55 years of age and over to avail of a 6 year period on CE (based on participation since 3rd April, 2000). FÁS Employment Services and the Local Employment Service support all unemployed people to progress to training or employment, including those over 55 years of age.

Job Losses.

205. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment the IDA supported companies at which redundancies or layoffs have occurred; the number of redundancies

or lay offs in each case in respect of each year since 1999; and if he will make a statement on the matter. [18702/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Forfás Annual Employment Survey records jobs gained and lost in companies supported by the industrial development agencies. Aggregated data is published annually on a county-by-county basis. Individual company data is compiled on a confidential basis in this survey and thus details in respect of company job losses and gains cannot be released.

Job Gains and Losses in IDA Support Companies

	1999	2000	2001	2002	2003	2004	2005
Job Gains (New Jobs)	17,643	23,071	12,789	10,926	9,336	11,740	12,623
Job Losses	-9,102	-8,024	-17,801	-15,073	-12,980	-10,988	-9,211
No. of Companies	1,259	1,247	1,143	1,103	1,066	1,027	1,010

Industrial Development.

206. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment if it is intended to provide State funding for the Atlantic Way Project; the way in which the project will function and the manner in which it will differ from the Atlantic Technology Corridor Project and Shannon Development; if his attention has been drawn to concerns by trade unions representing staff at Shannon Development concerning a possible diminution in the role of that agency; and if he will make a statement on the matter. [18703/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Atlantic Way Group is a movement comprised representatives of key private and public sector bodies, which seeks to maximise the development potential of the West by supporting and promoting best practice in every aspect. Its principal aim is to bring coherence, coordination and a sense of urgency to infrastructural development, excellent technological services, quality employment, lifelong education and quality of life.

Shannon Development facilitates and supports the Atlantic Way initiative, as it is consistent with the Company's focus on balanced regional development. This support includes a small financial amount, approved by Shannon Development as a support for the proposed launch of Atlantic Way and a range of practical non-financial supportive actions.

The Atlantic Technology Corridor (ATC) is a cluster of Information, Communications and Technology companies (ICT) and Medical Technology companies. The cluster comprises of about 270 companies employing over 22,000 people. Around two-thirds of the companies are Irish

The following table provides details of the number of job gains and losses in IDA supported companies since 1999 together with the total number of client companies.

Job creation and job losses are a feature of economic development in all countries as various sectors expand and contract in response to market demand for goods and services, competitive forces, restructuring and technological change.

I am confident that the strategies and policies being pursued by IDA Ireland, together with the ongoing commitment of Government to regional development, will continue to bear fruit in terms of maximising sustainable investment and jobs.

owned and the remainder are North American and European.

The ATC initiative is industry led, comprising senior executives from global and Irish technology companies and small & medium enterprise (SME) organizations. Research capability is provided by third level educational institutions in the corridor. The key objectives of fostering balanced regional development and improving international competitiveness had focused the minds of these leading technology company managers to conceive a "boundaryless" business gateway (initially counties Galway, Clare and Limerick) to sustain and develop the western seaboard's technology corridor. Adopting a collaborative approach to realising this vision the region would be branded, marketed and promoted as the Atlantic Technology Corridor. The initiative has the support of Shannon Development.

As I have indicated in response to previous Dail Questions, following detailed consultations with the Board of Shannon Development, other stakeholders and regional interests, on 28th July last I announced my decision on a future mandate for the Company. Under the terms of the new mandate, Shannon Development is being given a more focused regional economic remit that will complement the roles of the national agencies, IDA Ireland and Enterprise Ireland, in attracting foreign direct investment and developing the indigenous enterprise base in the region. The Company will also continue to be responsible for providing appropriate property solutions for both indigenous and overseas enterprises throughout the Shannon region and for the management and development of the Shannon Free Zone Industrial Estate.

[Mr. Martin.]

I am aware of the concerns of unions representing staff at Shannon Development and accordingly facilitated discussions between my Departmental officials and SIPTU to provide clarification sought by the union on aspects of my decision. I expect this process will be concluded shortly and this will facilitate the implementation of the new mandate in the best interests of Shannon Development and the region as a whole.

Economic Competitiveness.

207. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the extent to which he has examined the contributory causes to increases in manufacturing costs here; if he has examined the implications for employment; and if he will make a statement on the matter. [18828/06]

208. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if price rises in the industrial sector are endangering Ireland's competitive edge; and if he will make a statement on the matter. [18829/06]

214. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment his proposals to reduce cost for small and medium enterprises; and if he will make a statement on the matter. [18835/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): I propose to take Questions Nos. 207, 208 and 214 together.

All developed economies face rising costs at some point in their supply chain and Ireland is no exception. While the costs faced by business in some areas here may be relatively higher than other economies, the challenge is to maintain our competitiveness in areas such as skills, education, knowledge infrastructure and the quality generally of our workforce. In an international context, competitiveness, the ability to profitably and successfully trade against world competitors in the face of globalisation pressures while creating attractive investment and employment opportunities are the real benchmarks of a successful economy. Ireland is such an economy. Enterprise in Ireland is consistently generating profitable employment opportunities, which in turn provides the Exchequer with resources to invest in the economy and create jobs that improve living standards.

Over the past five years employment has grown by nearly 221,000 while Ireland is one of the world's leading recipients of foreign investment. For example, the United Nations Conference on Trade and Development ranked Ireland 4th in the world in 2004 for foreign investment. This compares with 51st place in 1990. The combination of strong employment growth and our

attractiveness as a good place for FDI, especially in advanced and knowledge sectors, strongly suggests that our cost environment remains competitive. Ireland is one of the best places in the world to do business and this was supported last week when the IMD's World Competitiveness Yearbook placed us the 11th most competitive economy in the world and fourth in the EU.

While this places us ahead of most international competitor economies we can be neither smug nor complacent. Maintaining competitiveness and particularly for smaller businesses, is a frontline policy objective of this Government and will remain so. Support programmes to help firms become more productive and competitive are embedded in the operations of the enterprise development agencies. The Small Business Forum report, received yesterday, proposes interesting and exciting approaches to help competitiveness in the small business sector and I am determined that significant progress will be made on their implementation.

Grocery Industry.

209. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if recent indicators suggest price rises at variance with his previous pronouncements during debate on the abolition of the minimum prices order; and if he will make a statement on the matter. [18830/06]

210. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the extent to which food prices in the supermarkets have been reduced in accordance with his predictions prior to abolition of the minimum prices order; and if he will make a statement on the matter. [18831/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): I propose to take Questions Nos. 209 and 210 together.

The Groceries Order was in place for many years and was abolished less than 2 months ago. I believe it is much too early at this stage to expect to see any significant impact on the grocery sector. However, I have asked the Competition Authority to monitor the sector and the Authority is currently putting in place a mechanism to track data and trends over coming months and years.

It is important to remember, however, that the Order was abolished for a number of reasons, including the fact that in certain circumstances it criminalised shopkeepers for passing on discounts to consumers. In deciding that the Order should be repealed the Government simply decided to remove an obstacle to competition.

There are many inputs into the final price paid for grocery products by consumers, including many outside our own control. I note that the Central Statistics Office has identified high fuel prices, the introduction of higher interest rates by

financial institutions and increased transport costs as some of the main contributory factors to recent price changes.

I expect that the removal of the Groceries Order will stimulate competition and drive increased efficiencies at all levels of the distribution chain from which consumers will ultimately benefit.

Economic Competitiveness.

211. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the action he has taken or proposes to take to combat job relocation to lower cost economies; and if he will make a statement on the matter. [18832/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): Ireland's raised standard of living over the past decade, with its associated rise in consumer purchasing power has meant that the economy can not always compete with low wage economies like China in the manufacture of many low value added, basic goods. Improving our standard of living and competitiveness requires a focus on contemporary economic strengths, moving up the value-chain and attracting high-grade investment that rewards a highly educated workforce with commensurate high incomes.

Ireland has been successful in this approach and in extending employment opportunities across the economy. According to the CSO, employment increased by 87,000 in 2005, or by 4.7%. This was the largest growth in employment Ireland has seen since 2000 and compares very favourably with employment growth in the EU as a whole of just 1.6%.

Maintaining the capacity of the economy to consistently generate new employment opportunities is a key policy of this Government. To this end, our policies have a strong competitiveness focus and we are succeeding. Recent research by the IMD World Competitiveness Scoreboard ranked us as the world's 11th most competitive economy, up one place on last year's position.

Many challenges remain however. Employment growth must be matched with corresponding productivity improvements. Programmes such as Enterprise Ireland's Productivity Improvement Fund are aimed at doing just that. The Fund is directed at Irish SMEs who wish to improve their productivity through technology acquisition or labour force training.

We are directing more investment towards research and development so that our enterprises can build leadership positions in new technologies and markets. This will extend our reputation for excellence in science. Research and development is intrinsically associated with product development and business innovation, precisely the type of economic activity Ireland is attracting. This Government has invested heavily

in these areas, with much of this made available through Science Foundation Ireland and the Higher Education Authority. Over the period of the current National Development Plan the Government has invested €2.5 billion in science and R&D.

My Department is also developing a strategic implementation plan for research, technology development and innovation. R&D will be a key theme and major area of investment in the next National Development Plan.

212. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if he has examined the performance of Irish exports in each of the past five years; the extent to which action is required to stimulate the export business; and if he will make a statement on the matter. [18833/06]

213. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the reason for the recent fluctuations in the volume of Irish exports; the remedial action he proposes; and if he will make a statement on the matter. [18834/06]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. M. Ahern): I propose to take Questions Nos. 212 and 213 together.

The table below gives details of Irish merchandise exports and imports over recent years. Trade volumes reached a peak in the 2001/2002 period and were then negatively impacted by the world economic slowdown, which particularly affected the US and European markets. Despite this setback, the volume of Ireland's trade has risen in the two years since 2003 and exports grew by about 5% between 2004 and 2005, which was a very creditable performance, as many of our key trading partners still have very low levels of economic growth. Our Trade surplus for the last five years has been over €30bn each year and this very healthy position has been maintained despite the significant rise in the cost of oil imports in recent times.

Notwithstanding these positive trends, work is ongoing to ensure we increase our level of exports to world markets. My Department, through its agency, Enterprise Ireland, is active in a wide range of promotional activities to assist indigenous companies to find new markets. I have been active in leading Trade Missions to further develop our existing markets and to pursue new opportunities. The markets in Asia, in pursuance of the Government's Asia Strategy and also in the new EU Member States, represent exciting possibilities. Development of export opportunities is therefore ongoing, to ensure that the recent very favourable trends will continue.

[Mr. M. Ahern.]

Year	Exports	Imports
	€bn	€bn
2000	83.9	55.9
2001	92.7	57.4
2002	93.7	55.6
2003	82.1	47.9
2004	84.4	51.1
2005	88.4	56.5

Question No. 214 answered with Question No. 207.

Work Permits.

215. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the number of work permits applied for by category in each of the past 12 months; the numbers granted, refused or pending; and if he will make a statement on the matter. [18836/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The Work Permits Section of my Department informs me that there were 24,703 work permits granted, 1,077 work permit applications refused and 3,690 applications pending at the end of the twelve-month period up to 30 April 2006. A table outlining the number of work permit applications processed to a decision, per category, in the twelve-month period up to 30 April 2006 is submitted for the Deputy's attention below.

Year		New Permits	Renewals	Group	Issued	Refused
2005						
May		520	1,255	73	1,848	92
	Agriculture & Fisheries	17	137	0	154	2
	Catering	83	369	0	452	27
	Domestic	8	41	0	49	6
	Education	25	22	0	47	1
	Entertainment	7	9	73	89	1
	Exchange Agreements	4	0	0	4	0
	Industry	17	88	0	105	1
	Medical & Nursing	97	76	0	173	8
	Service Industry	259	507	0	766	45
	Sport	3	6	0	9	1
Jun		670	1,615	119	2,404	58
	Agriculture & Fisheries	19	159	0	178	2
	Catering	117	448	2	567	32
	Domestic	9	40	0	49	0
	Education	14	41	0	55	0
	Entertainment	14	4	117	135	0
	Exchange Agreements	8	0	0	8	0
	Industry	53	87	0	140	3
	Medical & Nursing	114	118	0	232	4
	Service Industry	315	718	0	1,033	17
	Sport	7	0	0	7	0
Jul		665	1,484	57	2,206	80
	Agriculture & Fisheries	30	109	0	139	2
	Catering	117	439	2	558	27
	Domestic	5	37	0	42	8
	Education	22	39	0	61	0
	Entertainment	4	7	53	64	0
	Industry	39	101	0	140	4
	Medical & Nursing	113	132	0	245	4
	Service Industry	331	613	1	945	34
	Sport	4	7	1	12	1

Year		New Permits	Renewals	Group	Issued	Refused
Aug		727	1,484	90	2,301	119
	Agriculture & Fisheries	20	177	0	197	4
	Catering	125	459	2	586	68
	Domestic	17	52	0	69	2
	Education	23	42	0	65	3
	Entertainment	4	8	88	100	1
	Exchange Agreements	1	0	0	1	0
	Industry	24	95	0	119	1
	Medical & Nursing	209	123	0	332	10
	Service Industry	295	522	0	817	30
Sport	9	6	0	15	0	
Sep		642	1,607	88	2,337	97
	Agriculture & Fisheries	27	173	0	200	5
	Catering	104	506	2	612	41
	Domestic	13	39	0	52	1
	Education	19	39	0	58	2
	Entertainment	6	15	83	104	1
	Exchange Agreements	1	0	0	1	0
	Industry	27	110	0	137	3
	Medical & Nursing	93	99	0	192	4
	Service Industry	329	618	3	950	40
Sport	23	8	0	31	0	
Oct		641	1,764	97	2,502	82
	Agriculture & Fisheries	41	194	0	235	5
	Catering	113	489	1	603	42
	Domestic	17	56	0	73	0
	Education	30	61	1	92	2
	Entertainment	7	14	94	115	1
	Exchange Agreements	0	1	0	1	0
	Industry	47	127	0	174	3
	Medical & Nursing	111	117	0	228	4
	Service Industry	253	694	1	948	25
Sport	22	11	0	33	0	
Nov		772	2,396	49	3,217	141
	Agriculture & Fisheries	31	213	0	244	5
	Catering	144	662	2	808	67
	Domestic	28	74	0	102	1
	Education	32	63	0	95	1
	Entertainment	4	9	43	56	0
	Industry	83	191	1	275	12
	Medical & Nursing	116	143	0	259	3
	Service Industry	323	1,029	3	1,355	52
	Sport	11	12	0	23	0
Dec		363	608	18	989	54
	Agriculture & Fisheries	15	28	0	43	5
	Catering	74	138	0	212	25
	Domestic	7	12	0	19	1
	Education	14	12	0	26	2
Entertainment	3	5	18	26	0	

[Mr. Martin.]

Year		New Permits	Renewals	Group	Issued	Refused
	Industry	37	36	0	73	2
	Medical & Nursing	64	66	0	130	0
	Service Industry	137	307	0	444	19
	Sport	12	4	0	16	0
2006						
Jan		521	854	55	1,430	75
	Agriculture & Fisheries	14	77	0	91	5
	Catering	87	235	0	322	37
	Domestic	11	25	0	36	0
	Education	25	16	0	41	2
	Entertainment	8	14	55	77	1
	Industry	60	45	0	105	7
	Medical & Nursing	128	88	0	216	5
	Service Industry	179	345	0	524	18
	Sport	9	9	0	18	0
Feb		580	957	44	1,581	69
	Agriculture & Fisheries	56	87	0	143	0
	Catering	60	348	0	408	42
	Domestic	9	34	0	43	2
	Education	14	26	0	40	0
	Entertainment	5	4	43	52	1
	Exchange Agreements	100	0	0	100	0
	Industry	30	42	0	72	5
	Medical & Nursing	99	93	0	192	5
	Service Industry	203	320	1	524	14
	Sport	4	3	0	7	0
Mar		595	1,847	70	2,512	94
	Agriculture & Fisheries	40	159	0	199	4
	Catering	105	544	2	651	42
	Domestic	11	50	0	61	1
	Education	22	49	0	71	3
	Entertainment	11	6	67	84	0
	Exchange Agreements	2	0	0	2	0
	Industry	49	112	0	161	6
	Medical & Nursing	93	155	0	248	9
	Service Industry	258	762	1	1,021	28
	Sport	4	10	0	14	1
Apr		467	821	88	1,376	116
	Agriculture & Fisheries	22	75	0	97	27
	Catering	65	245	0	310	41
	Domestic	6	27	0	33	1
	Education	21	24	1	46	0
	Entertainment	4	3	85	92	0
	Exchange Agreements	2	0	0	2	0
	Industry	46	61	0	107	10
	Medical & Nursing	85	69	0	154	7
	Service Industry	213	315	2	530	28
	Sport	3	2	0	5	2
Total		7,163	16,692	848	24,703	1,077

Skills Shortages.

216. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment if he has identified a shortage of employees in any particular sector of the labour market; and if he will make a statement on the matter. [18837/06]

Minister for Enterprise, Trade and Employment (Mr. Martin): The most recent FÁS/ESRI Employment and Vacancies Survey indicates that the percentage of firms reporting vacancies in April 2006 was 22%, the highest since 2002. The vacancy level in April 2005 was 7%. The increase was driven by the number of firms in the service, construction and industrial sectors reporting vacancies. The most difficult-to-fill vacancies for the various sectors were: Construction sector — quantity surveyors and foremen; Industry sector — engineers, sales staff and managers; Retail sector — sales staff, and Services sector — accountants and sales staff.

The Expert Group on Future Skills Needs is charged with identifying the future skills and labour requirements of the Irish economy and strategies through which those skills can be supplied. The Group on an ongoing basis identifies where there are mismatches between supply and demand for skills and labour. A comprehensive listing of the sectors of the economy experiencing skills and labour shortages was published in the Groups' National Skills Bulletin 2005. This listing will be updated by the Group on an annual basis. The Bulletin highlighted skills and labour shortages in a number of sectors and occupations, including:

- Construction: (Architects, Civil Engineers, planners, quantity surveyors, construction craftpersons, site managers)
- Financial: (Accountants, tax experts, actuaries and financial analysts)
- Engineering (design engineers, electronic and electrical engineers, multiskilled maintenance technicians, welders and related trades)
- Information Technology (software engineers, computer analysts/programmers)
- Pharmaceuticals (chemical engineers, research scientists)
- Healthcare (medical practitioners, dentists, therapists, radiographers, nurses, social workers)
- Transport (HGV drivers, supply chain managers, transport related clerks)
- Sales (technical sales representatives and marketing personnel)
- Financial (credit controllers, financial clerks)

- Services (security guards, waiters/ waitresses, chefs)
- Food manufacturing (deboners)
- Healthcare (care assistant)
- Sales (sales assistant)

These shortages are primarily the result of a tight labour market, against a backdrop of low unemployment and high levels of economic growth.

Policy in relation to skill shortages is predicated in the first instance, on upskilling our resident workforce — increased funding has been allocated to FÁS to enhance in-company training in addition to training of the unemployed and those outside the labour force to enable them to take up employment; secondly, on maximising the potential of EEA nationals to fill our skills deficits; and thirdly, with a new green card and revised work permit system for non-EEA nationals, details of which I announced at the commencement of the Second Stage of the Employment Permits Bill 2005 on 12 October last.

In relation to immigration, the Expert Group on Future Skills published a report in October 2005, entitled “Skills Needs in the Irish Economy: the Role of Migration”. This identified sectors where the skills needs of the economy would not be met from within Ireland or the European Economic Area. These sectors are: Information and Communications Technology, Health Care, Construction, Financial Services, Engineering, Pharmaceutical, and Sales/Marketing.

Research is currently being undertaken by the Expert Group to underpin the development of a National Skills Strategy. This research will be available in the autumn of this year. It will address how best to meet the skills and labour needs of the economy over the next decade.

Industrial Relations.

217. **Mr. Naughten** asked the Minister for Social and Family Affairs further to Parliamentary Question No. 148 of 8 March 2006, the reason discussions have not taken place with staff representatives; and if he will make a statement on the matter. [18839/06]

Minister for Social and Family Affairs (Mr. Brennan): There has been no further contact from the Office of Public Works (OPW) on the matter in question, so the meeting between staff representatives and the company concerned has not been necessary or taken place.

My Department has received an assurance from the OPW that no further action will be taken until such a meeting has taken place and the staff are aware of the situation in this regard.

Pension Provisions.

218. **Mr. Stanton** asked the Minister for Social and Family Affairs if he intends to honour the

[Mr. Stanton.]

commitment to introduce a personal pension entitlement for pensioner spouses currently in receipt of the qualified adult allowance, set at the level of a full non-contributory pension as stated in the Agreed Programme for Government in 2002; if so, when he intends to do so; the estimated cost of same; and if he will make a statement on the matter. [18857/06]

Minister for Social and Family Affairs (Mr. Brennan): This Government is committed to introducing a personal entitlement for pensioner spouses currently in receipt of the qualified adult increase, set at the level of a full non-contributory pension and that remains the position.

The cost, based on current rates of payment, of bringing all of the relevant qualified adult rates up to the level of the non contributory pension personal rate is almost €55 million in a full year. This commitment will be implemented having regard to available resources and other budgetary commitments.

Since 2002, new pension claimants can opt to have qualified adult increase paid directly to their spouse or partner. This measure has had some success in delivering personal payments for spouses and partners. The administrative and legislative implications of enhancing these arrangements to make direct payments more widely available are under consideration

Data Protection.

219. **Mr. Stanton** asked the Minister for Social and Family Affairs the way in which his Department assists the Garda Síochána in the provision of information if requested to do so; the changes which have been made in this practice in the past year; and if he will make a statement on the matter. [18859/06]

Minister for Social and Family Affairs (Mr. Brennan): Access to information within my Department is strictly controlled and only released in accordance with law. Procedures have been in place for some time and there have been no changes in the past year.

Under the data sharing provision, Section 261 (2) of the Social Welfare (Consolidation) Act, 2005 (previously Section 222(2) of the Social Welfare (Consolidation) Act, 1993) — information held may be transferred to a specified body.

An Garda Síochána are such a specified body under Section 261(3) of the Act. The Department, in practice, responds to requests for information on a “case by case” basis. Staff are instructed to first authenticate the Garda requesting the information.

In addition, under Section 8(1) of the Immigration Act 2003, information relating to non EEA nationals is exchanged on a regular basis between the Department and An Garda Síochána, both for the purposes of the Refugee Act

1996, and also for the purposes of control of the Department’s schemes.

The Department is very conscious of the confidentiality of its customer data, and there are comprehensive staff instructions in place relating to the disclosure of personal information.

Social Welfare Benefits.

220. **Mr. Stanton** asked the Minister for Social and Family Affairs the number of people in receipt of the respite grant aged under 18 years in 2003, 2004 and 2005 respectively; and the percentages of same in relation to number of respite grant recipients; and if he will make a statement on the matter. [18860/06]

Minister for Social and Family Affairs (Mr. Brennan): Prior to Budget 2005, the only people paid the Respite Care Grant by my Department were those in receipt of Carers Benefit or Carers Allowance who were paid the Grant automatically with their primary payment. As neither Carers Benefit nor Carers Allowance is payable to people under 18 years of age, nobody under that age was entitled to the Grant prior to 2005. Accordingly, the answer to the Deputy’s question in respect of 2003 and 2004 is nil.

Budget 2005, *inter alia*, extended entitlement to the Grant to all full time carers, regardless of means or contribution record but subject to certain conditions relating notably to employment.

The age limit for the Respite Care Grant for those newly qualified under Budget 2005 is 16. The number of people under 18 who received the Respite Care Grant in 2005 is 3 out of the total of over 7,000 Grants paid in 2005.

Light Rail Project.

221. **Mr. O’Connor** asked the Minister for Transport the position regarding the proposals for the extension of the Luas line through Tallaght west to City West in Saggart; and if he will make a statement on the matter. [18684/06]

Minister for Transport (Mr. Cullen): Transport 21 provides for a spur from the Tallaght Luas line to the Citywest Campus (Line A1). The Railway Procurement Agency (RPA) is at present progressing this project.

The inclusion of the in Transport 21 project was contingent on agreement being reached between the RPA and private developers on the sharing of the costs involved in the project.

Public consultation on the proposed route from Belgard to Fortunestown Lane began on 23 February 2006 following the signing, in September 2005, of Heads of Agreement between the RPA and developers in relation to the scheme. My Department recently approved an extension of the project to Garter Lane arising from an agreement among the developers, which,

inter alia, involves additional private sector involvement in funding the scheme.

South Dublin County Council have confirmed their strong support for the project. Subject to compliance with the relevant statutory procedures etc, construction should be completed in 2009.

Road Safety.

222. **Mr. Kirk** asked the Minister for Transport the position in relation to heavy goods vehicles pulling out on a two lane motorway, having regard to the new penalty points offences introduced in this area. [18685/06]

Minister for Transport (Mr. Cullen): The prohibition on the use of the outside lane on a motorway by certain classes of vehicles, including heavy goods vehicles, except where it is necessary to proceed in that lane due to an obstruction or because another lane or lanes is or are for the time being closed to traffic, is a driving rule that was introduced as far back as 1 October 1997 with the commencement of the Road Traffic (Traffic and Parking) Regulations 1997 (SI No. 182 of 1997). The term “obstruction” is not defined in the Road Traffic (Traffic and Parking) Regulations 1997 but article 5 provides that the regulations “shall apply save where compliance is not possible as a result of an obstruction to traffic or pedestrians or because of an emergency situation confronting a road user which could not reasonably have been expected or anticipated”.

The breach of the regulation that prohibits driving in the outside lane was scheduled by the Oireachtas to be a penalty point offence in the Road Traffic Act 2002 and I gave effect to this from 3 April 2006.

Railway Stations.

223. **Ms Shortall** asked the Minister for Transport if his Department in conjunction with Iarnród Éireann has plans to re-open the train station at Dunleer, County Louth on the main Dublin to Belfast railway line taking into account substantial population growth in the mid-Louth area; and if he will make a statement on the matter. [18747/06]

Minister for Transport (Mr. Cullen): The location of stations on the rail network is a matter for Iarnród Éireann. The company informs me that it has examined the case for re-opening Dunleer station on a number of occasions in the past. A review of the Dublin Suburban Rail Strategy, conducted on behalf of Iarnród Éireann, concluded that the station would only have very modest daily boardings given the population of the area. The case for re-opening Dunleer will be re-examined if major development takes place close to the line and funding can be provided,

by developers, for the construction of the station.

Greenhouse Gas Emissions.

224. **Mr. Eamon Ryan** asked the Minister for Transport the way in which his Department is checking the effects of climate change on major infrastructural projects; and if he will make a statement on the matter. [18843/06]

Minister for Transport (Mr. Cullen): A core principle underpinning all of our transport policies is that they should support sustainable development, defined as development which contributes now, and in the future, to economic growth, social cohesion and protection of the environment. All major transport projects are subject to environmental impact assessment, in accordance with the relevant EU Directives.

Rail Services.

225. **Mr. Eamon Ryan** asked the Minister for Transport when he expects the first Cork, Limerick, Galway trains to operate; and the timetable for the development of such a service. [18845/06]

Minister for Transport (Mr. Cullen): As provided for in Transport 21, the Western Rail Corridor will provide a rail connection between the cities of Galway and Limerick by 2009, with onward connection to Cork via Limerick Junction. The current position regarding the Western Rail Corridor is that Iarnród Éireann has submitted business cases to my Department relating to Phase 1 (the reopening of the Ennis to Athenry section) and Phase 2 (re-opening of the Athenry to Tuam section). These are currently being examined in my Department. When this examination is completed I will make a decision on Iarnród Éireann’s applications and the allocation of funding.

Computerisation Programme.

226. **Ms Shortall** asked the Minister for Transport the steps that have been taken by his Department to upgrade the DTS administration system; the specific new systems that have been provided and the cost; the server-end hardware which is in use; the year in which this hardware was purchased; the warranty status of this hardware; the annual maintenance cost of same; if there continues to be capacity problems with this system; if the software and application software has been updated in the past year; if not, if they are supported for updates; if the DTS administration system is integrated with other administrative applications in use in Ballina; if the DTS administration system is widely accessible outside of Ballina; the maximum number of driver tests that can be processed through the system in one calendar year without causing system failure; the

[Ms Shortall.]

stress testing undertaken on the system and the maximum stress loads tested; and if he will make a statement on the matter. [18846/06]

227. **Ms Shortall** asked the Minister for Transport the name of the software currently in use by the driver testing service in Ballina; the version of this software being used; the name of the software producer; the support contacts which are in place with the software producer; when same will expire; the number of information technology staff who have received specific training to enable them to support this software; the cost of this training; and if he will make a statement on the matter. [18847/06]

Minister for Transport (Mr. Cullen): I propose to take Questions Nos. 226 and 227 together.

My Department successfully completed an upgrade of the server hardware and database software for the Driving Test Scheduling Application in 2005. A number of small enhancements to the application itself were also made. System administration training on the system was also provided to three IT staff based in Ballina. The total cost of the upgrade, enhancements and training was €166,000.

The project resulted in improvements in the capacity, speed and reliability of the system. A full testing programme was carried out, including appropriate stress testing. This confirmed that the system is capable of meeting the immediate requirements of driving test administration. However, the basic code on which the system relies is over 10 years old and this brings with it associated inflexibilities and inability to respond to modern requirements. Nevertheless, it is now sufficiently robust to allow an 18 to 24 month window of opportunity during which it is intended to significantly improve the overall system and to link it to internet based public access.

The scheduling application now runs on a Dell PowerEdge 2850 server with fail-over to a second Dell PowerEdge 2850. Both servers were purchased in May 2005 with Microsoft Windows server 2003 operating system. Both are covered by a three year warranty which expires in June 2008. The cost of the warranties was included in the total server purchase cost of €17,814.

The application software was migrated to Ingres 2.6 which was the latest stable version of the database management system available at the time of the upgrade. There is a further upgrade path to Ingres 2006 in the current support agreement. The software provider is Ingres Corporation and the support licenses were purchased from their partner company, Rational Commerce Ltd at an annual cost of €7,816. There is also an additional system, database and application fault response contract in place at a cost of approximately €20,000 per annum. This expires on 31

August 2006. The scheduling application is not specifically integrated into other applications used in Ballina but is available on all desktop computers of the staff in the area. There is a capability to extend access to the scheduling application from external sites should business needs and priorities require this.

Scéim na mBóithre Straitéise.

228. D'fhiafraigh **Mr. Gilmore** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an bhfuil sé in ann airgead a chur ar fáil le feabhas a chur ar bhóthar contae Achaidh/Ard an Rátha faoi Scéim na mBóithre Straitéise isteach go ceantair Ghaeltachta.. [18606/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Tá mé ag glacadh leis go bhfuil an Cheist seo dírithe ar an mbóthar idir Ard na Rátha agus Ardagh Glebe i nDún na nGall. Ní féidir an bóthar sin a áireamh mar bhóthar straitéiseach Gaeltachta mar go bhfuil an cuid is mó den bhóthar taobh amuigh den Ghaeltacht.

Oileáin Mhara.

229. D'fhiafraigh **Mr. Gilmore** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta cad é an staid ina bhfuil iarratas atá aige faoi láthair ar dheontas le fad a chur le Cé an Rannaigh, Oileán Árann Mhór. [18607/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I 2001, ar iarratas ó mo Roinnse, chuir Comhairle Chontae Dhún na nGall réamh-thuarascáil ar fáil maidir le forbairt na saoráidí calaíochta ag Rannach, Oileán Árann Mhór. Moladh dhá rogha sa tuarascáil sin, i.e., síneadh 30m a chur leis an gcé atá ann faoi láthair ar chostas €1.5m, nó síneadh 65 m a chur léi ar chostas €3m. Dheimhnigh an tuarascáil chomh maith gur chun sochair thionscal na hiascaireachta áitiúla a rachadh aon fhorbairt nua ag an láthair seo.

Tá iarratas faighte ag mo Roinn ón gComhairle Chontae maidir le costais deartha agus ullmhú doiciméad conartha don togra seo agus tá an t-iarratas sin á mheas faoi láthair i gcomhthéacs an tsoláthair atá ar fáil dom le caitheamh ar fhorbairt céanna ar na hoileáin sna blianta amach romhainn agus na n-éileamh éagsúil ar an soláthar sin.

Forbairt Spóirt agus Chaithimh Aimsire.

230. D'fhiafraigh **Mr. Gilmore** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta mar go bhfuil Rás Snámha Timpeall na hÉireann ag toiseacht ag Carraig Fhinn, Cionn Caslach, Co Dhún na nGall ag deireadh mhí Iúil, an féidir leis an Roinn deontas a chur ar fáil don charrchlós poiblí le hobair fheabhsúcháin a dhéanamh anseo in aice le trá Bhrait Goirme. [18608/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Tuigim go dtagann an áis seo faoi chúram Chomhairle Chontae Dhún na nGall. Níl aon iarratas ag mo Roinnse do na hoibreacha atá luaite ag an Teachta sa Cheist. Má dhéantar iarratas, déanfar an cás a bhreithniú tuilleadh.

Community Development.

231. **Mr. Ring** asked the Minister for Community, Rural and Gaeltacht Affairs further to his recent announcement on the extension of the CLÁR areas in County Mayo, if extra funding will be provided for the extra areas in CLÁR; and if so, the amount of extra funding which will be provided. [18609/06]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): Funding of €22.95m 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 I am confident that this will allow for the expansion of the Programme into the new areas as recently announced. The measures that are currently open to the extended CLÁR areas are as follows:

- LIS Roads
- Flashing Amber Safety Lights at Schools
- Small Public Water & Sewerage Schemes
- Group Water Schemes
- Group Sewerage Schemes
- CLÁR Water Conservation Measure
- Village and Countryside Enhancement Scheme
- Bi-lingual Signage Scheme
- Gaeltacht Grants Top-up
- Single to Three phase Electricity Conversion
- Community Initiatives of a Capital Nature
- Coastal and Harbour Development.

Further announcements will be made in due course on the expansion of other measures.

The Deputy should note, however, that no specific allocations are made to the CLÁR areas of counties from each year's financial provision for the Programme. Some measures are demanded while, in other cases, the projects, by and large, are selected or recommended by the relevant Departments, State agencies, Leader groups and/or local authorities, in consultation with my Department. Therefore, investment in the extended CLÁR areas will, in the main, be determined by the level of applications received under the various measures.

Grant Payments.

232. **Mr. Walsh** asked the Minister for Agriculture and Food when payment of single farm payment will be made to a person (details supplied) in County Cork. [18600/06]

Minister for Agriculture and Food (Mary Coughlan): As indicated in my reply of 30 March 2006 to Parliamentary Question No. 196 in this case, an application under the 2005 Single Payment Scheme was received from the person named on 13 May 2005. Following initial processing of the application, certain issues in relation to one of the parcels included on the application were highlighted, which required to be satisfactorily resolved before payment could be made. Officials of my Department have been in direct contact with the person named on numerous occasions in an effort to resolve these issues.

Despite these efforts, it has not been possible to reconcile matters. Accordingly, a small overlap has been confirmed. However, under Article 51 of Commission Regulation (EC) 796/2004, no penalty is applied when the difference between the area claimed and the area found is less than 3% or 2 hectares, but payment is based on the area found.

Therefore, while the person named declared 38.20 hectares on his 2005 Single Payment Scheme application form, the area found following processing is 38.00. The application is now being further processed on this basis, with a view to payment of €8,625.61 issuing shortly.

233. **Mr. Walsh** asked the Minister for Agriculture and Food if payment of balance of a single farm payment will be made to a person (details supplied) in County Cork. [18602/06]

Minister for Agriculture and Food (Mary Coughlan): The person named successfully applied for the transfer of entitlements by way of inheritance under the Single Payment Scheme and payment amounting to €1,299.74 issued on 7 April 2006.

The person named submitted an application for an allocation of entitlements from the Single Payments Scheme National Reserve under category C.

Category C caters for farmers who, between 1 January 2000 and 19 October 2003, sold the milk quota into the Milk Quota Restructuring Scheme and converted their enterprise to a farming sector for which a direct payment under Livestock Premia/or Arable Aid Schemes would have been payable during the reference period 2000 to 2002.

A formal letter setting out my Department's decision has issued to the person named and she has been notified that if she is dissatisfied with my Department's decision in relation to the National Reserve she now has the opportunity to appeal this decision to the Independent Payment

[Mary Coughlan.]

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 Waste Management.

234. **Mr. Ring** asked the Minister for Agriculture and Food if plastic silage wrappers will be collected from farmers; the reason farmers are not allowed to dispose of plastic silage wrappers to their nearest local authority; if discussions are expected to take place to deal with this problem. [18605/06]

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.

Alternative Energy Projects.

235. **Mr. McGinley** asked the Minister for Agriculture and Food her Department's policies regarding sustainable energy and biofuels; and if she will make a statement on the matter. [18691/06]

Minister for Agriculture and Food (Mary Coughlan): Overall responsibility for energy policy rests with the Minister for Communications, Marine and Natural Resources, who is leading a cross-Departmental, cross-agency approach in developing and implementing renewable energy policy. As Minister for Agriculture and Food, I have a special interest in the development of the renewable energy sector — and of biofuels in particular, given that agriculture is the source of most of the raw materials used to manufacture biofuels.

Biofuels is one element in the development of renewable energy. Agriculture and forestry has the potential to be the source of many feedstocks for biofuels. For example, oilseed rape, wheat and sugar beet can be used for the manufacture of liquid transport biofuels, while forestry by-products and other farming and food by-products

such as meat and bone meal and tallow, can be used for energy/heat generation. Tallow can also be used for biodiesel production. Other energy crops such as short rotation coppice and miscanthus can be used for heat and electricity generation.

Apart from the need to lessen dependence on fossil fuels for environmental and cost reasons, the development of biofuels, through the growing of energy crops, presents a new opportunity for rural communities and economies. The reform of the Common Agricultural Policy (CAP) which was agreed in 2003 gives farmers the freedom to exploit new farming opportunities, including agricultural production for non-food uses.

Support to farmers for the growing of energy crops may only be granted in accordance with EU regulations. Currently, such support is provided by way of the Energy Crops Scheme which was introduced under the reform of the CAP and which is administered by my Department. Under this scheme, energy crops may qualify for aid of €45 per hectare provided they are intended primarily for use in the production of biofuels and electric and thermal energy produced from biomass. In addition to this scheme, set aside land can be used for a variety of non-food uses including the growing of crops for energy purpose and will therefore qualify to activate set-aside entitlements under the Single Payment Scheme. The EU has agreed that sugar beet will be eligible for aid under the scheme and may also be grown as an energy crop on set aside land. The aid of €45 per hectare available under the Energy Crops Scheme is not sufficiently attractive in itself to stimulate the growing of such crops. For this reason at the February Council of Agriculture Ministers meeting I called for a review of the premium and I am pleased to say that the EU Commission has undertaken to review the operation of the scheme.

The production and utilisation of agricultural products for energy purposes can only be sustained in the longer term if biofuels generate a more favourable return than traditional market outlets. I am confident that the extension in the last Budget of excise relief of €205m which, when fully operational, will support the use and production of 163 million litres of biofuels annually, will help drive additional demand for the production of energy crops.

On the wider agricultural and energy policy agenda, biomass is of increasing importance and significance. Biomass energy in Ireland is mainly derived from wood products, which are converted into heat. I believe that the exploitation of the wood resource especially pulpwood, sawmill residues and harvestable forest residues offers enormous potential and could contribute significantly to our energy and heat requirements. Ireland has an excellent growing climate and an ongoing supply of raw material for wood fuel. Also, the Minister for Finance has confirmed that there would

be no change to the existing income tax exemption for forestry as a cost benefit analysis verified its significant environmental benefits.

Wood residues are already being used to produce heat for sawmills across the country and the wood energy market is poised for growth with a number of commercial start-ups and a supply chain emerging. The €27m “Greener Homes” grant programme for the domestic sector announced by the Minister for Communications, Marine and Natural Resources recently will help drive demand for wood biomass. The grant aid for commercial scale biomass boilers to be announced in the coming weeks will stimulate demand even further. My Department is also actively promoting the use of wood biomass through grants to promote and develop sustainable forestry, including alternative timber uses and we are close to finalising a scheme of supports for the purchase of specialist wood biomass harvesting equipment. We are directly promoting the use of wood biomass by the installation of a wood heating system at the Department’s offices at Johnstown Castle.

Short rotation coppice and miscanthus have considerable potential for heat/electricity generation. In Ireland, however, the production of short rotation coppice is relatively undeveloped. Thus costs of production, especially the substantial initial establishment costs, will be high due to lack of economies of scale. My Department is currently pursuing a proposal to reactivate establishment grants for short rotation coppice. I have received a number of proposals for the introduction of establishment grants for miscanthus and these are also being considered.

Meanwhile my Department in conjunction with Teagasc and COFORD has examined the potential of energy crops, wood biomass and farming and food by products. Last year, we began providing direct funding, on a competitive basis, to support priority research projects in relation to biofuels. This funding is channelled through the Department’s Research Stimulus Fund Programme. Three of the projects selected under the 2005 call for proposals directly relate to biofuels and energy crops and received total grant assistance of some €0.9m. The funding available under the Programme has now been substantially increased and a further call for projects was recently advertised in the national press. This call also includes the non-food uses of agricultural land.

Apart from purpose grown energy crops and wood biomass, there are several by-products of the farming and food processing industries that can be recovered and used in various ways as biofuels. These are mainly animal by-products such as meat and bone meal, tallow, animal manures and food by-products. There are significant opportunities for the use of animal by-products as biofuels some of which are being considered actively. Commercial realities are driving these

proposals. The disposal of by-products imposes a cost on industry and it makes economic sense to offset this cost by realising the potential of the by-products as an energy source. Tallow is used at present as a biofuel in thermal boilers in rendering plants and larger meat export plants to provide energy. A recent EU Regulation provides for the conversion of tallow to biodiesel. Some rendering plants are considering building biodiesel plants for this purpose using various combinations of tallow, recovered vegetable oil and rapeseed oil.

The importance of biofuels and bioenergy is recognised in the AGRI Vision 2015 ACTION Plan and I will continue to work closely with my colleague the Minister for Communications Marine and Natural Resources to ensure that agriculture contributes to the development of biofuels as part of a coherent energy policy. The development of biomass and biofuels is also moving up the agenda at EU level. In her recent historic address to the Oireachtas, Commissioner Fischer Boel highlighted that fact that she is specifically targeting biofuels.

Grant Payments.

236. **Mr. Kehoe** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Wexford did not receive the full single farm payment; if there is an appeal system in place;; and if she will make a statement on the matter. [18713/06]

Minister for Agriculture and Food (Mary Coughlan): My Department has converted the special condition entitlements held by the person named to standard entitlements in accordance with the provisions of the Single Payment Scheme. Accordingly, payment amounting to €374.35 will issue to the applicant shortly.

An official of my Department has also made direct contact with the person named and outlined to him the options that are open to him in relation to the Single Payment Scheme.

Irish Horseracing Industry.

237. **Mr. Ó Fearghail** asked the Minister for Agriculture and Food her views on the state of the bloodstock industry here; and if she will make a statement on the matter. [18714/06]

Minister for Agriculture and Food (Mary Coughlan): The Irish Bloodstock industry is currently performing extremely well in what is truly a global business. An independent assessment of the sector conducted by Indecon International Economic Consultants in July 2004 found that bloodstock production accounts for approx 4.4% of agricultural output. Furthermore this report confirmed that Ireland is now the third largest thoroughbred producer in the world accounting for over 42% of EU output. While there are

[Mary Coughlan.]

elements of concentration this rural activity is found in all counties.

Indecon estimated that there were over 16,000 people employed (including part-time employment) in the thoroughbred breeding and horseracing industry in Ireland.

Irish thoroughbreds are much sought after for racing and breeding across the globe. One only has to consider the spectacular results from the recent Cheltenham festival where Irish trained horses once again enjoyed another magnificent season and for the second consecutive year the Gold Cup, the Queen Mother Champion Chase and the Champion Hurdle at the Cheltenham Festival were all won by Irish trained horses while Numbersixvalverde became the fifth Irish trained winner of the English Grand National since 1999. It is not surprising that many professionals are calling this period a 'Golden Age' for our thoroughbreds. In Ireland we can look forward to hosting Europe's richest two-year-old race, the Goffs Million with a total prize fund of €1.6m, at the Curragh in September of this year.

The Irish thoroughbred is synonymous with excellence worldwide. The people, climate, soil and the general operating environment in this country are all factors which contribute to this success. It must be emphasised that the risks associated with bloodstock production are much higher than in normal livestock enterprises.

So far this year, horses that were trained, owned or bred in Ireland have dominated the racing world both at home and abroad. It is my hope that this success continues into the future. Every success worldwide that is credited to Ireland is an endorsement for the thoroughbred industry in Ireland and raises the bar for our competitors.

Grant Payments.

238. **Mr. Naughten** asked the Minister for Agriculture and Food the increase in the rate of grant available to cover rising costs under the farm building grant schemes in each of the past five years; and if she will make a statement on the matter. [18841/06]

Minister for Agriculture and Food (Mary Coughlan): The Farm Waste Management Scheme, Dairy Hygiene Scheme and Alternative Enterprises Scheme were introduced by my Department in February 2001 under the aegis of National Development Plan 2000-2006. A subsequent scheme, the Pig Welfare Scheme, was introduced in June 2005.

New Standard Costings were introduced by my Department in 2001 to coincide with the introduction of the new Schemes and these Costings were subsequently revised with effect from December 2002 and again in September 2004 in order to reflect rising building costs. These Costings are currently being reviewed and further

revised Costings will be introduced as soon as possible.

The detailed Costing figures are not released by my Department so I am not in a position to indicate the increases in the years concerned.

239. **Mr. Naughten** asked the Minister for Agriculture and Food if it is possible under the EU regulations on sugar reform for the National Exchequer to top up the level of compensation available to each or any sector involved; and if she will make a statement on the matter. [18842/06]

Minister for Agriculture and Food (Mary Coughlan): The compensation package negotiated in the context of reform of the EU sugar regime is worth over €310m to Irish stakeholders. There are three elements to the compensation package.

The first element is the compensation to beet growers of up to 64% of the reduction in the minimum price for beet. This compensation, which will be incorporated in the existing Single Payment Scheme and will be payable from 2006, is worth approximately €123m to Irish beet growers over the next seven years.

The second element of the compensation package is the restructuring aid covering the economic, social and environmental costs of restructuring of the sugar industry involving factory closure and renunciation of quota. In Ireland's case, this would be worth up to €145m.

The third element of the package is the diversification aid, worth almost €44m in Ireland's case, which would be drawn down in the framework of a national restructuring programme.

The relevant EU Regulation does not provide for a top up of these compensation amounts from national funds.

Crime Levels.

240. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the crime statistics for the south Roscommon area in the Roscommon, east Galway division for each year from 2000 to 2005; if he will establish a full-time Garda station in the area; and if he will make a statement on the matter. [18580/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline crime statistics from 2000 to 2005 for the Garda Division of Roscommon / Galway East, which includes the South Roscommon area, are contained in the relevant Garda Annual Reports which are available in the Oireachtas Library.

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 (all ranks) of the Roscommon/Galway East Division as at 16 May, 2006 was 252. The personnel strength (all ranks) of each District as at 16 May, 2006 was as set out in a table:

District	Strength
Ballinasloe	53
Boyle	38
Castlerea	43
Roscommon	63
Tuam	55

Garda management state that the five District Headquarters Stations, referred to in the table above, are open to the public on a 24 hour basis.

Garda personnel assignments throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources, and the best possible Garda service is provided to the general public.

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 Roscommon/Galway East Division will be given the fullest consideration.

241. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the crime statistics for the Ballinasloe district in the Roscommon, east Galway division for each year from 2000 to 2005; if he will establish a full-time Garda station in the area; and if he will make a statement on the matter. [18581/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline crime statistics from 2000 to 2005 for the Garda Division of Roscommon / Galway East, which includes the Garda District of Ballinasloe, are contained in the relevant Garda Annual Reports which are available in the Oireachtas Library.

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 (all ranks) of the Roscommon/Galway East Division as at 16 May, 2006 was 252. The personnel strength (all ranks) of each District as at 16 May, 2006 was as set out in a table:

District	Strength
Ballinasloe	53
Boyle	38
Castlerea	43
Roscommon	63
Tuam	55

Garda management state that the five District Headquarters Stations, referred to in the table above, are open to the public on a 24 hour basis.

Garda personnel assignments throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda resources, and the best possible Garda service is provided to the general public.

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 Roscommon/ Galway East Division will be given the fullest consideration.

242. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the crime statistics for the Castlerea area in the Roscommon, east Galway division for each year from 2000 to 2005; and if he will make a statement on the matter. [18582/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline crime statistics from 2000 to 2005 for the Garda Division of Roscommon/Galway East, which includes the

[Mr. McDowell.]

Castlerea area, are contained in the relevant Garda Annual Reports which are available in the Oireachtas Library.

243. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the crime statistics for the Ballaghderreen area in the Roscommon, east Galway division for each year from 2000 to 2005; and if he will make a statement on the matter. [18583/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline crime statistics from 2000 to 2005 for the Garda Division of Roscommon/Galway East, which includes the Ballaghderreen area, are contained in the relevant Garda Annual Reports which are available in the Oireachtas Library.

244. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the crime statistics for the Boyle district in the Roscommon, east Galway division for each year from 2000 to 2005; and if he will make a statement on the matter. [18584/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline crime statistics from 2000 to 2005 for the Garda Division of Roscommon/Galway East, which includes the Garda District of Boyle, are contained in the relevant Garda Annual Reports which are available in the Oireachtas Library.

245. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the crime statistics for the Elphin area in the Roscommon, east Galway division for each year from 2000 to 2005; and if he will make a statement on the matter. [18585/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline crime statistics from 2000 to 2005 for the Garda Division of Roscommon/Galway East, which includes the Elphin area, are contained in the relevant Garda Annual Reports which are available in the Oireachtas Library.

246. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the crime statistics for the Strokestown area in the Roscommon, east Galway division for each year from 2000 to 2005; and if he will make a statement on the matter. [18586/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline crime statistics from 2000 to 2005 for the Garda Division of Roscommon/Galway East, which includes the Strokestown area, are contained in the relevant Garda Annual Reports which are available in the Oireachtas Library.

247. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the crime statistics for the Roscommon district in the Roscommon, east Galway division for each year from 2000 to 2005; and if he will make a statement on the matter. [18587/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline crime statistics from 2000 to 2005 for the Garda Division of Roscommon/Galway East, which includes the Garda District of Roscommon, are contained in the relevant Garda Annual Reports which are available in the Oireachtas Library.

248. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the crime statistics for the Manorhamilton district in the Sligo, Leitrim division for each year from 2000 to 2005; and if he will make a statement on the matter. [18588/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline crime statistics from 2000 to 2005 for the Garda Division of Sligo/Leitrim, which includes the Garda District of Manorhamilton, are contained in the relevant Garda Annual Reports which are available in the Oireachtas Library.

249. **Mr. Naughten** asked the Minister for Justice, Equality and Law Reform the crime statistics for the Carrick-on-Shannon district in the Sligo/Leitrim division for each year from 2000 to 2005; and if he will make a statement on the matter. [18589/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Headline crime statistics from 2000 to 2005 for the Garda Division of Sligo/Leitrim, which includes the Garda District of Carrick-on-Shannon, are contained in the relevant Garda Annual Reports which are available in the Oireachtas Library.

Court Accommodation.

250. **Ms B. Moynihan-Cronin** asked the Minister for Justice, Equality and Law Reform his proposals to provide funding for the refurbishment of the Kilkenny courthouse; and if he will make a statement on the matter. [18590/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Under the Courts Service Act 1998, the Courts Service is responsible for the day to day management of the courts system. Section 5 of the Act provides, *inter alia*, that the functions of the Court Service include the provision, management and maintenance of court buildings and the provision of facilities for court users.

The Courts Service is committed to improving the standard of court buildings and facilities throughout the State. I am pleased to have been

able to obtain significant funding from the Government for courthouse upgrading in recent years. €18.2 has been made available to the Courts Service for capital spending on its building programme in 2006. The Capital Building Programme for 2002-08 places a priority on developing county venues, most of which have now been refurbished. In addition, use is being made of Public Private Partnership (PPS) approaches where appropriate to provide courthouse infrastructure. For example, a multi-million Euro Criminal Courts Complex for Dublin is being provided in this fashion.

Having regard to the statutory independence of the Courts Service, the Deputy will appreciate that it is a matter for the Courts Service to decide how funding provided is specifically allocated in connection with its ongoing replacement and refurbishment programme.

Asylum Applications.

251. **Mr. McGuinness** asked the Minister for Justice, Equality and Law Reform if permission to remain here will be granted to persons (details supplied); and if he will expedite a response. [18591/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): It is not the practice to comment in detail on individual asylum applications.

As the Deputy will be aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister for Justice, Equality and Law Reform on whether such status should be granted.

Notwithstanding this, I would point out to the Deputy that delays in finalising cases can occur for a variety of reasons, including giving applicants and appellants the fullest opportunity possible to present their cases and the determination of Judicial Review proceedings.

A final decision on these applications will be made upon receipt of the decision of the Refugee Appeals Tribunal which I expect to receive shortly.

Garda Stations.

252. **Mr. Andrews** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the conditions at Cabinteely Garda Station which is need of improvement in the short term and complete overhaul in the long term; and if he will make a statement on the matter. [18593/06]

253. **Mr. Andrews** asked the Minister for Justice, Equality and Law Reform if he will report on the suggested coming together at a new

site of Cabinteely Garda Station and Kill O' the Grange Garda Station. [18594/06]

254. **Mr. Andrews** asked the Minister for Justice, Equality and Law Reform if he intends to retain Cabinteely Garda Station for Garda use in the event that a new station is built in the near future; and if he will make a statement on the matter. [18595/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 252 to 254, inclusive, together.

A decision was taken in 2001 to amalgamate the Garda Stations at Kill O'Grange and Cabinteely and a site has been acquired at Rochestown Avenue by the Office of Public Works to facilitate this development. Good progress is being made on the new station project, a brief of the accommodation requirements has been agreed and a Sketch Scheme (outline drawing) for the new station is expected to be completed by the Office of Public Works next month. The OPW inform me that, subject to the completion of the necessary processes, including planning, tendering etc., it is planned that construction work commence before the end of this year. No decision has been made about the future use of the existing Garda buildings.

Human Trafficking.

255. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform if EU Directive 2004/81/EC has been transposed into Irish law; if not, the reason Ireland has not met the deadline for transposition; the steps he intends to take to protect the victims of human trafficking; the Government's position and responsibilities in relation to European Council Framework Decision 2002/629/JHA; the details of the unit in An Garda Síochána that is tasked with preventing human trafficking, including the resources and staffing available to it; and the funding allocated specifically to combating human trafficking for each year from 2002 to date in 2006; and if he will make a statement on the matter. [18596/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The current immigration system in Ireland allows the authorities to deal with the victims of trafficking in a sympathetic and pragmatic way. It is recognised that it is in the interests of both the victims of trafficking and the authorities to co-operate with a view to ensuring the protection of victims and the prosecution of perpetrators. Although Ireland has not opted to participate in the EU Council Directive dealing with the issue of residence permits to victims of trafficking in human beings, in practice a similar regime can be implemented under existing legislation.

Under current Irish Criminal Law it is an offence, punishable by up to life imprisonment,

[Mr. McDowell.]

to traffick a person under 17 years of age, male or female, into, through or out of Ireland for the purpose of that person's sexual exploitation. This is provided for in the Child Trafficking and Pornography Act 1998.

Under the Illegal Immigrants (Trafficking) Act 2000, it is an offence for a person to organise or knowingly facilitate the entry into Ireland of another person whom that person knows or has reasonable cause to believe is an illegal immigrant. The penalty on conviction on indictment for this offence is a maximum of 10 years imprisonment or an unlimited fine or both. Inevitably, when a person is trafficked for the purpose of sexual exploitation other serious offences will be committed, such as rape, sexual assault, assault and false imprisonment.

Legislation creating an offence of trafficking in persons for the specific purpose of sexual or labour exploitation is contained in the draft Criminal Justice (Trafficking in Persons and Sexual Offences) Bill which is at an advanced stage of preparation in my Department. This Bill will allow for compliance with the EU Framework Decision on combating trafficking in persons adopted by the Council of Ministers on 19 July, 2002. The legislation will also allow for full compliance with the later EU Framework Decision on combating the sexual exploitation of children and child pornography.

The criminal law aspects of other international instruments will also be taken into account in the preparation of the legislation. These instruments are the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime, the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Council of Europe Convention on action against trafficking in human beings. I intend to seek Government approval to draft this Bill very soon and expect that it will be published later this year.

Regarding the level of Garda resources tasked with preventing human trafficking, a joint task force, which pools the resources of specialist Garda units and detective units, has been established. The Garda National Immigration Bureau (GNIB) acts as the lead unit for the task force. Other specialist units involved include the Garda Bureau of Fraud Investigation, the Garda National Drugs Unit, the National Bureau of Criminal Investigation and the Criminal Assets Bureau. The GNIB includes a number of sections that have an investigative role and thus play a significant part in the prevention and detection of human trafficking.

In view of the exponential growth in the level of immigration in Ireland in recent years, all members of An Garda Síochána are advised of

the need to be mindful of the possibility of trafficking in women for sexual exploitation. If evidence of trafficking for such purposes is disclosed in any case, investigations are conducted.

A training programme has been prepared for delivery to key Garda personnel throughout the State. This training programme has been designed specifically to enable members of An Garda Síochána identify victims of trafficking whom they encounter in the course of their duties, ensure that members fully understand the complexity of the phenomenon and ensure that victims receive appropriate assistance from all the relevant agencies. The current strength of the GNIB is 161 members of An Garda Síochána. The Unit also has 32 civilian personnel. Substantial funding is provided by my Department to Ruhama, a community based project. This funding is not exclusively used to combat human trafficking; it provides services to women in prostitution, including women who may have been trafficked.

Court Accommodation.

256. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the progress of plans to extend the Drug Treatment Court currently operating in the Dublin 7 area to the wider Dublin area; the budgetary provisions the Government is making to allow for this extension of the Court; and if he will extend the Drug Treatment Court to cover the rest of the state. [18597/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): Earlier this year, it was announced that the Pilot Drug Treatment Court, currently operating in the Dublin 7 area, was to be placed on a permanent footing. It will be extended on a phased basis to the wider Dublin area in consultation with the other agencies involved in supporting the Court. The President of the District Court has assigned a Judge of the Dublin Metropolitan District Court to the Drug Treatment Court on a permanent basis. The effect of this is to bring the Drug Treatment Court in closer contact with the other courts in the Dublin Metropolitan District from which the clients of the Drug Treatment Court are referred.

I am satisfied that the Court is providing a very worthwhile and innovative service and I will provide it with every support going forward. In this regard, the possibility of extending the Drug Treatment Court to areas outside Dublin will be considered. The Drugs Court is funded from within the existing resources of the Courts Service.

Citizenship Applications.

257. **Mr. Gilmore** asked the Minister for Justice, Equality and Law Reform if he will confirm receipt of an application for naturalisation

from a person (details supplied); the date on which the application was received; when the application will be processed and a decision reached; and if he will make a statement on the matter. [18598/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to advise the Deputy that no application for naturalisation has been received from the person in question. However an application for permission to remain in the State on the basis of marriage to an Irish national was received in April 2006. An acknowledgement of receipt of the application was issued on 3 May 2006. Applications of this type, in fairness to all other such applicants, are dealt with in strict chronological order and currently take approximately fourteen months to process. It should be noted that marriage to an Irish national does not confer an automatic right of residence in the State.

Penalty Points System.

258. **Ms O. Mitchell** asked the Minister for Justice, Equality and Law Reform the protocol in place to allow members of the Gardaí to remove penalty point from a member of the public's driving licence, where it has been found that such points were wrongly imposed on that licence; and if he will make a statement on the matter. [18599/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the Department of Transport, on the written request of a Chief Superintendent, may remove penalty points from a driving licence in circumstances including where the individual named on the notification to the Minister for Transport was not the person who committed the offence or two notifications to the Minister for Transport were issued in respect of the same offence.

Community Service Orders.

259. **Mr. Bruton** asked the Minister for Justice, Equality and Law Reform the number of community service orders which have been implemented in the Dublin metropolitan area over the past five years; the classification of the orders in terms of the type of community work provided for; and if he has satisfied himself that the potential of this form of penalty is being fully utilised in appropriate cases. [18742/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The Criminal Justice (Community Service) Act, 1983 provides for the performance of unpaid work in the community by a person who is 16 years or over, who has been convicted of an offence, for which the appropriate penalty would be an immediate custodial sentence and who has given his/her consent to the

Court. The information sought by the Deputy, regarding the number of Community Service Orders which have been implemented over the past 5 years, is set out in tabular form below. Community Service Orders for the period 2001-2005:

Year	Male	Female	Total
2001	234	19	253
2002	252	30	282
2003	293	32	325
2004	405	45	450
2005	547	48	595

Community Service operates in communities with group projects, where a group of offenders or an individual, works with a supervisor, undertaking work for the community. The range of work generally carried out by those on community service, includes painting, decorating, landscaping, clearing/maintenance of community facilities (indoor and outdoor) restoration or enhancement of existing facilities such as community centres, youth clubs, grass cutting and cleaning graveyards.

Under the current legislation, Community Service can only be imposed on an individual if the alternative is a custodial sentence. In addition, the individual must consent to the Order. In that respect, I am satisfied that the maximum benefit of community service to local communities is achieved. However, while I have no plans to amend the legislation in the immediate future, the current legislation will, like all my Department's legislation, be kept under review.

Departmental Correspondence.

260. **Mr. Gregory** asked the Minister for Justice, Equality and Law Reform if his office has received a written request from persons (details supplied) to meet with them regarding the death of their son; and if he will make a statement on the matter. [18743/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): A request to meet the family to discuss the circumstances surrounding the tragic death of their son has recently been received by me. The current position is that an inquest into this person's death is still ongoing. An inquest is an independent inquiry to ascertain the cause of death and the Coroner has statutory duties and powers, including the power to call witnesses. The Coroner cannot consider questions of civil or criminal liability. Further consideration will be given to their request for a meeting when the inquest has been completed and a verdict returned.

Crime Prevention.

261. **Mr. Sargent** asked the Minister for Justice,

[Mr. Sargent.]

Equality and Law Reform his views on establishing a commission on crime and punishment to identify the factors causing crime and to update and develop measures to address those factors taking into account international best practice in penal systems including the measures developed to rehabilitate offenders; if he will ensure that this includes an assessment of the infrastructural needs which all those involved in the prison system require; and if he will make a statement on the matter. [18744/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): The National Crime Council was established in 1999 by the Minister for Justice, Equality and Law Reform to facilitate broadly based and well informed discussion on crime on an ongoing basis and to serve as an important aid to policy formulation.

The Council has four key roles, namely: to focus on crime prevention, with particular emphasis on the underlying causes of crime and the development of partnership and practical approaches which will be effective at community level; to focus directly on raising public knowledge and awareness of crime; to examine the 'fear of crime' and to address the issues including those relating to minorities which arise as a consequence of this fear; and to identify research priorities which could be commissioned by the Department of Justice, Equality and Law Reform.

The measures that can be taken to rehabilitate prisoners both within the Penal System and in the wider community were examined in some depth by the National Economic and Social Forum's Report No. 22, Re-integration of Prisoners, published in 2002. Implementation of this Report, in the context of the issues identified by it, has been progressing steadily and, in that regard, the replacement of the outdated and inappropriate facilities at Mountjoy and design of the new Prison Complex at Thornton Hall have been informed by the need to deliver regimes that support rehabilitation.

The Probation and Welfare Service currently has plans to review restorative justice models of practice in Ireland and internationally to inform future development of restorative justice projects and initiatives. I welcome this planned review and look forward to seeing the findings in due course. I am confident that the development of additional restorative justice initiatives, informed by the review, will deliver positive outcomes not just for the offender but also for victims of crime and more generally the whole community.

Restorative Justice Services.

262. **Mr. O'Connor** asked the Minister for Justice, Equality and Law Reform if he will report on his contacts with the restorative justice services in Tallaght; and, if based on the success

of the initiative, the service will be duplicated throughout the country. [18749/06]

Minister for Justice, Equality and Law Reform (Mr. McDowell): I was pleased to be invited, on Thursday last, 11th May, to launch the 2005 Report of Restorative Justice Services at The Iona Centre in Knocklyon. As the Deputy will be aware, the Report shows that some 100 cases were referred to the Reparation Programme in 2005 and 97 offenders successfully completed their contracts. I think the Deputy will share the view that the success of this project in Tallaght shows in a very positive way what can be achieved when all the stakeholders — the community, the Judiciary, An Garda Síochána and the Probation and Welfare Service — work together in a cohesive and partnership model.

I am pleased that I have been able to support this project in a very practical way by funding the project. This year I will be contributing €320,000 to the costs. Indeed, I have also been able to contribute to the costs associated with finding better accommodation for the project.

The Deputy will also be familiar with my view that Restorative Justice is an important element in the way we deal with offending behaviour. I am committed to fostering and developing further such initiatives over time. We must, of course, learn from the experience of how restorative justice has worked both here in Ireland — in Tallaght and Nenagh — and also look to international developments so that future expansion of the restorative justice model will be guided by best practice. That is why I am pleased to say that the Probation and Welfare Service of my Department is to undertake a review of best practice in this area. I welcome this planned review and no doubt, the findings will feed in to the future expansion and development of restorative justice initiatives in Ireland.

Schools Amalgamation.

263. **Mr. Carey** asked the Minister for Education and Science if the structure of the amalgamation of schools (details supplied) in Dublin 9, has been agreed by all parties concerned; if design teams have been appointed to both the amalgamated schools; if a timeframe has been agreed with all parties for the completion of the work; and if she will make a statement on the matter. [18613/06]

Minister for Education and Science (Ms Hanafin): Discussions are ongoing among the parties concerned to agree the structure of the amalgamation of the schools to which the Deputy refers. In the meantime, officials in the School Planning Section of my Department are in the process of drawing up a brief for the Design Team which will be appointed for the refurbishment project at the schools. A timeframe has not yet been agreed for the completion of the

work as this is dependant on the scope of the works identified by the Design Team.

Physical Education Facilities.

264. **Dr. Upton** asked the Minister for Education and Science when funding will be provided to enable a sports hall (details supplied) in Dublin 8, which was originally built on the understanding it would be opened up for the use of local community groups, to be properly staffed in order that it can be so opened up; and if she will make a statement on the matter. [18614/06]

Minister for Education and Science (Ms Hanafin): 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. The halls in question have been built as part of a joint programme to develop community sports facilities in drugs task force areas and, accordingly, issues relating to the funding, management and staffing of the halls to facilitate community usage are being considered by my Department. Each school authority will be kept advised of relevant developments.

Schools Building Projects.

265. **Mr. Connaughton** asked the Minister for Education and Science the stage the proposed new school (details supplied) in County Galway is at; and if she will make a statement on the matter. [18615/06]

Minister for Education and Science (Ms Hanafin): An application for capital funding towards the provision of additional accommodation has been received from the school referred to by the Deputy. The project has been assessed in accordance with the prioritisation criteria for large-scale building projects. The long term projected staffing figure, on which future accommodation needs will be based, has been agreed with the school authority and a detailed accommodation brief is being drawn up.

In order to facilitate the delivery of appropriate school accommodation, it was considered that a site extension was required. The Property Management Section of the OPW, which acts on behalf of my Department in relation to site acquisitions generally, was requested to pursue site acquisition in this case.

A site was identified and an agreement on price subject to contract was reached. The Vendor has now withdrawn the offer on that site. The OPW will need to re-advertise for an alternative site in the area. Once site acquisition is finalised, the project will be considered for the appointment of a design team to carry out the architectural planning.

School Staffing.

266. **Mr. Connaughton** asked the Minister for Education and Science the minimum qualification necessary to become a classroom assistant at primary school level; and if she will make a statement on the matter. [18616/06]

Minister for Education and Science (Ms Hanafin): Applications for special need assistant support are now dealt with by the National Council for Special Education (through the local special educational needs organisers (SENOs), who process all applications for support from schools and communicate the decisions directly to the schools. The responsibility for the recruitment and employment of individual special need assistants is a matter for each school authority. The procedures for the appointment of special need assistants in primary schools are outlined in Circular SNA 03/03. This Circular can be accessed on my Departments' website, www.education.gov.ie.

The current educational requirements specify that candidates for appointment to post of special need assistant must have been awarded Grade D (or pass) at least, in Irish, English and Mathematics in the Junior Certificate Examination, in the Day Vocational Certificate Examination or in an examination of equivalent standard.

School Enrolments.

267. **Mr. Connaughton** asked the Minister for Education and Science the reason a person (details supplied) in County Galway has not been admitted to a school; if the services available at this school meet the necessary educational, psychological and social requirements of the person; and if she will make a statement on the matter. [18617/06]

Minister for Education and Science (Ms Hanafin): An appeal under section 29 of the Education Act 1998 has been submitted to my Department on behalf of the person referred to by the Deputy. Section 29 of the Education Act 1998, provides parents with an appeal process where a Board of Management of a school or a person acting on behalf of the Board refuses enrolment to a student. An appeal under section 29 must be dealt with within a maximum of 44 days of its receipt in my Department.

The appeal referred to by the Deputy was admitted on 2nd May and is currently in progress. The appeal procedures operated by my Department provide an opportunity in the first instance for both parties to reach an accommodation at local level. Should an accommodation not be reached, my Department will appoint a facilitator with a view to reaching agreement between the parties. If facilitation fails, an appeal is referred for hearing to an Appeals Committee.

The National Council for Special Education (NCSE), which became operational on 1 January 2005, now processes applications from schools for

[Ms Hanafin.]

special educational needs supports and decides on the level of support appropriate to the school. Details of the appeal have been referred to the NCSE to facilitate the direct involvement of the Special Educational Needs Organiser in this regard. In the event that the parties are unable to reach a prior agreement, an appeal hearing has been set for the 14th June. As appeals under section 29 of the Education Act are determined by an independent appeals committee, it would not be appropriate for me to offer any further comment at this time.

Departmental Funding.

268. **Mr. Timmins** asked the Minister for Education and Science the position in regard to funding from her Department for a school (details supplied) in Kilkenny; and if she will make a statement on the matter. [18618/06]

Minister for Education and Science (Ms Hanafin): There are no funds allocated within my Department to meet requests of this nature.

Schools Building Projects.

269. **Mr. Penrose** asked the Minister for Education and Science the steps she will take to put in place an eight teacher school that is required at Curraghmore, Mullingar, County Westmeath to accommodate the pupil numbers in this area; if her attention has been drawn to the fact that four of the classrooms which are of the portacabin or pre-fab type will be rented from September 2006 and that it would be important to advance this project in consultation with all of the stakeholders; and if she will make a statement on the matter. [18619/06]

272. **Mr. Penrose** asked the Minister for Education and Science the progress made to date by her Department in the provision of a new school at Curraghmore, Mullingar, County Westmeath. [18622/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 269 and 272 together.

The school to which the Deputy refers has applied for a new 8 classroom school. The application has been assessed in accordance with the Department's criteria for prioritisation of large-scale projects and has been assigned a Band 2 rating. Progress on the project is being considered in the context of the School Building and Modernisation Programme from 2006 onwards. In the meantime, as the Deputy points out, the school has been allocated temporary accommodation to meet its immediate needs.

Departmental Funding.

270. **Mr. Quinn** asked the Minister for Edu-

cation and Science if she intends to provide funding for the Union of Secondary Students; the reason funding was refused following the Union of Secondary Students' most recent application; if her Department has examined the funding situation of similar unions in other European countries; and if she will make a statement on the matter. [18620/06]

Minister for Education and Science (Ms Hanafin): I met with representatives of the Union of Secondary Students last year and amongst other things, we discussed the question of financial support from my Department for the Union. I have informed the Union of Secondary Students that I am willing to consider requests from their organisation for financial assistance for specific projects such as their annual general meeting or the hosting of conferences.

My Department recently sanctioned grant assistance to support the 2006 annual general meeting of the Union and also provided conference facilities to support the meeting at the Department's offices in Marlborough Street. I do not think it appropriate for my Department to contribute to the running of a representative body such as USS. My Department does not provide such funding for the Union of Students in Ireland, nor indeed for the teaching unions.

Special Educational Needs.

271. **Mr. O'Dowd** asked the Minister for Education and Science the position regarding the provision of further special education resources for a school (details supplied) in County Louth; and if she will make a statement on the matter. [18621/06]

Minister for Education and Science (Ms Hanafin): As the Deputy will be aware the general allocation of learning-support/resource teachers (LS/RTs) caters for pupils with learning support and high-incidence special educational needs. The system was constructed so that LS/RT allocations would be based on pupil numbers, taking into account the differing needs of the most disadvantaged schools and the evidence that boys have greater difficulties than girls in this regard.

The general allocation for the school referred to by the Deputy is 1.7 fulltime teaching posts. For the current school-year the school entered into a cluster arrangement with another local school to allow it retain 2 fulltime teaching posts. The schools propose to continue this arrangement for the 2006/2007 school year. This school also had sufficient resources for a third LS/RT post in the current year. For the 2006/2007 it appears that it will have 16.5 resource hours available in respect of 3 pupils with low-incidence special educational needs. This is insufficient to retain the services of a third LS/RT.

It has always been the case that schools that were in receipt of LS/RT or resource teacher support in respect of pupils with low-incidence special educational needs would lose teacher support (either full posts or part-time hours) when the pupils in respect of whom the hours were allocated left the school. In the circumstances I do not propose to restore LS/RTs to schools unless additional hours become available either in the school or in local schools that would be prepared to come together with sufficient hours to retain the post. The school authority may submit any new proposals in this regard to the Special Education Section of my Department.

Question No. 272 answered with Question No. 269.

Vaccination Programme.

273. **Dr. Twomey** asked the Minister for Education and Science the reason a BCG vaccination is mandatory for new teachers when some health board areas have discontinued this practice and when the effectiveness of this vaccine has been questioned; her plans to make this voluntary; and if she will make a statement on the matter. [18715/06]

Minister for Education and Science (Ms Hanafin): The current Immunisation Guidelines for Ireland, published by the Royal College of Physicians of Ireland, recommend vaccination against TB of teachers in training. It is understood that these guidelines are being revised at present. The Department's medical advisor has written to the Chairperson of the National Immunisation Committee seeking advice on whether or not the current practice should be continued. It is expected that this question will be addressed in the course of drafting the forthcoming edition of the national guidelines.

Institutes of Technology.

274. **Mr. J. Higgins** asked the Minister for Education and Science if she will ensure that the Dublin Institute of Technology Students' Union is represented on the membership of the Grangegorman Development Agency, in view of the fact that the DIT student body represents the largest stakeholder in the impending development in Grangegorman. [18716/06]

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 and I am now actively considering the other appointments to the Agency.

The Deputy will be interested to know that Section 22 of the Grangegorman Development Agency Act 2005 provides for the establishment, by the Agency, of a consultative group that is representative of all stakeholders interested in the

development of the Grangegorman Site. I am pleased to advise the Deputy that the student body of the Dublin Institute of Technology is specified as a stakeholder under this section of the Act.

Student Support Schemes.

275. **Mr. Naughten** asked the Minister for Education and Science the steps she is taking to address the confusion regarding third level student financial supports; and if she will make a statement on the matter. [18718/06]

276. **Mr. Naughten** asked the Minister for Education and Science the measures she is taking to ensure that information pertaining to third level student financial supports is more widely available and issued in a format more accessible to students; and if she will make a statement on the matter. [18719/06]

279. **Mr. Naughten** asked the Minister for Education and Science when she expects to have Government approval for the publication of the Student Support Bill; the timeframe for the passing of the Student Support Bill through the Houses of the Oireachtas; and if she will make a statement on the matter. [18722/06]

280. **Mr. Naughten** asked the Minister for Education and Science if she will reform the grants system in order that grant supports for students are expanded to include provision for child care and equipment; if she will put in place a higher education grant review system for students failing a year; and if she will make a statement on the matter. [18723/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 275, 276, 279 and 280 together.

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, improved client accessibility and ensure the timely delivery of grants to those who need them most. The maintenance grants are reviewed annually and improvements made as necessary, having regard to available resources. I attach particular importance to the issue of the quality and timeliness of information for students in relation to the financial supports which may be available to them. A number of initiatives have been taken by my Department in this regard, including the issuing of an information sheet direct to each CAO applicant. I have also asked the National Office for Equity of Access to Higher Education to review existing information strategies and to

[Ms Hanafin.]

bring forward proposals for additional initiatives which I expect to have in the near future.

In relation to the future administration of the schemes, my Department has, as I have indicated previously, been engaged in substantial consultations with the key stakeholders in order to map the most logical and effective arrangements for the future structure and administration of the student support schemes. These discussions have substantially clarified the positions of the various stakeholders and interest groups in relation to the future administration possibilities for student support. I expect to be in a position in the coming weeks to decide on a strategy, having regard to the many and complex issues involved, to give effect to the Programme for Government commitment to the payment of the maintenance grants through a unified and flexible payment scheme. The arrangements to be put in place will involve clearly defined targets for the delivery of a quality and timely service to applicants for maintenance grants, including the expeditious payment of grants to applicants who comply with the terms of the schemes. The arrangements for the future administration will, as I have previously indicated, be provided for in new statutory framework through a Student Support Bill and I expect to be in a position to seek Government approval in the near future for the drafting of the Bill.

277. **Mr. Naughten** asked the Minister for Education and Science her plans to streamline the administration of the student assistance fund and the millennium partnership fund in order that students in some communities and colleges are not disadvantaged in comparison to others; and if she will make a statement on the matter. [18720/06]

278. **Mr. Naughten** asked the Minister for Education and Science her plans to introduce baseline funding for under represented groups at third level; and if she will make a statement on the matter. [18721/06]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 277 and 278 together.

The Student Assistance Fund is available to students experiencing particular or unexpected hardship during their course of study. The fund is allocated on a per capita basis to publicly-funded higher education institutions. In 2005-06, 35 institutions received funding totalling €5.8m. Over 12,000 students benefited from the fund during 2004-05.

Until 2005, the amount of funding available for the access funds, including the Student Assistance Fund, varied annually, depending on the level of demand for the top-up maintenance grant. The decision in 2004 to separate expenditure on the

top-up maintenance grant from other access funding programmes has ended these variations. Students apply for the Student Assistance Fund through their student services office or to the access officer within their institution.

The Millennium Partnership Fund, which was established in 2000, also provides community-based funding. It supports retention and participation among under-represented groups of students in further or higher education and is available to students in area partnerships and community groups which participate in the Local Development Social Inclusion Programme (LDSIP).

Application for Millennium funding is made annually by organisations through Pobal Ltd., the state company established to promote social inclusion, reconciliation and equality in Ireland and which has administered the fund since it was established. In 2005, a total of €1.89m was allocated to 57 community groups and partnerships. In 2004-05, the latest year for which figures are available, approximately 3,750 students in higher and further education benefited from the fund.

The National Office for Equity of Access to Higher Education within the Higher Education Authority recently completed a review of funding to achieve equity of access to higher education. The review process involved qualitative and quantitative data research, wide-ranging consultation, the publication of a discussion document, submissions and focus group meetings. This review was published by the National Office and launched by me in December 2005. Included in this review were the Student Assistance Fund and the Millennium Partnership Fund. The review of the Millennium Partnership Fund was informed by the evaluation of the Millennium partnership fund which was published in 2005. This report analysed the extent to which the Millennium Partnership Fund in its current form represents a good strategic fit with other funding programmes such as the Student Assistance Fund. The report recommended a model for the future of the Millennium Partnership Fund that builds on best practice and the opportunities created by its community-based dimension. The National Office has been consultation with Pobal, the current administrators of the Millennium Partnership Fund, in relation to the future administration of the fund.

Local variations in funding at institutional and/or community level is one of the six key issues for resolution that the National Office review identifies and recommends that “guidelines on local funding should be agreed and implemented so that decisions on which students receive funding are clear and transparent”.

The National Office has commenced work on implementing the recommendations of its funding review, including the recommendation in respect of the Student Assistance Fund and the Millennium Partnership fund. I envisage that the National Office will, in this context, develop and

implement overarching guidelines pertaining to the operation of the Student Assistance Fund and the Millennium Partnership Fund.

The 2005-06 student support schemes gave particular priority to addressing inequities in participation of students from the lower socio-economic groups through the Special Rates of Maintenance (Top-Up) grant. There was a significant increase of more than 20% in the “Top-Up” grant for the 2005/06 academic year, bringing the maximum rate of grant payable, including top-up, to €5,355, compared to €4,000 in 2002. Over 12,500 students were in receipt of the ‘Top-Up’ in the academic year 2005/05. This exceeds the target recommended in the Report of the Action Group on Access to Third Level Education (Mac Namara Report). In total, it is estimated that approximately 56,000 further and higher education students received maintenance grant assistance in 2005/06.

Question No. 279 answered with Question No. 275.

Question No. 280 answered with Question No. 275.

Third Level Fees.

281. **Mr. Naughten** asked the Minister for Education and Science if she will abolish part-time fees for third level education; if she will introduce financial supports to part-time students who are in need of financial assistance; and if she will make a statement on the matter. [18724/06]

Minister for Education and Science (Ms Hanafin): I have no plans at present to extend the free tuition fees schemes to include part-time students. I wish to advise the Deputy of the provisions under Section 473A, Taxes Consolidation Act, 1997. This provides tax relief for eligible persons, at the standard rate of tax, for tuition fees paid in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in EU Member States and postgraduate courses in non-EU countries.

Tax relief for courses of at least two years’ duration at undergraduate level extends to approved full/part-time courses in both private and publicly funded third level colleges in the State and any other EU Member State and approved full/part-time courses operated by Colleges in any EU Member State providing distance education in the State.

In 2001, Section 29 of the 2001 Finance Act amended the Taxes Consolidation Act, 1997 to provide for: — (a) The amalgamation of the then existing four tax reliefs for third level education fees. (b) The section also extended the relief by removing the restrictions — For repeat years — On individuals undertaking more than one course — On individuals already holding a third level qualification and — The exclusion of certain

courses in medicine, dentistry, veterinary medicine and teacher training. (c) The relief is also extended to postgraduate fees paid for third level education in private and publicly funded third level colleges in non-EU countries. (d) Tax relief for undergraduate fees is also now available in EU countries for duly accredited private third level colleges.

Tax Relief on tuition fees is claimed directly from the Tax Office using an I.T. 31 Form. Details of approved colleges and courses are also available on Revenue’s Internet site at www.revenue.ie.

Higher Education.

282. **Mr. Naughten** asked the Minister for Education and Science when she will issue her response to the recommendations contained in the McIver Report; the extent to which the recommendations proposed in the report will be implemented; the timeframe for its implementation; and if she will make a statement on the matter. [18725/06]

Minister of State at the Department of Education and Science (Miss de Valera): Government commitment to the PLC sector, by reference to the resources applied in teachers’ pay, non-pay running costs, student support and certification costs, is very significant. We have increased the number of PLC places by 60% since 1996/97. Indeed, the number of PLC places approved for 2005/2006 is up by more than 1,600 on the 2004/05 level. The number of approved places in the sector now stands at 30,188.

We also extended the provision of maintenance grants to PLC students with effect from September 1998. The PLC maintenance grant scheme operates on the same basis as in higher education. There were nearly 8,000 PLC grant holders in 2005 and they received some €23 million in direct support. Tuition fees for PLC courses are also waived.

PLC students are included in the calculation of non-pay budgets issued to schools in respect of running costs. A supplementary non-pay grant towards running costs specifically for PLC schools is also payable. This amounted to €5.5 million in 2005. In addition, capital funding for works at eleven post-Leaving Certificate Colleges in 2006 has been agreed.

Other developments funded by my Department of direct benefit to the PLC sector include the provision of national certification under the Further Education and Training Awards Council and the development of progression links with higher education in the Institutes of Technology. The McIver Report contains 21 over-arching recommendations, incorporating 91 sub-recommendations. It has been estimated, in consultation with management and staff interests, that the recommendations for staffing would involve at a minimum the creation of at least 800 new posts at a cost of over €48 million. This level of

[Miss de Valera.]

additional provision cannot be considered in isolation from other areas of education.

I want to invest in educational opportunity for learners in Further Education by providing the necessary system supports that will allow the sector as a whole to fulfil its important potential. The non-teaching educational tasks particular to PLC teachers, the demands on the management side and the challenges presented by the variation in size of the 200 plus PLC providers are under very active consideration by officials at present. It is intended to table concrete proposals for discussion on the way forward. The positive engagement of the main partners will be sought to advance this agenda.

Third Level Enrolments.

283. **Mr. Wall** asked the Minister for Education and Science if a person (details supplied) in County Kildare has missed the deadline for late applications through the CAO process, the mechanism which is available to them to enrol and attend college in the forthcoming academic year. [18726/06]

Minister for Education and Science (Ms Hanafin): The admission of students to higher education institutions level is a matter for the individual institutions and the Central Applications Office and I have no function in relation to same.

School Enrolments.

284. **Mr. Ó Fearghail** asked the Minister for Education and Science the number of Gaelscoileanna established in County Kildare; the number of students attending each Gaelscoil; the projected future enrolment envisaged for each school; and if she will make a statement on the matter. [18727/06]

Minister for Education and Science (Ms Hanafin): There are six primary Gaelscoileanna in County Kildare. The number students enrolled in each Gaelscoil for the 2005/06 school year is set out in the table. My Department does not hold information on the future enrolment for any of the Gaelscoileanna in County Kildare.

Gaelscoileanna in Kildare Enrolments 2005/2006 school year

School	2005/2006
Scoil C. Uí Dhálaigh (19680G)	374
Scoil Uí Riada (19897I)	325
Gaelscoil Chill Dara (20023A)	335
Scoil Uí Fhiaich (20058T)	306
Gaelscoil Nás na Ríogh (20159C)	89
Gaelscoil Átha Í (20192A)	44
Total	1,473

Irish Language Education.

285. **Mr. Ó Fearghail** asked the Minister for Education and Science her Department's plans for the provision of second level education through Irish in County Kildare; and if she will make a statement on the matter. [18728/06]

Minister for Education and Science (Ms Hanafin): Two all-Irish schools currently serve the needs of County Kildare at post primary level, Coláiste Cois Life in Lucan and Gaelcholáiste Chill Dara in Newbridge. The latter commenced operation in September 2004 having received temporary recognition from my Department for a three year period. A new state of the art building is currently being built for Coláiste Cois Life. When completed it will cater for 600 pupils including those from the north Kildare area.

In addition, Co. Kildare VEC recently applied for the establishment of a separate all-Irish post-primary school in Maynooth. This application is currently being examined by officials in the School Planning Section of my Department. A decision will be conveyed to the VEC as soon as it is made.

Schools Recognition.

286. **Mr. Ó Fearghail** asked the Minister for Education and Science if her Department will give permanent recognition to a school (details supplied) in County Kildare; and if she will make a statement on the matter. [18729/06]

Minister for Education and Science (Ms Hanafin): The school to which the Deputy refers opened with provisional recognition from my Department in September 2004. The school is required to complete a minimum period of three years in this mode, during which time it must demonstrate its viability and that it is operating in accordance with the Rules and Programme for Secondary Schools. The matter of permanent recognition can be considered when this period has expired.

Schools Building Projects.

287. **Mr. Ó Fearghail** asked the Minister for Education and Science if a design team has been appointed to a school (details supplied) in County Kildare; and if she will make a statement on the matter. [18730/06]

Minister for Education and Science (Ms Hanafin): The process of appointing a design team to the building project referred to by the Deputy is underway and should be completed shortly.

288. **Mr. Kehoe** asked the Minister for Education and Science if she will examine an application for a school (details supplied) in County

Wexford; if the school will be considered for the evolved scheme; and if she will make a statement on the matter. [18731/06]

Minister for Education and Science (Ms Hanafin): I can confirm to the Deputy that the school to which he refers has applied to my Department for capital funding for a Resource Room/Parent Room. The project has been assessed in accordance with the published prioritisation criteria for large scale building projects and has been assigned a band 3 rating. Progress on the project is being considered in the context of the School Building and Modernisation Programme from 2006 onwards.

School Accommodation.

289. **Mr. Durkan** asked the Minister for Education and Science if her attention has been drawn to a serious defect in the roof of the sports hall at a school (details supplied) in County Kildare; the action she proposes to take to deal with the matter in view of the possible implications; and if she will make a statement on the matter. [18822/06]

Minister for Education and Science (Ms Hanafin): In view of the presence of asbestos in the roof of the school in question, the works are being carried under the direction of the Office of Public Works who are managing the Asbestos Remediation programme on behalf of my Department. I understand that Tenders for the works are now in and the contract is due to be placed shortly.

Schools Building Projects.

290. **Mr. F. McGrath** asked the Minister for Education and Science if the plan for a second level school in the Donabate community will be brought forward; and if same will be made a priority issue. [18848/06]

Minister for Education and Science (Ms Hanafin): A new 1,000 pupil post primary school is being provided for Donabate. This will be delivered by way of a Public Private Partnership. Site issues and the management model for the new school are currently being worked on in my Department. When these matters have been finalised, the school will be included in a PPP bundle for delivery. The project already has been assigned a Band 1 Priority rating under the prioritisation criteria for large scale building projects which is the highest band rating possible.

Special Educational Needs.

291. **Mr. F. McGrath** asked the Minister for Education and Science if her attention has been drawn to the fact that Down syndrome has the highest incidence of assessed intellectual disability; if Down syndrome will be specified as a category to receive specified hours of resource

teaching supported in appendix one of the special education circular; and if same will be made a priority issue. [18849/06]

Minister for Education and Science (Ms Hanafin): 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. Children with Down Syndrome are entitled to additional provision in school, either under the terms of the general allocation system of teaching supports if the assessment places the child in the high incidence disability category or through an allocation of additional resources if the child is assessed as being within the low incidence category of special need, as defined by my Department's circular.

In circumstances where a Down Syndrome child has other associated needs and would fall into the low incidence disability categories, this may automatically attract an individual resource teaching allocation. Such applications should be referred to the local Special Educational Needs Organiser by the school. I am satisfied that the mechanisms are in place to provide appropriate resources for children with special needs in our schools, including those with Down Syndrome.

292. **Mr. F. McGrath** asked the Minister for Education and Science if assistance will be given to a person (details supplied) in Dublin 5 with their educational needs; and if their resource hours in science and English will be increased. [18850/06]

Minister for Education and Science (Ms Hanafin): My Department provides a range of supports to second level schools to enable them to cater for pupils with special educational needs. The supports in question include remedial and resource teaching support, special needs assistant support and funding for the purchase of specialised equipment. The National Council for Special Education (NCSE) has been established as an independent statutory body with responsibilities as set out in the National Council for Special Education (Establishment) Order, 2005. Since 1 January 2005, the NCSE through local Special Educational Needs Organisers (SENOs) is responsible for processing resource applications for children with special educational needs.

The level of teaching and special needs assistant support for special educational needs is determined by the SENO in accordance with my Department's resourcing policy for special educational needs. In the case of the school in question, the SENO has recommended a total of 35.5 additional teaching hours per week to cater for the special educational needs of pupils enrolled, including the pupil referred to by the Deputy. The NCSE has also confirmed to my Department that an application for Assistive Technology for

[Ms Hanafin.]

the pupil in question has been received by the local SENO and is currently under consideration.

Defence Forces Recruitment.

293. **Mr. Timmins** asked the Minister for Defence the height requirement for recruitment of females into other EU states' armies; and if he will make a statement on the matter. [18575/06]

Minister for Defence (Mr. O'Dea): I am advised by the military authorities that they do not maintain details of the eligibility criteria, which includes height, for recruitment to the Armies of other European Union Member States.

As I indicated to the House on 29 September, 2005 I have asked the military authorities to report to me on the height requirement and I will review the height requirement in the light of that report. I expect to have the military authorities' report on or before 1 June, 2006 and I understand that it will include a review of the current height standards which are applied by other armies.

I would point out however that the height requirement is only one element of the overall matter of how more women might be encouraged to enlist in the Defence Forces.

In this context I believe it is important that we look at the whole range of possibly contributing factors. To that end I intend shortly to award a contract for research into women's attitudes to military life and a career in the Defence Forces. I would envisage such research to include interviews with currently serving female members of both the Permanent Defence Force and the Reserve Defence Force.

Overseas Missions.

294. **Aengus Ó Snodaigh** asked the Minister for Defence if Defence Forces have served alongside British forces on UN peacekeeping missions abroad in the last 30 years; if so, when and the location at which. [18576/06]

Minister for Defence (Mr. O'Dea): During the last thirty years, members of the Permanent Defence Force have served on many UN mandated Peacekeeping Missions, which also included British military personnel.

Examples of such missions include UNFICYP in Cyprus, UNMIL in Liberia, Operation Althea in Bosnia and Herzegovina, ISAF in Afghanistan and KFOR in Kosovo.

Application for Club Facilities.

295. **Mr. Wall** asked the Minister for Defence the mechanism a club (details supplied) in County Kildare has to adopt to meet or commence their application for the provision of facilities that are needed; and if he will make a statement on the matter. [18577/06]

Minister for Defence (Mr. O'Dea): The club in question should make a formal application, with details of their proposals, to my Department for consideration. Any such application may be addressed to the Secretary General, Department of Defence, Property Management Branch, Coláiste Caoimhín, Mobhi Road, Glasnevin, Dublin 9.

Decentralisation Programme.

296. **Mr. Wall** asked the Minister for Defence if agreement has been reached in regard to the decentralisation of his Department to Newbridge; the number of officials seeking or applying for transfer to Newbridge; the number from within his Department seeking the transfer; the number outside his Department seeking a transfer; the grades of the personnel seeking the transfer; and if he will make a statement on the matter. [18578/06]

Minister for Defence (Mr. O'Dea): The Government Decision on decentralisation, announced by the Minister for Finance in his Budget statement on 3 December 2003, provides for the transfer of all of my Department's Dublin based civil service staff to Newbridge, Co. Kildare. The number of staff to be relocated to Newbridge is 200. A total of 385 personnel, of which 60 from within the Department, have opted to move to Newbridge. An additional 8 staff from outside my Department have been assigned to this Department for the purpose of relocating to Newbridge. The Government decision also provides for the transfer of 300 Defence Forces Headquarters staff to the Curragh, Co. Kildare.

While the Office of Public Works has identified a suitable site in Newbridge for the Department's new headquarters, negotiations on the acquisition of the site have not yet been completed.

The following table details the number and grades of personnel who have volunteered to decentralise with my Department to Newbridge.

Grade	Department of Defence Staff	Staff from other Departments
Secretary General	1	—
Assistant Secretary	2	—
Principal Officer	5	6
Assistant Principal	8	27
Higher Executive Officer	14	72
Executive Officer	10	89
Staff Officer	4	31
Clerical Officer	15	98
Properties Officer	1	—
Service Officer	—	2
	60	325

Voting Procedures.

297. **Mr. Deenihan** asked the Minister for the Environment, Heritage and Local Government the criteria that enables a person who has a mental or physical disability to be assisted while voting; and if he will make a statement on the matter. [18653/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Persons whose names are on the register of electors are generally entitled to vote at elections and referenda, according to their citizenship. Detailed requirements in relation to registration, the right to vote and the procedure for voting are set out in electoral law: implementation of these is a matter for local registration authorities and returning officers, as appropriate.

Under and subject to section 103 of the Electoral Act 1992, a voter whose sight is so impaired or who is otherwise so physically incapacitated or who is unable to read or write to such an extent that the person is unable to vote without assistance, may, on request, have their ballot paper marked by a companion.

Housing Policy.

298. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government if the preparation of the new housing policy statement (details supplied) has been completed; the date on which he expects the completed document to be published in full; and if he will make a statement on the matter. [18654/06]

299. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the reason for the delay in publishing the new housing policy statement (details supplied), which was due to be published in early 2006. [18655/06]

302. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the key Government policies and policy directions aimed at ensuring a quality living environment for householders and communities in view of the estimated rise of 1 million people here over the next fifteen years; and the number of social and affordable housing units he estimates will be required in five, 10 and 15 years time. [18658/06]

303. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the key recommendations of the NESC report, *Housing in Ireland: Performance and Policy*, which will be implemented under the new housing policy framework. [18659/06]

305. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the policy directions planned under the new

Housing Policy Framework over the medium term; and the timeframe defined by the medium term for the purposes of the policy framework. [18661/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 298, 299, 302, 303 and 305 together.

The new Housing Policy Framework: Building Sustainable Communities published in December 2005 sets out the key principles underpinning housing policy over the coming years. The Framework proposes an integrated approach to housing in Ireland for the 21st Century, taking account of the demands of a increasing population. It firmly places housing policy in the context of building sustainable communities, with a focus on policies to ensure an effective private housing market, increasing social housing provision, and its quality, reforming the social housing sector and improving pathways to homeownership. In this regard, it responds directly to the policy challenges highlighted in the NESC report on housing.

The Framework specifically outlines an investment programme for social and affordable housing for the coming three years. Proposed investment beyond 2008, is being considered in the context of the preparation of the next National Development Plan. It would not be practicable definitively to determine social and affordable housing requirements for longer time frames beyond this period. The required response will depend on demand which in turn is based on a range of factors, including population changes, employment and economic growth, activity in the housing market, both purchasing and private renting and ultimately the personal choices of households over time. It is important to have in place the appropriate mechanisms to plan and respond to need at required levels. These mechanisms are incorporated in the housing policy Framework; they include proposals for a new means of assessing need and responding to this need in a multi-faceted way through multi-annual housing action plans supported by active land management.

Some of the proposals in the Framework will take time to develop fully, but it is important to set out the vision to inform policy development and implementation over the medium term. Work is well underway on a new housing policy statement which will set out more detailed approaches to implementing the Framework document. This statement will take a medium term perspective, will have regard to current discussions within the Partnership Talks, and will link into the investment proposed under the next National Development Plan.

Social and Affordable Housing.

300. **Mr. Gilmore** asked the Minister for the

[Mr. Gilmore.]

Environment, Heritage and Local Government the Exchequer capital investment for each of the years 2006, 2007 and 2008, in respect of social housing; the amount in respect of affordable housing for each of the years 2006, 2007 and 2008; the amount in respect of voluntary and co-operative housing for each of the years 2006, 2007 and 2008. [18656/06]

304. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the programme of investment in social and affordable housing for the years 2006, 2007 and 2008 respectively as set out under the new Housing Policy Framework. [18660/06]

306. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the estimated capital cost of investing in infrastructure aimed at delivering high levels of housing and improved affordability over the next five, 10 and 15 years. [18662/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 300, 304 and 306 together.

Proposed Exchequer capital investment for the period 2006 to 2008 is estimated at almost €4 billion. This investment approximates to €6.5 billion when non-voted and current spending provisions are included. Details in relation to the 2006 housing provision are set out in the 2006 Revised Estimates for Public Services and Public Capital Programme. While the overall level of funding for the Department for 2007 and 2008, including the housing programme, has been agreed under the 2006-2010 multi annual capital envelopes, individual programme provisions for those years will be settled as part of the normal estimates process.

Building on this figure, the new housing policy statement, Housing Policy Framework: Building Sustainable Communities, outlines a substantially increased programme of investment in social and

affordable housing in the 2006-2008 period. This investment will be undertaken in response to identified need, with some of 23,000 new units of social housing to be commenced and 15,000 units of affordable housing to be delivered over the same period. In addition, further households will be assisted through the new Rental Accommodation Scheme. In total, we expect some 50,000 households to benefit from various social and affordable housing measures over the coming three years.

Investment for the period to 2013, is being considered in the context of the next National Development Plan 2007-2013 (NDP). The relevant material of the NDP is being drafted by my Department and while the final content and focus of the overall Plan will be a matter for decision by Government, priorities for investment in housing and related areas will take account of a number of factors including the key policy challenges highlighted by the NESC report, the results of the 2005 Housing Needs Assessment and the housing policy framework document. It would not be practicable definitively to determine costs for time frames beyond this period.

301. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the number of social housing units, affordable housing units and voluntary housing sector units produced here in the past decade; and the amount of social housing units, affordable housing units and voluntary housing sector units respectively produced here in the past decade, each expressed as a proportion of the total number of houses built here during that time. [18657/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The data on the number of social housing units, affordable housing units and voluntary housing units for each calendar year, are available in the Oireachtas Library, and also on my Department's website at www.environ.ie.

The Table below summarises the position over the past decade, 1996 to 2005.

	Local Authority Social housing *	Affordable housing	Voluntary and co-operative housing	Total
No. of units	41,697	10,875	19,290	71,862
Proportion of total houses built — 548,267	7.6%	2.0%	3.5%	13.1%

*This includes acquisitions.

In addition, further households have been accommodated in vacancies arising in the local authority housing stock, extensions to existing homes etc. This has resulted in the provision of social and affordable housing to 109,000 households in the period.

Question No. 302 answered with Question No. 298.

Question No. 303 answered with Question No. 298.

Question No. 304 answered with Question No. 300.

Question No. 305 answered with Question No. 298.

Question No. 306 answered with Question No. 300.

Planning Issues.

307. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the amendments that will be made to the existing Residential Density Guidelines in order to deal with the design and management of apartments. [18663/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Guidelines for Planning Authorities on Residential Density were published by my Department in 1999. These included a specific objective of reducing urban sprawl and promoting greater efficiency in the use of energy, transport and natural resources. The Guidelines also aim to assist in achieving high quality residential density of a suitable scale at appropriate locations, in conjunction with improved public transport systems.

My Department intends to review the Guidelines with a view to up-dating them later this year. The revised Guidelines will focus particularly on the quality of new developments. They will also take account of the extensive experience built up since the introduction of the Guidelines in the design, assessment and development of higher density proposals. My Department has commissioned a research study into apartment size and space standards to inform the revised planning guidelines on residential densities. This study is nearing finalisation and will then be the subject of a consultation process.

Apartment complex management companies are a means of ensuring that the communal aspect of this type of housing can operate effectively. A Law Reform Commission Working Group is currently examining legal aspects of the management of multi-unit structures generally and the Government will consider the recommendations in its final report, including the need for any new legislation in this area.

Social and Affordable Housing.

308. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the number of social housing units which are expected to be started and the number expected to be completed in the local Government sector in 2006, 2007 and 2008; the number of social housing units which are expected to be started and the number expected to be completed in the voluntary and co-operative sector in 2006, 2007 and 2008. [18664/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The Housing Policy Framework: Building Sustainable Communities, published by Government last December outlines a substan-

tially increased programme of investment in social and affordable housing measures for the period 2006-2008 involving the mobilization of some 23,000 new units of social housing. It is expected that local authorities will start/acquire in the region of 6,000 units per annum, with the balance to be commenced by the voluntary and co-operative housing sector.

Over the period, it is expected that completions/acquisitions of social housing units by local authorities should rise from 4,735 units (excluding regeneration schemes) in 2005 to some 6,000 units by 2008. Completions by the voluntary and co-operative housing sector are expected to rise from 1,350 units in 2005 to about 1,700 units by 2008.

Further households will be assisted through the new Rental Accommodation Scheme and some 15,000 units of affordable housing are to be delivered over the same period. In total, we expect some 50,000 households to benefit from various social and affordable housing measures over the coming three years.

309. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the number of the 6,000 social housing units planned in the local authority sector for 2006 which have been started to date. [18665/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Information relating to the number of local authority housing units started and completed for the three month period January to March 2006 will be published in due course in the Department's Quarterly Housing Statistics Bulletin and on the Department's website at www.environ.ie.

Social Welfare Benefits.

310. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the schedule including deliverables and timeframes for 2006, 2007 and 2008 for the completion of the RAS scheme; the number of recipients of rent supplement he expects to be accommodated by the RAS scheme for each of the years 2006, 2007 and 2008; and the number of rent supplement recipients who have been accommodated under the scheme to date. [18666/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The Government has set the end of 2008 as the target to complete the initial implementation of RAS in all local authority areas. Currently twenty housing authorities, representing about 80% of the transferable cases are operating RAS. All authorities are due to commence operation from mid-2006.

The provisional targets for transfer of households on rent supplement with long-term housing

[Mr. N. Ahern.]

need to RAS are 5,000 by the end of 2006, with a further 5,000 in 2007 and 2008. In addition, other households on rent supplement will be provided with local authority housing. Over 1,000 households on rent supplement have been transferred to RAS since the initial transfers commenced in September 2005. Over 420 additional households from this group have been provided with local authority housing.

Housing Policy.

311. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the amount which the capital funding limits for voluntary and co-operative sector housing will be raised under the new housing strategy; the extent of consultation with the sector in determining these new limits; if the limits are reflective of the real cost of building currently and the expected costs in the short to medium future; and how often the limits will be reviewed in future. [18667/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Since the publication of the Housing Policy Framework — Building Sustainable Communities, funding limits for voluntary and co-operative housing were increased in line with the Building Cost Index by some 20% with effect from 1 February 2006. In consultation with the sector, these limits will be reviewed periodically or as the need arises.

312. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the funding arrangements planned to support increased delivery by the voluntary and co-operative sector; the arrangements and measures which have been developed to date; the arrangements, which have been put into place and are operational; and when he hopes to have the completed suite of arrangements operational. [18668/06]

313. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the measures to be introduced in respect of housing for those with special needs, including travellers, to improve inter-agency co-operation where there is a care dimension additional to accommodation needs; and when he expects these measures to be introduced. [18669/06]

316. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government if the new Housing Strategy Framework will include energy efficiency systems and installations, such as the provision of double glazing for all social housing stock, both existing and planned, under the commitment to better quality social housing in the framework. [18672/06]

317. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the provisions which are laid down in the new Housing Strategy Framework to prioritise the management and maintenance of social housing estates; the timeframe for the rejuvenation of all run-down social housing estates and remedial works to improve local authority housing; the estimated cost of the proposed regeneration of all run down social housing estates nationally and remedial works to improve local authority housing; the amount of this funding which will be provided by his Department or by central funds; and the amount local authorities will be expected to provide themselves. [18673/06]

318. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the role that public private partnerships are expected to play in regenerating areas as laid down under the new Housing Strategy Framework. [18674/06]

319. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the supports, including resources, guidelines and other measures, that will be available to local authorities under the new Housing Strategy Framework in their attempts to tackle anti-social behaviour. [18675/06]

320. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the reforms that will be brought into force in respect of the new Housing Strategy Framework indicating which ones will require the bringing forward of legislation and when such legislation will be expected to be drafted and to come before Dáil Éireann in respect of improvements in the provision of housing advice; new means of assessing need; implementation of a fair rents policy across all social housing tenures; and improved management and maintenance of local authority housing stock and services to tenants. [18676/06]

321. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the new proposals for improvements in the governance of the voluntary and co-operative housing sector under the new Housing Strategy Framework. [18677/06]

322. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the operation of and the conditions for qualification under the new tenant purchase scheme proposed in the new Housing Strategy Framework; when he expects this scheme to be piloted; and when he expects it to be fully operational. [18678/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take to Questions Nos. 312, 313 and 316 to 322, inclusive, together.

The new housing policy statement to be published later this year will set out more detailed approaches to implementing the range of initiatives outlined in the Housing Policy Framework: Building Sustainable Communities, published in December 2005. In addition, some of the initiatives outlined in the Framework are also the subject of discussions currently at the Partnership Talks.

Work is already underway in relation to key elements of the framework, building on positive achievements to date such as with regeneration, including the use of public private partnerships to advance regeneration projects. Other elements will require new legislation, for example provisions in support of a new tenant purchase scheme which will allow for the sale of local authority flats under certain conditions will be made in the Housing (Miscellaneous Provisions) Bill currently being prepared in my Department.

The proposed Bill seeks to support the creation of a flexible and graduated system of housing supports for those in need of housing. This aims to improve customer choice in order to meet changing requirements over a person's lifetime, to streamline, and in key areas strengthen, the powers of housing authorities while at the same time making clearer their responsibilities as social landlords and regulators of social housing generally. To these ends, the Bill will provide the legislative basis for the new Rental Accommodation Scheme and strengthened powers for local authorities to combat anti-social behaviour.

Work on the Bill is now under way, including consultation with housing authorities and other key stakeholders, detailed drafting and discussions with Government colleagues.

Disability Support Service.

314. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the reforms which will be applied to the disabled person grant and the essential repairs grant following the review of these grants. [18670/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): The outcome of the review of the implementation of the disabled persons and essential repairs grant schemes is being considered and I hope to be in a position to announce proposals for the future operation of these schemes shortly.

Social and Affordable Housing.

315. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government

his strategy for ensuring that housing development includes an appropriate social mix and provides necessary social infrastructure; if he intends to repeal the Planning and Development Amendment Act 2002 to ensure that developers are bound to create an appropriate social mix in housing developments rather than buying their way out of the arrangement. [18671/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):

Under Part V of the Planning and Development Act 2000, each planning authority is required to prepare a housing strategy which forms an integral part of the development plan and is the framework for future housing provision within the functional area of the authority. Housing strategies must ensure that policies and objectives are in place that will counteract undue social segregation in housing developments between people of different social backgrounds.

In their negotiations with developers under Part V, local authorities are obliged to ensure that each agreement delivers the best possible result in terms of overall housing supply and social integration for their area. It is a matter for the local authority to accept or reject an offer made by a developer during negotiations, having regard to its housing strategy and whether it constitutes the best use of the resources available to it.

Where a developer proposes a financial contribution to satisfy his or her legal obligation under Part V, it is a matter for the local authority to accept or reject this approach. The developer may propose, but the local authority decides, and when making its decision is bound to consider what is required under its housing strategy.

I do not consider that the making of a financial contribution by a developer to satisfy a Part V contribution constitutes in any way a buy out of their obligation. Any funds provided in this way must be used for housing capital purposes including the provision of additional social and affordable homes.

My Department's policy, which has been communicated to all local authorities, is to favour the direct provision of social and affordable homes under Part V agreements. Statistics received from local authorities on Part V activity show that this approach is implemented in most cases.

Questions Nos. 316 to 322, inclusive, answered with Question No. 312.

323. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the date in summer 2006 on which he expects to introduce a new, simpler and streamlined affordable housing scheme; and the way in which this scheme will operate. [18679/06]

324. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the date in summer 2006 on which he expects to commence a pilot project on affordable homes for renting; the length of time the project will run for; and if and when it is planned to roll such a strategy out nationwide. [18680/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): I propose to take Questions Nos. 323 and 324 together.

The new housing policy statement to be published later this year will set out more detailed approaches to the proposals related to affordable housing which were outlined in the Housing Policy Framework: Building Sustainable Communities published in December 2005. Work is well underway on developing approaches to streamlining schemes, and this will take account of some work commissioned by my Department from the Centre for Housing Research which builds on ongoing research into the experiences of the various affordable housing schemes. While it is not possible to set out the detail of how a streamlined approach will operate at this stage, it is intended that this work will be completed by the end of the summer. In advance of this work, my Department is currently examining the options available for the introduction of a pilot affordable renting project in the very near future.

325. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government the change in methodologies that have been used in the compiling of the assessment of need of housing between the 2002 and the 2005 assessments; and if he will make a statement on the matter. [18681/06]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): In accordance with Section 9 of the Housing Act 1988 an assessment of need for local authority housing is undertaken every three years, the last of which was undertaken in 2005. The 2005 assessment was the most rigorous to date and was the first time that an IT database was used to gather, collate and examine the results of the assessment. The procedure involved each local authority transmitting their assessment results in an IT format to the Local Government Computer Services Board for validation and collation.

In order to ensure a consistency of information gathered across local authorities my Department in co-operation with a number of local authorities and the LGCSB combined to develop a new generic housing application form which captured all the information necessary for a local authority to assess a housing application.

Environmental Policy.

326. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government if plastic silage wrappers will be collected from farmers; the reason farmers are not allowed to dispose of plastic silage wrappers to their nearest local authority; and if there are discussions expected to take place to deal with this problem. [18682/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Under the Waste Management (Farm Plastics) Regulations 2001, producers — i.e. manufacturers and importers — of farm plastics (silage bale wrap and sheeting) are required to take steps to recover farm plastics waste which they have placed on the market or alternatively to contribute to, and participate in, compliance schemes to recover the waste in question. The Irish Farm Film Producers Group (IFFPG) is currently the sole approved body in Ireland for the purposes of implementing a compliance scheme for the recovery of farm plastics waste.

Under the IFFPG scheme, producers apply a levy on the sale of farm plastics that in turn is transferred to the IFFPG for use in funding the collection and recovery of farm plastics waste. It is estimated that around 8,500 tonnes (some 55%) of farm plastics placed on the market in 2004 were collected for recycling. An estimated 55,000 farmers availed of the collection service in 2004. IFFPG estimate that over 12,500 tonnes of farm plastics were collected in 2005.

In spite of the successful operation of the scheme in recent years, more recently it has become apparent that the Scheme lacked sufficient resources to satisfy the demand that existed for collections of farm plastics. I have therefore, following discussions with the IFFPG, farming organisations and local authorities, recently announced amendments to the scheme to support improved services to farmers. Under the new arrangements, the scheme will be funded by a combination of the existing levies paid by the producer members of IFFPG who run the scheme and funding from weight based collection charges to be paid by farmers availing of the service. This will improve the operational efficiency of the scheme by incentivising the presentation of clean, dry plastic by farmers. IFFPG estimate that a typical farmer will incur a cost of €50 every second year arising from the introduction of this charge. The effect of the introduction of a charge will be to ensure that supply of collections of farm plastics to farmers can match the demand on an ongoing basis.

In order to ensure that producer responsibility remains the principal source of funds for the IFFPG, minimum recovery/recycling targets, to be funded by producers placing this material on the market, are being set. The target will be 50%

for 2006 and 2007 and this will rise to 55% by end 2008 and 60% thereafter. In addition, to address the issue of accumulated backlogs of farm plastic, designated facilities will be provided this year on a once-off temporary basis by local authorities where farmers may deposit stockpiled farm plastic. This will operate on a pilot basis in the first instance in counties Galway, Clare, Mayo, Offaly and Waterford. It is planned to roll out this service to other areas after the initial trial, which will assist in determining the quantities of plastic likely to be recovered for recycling under this initiative. This service will be free to the farmer and funding to assist the local authorities will be made available from my Department through the Environment Fund. My Department is asking the local authorities involved to proceed with collections at the earliest possible opportunity.

Further steps are also to be taken by IFFPG to improve traceability whereby the compliance scheme will now examine the question of introducing a register of suppliers. The purpose of this measure will be to support compliance with the requirements of the scheme and to reduce scope for unfair competition from 'free riders' in the market. Overall, this package of measures is designed to improve the efficiency of the IFFPG, reduce the scope for non-compliance and ensure that farmers can avail of a more reliable service.

County Boundaries.

327. **Mr. McGuinness** asked the Minister for the Environment, Heritage and Local Government the dates on which he received submissions from Waterford and Kilkenny local authorities regarding the application from Waterford Council to extend their county boundary; the cost incurred by each authority relative to the issue; if he will make a decision on the matter; if he will request both authorities to co-operate at county level to establish a joint development plan rather than adjusting county boundaries; and if he will make a statement on the matter. [18683/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The procedures currently governing boundary alterations are set out in Part V of the Local Government Act 1991 and associated regulations. Under these provisions, it is open to a local authority to initiate a proposal for the alteration of its boundaries. This involves preparation of a formal boundary alteration proposal by the authority concerned including financial, organisational and other implications; invitation of public submissions and consultation with the other local authorities affected by the proposal, prior to submitting a formal application to the Minister.

No boundary application from Waterford City Council is currently before my Department, nor has my Department details of the costs incurred

to date by Waterford City Council or Kilkenny County Council in relation to this matter. However, I understand that Waterford City Council recently agreed to submit such an application formally. Under the 1991 Act, any proposed boundary extension would require the approval of the Minister for the Environment, Heritage and Local Government, and accordingly it would be inappropriate for me to make any comment at this stage.

Housing Grants.

328. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the amount awarded to each local authority in respect of disabled persons grants in 2005; the amount allocated and not taken up in 2004; and if he will make a statement on the matter. [18705/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): The following tabular statement gives details of the combined capital allocation for disabled persons and essential repairs grants notified to each local authority in 2004 and 2005 and the combined expenditure on the schemes in 2004 by each local authority. In 2004 the capital allocation for these schemes was €73.1 million and actual expenditure notified to the Department by local authorities was €55.4 million. The capital allocation notified to authorities for 2005 was €74.5 million.

The combined capital allocation to local authorities for the disabled persons and essential repairs grant schemes represents not a capital grant, but the total amount which authorities are authorised to spend on the schemes in the year in which the allocation is made. Expenditure on the grant schemes is funded by the two-thirds recoupment available from my Department together with the one-third contribution from the revenue resources of the local authority.

The final out-turn reflects the expenditure by local authorities on approved applications. The initial allocations presented the local authorities' best estimate of the likely level of grant approvals during 2004. However, some grant approvals by local authorities may not subsequently be taken up by applicants. In addition, if there are delays in applicants completing the approved works, either due to a delay in getting contractors or for other reasons, the ultimate spend may arise in later years.

Local authorities were notified in June last of their combined capital allocation for 2005 and were requested on a number of occasions to notify the Department if it became evident that the allocation notified was likely to be inadequate or surplus to requirements. Increased allocations were approved for a number of local authorities. The Department stressed the need to ensure that,

[Mr. Roche.]
in the light of the high level of demand for these grants, the available allocation is expended in full

and to ensure that the level of their approvals was such that would facilitate expenditure of the full allocation.

Local Authority	Allocation 2004	Expenditure 2004	Allocation 2005
	€	€	€
<i>County Councils</i>			
Carlow	786,000	321,503	960,000
Cavan	3,022,383	1,746,542	1,800,000
Clare	1,222,000	1,216,097	1,660,000
Cork (N)	2,150,000	831,794	1,500,000
Cork (S)	3,830,000	1,159,501	2,500,000
Cork (W)	1,335,000	995,000	1,000,000
Donegal	3,300,000	2,542,510	4,300,000
Dún Laoghaire-Rathdown	1,649,000	1,603,630	2,250,000
Fingal	1,280,000	1,278,527	1,520,000
Galway	3,000,000	2,571,217	2,880,000
Kerry	1,760,000	965,372	1,760,000
Kildare	1,050,000	1,092,053	1,500,000
Kilkenny	819,000	664,900	780,000
Laois	2,630,677	2,632,074	2,100,000
Leitrim	2,670,000	2,042,035	2,600,000
Limerick	1,050,000	1,034,000	1,140,000
Longford	1,355,000	704,982	900,000
Louth	3,026,000	725,138	1,120,000
Mayo	1,600,000	1,530,423	1,600,000
Meath	1,200,000	1,046,095	2,880,000
Monaghan	1,400,000	1,358,451	1,450,000
North Tipperary	1,715,000	756,477	1,740,000
Offaly	637,072	641,940	1,255,000
Roscommon	1,800,000	1,634,914	1,800,000
Sligo	427,000	241,449	505,000
South Dublin	2,950,000	2,396,871	3,600,000
South Tipperary	3,115,000	1,981,521	3,100,000
Waterford	1,675,000	1,368,181	1,020,000
Westmeath	1,200,000	1,282,268	1,350,000
Wexford	928,000	836,792	1,050,000
Wicklow	2,800,000	1,604,060	2,000,000
<i>City Councils</i>			
Cork	1,800,000	1,350,460	1,800,000
Dublin	10,550,000	10,880,377	13,500,000
Galway	980,000	1,183,716	1,300,000
Limerick	810,000	634,880	900,000
Waterford	600,000	401,031	650,000
<i>Borough Councils</i>			
Sligo	865,000	115,711	700,000
<i>Town Councils</i>			
Bray	30,000	26,074	30,000
Total	73,105,132	55,399,536	74,500,000

Planning Issues.

329. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government if his Department instructed all local authorities to

include a requirement for open spaces in housing estates to be vested in the local authority as part of the taking in charge process; if so, when such a guideline was issued; the measures he has taken

or intends to take in order to afford the greatest possible protection to older estates where such a requirement did not apply; and if he will make a statement on the matter. [18706/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Section 180 of the Planning and Development Act 2000, which was commenced on 11 March 2002, expressly provides that, where an order is made under section 11 of the Roads Act 1993 to take an estate in charge, any open spaces within the grounds of the development will be taken in charge as part of the overall development. Section 180 applies to housing estates for which permission has been granted under the 2000 Act and under the Local Government (Planning and Development) Act 1963. Estates built prior to the enactment of planning legislation in 1964 may be taken in charge in accordance with the provisions set out in Section 11 of the Roads Act 1993.

My Department issued a circular letter on 25 January 2006 reminding local authorities of their obligations under section 180 of the Planning and Development Act 2000 to begin the procedures to take in charge the public services of housing estates once these are completed to a satisfactory standard, where they are requested to do so by the developer or a majority of the residents of the housing development. The circular letter also clearly states that the existence of a management company to maintain elements of common buildings, carry out landscaping, etc. must not impact upon the decision by the authority to take in

charge roads and related infrastructure where a request to do so is made.

330. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the number of housing estates over seven years that remain to be taken in charge per county; the number of housing units contained in these estates; the number of housing estates over two years that remain to be taken in charge per county; the number of housing units contained in these estates; and if he will make a statement on the matter. [18707/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): On 26 January 2006 my Department issued Circular Letter PD 1/06 reminding planning authorities of their responsibilities in relation to the taking in charge of estates and asking that each authority adopt a policy in this regard. This circular also requested a report from each authority on the issues of estates to be taken in charge. The vast majority of returns have now been received and these indicate that virtually all planning authorities either have a policy in place for taking estates in charge or are in the course of developing one. The returns also indicate that about 550 estates will be taken in charge in 2006, affecting almost 26,000 houses.

The table below sets out the number of housing estates for which planning permission expired more than two years ago that have yet to be taken in charge; it also sets out the number of houses in these estates.

Manager's Area	1 How many housing estates do you anticipate will be taken in charge in your area this year?	1 How many houses are affected?	2 How many housing estates for which the life of the relevant planning permission expired more than 2 years ago in the county/city area have not yet been taken in charge?	3 For how many of the estates referred to in Answer 2, did the relevant permission expire more than 7 years ago?	Total number of housing estates for which the life of planning permission expired more than 2 years ago which have not been taken in charge?	Total number of houses for which the life of planning permission expired more than 2 years ago which have not been taken in charge?
Carlow	17	704	11	1	8	456
Cavan	8	320	25	13	25	684
Clare	14	579	128	51	128	5478
Cork	52	2300	235	34	230	7404
Donegal	20	410	201	88	201	3700
Dún Laoghaire-Rathdown	10	0	42	35	45	2500
Fingal	N/S	N/S	N/S	N/S	N/S	N/S
Galway	N/S	N/S	N/S	N/S	N/S	N/S
Kerry	6	111	8	0	8	112
Kildare	49	5534	109	42	109	5666
Kilkenny	20	764	8	6	6	158
Laois	N/S	N/S	N/S	N/S	N/S	N/S
Leitrim	6	131	15	0	15	0
Limerick	47	1216	62	32	62	2748
Longford	9	211	30	2	30	245
Louth	25	1005	108	65	64	2517
Mayo	21	562	112	40	112	360
Meath	15	907	112	46	112	4187
Monaghan	15	671	26	12	14	380

Manager's Area	1 How many housing estates do you anticipate will be taken in charge in your area this year?	1 How many houses are affected?	2 How many housing estates for which the life of the relevant planning permission expired more than 2 years ago in the county/city area have not yet been taken in charge?	3 For how many of the estates referred to in Answer 2, did the relevant permission expire more than 7 years ago?	Total number of housing estates for which the life of planning permission expired more than 2 years ago which have not been taken in charge?	Total number of houses for which the life of planning permission expired more than 2 years ago which have not been taken in charge?
Offaly	6	298	46	5	13	621
Roscommon	6	109	0	0	0	0
Sligo	26	514	38	12	38	1024
South Dublin	16	2046	35	10	35	4000
Tipperary NR	6	365	21	10	21	1061
Tipperary SR	15	280	17	6	6	149
Waterford	8	360	3	2	3	160
Westmeath	18	1096	26	9	26	1824
Wexford	13	326	170	68	151	3008
Wicklow	43	1330	83	31	83	2619
<i>Subtotal</i>	491	22149	1671	620	1545	51061
<i>City Councils</i>						
Cork	16	835	30	12	30	1147
Dublin	1	325	121	54	121	5039
Galway	15	647	47	27	47	2198
Limerick	16	950	70	60	0	800
Waterford	11	919	16	9	16	882
<i>Subtotal</i>	59	3676	284	162	214	10066
Total	550	25825	1955	782	1759	61127

NIS — Not Supplied.

331. **Ms C. Murphy** asked the Minister for the Environment, Heritage and Local Government the local authorities which indicated they had included a management company obligation as a condition of planning permission for housing developments; if the practice has ceased for similar new developments; the measures local authorities informed him they intend to take to overcome problems for housing developments where inappropriate planning conditions on management companies applied; and if he will make a statement on the matter. [18708/06]

332. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government if the Government intends to ban management companies in housing estates. [18854/06]

Minister for the Environment, Heritage and Local Government (Mr. Roche): I propose to take Questions Nos. 331 and 332 together.

In late 2005 I requested that a survey be carried out of planning authorities regarding their policy on attaching planning conditions relating to management companies in housing developments. The responses to that survey indicate that the majority of planning authorities do not attach conditions to planning permissions requiring

management companies to be set up in the case of housing estates. A number do in very specific circumstances, for example, where there is a shared waste water treatment plant between a number of houses. Given the existence of such circumstances, it would not be appropriate to place an absolute ban on attaching planning conditions requiring management companies in housing estates.

On 26 January 2006 my Department issued Circular Letter PD 1/06 reminding planning authorities of their responsibilities in relation to the taking in charge of estates and asking that each authority adopt a policy in this regard. This circular clearly stated that the existence of a management company to maintain elements of common buildings, carry out landscaping, etc. must not impact upon the decision by the authority to take in charge roads and related infrastructure where a request to do so is made. I am considering whether any additional advice is required in relation to this matter. A Law Reform Commission Working Group is currently examining legal aspects of the management of multi-unit structures generally and the Government will consider the recommendations in its final report, including the need for any new legislation in this area.